

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, NOVEMBER 20, 2000

SESSION OF 2000 184TH OF THE GENERAL ASSEMBLY

No. 44

SENATE

MONDAY, November 20, 2000

The Senate met at 2 p.m., Eastern Standard Time.

The PRESIDING OFFICER (James J. Rhoades) in the Chair.

PRAYER

The Chaplain, Reverend Dr. JAMES W. GRUBB, of Grace United Methodist Church, Harrisburg, offered the following prayer:

Creator God, as this Senate gathers today, we acknowledge You as Sovereign of the universe in whom there is perfect freedom and truth. In this Chamber there is from time to time reference to an aisle. That aisle often serves as a physical and symbolic separation of philosophies and policies of government. The aisle also is a sign of our democratic society and the freedom of expression which we enjoy in this Commonwealth. And we thank You for a form of government which allows discussion and debate. However, we pray also that the aisle will never become like a fortified wall, so strong and so high that it cannot be bridged by understanding, sensitivity, grace, and a unified search for truth which sometimes is beyond us rather than inherently in us.

May Your blessing then rest on each Senator and every staff member who supports the important work of this body. Grant them strength for their work and peace of soul. Amen.

The PRESIDING OFFICER. The Chair thanks Dr. Grubb, who is the guest today of Senator Piccola.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 15, 2000.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator BRIGHTBILL, and agreed to by voice vote, further reading was dispensed with and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDING OFFICER laid before the Senate the following communication in writing from His Excellency, the Gov-

ernor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

**COMMONWEALTH TRUSTEE OF TEMPLE
UNIVERSITY-OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION**

November 15, 2000

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, Jerry L. Volpe, 767 Ashton Road, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as a Commonwealth Trustee of Temple University-of the Commonwealth System of Higher Education, to serve until October 14, 2004, and until his successor is appointed and qualified, vice James A. Williams, Holland, whose term expired.

THOMAS J. RIDGE
Governor

**RECALL COMMUNICATIONS
LAID ON THE TABLE**

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 laid on the table:

**MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION**

November 20, 2000

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 April 14, 2000 for the appointment of Howard E. Pflugfelder (At-Large), 700 Hilltop Drive, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve until the second Tuesday of January 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period.

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

THOMAS J. RIDGE
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

November 20, 2000

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 April 14, 2000 for the appointment of Leon H. Reed, Jr. (District 7), R.R. 3, Box 1710, Honesdale 18431, Wayne County, Twentieth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve until the second Tuesday of January 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period.

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

THOMAS J. RIDGE
Governor

**CORRECTION TO NOMINATION
REFERRED TO COMMITTEE**

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

MEMBER OF THE PENNSYLVANIA CANCER
CONTROL, PREVENTION AND
RESEARCH ADVISORY BOARD

November 17, 2000

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

Please note the nomination dated November 9, 2000 for the appointment of Diane M. Zilinskas, 302 Giffin Avenue, Pittsburgh 15210, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve until April 30, 2000 and until her successor is appointed and qualified, vice Judy F. Baillis, Port Matilda, resigned, should be corrected to read:

Diane M. Zilinskas, 302 Giffin Avenue, Pittsburgh 15210, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve until April 30, 2001 and until her successor is appointed and qualified, vice Judy F. Baillis, Port Matilda, resigned.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 712**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDING OFFICER. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

BILLS INTRODUCED AND REFERRED

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

November 17, 2000

Senators MURPHY, CONTI, WAGNER, WAUGH, BELL, TOMLINSON, EARLL, HELFRICK, STOUT, KITCHEN, O'PAKE, COSTA, HART, KUKOVICH, WHITE, SALVATORE, BOSCOLA, TARTAGLIONE, LEMMOND and RHOADES presented to the Chair **SB 1591**, entitled:

An Act establishing the Early Childhood Education Fund; providing funding for enhancement of the Head Start Program and other similar programs; and making a repeal.

Which was committed to the Committee on EDUCATION, November 17, 2000.

Senators BOSCOLA and BELL presented to the Chair **SB 1592**, entitled:

An Act amending the act April 14, 1972 (P.L.233, No.64), entitled The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts.

Which was committed to the Committee on JUDICIARY, November 17, 2000.

Senators COSTA, WAUGH, HUGHES, O'PAKE, TARTAGLIONE, BELAN, BOSCOLA, EARLL, STAPLETON, KUKOVICH and STOUT presented to the Chair **SB 1593**, entitled:

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

Which was committed to the Committee on FINANCE, November 17, 2000.

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

The SECRETARY. Consent has been given for the Committee on Public Health and Welfare to meet in the Rules room during today's Session to consider House Bills No. 516 and 483.

REPORTS FROM COMMITTEE

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

SB 1560 (Pr. No. 2238) (Rereported)

An Act amending the act of October 22, 1986 (P.L.1452, No.143), entitled Pennsylvania Adult Basic and Literacy Education Act, further providing for short title, for findings and purpose, for definitions, for grant program, for limitations on funding, for interagency coordinating council, for audits and records and for monitoring and reporting.

HB 295 (Pr. No. 4177) (Rereported)

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for contributions for creditable State service, for nonschool service, for incomplete payments, for annuity termination, for membership of the Public School Employees' Retirement Board and the State Employees' Retirement Board, for regulations and procedures, for member contributions, for payroll deductions, for elections of members, for multiple service status, for management of fund and accounts, for duties of employers, for creditable non-State service, for purchase of credit, for incomplete payments, for termination of annuities, for regulations and procedures, for member contributions, for duties of board and heads of departments and for election as multiple service member.

HB 777 (Pr. No. 4203) (Amended) (Rereported)

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Debt Authorization and Project Itemization Act of 2000-2001, providing for a compliance option.

HB 877 (Pr. No. 4204) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations of actions, for inspection of court files and records, for juvenile history record information, for place of detention and for the definition of "local agency" for purposes of matters affecting governmental units.

HB 1393 (Pr. No. 4205) (Amended) (Rereported)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful taking or possession of threatened or endangered species; limiting the prohibition on the use of turkey blinds; and providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

HB 2216 (Pr. No. 4171) (Rereported)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for certification advisory board and programs, for employee certification and for exemptions for food employee certification.

HB 2800 (Pr. No. 4114) (Rereported)

An Act amending the act of August 6, 1971 (P.L.281, No.72), entitled "An act standardizing the procedures for pledges of assets to secure deposits of public funds with banking institutions pursuant to other laws; establishing a standard rule for the types, amounts and valuations of assets eligible to be used as collateral for deposits of public funds; permitting assets to be pledged against deposits on a pooled basis; and authorizing the appointment of custodians to act as pledgees of assets," further providing for amounts required to be pledged and for eligible assets and valuation.

