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TUESDAY, JUNE 8, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 32

SENATE

TUESDAY, June 8, 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, Monsignor HUGH CAMPBELL, of St. Maximilian Kolbe Church, West Chester, offered the following prayer:

My sisters and brothers, you have come together in the wonderful spirit of charity to do the work entrusted to you by the citizens of the great Commonwealth of Pennsylvania. As you gather, we ask Almighty God to give you energy and stamina for the work you undertake.

We ask that God guide you so that you enact laws with justice and with mercy. May this be your vision and your constant goal. Let us remember that we are all modest creatures bound by human limits, possessing fragile power. You are charged with the task of building on this earth a home where all citizens may live in unity, liberty, and justice.

We ask God to take good care of you, and to lighten the load you carry. We ask God's blessings on your families and on all who assist you in your duties. May they have good health, may God take care of all their needs. May all of us appreciate the honor we have been given, the duties we shoulder, the blessings we share.

May God bless every Member of this assembly, our Governor, Lieutenant Governor, and our President. May we always be grateful for God's gifts of nature in this great and beautiful Commonwealth. Your reward will be great as you reach out to help all our people. Amen.

The PRESIDENT. The Chair thanks Monsignor Campbell, who is the guest today of Senator Thompson.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 7, 1999.

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

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

The SECRETARY. Consent has been given for the following committee meetings to occur during today's Session in