LEGISLATIVE LEAVE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

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

The PRESIDING OFFICER. Senator Mellow requests a temporary Capitol leave for Senator Kasunic. Without objection, that leave will be granted.

LEAVES OF ABSENCE

Senator MELLOW asked and obtained leaves of absence for Senator BELAN, Senator KITCHEN, and Senator STAPLETON, for today's Session, for personal reasons.

CALENDAR**SB 1581 CALLED UP OUT OF ORDER**

SB 1581 (Pr. No. 2265) -- Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1581 (Pr. No. 2265) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania.

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-46

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR RICHARD A.
TILGHMAN PRESENTED TO THE SENATE**

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

Senator TILGHMAN. Mr. President, I would like to introduce Alice Grove, who is an 11th grader at Lower Merion High

School in Lower Merion Township, Montgomery County. She is up here today to study State government. This morning she was in Senator Piccola's office, and rather than learn about State government, she spent 3 hours outside with the bomb scare, but I would like the Senate to greet Alice Grove, who is here today to study our State system of government. Alice, would you please stand.

The PRESIDING OFFICER. Would the guest of Senator Tilghman please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUEST OF SENATOR MICHAEL WAUGH PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I have the honor of introducing to the Members of the Senate a guest Page from York County. Today serving as a guest Page is Jeremy Miller, who is a ninth grader at Northeastern High School. He is an honor roll student, and has been a member of the People to People organization for the last 3 years, which means he has traveled to Australia, Wales, England, and Hawaii. He is also a soccer player.

Would the Senate please extend a warm welcome to Jeremy Miller.

The PRESIDING OFFICER. Would the guest of Senator Waugh please rise.

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, I am pleased to introduce Leah Hummer and Kimberly Badowski, who are serving as guest Pages in the Senate this week. Both residents of Crawford County, Leah and Kimberly are 11th graders at Titusville High School. They both are members of the school volleyball and basketball teams. Leah is also a member of the track team, and Kimberly is a member of the softball team. Additionally, both are active in the school's choir, Varsity Club, Stand Tall, which is teens against drugs and alcohol, and "On Applebee Pond," a puppet show for children teaching right from wrong.

Mr. President, would the Senate please join me in welcoming my guest Pages to the Senate of Pennsylvania.

The PRESIDING OFFICER. Would the guest Pages of Senator Robbins please rise so the Senate may give you its usual warm welcome.

(Applause.)

ANNOUNCEMENT BY MAJORITY WHIP

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, for the information of the Members, there are some documents up front that require all the Members' signatures. If they would sign them as they leave the floor, it would be appreciated.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, at this time I request a brief recess of the Senate for the purpose of a Republican caucus in the Majority Caucus Room downstairs.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

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

Mr. President, I would like if we had some idea as to what time, and maybe it was stated, as to what time we would return to the floor.

The PRESIDING OFFICER. He did not state it, Senator.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, based upon the size of the Calendar, we are estimating about 45 minutes.

The PRESIDING OFFICER. So approximately 5:45 p.m.

For purposes of Republican and Democratic caucuses, with the hopeful return at approximately 5:45 p.m., the Senate will stand in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given for the following committee meetings to occur in the Rules room: Committee on Rules and Executive Nominations to consider Senate Bills No. 897 and 1173, House Bills No. 538 and 951, and certain nominations; also the Committee on Appropriations to meet in the Rules room to consider House Bills No. 2149 and 2498.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I request a brief recess of the Senate for the purpose of the off-the-floor committee meetings which have just been announced, and the meeting of the Committee on Appropriations will be in the Rules room immediately after we recess.

The PRESIDING OFFICER. The first meeting in the Rules room will be the Committee on Appropriations. The second will be the Committee on Rules and Executive Nominations. For purposes of the aforementioned meetings, the Senate will stand in recess.

AFTER RECESS

The PRESIDENT pro tempore (Robert C. Jubelirer) in the Chair.

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

**COMMUNICATIONS FROM THE GOVERNOR
TAKEN FROM THE TABLE**

Senator SALVATORE, by unanimous consent, called from the table communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

**MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION**

November 20, 2000

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 April 14, 2000 for the appointment of Howard E. Pflugfelder (At-Large), 700 Hilltop Drive, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve until the second Tuesday of January 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period.

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

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION**

November 20, 2000

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 April 14, 2000 for the appointment of Leon H. Reed, Jr. (District 7), R.R. 3, Box 1710, Honesdale 18431, Wayne County, Twentieth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve until the second Tuesday of January 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period.

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

THOMAS J. RIDGE
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

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

The PRESIDENT pro tempore. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON
RULES AND EXECUTIVE NOMINATIONS**

Senator SALVATORE, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

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

October 26, 2000

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, Daniel P. Elby, 3535 Pebble Ridge Drive, York 17402-4358, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2002 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

November 2, 2000

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 P. Holveck, 138 Piqua Circle, Berwyn 19312, Chester County, Nineteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2002 and until his successor is appointed and qualified, vice F. Eugene Dixon, Jr., Lafayette Hill, resigned.

THOMAS J. RIDGE
Governor

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

October 26, 2000

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, R. Benjamin Wiley, 3570 Tanager Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2002 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

October 5, 2000

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, Denis P. Cohen, Esquire, 6447 Woodcrest Avenue, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2002, vice The Honorable Petrese B. Tucker, resigned.

THOMAS J. RIDGE
Governor

COMMONWEALTH TRUSTEE OF THE UNIVERSITY
OF PITTSBURGH--OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

October 25, 2000

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, Elizabeth Jeanne Gleason, 552 Elknud Lane, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh--of the Commonwealth System of Higher Education, to serve until October 5, 2004, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

Senator SALVATORE. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT pro tempore. The nominations will be laid on the table.

REPORTS FROM COMMITTEES

Senator BRIGHTBILL, from the Committee on Rules and Executive Nominations, reported the following bills:

SB 897 (Pr. No. 1012) (Rereported)

An Act amending the act of October 10, 1975 (P.L.383, No.110), entitled Physical Therapy Practice Act, providing for a certificate of authorization to practice physical therapy without the required referral; requiring professional liability insurance coverage and continuing education; and providing penalties.

SB 1173 (Pr. No. 2313) (Amended) (Rereported) (Concurrence)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, reenacting provisions on manufacture, disposition, use or possession of devices for telecommunications theft; providing for the offense of discharge of a firearm into an occupied structure; and further providing for sale or illegal use of certain solvents.

HB 538 (Pr. No. 989) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for prosecution barred by former prosecution for different offense.

HB 951 (Pr. No. 3659) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of bomb threats; and further providing for arson and related offenses.

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

HB 2149 (Pr. No. 4207) (Amended) (Rereported)

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

HB 2498 (Pr. No. 4208) (Amended) (Rereported)

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Pennsylvania Keystone Opportunity Zone Act, providing for keystone opportunity expansion zones and related matters and for authorized expenditures; further providing for additional tax exemptions, tax deductions, tax abatements and tax credits; and making a repeal.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 47 (Pr. No. 4194) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for unlawful restraint, for false imprisonment and for obscenity; and providing for sex offender treatment.

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

On the question,
Shall the bill pass finally?

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

YEA-46

Armstrong	Greenleaf	Mellow	Tartaglione
Bell	Hart	Mowery	Thompson
Bodack	Helfrick	Murphy	Tilghman
Boscola	Holl	Musto	Tomlinson
Brightbill	Hughes	O'Pake	Wagner

Conti	Jubelirer	Piccola	Waugh
Corman	Kasunic	Punt	Wenger
Costa	Kukovich	Rhoades	White
Dent	LaValle	Robbins	Williams
Earl	Lemmond	Salvatore	Wozniak
Fumo	Loeper	Schwartz	
Gerlach	Madigan	Stout	

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. The Chair notes the presence on the floor of Senator Kasunic, and his temporary Capitol leave is cancelled.

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 130 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 227 (Pr. No. 3956) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for durable powers of attorney.

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

On the question, Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

SB 295 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL AMENDED AND LAID ON THE TABLE

HB 454 (Pr. No. 3009) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault and for use of tear or noxious gas in labor disputes.

On the question, Will the Senate agree to the bill on third consideration? Senator BOSCOLA offered the following amendment No. A3809:

Amend Title, page 1, line 3, by striking out "and" and inserting a comma

Amend Title, page 1, line 3, by removing the period after "disputes" and inserting: and for willful obstruction of emergency telephone calls.

Amend Sec. 1, page 1, lines 7 and 8, by striking out ", amended December 21, 1998 (P.L. , No.159),"

Amend Sec. 2, page 5, line 9, by striking out all of said line and inserting:

Section 2. Sections 2708 and 6902 of Title 18 are amended to read: Amend Sec. 2, page 5, by inserting between lines 20 and 21:

§ 6902. Willful obstruction of emergency telephone calls.

(a) Offense defined.--

(1) A person is guilty of a summary offense if he willfully refuses to relinquish immediately a party line when informed that the line is needed for an emergency call to a fire department or police department or for medical aid or ambulance service, or if he secures the use of a party line by falsely stating that the line is needed for an emergency call.

(2) A person commits a misdemeanor of the third degree if he willfully interferes with or prevents a person from making an emergency call to a fire department, police department, 911 system or public safety answering point.

(b) Notice to public.--Every telephone directory distributed to the members of the general public in this Commonwealth, or in any portion thereof, which lists the calling numbers of telephones of any telephone exchange located in this Commonwealth, shall contain a notice which explains the offense provided for in this section. The notice shall be printed in type which is not smaller than the smallest other type on the same page, and to be preceded by the word "warning" printed in type at least as large as the largest type on the same page. The provisions of this subsection shall not apply to those directories distributed solely for business advertising purposes commonly known as classified directories. Any person, providing telephone service which distributes, or causes to be distributed, in this Commonwealth copies of a telephone directory violating the provisions of this subsection, shall be guilty of a summary offense.

(c) Definitions.--As used in this section the following words and phrases shall have the meanings given to them in this subsection:

"Emergency." A situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.

"911 system." A system which permits a person dialing 911 by telephone to be connected to a public safety answering point, via normal telephone facilities, for the reporting of police, fire, medical or other emergency situations.

"Party line." A subscriber's line telephone circuit, consisting of two or more main telephone stations connected therewith each station with a distinctive ring or telephone number.

"Public safety answering point." The first point at which calls for emergency assistance from individuals are answered, operated 24 hours a day.

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. A3814:

Amend Title, page 1, line 3, by removing the period after "disputes" and inserting: ; defining the offense of disarming a law enforcement officer; and imposing a penalty.

Amend Sec. 1, page 1, lines 7 and 8, by striking out: ", amended December 21, 1998 (P.L. , No.159),"

Amend Bill, page 5, by inserting between lines 20 and 21:

Section 3. Title 18 is amended by adding a section to read:
§ 5104.1. Disarming law enforcement officer.

(a) Offense defined.—A person commits the offense of disarming a law enforcement officer if he removes or attempts to remove a firearm, rifle, shotgun or weapon from the person of a law enforcement officer or corrections officer, or deprives a law enforcement officer or corrections officer of the use of a firearm, rifle, shotgun or weapon, when the officer is acting within the scope of the officer's duties, and the offender has reasonable cause to know or knows that the individual is a law enforcement officer or corrections officer.

(b) Grading.—A violation of this section constitutes a felony of the third degree. If the firearm, rifle, shotgun or weapon involved is discharged during the violation of this section, the offense is a felony of the second degree.

Amend Sec. 3, page 5, line 21, by striking out "3" and inserting: 4

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

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

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

Senator BRIGHTBILL. Mr. President, I move that House Bill No. 454, as amended, be laid upon the table.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT pro tempore. The bill will be laid upon the table.

BILL OVER IN ORDER

HB 599 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 609 (Pr. No. 4182) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1061 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1093 (Pr. No. 1324) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for retention and reinstatement of service credits.

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-46

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

NAY-0

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

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

BILL OVER IN ORDER

HB 1142 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL AMENDED AND LAID ON THE TABLE

HB 1150 (Pr. No. 1299) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A4778:

Amend Title, page 1, line 8, by removing the period after "organizations" and inserting: and for exemptions from registration.

Amend Bill, page 2, by inserting between lines 20 and 21:
Section 2. Section 6 of the act, amended July 9, 1992 (P.L.436, No.92), is amended to read:
Section 6. Exemptions from registration.

(a) General rule.—The following charitable organizations shall be exempt from the registration requirements of this act:

- (1) Educational institutions, the curricula of which in whole or in part are registered with or approved by the Department of Education, either directly or by acceptance of accreditation by an

accrediting body recognized by the Department of Education, and any auxiliary associations, foundations and support groups which are directly responsible to educational institutions.

(2) Hospitals which are subject to regulation by the Department of Health or the Department of Public Welfare and the hospital foundation, if any, which is an integral part thereof.

(3) A local post, camp, chapter or similarly designated element or a county unit of such elements of:

(i) any veterans' organization chartered under Federal law and any service foundation recognized in the bylaws of such organization;

[(ii) a bona fide organization of volunteer firemen;

(iii) a bona fide ambulance association;

(iv) a bona fide rescue squad association;] or

(v) a bona fide auxiliary or affiliate of any organization or association under subparagraph (i), (ii), (iii) or (iv);

provided that all fundraising activities of an organization or association under subparagraph (i), (ii), (iii), (iv) or (v) are carried on by volunteers, members or an auxiliary or affiliate thereof, and those volunteers, members or affiliates receive no compensation directly or indirectly for the fundraising activities.

(4) Public nonprofit library organizations which receive financial aid from State and municipal governments and file an annual fiscal report with the State Library System.

(5) Senior citizen centers and nursing homes which are nonprofit and charitable and which have been granted tax-exempt status under the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.), provided that all fundraising activities are carried on by volunteers, members or officers of the Senior Citizen Center and those volunteers, members or officers receive no compensation, directly or indirectly, for the fundraising activities.

(6) Bona fide parent/teacher associations or parent/teacher organizations as recognized in a notarized letter from the school district in which they are located.

(7) Any corporation established by an act of Congress of the United States that is required by Federal law to submit annual reports of its activities to Congress containing itemized accounts of all receipts and expenditures after being fully audited by the Department of Defense.

(8) Any charitable organization which receives contributions of \$25,000 or less annually, provided that such organization does not compensate any person who conducts solicitations. Charitable organizations which receive more than \$25,000 in contributions shall file the appropriate registration statement within 30 days after the contributions are received.

(9) Any bona fide organization of volunteer firefighters located in this Commonwealth, regardless of the amount of contributions received annually, which provides fire protection services and which may offer other voluntary emergency services within this Commonwealth. Voluntary emergency services provided by an organization of volunteer firefighters may include voluntary ambulance and voluntary rescue services.

(10) A bona fide ambulance association located in this Commonwealth, regardless of the amount of contributions received annually.

(11) A bona fide rescue squad association located in this Commonwealth, regardless of the amount of contributions received annually.

(b) Effect of exemption.—Exemption from the registration requirements of this act shall in no way limit the applicability of other provisions of the act to a charitable organization or any professional solicitor or professional fundraising counsel acting on its behalf, except that written notice under sections 9(k) and 13(c) shall not apply.

Amend Sec. 2, page 2, line 21, by striking out "2" and inserting: 3
Amend Sec. 3, page 2, line 28, by striking out "3" and inserting: 4

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?

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

Senator BRIGHTBILL. Mr. President, I move that House Bill No. 1150, as amended, be laid on the table.

BILL AMENDED

SB 1401 (Pr. No. 1832) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, imposing additional requirements on the Board of Commissioners of Public Grounds and Buildings relating to the approval of leases of real estate.

On the question,
Will the Senate agree to the bill on third consideration?
Senator HELFRICK offered the following amendment No. A4446:

Amend Sec. 1 (Sec. 326), page 2, line 14, by inserting after "taxes":
on the leased property

Amend Sec. 2, page 2, line 16, by striking out "the effective date of this act" and inserting: July 1, 2001

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1416 (Pr. No. 1659) -- 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 civil immunity of school officers or employees relating to emergency care, first aid and rescue.

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-46

Armstrong	Greenleaf	Mellow	Tartaglione
Bell	Hart	Mowery	Thompson
Bodack	Helfrick	Murphy	Tilghman
Boscola	Holl	Musto	Tomlinson
Brightbill	Hughes	O'Pake	Wagner
Conti	Jubelirer	Piccola	Waugh
Corman	Kasunic	Punt	Wenger
Costa	Kukovich	Rhoades	White

Dent	LaValle	Robbins	Williams
Earll	Lemmond	Salvatore	Wozniak
Fumo	Loeper	Schwartz	
Gerlach	Madigan	Stout	

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 1447 (Pr. No. 1957) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No. 284), entitled The Insurance Company Law of 1921, further defining "insurer" and "person" for purposes of insurance holding companies; and further providing for standards and management of an insurer within a holding company system.

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-46

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 1487 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1523 (Pr. No. 3460) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, further providing for resumption of surname for a party in a divorce action.

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-46

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL AMENDED

SB 1567 (Pr. No. 2249) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to convey to the Grand Canyon Airport Authority certain lands situate in Shippen and Delmar Townships, Tioga County.

On the question,
Will the Senate agree to the bill on third consideration?
Senator MADIGAN offered the following amendment No. A4758:

- Amend Sec. 2, page 1, line 17, by inserting after "Shippen," County of Tioga,
- Amend Sec. 2, page 2, line 26, by striking out "the named grantors herein,"
- Amend Sec. 2, page 3, line 4, by striking out "land" and inserting: lands
- Amend Sec. 2, page 3, line 4, by inserting after "and": of
- Amend Sec. 2, page 3, lines 15 and 16, by striking out "a named grantor herein,"
- Amend Sec. 2, page 3, line 29, by striking out "land" and inserting: lands
- Amend Sec. 2, page 3, line 30, by inserting after "and" where it appears the first time: of
- Amend Sec. 2, page 4, line 16, by striking out "a party grantor herein,"

- Amend Sec. 2, page 4, line 30, by inserting after "Johnson": marking
- Amend Sec. 2, page 5, line 2, by inserting after "monument": marking
- Amend Sec. 2, page 5, line 7, by inserting after "Inc.,": marking
- Amend Sec. 2, page 5, lines 23 and 24, by striking out "whether singular or plural,"
- Amend Sec. 2, page 5, line 30, by striking out "11/21/91" and inserting: November 21, 1991,
- Amend Sec. 2, page 6, lines 5 and 6, by striking out "whether singular or plural,"
- Amend Sec. 2, page 6, line 6, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 6, lines 8 and 9, by striking out ", Deed Book 622," in line 8, all of line 9 and inserting: of Tioga County, Deed Book 622, page 13.
- Amend Sec. 2, page 6, line 11, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 6, line 12, by striking out "6/26/59" and inserting: June 26, 1959
- Amend Sec. 2, page 6, lines 17 and 18, by striking out "whether singular or plural,"
- Amend Sec. 2, page 6, line 18, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 6, line 20, by inserting after "Office": of Tioga County
- Amend Sec. 2, page 6, lines 20 and 21, by striking out ", of Tioga County"
- Amend Sec. 2, page 6, line 23, by striking out "6/2/80" and inserting: June 2, 1980
- Amend Sec. 2, page 6, line 24, by striking out "Deed Book 399, page 166 of Tioga County" and inserting: the Recorder of Deeds Office of Tioga County, Deed Book 399, page 166
- Amend Sec. 2, page 6, line 28, by removing the comma after "hereinafter"
- Amend Sec. 2, page 6, line 29, by striking out "whether singular or plural,"
- Amend Sec. 2, page 6, line 29, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, line 2, by striking out all of said line and inserting: Office of Tioga County, Deed Book 622, page 21.
- Amend Sec. 2, page 7, line 4, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, line 4, by striking out "3/14/83" and inserting: March 14, 1983
- Amend Sec. 2, page 7, line 11, by striking out "whether singular or plural,"
- Amend Sec. 2, page 7, line 12, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, line 14, by striking out ", Deed Book 622, page 1 of Tioga County" and inserting: of Tioga County, Deed Book 622, page 1.
- Amend Sec. 2, page 7, line 16, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, line 17, by striking out all of said line and inserting: June 1, 1990, recorded in the Recorder of Deeds Office of Tioga County, Deed Book 519, page 362,
- Amend Sec. 1, page 7, line 24, by striking out "whether by singular or plural,"
- Amend Sec. 2, page 7, line 25, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, lines 27 and 28, by striking out ", Deed Book 622, page 17, in Tioga County." and inserting: of Tioga County, Deed Book 622, page 17.
- Amend Sec. 2, page 7, line 30, by striking out "GRANTOR" and inserting: grantors
- Amend Sec. 2, page 7, line 30, by striking out "8/31/73" and inserting: August 31, 1973
- Amend Sec. 2, page 8, line 1, by inserting after "in": the Recorder of Deeds Office of Tioga County,
- Amend Sec. 2, page 8, lines 5 and 6, by striking out "whether singular or plural,"

Amend Sec. 2, page 8, line 6, by striking out "GRANTOR" and inserting: grantors

Amend Sec. 2, page 8, lines 8 and 9, by striking out ", Deed Book 622, page 9, of Tioga County." and inserting: of Tioga County, Deed Book 622, page 9.

Amend Sec. 2, page 8, line 11, by striking out "GRANTOR" and inserting: grantors

Amend Sec. 2, page 8, line 12, by striking out "4/5/67" and inserting: April 5, 1967

Amend Sec. 2, page 8, line 20, by striking out "old"

Amend Sec. 2, page 10, line 22, by striking out "R.Stryker" and inserting: R. Stryker

Amend Sec. 2, page 10, line 23, by striking out "Tioga County Deed" and inserting: the Recorder of Deeds Office of Tioga County, Deed

Amend Bill, page 10, by inserting between lines 24 and 25:

Section 3. The conveyance shall be made under and subject to all easements and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, and under and subject to any interests, estates or tenancies vested in third persons, whether or not appearing of record, with respect to any portion of the land or improvements erected thereon.

Section 4. This conveyance shall be in accordance with the provisions of the divestiture agreement signed by the Department of Transportation and the Grand Canyon Airport Authority on September 22, 2000.

Amend Sec. 3, page 10, line 25, by striking out "3" and inserting: 5

Amend Sec. 4, page 10, line 27, by striking out "4" and inserting: 6

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1580 (Pr. No. 2279) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Huntingdon Area School District certain land situate in Huntingdon Borough, Huntingdon County, Pennsylvania.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

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

YEA-46

Armstrong	Greenleaf	Mellow	Tartaglione
Bell	Hart	Mowery	Thompson
Bodack	Helfrick	Murphy	Tilghman
Boscola	Holl	Musto	Tominson

Brightbill
Conti
Corman
Costa
Dent
Earll
Fumo
Gerlach

Hughes
Jubelirer
Kasunic
Kukovich
LaValle
Lemmond
Loeper
Madigan

O'Pake
Piccola
Punt
Rhoades
Robbins
Salvatore
Schwartz
Stout

Wagner
Waugh
Wenger
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 Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILL AMENDED

SB 1583 (Pr. No. 2267) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on third consideration?

Senator STOUT offered the following amendment No. A4669:

Amend Title, page 1, line 9, by inserting after "for": excise taxes and for

Amend Bill, page 1, lines 12 and 13, by striking out all of said lines and inserting:

Section 1. Section 1770.2(f) of the act of August 9, 1955 (P.L.323, No.130), known as The County Code, amended or added June 18, 1997 (P.L.179, No.18), February 18, 1998 (P.L.156, No.23) and June 25, 1999 (P.L.182, No.25), is amended to read:

Section 1770.2. Authorization of Excise Tax.—* * *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Consideration." Receipts, fees, charges, rentals, leases, cash, credits, property of any kind or nature, or other payment received by operators in exchange for or in consideration of the use or occupancy by a transient of a room or rooms in a hotel for any temporary period.

"County." Any county which is [on the effective date of this act] a county of the third class having a population under the 1990 Federal Decennial Census in excess of 337,000 residents, but less than 341,000 residents[, or]; a county of the third class having a population under the 1990 Federal Decennial Census in excess of 374,000 residents, but less than 380,000 residents[, or]; a county of the third class having a population under the 1990 Federal Decennial Census in excess of 415,000 residents, but less than 500,000 residents[, or]; a county of the fourth class having a population under the 1990 Federal Decennial Census in excess of 159,000 residents, but less than 175,000 residents[, or]; a county of the fifth class having a population under the 1990 Federal Decennial Census in excess of 123,000 residents[, or]; a county of the fifth class having a population under the 1990 Federal Decennial Census in excess of 117,000 residents, but less than 121,050 residents[, or]; a county of the sixth class having a population under the 1990 Federal Decennial Census in excess of 87,000 residents[.]; or a county of the sixth class having a population under the 1990 Federal Decennial Census in excess of 38,000 residents, but less than 40,000 residents.

"Hotel." A hotel, motel, inn, guest house or other structure which holds itself out by any means, including advertising, license, registration with an innkeepers' group, convention listing association, travel publication or similar association or with a government agency, as being available to provide overnight lodging or use of facility space for

consideration to persons seeking temporary accommodation; any place which advertises to the public at large or any segment thereof that it will provide beds, sanitary facilities or other space for a temporary period to members of the public at large; or any place recognized as a hostelry. The term does not include any portion of a facility that is devoted to persons who have an established permanent residence or a college or university student residence hall or any private campground, or any cabins, public campgrounds or other facilities located on State land.

"Occupancy." The use or possession or the right to the use or possession by any person other than a permanent resident of any room in a hotel for any purpose or the right to the use or possession of the furnishings or to the services accompanying the use and possession of the room.

"Operator." An individual, partnership, nonprofit or profit-making association or corporation or other person or group of persons who maintain, operate, manage, own, have custody of or otherwise possess the right to rent or lease overnight accommodations in a hotel to the public for consideration.

"Patron." A person who pays the consideration for the occupancy of a room or rooms in a hotel.

"Permanent resident." A person who has occupied or has the right to occupancy of a room or rooms in a hotel as a patron or otherwise for a period exceeding thirty consecutive days.

"Recognized tourist promotion agency." The nonprofit corporation, organization, association or agency which is engaged in planning and promoting programs designed to stimulate and increase the volume of tourist, visitor and vacation business within counties served by the agency as that term is defined in the act of April 28, 1961 (P.L.111, No.50), known as the "Tourist Promotion Law."

"Room." A space in a hotel set aside for use and occupancy by patrons, or otherwise, for consideration, having at least one bed or other sleeping accommodation in a room or group of rooms.

"Transaction." The activity involving the obtaining by a transient or patron of the use or occupancy of a hotel room from which consideration is payable to the operator under an express or an implied contract.

"Transient." An individual who obtains accommodation in a hotel by means of registering at the facility for the temporary occupancy of a room for the personal use of the individual by paying a fee to the operator.

Section 2. The act is amended by adding a section to read:

Amend Sec. 2, page 4, line 26, by striking out "2" and inserting: 3

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER

HB 1980 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 2014 (Pr. No. 4167) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 22, 1913 (P.L.912, No.437), entitled, "An act providing for the payment of the costs incurred in the trial of convicts and prisoners escaping, or attempting to escape, from the several penitentiaries and reformatories of the Commonwealth of Pennsylvania, by the respective counties from whose courts the said escaping convicts or prisoners have been committed; and providing for the maintenance of such convicts under sentence for escape, et cetera," further providing for maintenance of escaping convicts under new sentence; providing for criminal offense during confinement; and making a repeal.

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

BILL OVER IN ORDER

HB 2070 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL LAID ON THE TABLE

HB 2189 (Pr. No. 3462) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, providing for a short title; further providing for definitions relating to professional standards and requirements, for the Professional Standards and Practices Commission, for its membership and qualifications, for its powers and duties, for its organization and meetings and for complaints; providing for the imposition of discipline against professional educators; further providing for confidentiality, for duties of local school board officials, for department action after investigation, for hearings, for decisions by hearing officers, for appeals, for reinstatement and for unauthorized release of information; providing for immunity from liability; further providing for commission proceedings and procedures; and providing for charter school staff members.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

BILLS AMENDED

HB 2272 (Pr. No. 3151) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for retaliation against witness or victim.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A4693:

Amend Title, page 1, line 3, by striking out "or" and inserting a comma

Amend Title, page 1, line 3, by removing the period after "victim" and inserting: or party.

Amend Sec. 1 (Sec. 4953), page 1, line 13, by striking out "alarm or seriously annoy" and inserting: threaten

Amend Sec. 1 (Sec. 4953), page 1, line 15, by striking out all of said line and inserting: or a party in a civil matter.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

HB 2328 (Pr. No. 3461) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for forfeiture relating to intestate succession.

On the question,

Will the Senate agree to the bill on third consideration?

Senator COSTA offered the following amendment No. A4358:

Amend Title, page 1, line 3, by removing the period after "succession" and inserting: , for forfeiture relating to intestate succession, for granting of letters testamentary and letters of administration, for qualifications to serve as a personal representative, for revocation of letters testamentary and letters of administration and for removal of personal representative; and providing for a preadjudication rule.

Amend Bill, page 2, by inserting between lines 16 and 17:

Section 2. Section 3155 of Title 20 is amended by adding a subsection to read:

§ 3155. Persons entitled.

(d) Death charges.—Notwithstanding the provisions of subsections (a) and (b), the register shall not grant letters testamentary or letters of administration to any person charged, whether by indictment, information or otherwise, by the United States, the Commonwealth or any of the several states, with voluntary manslaughter or homicide, except homicide by vehicle, in connection with a decedent's death unless and until the charge is withdrawn, dismissed or a verdict of not guilty is returned.

Section 3. Section 3156 of Title 20 is amended by adding a paragraph to read:

§ 3156. Persons not qualified.

No person shall be qualified to serve as a personal representative who is:

(5) Charged, whether by indictment, information or otherwise, by the United States, the Commonwealth or any of the several states, with voluntary manslaughter or homicide, except homicide by vehicle, in connection with a decedent's death unless and until the charge is withdrawn, dismissed or a verdict of not guilty is returned.

Section 4. Section 3181 of Title 20 is amended by adding a subsection to read:

§ 3181. Revocation of letters.

(c) Death charges.—Whether or not a will has been submitted or admitted, the register may revoke letters testamentary or of administration when it appears that the person to whom the letters were granted has been charged with voluntary manslaughter or homicide, except homicide by vehicle, as set forth in sections 3155 (relating to persons entitled) and 3156 (relating to persons not qualified), provided that the revocation shall not occur on these grounds if and when the charge has been dismissed, withdrawn or terminated by a verdict of not guilty.

Section 5. Section 3182 of Title 20 is amended by adding a paragraph to read:

§ 3182. Grounds for removal.

The court shall have exclusive power to remove a personal representative when he:

(4.1) has been charged with voluntary manslaughter or homicide, except homicide by vehicle, as set forth in sections 3155 (relating to persons entitled) and 3156 (relating to persons not qualified), provided that the removal shall not occur on these grounds if the charge has been dismissed, withdrawn or terminated by a verdict of not guilty; or

Section 6. Title 20 is amended by adding a section to read:

§ 8814.1. Preadjudication rule.

(a) General rule.—If a person has been charged, whether by indictment, information or otherwise, by the United States, the Commonwealth or any of the several states, with voluntary manslaughter or

homicide, except homicide by vehicle, in connection with a decedent's death, then any and all property or benefit that would otherwise pass to that person from the decedent's estate shall be placed and preserved in escrow by the person duly appointed by the register as personal representative. Upon dismissal or withdrawal of the charge, or upon the return of a verdict of not guilty, the property or benefit held in escrow shall pass as if no charge had been filed or made. Upon conviction of the charge, the property or benefit held in escrow shall pass in accordance with the terms and provisions of this chapter.

(b) Exception.—Notwithstanding subsection (a), the duly appointed personal representative shall be authorized upon notice to all interested parties, including, but not limited to, the accused, to petition the orphans' court division of the court of common pleas in the county where the estate lies for payment from the escrowed funds of child support and related expenses and of expenses of estate administration. Disposition of the petition shall lie in the sound discretion of the court.

(c) Notice to register of wills.—Within seven days of charging, whether by indictment, information or otherwise, a person with homicide or manslaughter the district attorney shall, in writing, notify the register of the name of the person charged, the name of the decedent and the charge.

Amend Sec. 2, page 2, line 17, by striking out "2" and inserting: 7

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

HB 181 (Pr. No. 4178) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Community and Economic Development to adopt a program of training, examination and qualification for tax collectors.

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

SB 896 (Pr. No. 2280) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1994 (P.L.888, No.128), entitled Anaerobic Manure Digesters Act, further providing for the title, for legislative intent, for definitions, for development costs, for administration, for building and for funding.

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

HB 1639 (Pr. No. 4179) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the Act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for benefits.

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

HB 1728 (Pr. No. 4180) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 7, 1990 (P.L.639, No.165), known as the Hazardous Material Emergency Planning and Response Act, further providing for additional powers and duties for the Pennsylvania Emergency Management Agency, for definitions, for establishment and functions of local emergency planning committees, for hazardous material safety program, for emergency reporting and notification requirements, for establishment of funds, for emergency management grants, for facility and vehicle inspection and testing, for immunity from civil liability and for enforcement; and making editorial changes.

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

BILL REREFERRED

HB 2 (Pr. No. 4196) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a unified workforce investment system; restructuring certain administrative functions, procedures and entities; transferring workforce development functions of Commonwealth agencies; establishing the Pennsylvania Workforce Investment Board; and authorizing local workforce investment boards.

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

BILLS OVER IN ORDER

SB 474 and HB 519 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 550 (Pr. No. 4195) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for payment of life insurance benefits and for publication of rate increases on home page; further providing for inclusion of health maintenance organizations in conversion notifications; changing the expiration date of an article; further defining "insurer" and "person" for purposes of insurance holding companies; and further providing for standards and management of an insurer within a holding company system.

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 599 (Pr. No. 2035) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), entitled Medical Practice Act of 1985, providing for certification of athletic trainers by the State Board of Medicine; and making repeals.

On the question,

Will the Senate agree to the bill on second consideration?

Senator TOMLINSON offered the following amendment No. A4430:

Amend Sec. 1 (Sec. 2), page 1, line 21; page 2, lines 1 through 5, by striking out all of said lines on said pages and inserting:

"Athletic training services." The management and provision of care of injuries to a physically active person as defined in this act, with the direction of a licensed physician. The term includes the rendering of emergency care.

Amend Sec. 1 (Sec. 2), page 2, line 8, by striking out "ATHLETE OR OTHER" and inserting: physically active

Amend Sec. 1 (Sec. 2), page 2, line 12, by removing the comma after "trainer" and inserting a period

Amend Sec. 1 (Sec. 2), page 2, line 12, by striking out "INCLUDING, BUT NOT LIMITED TO," and inserting: The term also includes

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 4 and 5: "Physically active person." An individual who participates in organized individual or team sports, athletic games or recreational sport activity.

Amend Sec. 1 (Sec. 2), page 3, line 13, by striking out "or podiatrist" and inserting: podiatrist or physical therapist

Amend Sec. 1 (Sec. 2), page 3, line 14, by inserting a period after "services"

Amend Sec. 1 (Sec. 2), page 3, line 14, by striking out "FOR AN ATHLETE OR OTHER PERSON"

Amend Sec. 1 (Sec. 2), page 3, lines 18 and 19, by striking out "FOR USE WITH AN ATHLETE"

Amend Sec. 3 (Sec. 51.1), page 4, lines 23 and 24, by striking out all of said lines and inserting: shall refer a physically active person with conditions outside the scope of athletic training

Amend Sec. 3 (Sec. 51.1), page 5, lines 16 and 17, by striking out "and State Board of Osteopathic Medicine"

Amend Sec. 3 (Sec. 51.1), page 5, line 21, by striking out "and State Board of Osteopathic Medicine"

Amend Sec. 3 (Sec. 51.1), page 6, lines 1 and 2, by striking out "December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985" and inserting: October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act

Amend Sec. 3 (Sec. 51.1), page 6, lines 4 and 5, by striking out "and the State Board of Osteopathic Medicine"

Amend Sec. 3 (Sec. 51.1), page 6, line 6, by striking out "all"

Amend Sec. 3 (Sec. 51.1), page 6, lines 11 through 13, by striking out "Certified athletic trainers supervised by a doctor of" in line 11, and all of lines 12 and 13

Amend Sec. 4, page 6, lines 14 through 17, by striking out all of said lines and inserting:

Section 4. The practice of athletic training shall not include the practice of physical therapy as defined by the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, however, that exclusion shall not operate to prohibit the rendering of athletic training services as defined in the act.

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 second consideration, as amended?

It was agreed to.

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

BILL REREFERRED

HB 788 (Pr. No. 4183) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the creation, conveyance, acceptance, duration and validity of conservation and preservation easements; and providing for judicial actions.

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

BILL ON SECOND CONSIDERATION

HB 819 (Pr. No. 3742) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for school tobacco control.

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

BILL OVER IN ORDER

HB 891 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 1113 (Pr. No. 1362) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for teachers' and employees' retirement plans.

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

BILLS OVER IN ORDER

HB 1132, HB 1136 and HB 1141 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS ON SECOND CONSIDERATION

HB 1161 (Pr. No. 4170) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for enforcement of claims and for financial security to be provided by contractors and bidders.

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

HB 1164 (Pr. No. 1317) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1967 (P.L.869, No.385), known as the Public Works Contractors' Bond Law of 1967, further providing for financial security of contractors.

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 1335 (Pr. No. 2036) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), entitled Osteopathic Medical Practice Act, providing for certification of athletic trainers by the State Board of Osteopathic Medicine; and making repeals.

On the question,
Will the Senate agree to the bill on second consideration?
Senator TOMLINSON offered the following amendment No. A4462:

Amend Sec. 1 (Sec. 2), page 1, lines 18 and 19, by striking out all of said lines

Amend Sec. 1 (Sec. 2), page 2, lines 1 through 4, by striking out "The planning, coordination and" in line 1, all of lines 2 and 3 and "physician." in line 4 and inserting: The management and provision of care of injuries to a physically active person as defined in this act with the direction of a licensed physician.

Amend Sec. 1 (Sec. 2), page 2, line 7, by striking out "AN ATHLETE OR OTHER" and inserting: the physically active

Amend Sec. 1 (Sec. 2), page 2, line 12, by removing the comma after "trainer" and inserting a period

Amend Sec. 1 (Sec. 2), page 2, line 12, by striking out "INCLUDING, BUT NOT LIMITED TO," and inserting: The term also includes

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 9 and 10: "Physically active person." An individual who participates in organized individual or team sports, athletic games or recreational sport activity.

Amend Sec. 1 (Sec. 2), page 3, line 18, by striking out "or podiatrist" and inserting: podiatrist or physical therapist

Amend Sec. 1 (Sec. 2), page 3, line 19, by striking out "FOR AN ATHLETE OR OTHER PERSON"

Amend Sec. 1 (Sec. 2), page 3, lines 23 and 24, by striking out "FOR USE WITH AN ATHLETE"

Amend Sec. 3 (Sec. 7.1), page 5, line 3, by striking out "AN ATHLETE OR" and inserting: a physically active

Amend Sec. 3 (Sec. 7.1), page 5, line 6, by striking out "ANY active" and inserting: a physically active

Amend Sec. 3 (Sec. 7.1), page 5, lines 6 and 7, by striking out "HEALTH CARE PROBLEMS" and inserting: conditions

Amend Sec. 3 (Sec. 7.1), page 5, line 28, by striking out "State Board of Medicine and"

Amend Sec. 3 (Sec. 7.1), page 6, line 2, by striking out "State Board of Medicine and"

Amend Sec. 3 (Sec. 7.1), page 6, line 9, by striking out "osteopathic"

Amend Sec. 3 (Sec. 7.1), page 6, line 14, by striking out "State Board of Medicine and the"

Amend Sec. 3 (Sec. 7.1), page 6, line 16, by striking out "all"

Amend Sec. 3 (Sec. 7.1), page 6, lines 18 through 20, by striking out "Certified athletic trainers supervised by" in line 18 and all of lines 19 and 20

Amend Sec. 4, page 6, lines 24 through 27, by striking out all of said lines and inserting:

Section 4. The practice of athletic training shall not include the practice of physical therapy as defined by the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act, however, that exclusion shall not operate to prohibit the rendering of athletic services as defined in the act.

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 second consideration, as amended?

It was agreed to.

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

BILL OVER IN ORDER

HB 1429 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1470 (Pr. No. 2029) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motor carrier and broker violations; further providing for unlawful activities and for police and Commonwealth inspections relating to vehicle inspections; and establishing the Motor Carrier Safety Advisory Committee.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER AND RECOMMITTED

SB 1495 (Pr. No. 2091) -- 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 sentencing procedure for murder of the first degree.

Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

Pursuant to Senate Rule X, the bill was recommitted to the Committee on Judiciary.

SB 1504 (Pr. No. 2138) -- The Senate proceeded to consideration of the bill entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extending the period of limitation in certain offenses when deoxyribonucleic acid (DNA) evidence establishes the identity of a defendant.

Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

Pursuant to Senate Rule X, the bill was recommitted to the Committee on Judiciary.

BILL OVER IN ORDER

HB 2313 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 2668 (Pr. No. 4001) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, changing the name of the Organ Donation Awareness Trust Fund to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2764 (Pr. No. 4176) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for optional assessed value limitations.

Considered the second time and agreed to,

Ordered, To be printed for third consideration.

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

SENATE RESOLUTION No. 227, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 10 of the Calendar, **Senate Resolution No. 227**, entitled:

A Resolution encouraging participation in the "Hunters Sharing the Harvest" program.

On the question,

Will the Senate adopt the resolution?

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

**HB 58, HB 285, HB 393, HB 454, HB 1150, HB 1588
AND HB 2189 TAKEN FROM THE TABLE**

Senator BRIGHTBILL. Mr. President, I move that House Bill No. 58 (Printer's No. 2116), House Bill No. 285 (Printer's No. 282), House Bill No. 393 (Printer's No. 2864), House Bill No. 454 (Printer's No. 4209), House Bill No. 1150 (Printer's No. 4210), House Bill No. 1588 (Printer's No. 1932) and House Bill No. 2189 (Printer's No. 3462) be taken from the table and placed on the Calendar.

On the question,

Will the Senate agree to the motion?

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

The PRESIDENT pro tempore. The bills will be placed on the Calendar.

**UNFINISHED BUSINESS
CONGRATULATORY RESOLUTIONS**

The PRESIDENT pro tempore laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Dr. Gary Warner Seldomridge, Richard C. Johnson and to Rabbi Allen Juda by Senator Boscola.

Congratulations of the Senate were extended to Peter A. Wisniewski and to Anthony Michael McCulla by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Charles William Litwhiler by Senator Helfrick.

Congratulations of the Senate were extended to Reverend William H. Chancy by Senator Kitchen.

Congratulations of the Senate were extended to Mr. and Mrs. Basil Lynch, Mr. and Mrs. Albert Siggia, John Houssock and to Margaret Petrusek by Senator Lemmond.

Congratulations of the Senate were extended to Gregory Ross Ellerman II and to Adam W. Cohick by Senator Mowery.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Daniel Priar and to The Reverend Franklin Benjamin Schley, Sr., by Senator Piccola.

Congratulations of the Senate were extended to Karen Lazur by Senator Rhoades.

Congratulations of the Senate were extended to Verolga Nix by Senator Schwartz.

Congratulations of the Senate were extended to Mr. and Mrs. Leon Snyder and to Mr. and Mrs. Robert West by Senator White.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1280**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT pro tempore. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 231**, with the information the House has passed the same without amendments.

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTIONS**

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

Senate Concurrent Resolutions No. 47 and 130.

ANNOUNCEMENT BY MAJORITY WHIP

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

Senator BRIGHTBILL. Mr. President, just for the information of the Members, there will be no further votes. We do have two Supplemental Calendars, but we believe those have been agreed to.

BILLS SIGNED

The PRESIDENT pro tempore (Robert C. Jubelirer) in the presence of the Senate signed the following bills:

SB 231, HB 165, HB 1443, HB 2139 and HB 2533.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, NOVEMBER 21, 2000

9:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on Senate Bill No. 1494, Personal Care Supplement Increase)	Room 8E-B East Wing
10:30 A.M.	AGING AND YOUTH (to consider House Bill No. 1963)	Room 461 Main Capitol
10:30 A.M.	APPROPRIATIONS (to consider House Bills No. 96, 1470, 2014 and 2764)	Rules Cmte. Conf. Rm.

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

**BILLS REREPORTED FROM COMMITTEE
AS AMENDED ON SECOND CONSIDERATION**

HB 777 (Pr. No. 4203) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Debt Authorization and Project Itemization Act of 2000-2001, providing for a compliance option.

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

HB 1393 (Pr. No. 4205) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful taking or possession of threatened or endangered species; limiting the prohibition on the use of turkey blinds; and providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

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

HB 2149 (Pr. No. 4207) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further providing for specific powers of the commission; providing for economic development projects; and further providing for rights of obligees and for contracts and purchases.

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

BILLS ON SECOND CONSIDERATION

HB 951 (Pr. No. 3659) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of bomb threats; and further providing for arson and related offenses.

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

HB 2216 (Pr. No. 4171) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for certification advisory board and programs, for employee certification and for exemptions for food employee certification.

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL OVER IN ORDER

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

BILLS ON SECOND CONSIDERATION

HB 393 (Pr. No. 2864) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 27 (Environmental Protection) of the Pennsylvania Consolidated Statutes, providing for participation in environmental law or regulation and for costs in mining proceedings.

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

HB 1588 (Pr. No. 1932) -- 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 inquiry as to the source of security for bail in drug offenses.

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

ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, November 21, 2000, at 11 a.m., Eastern Standard Time.

The motion was agreed to.

The Senate adjourned at 7:45 p.m., Eastern Standard Time.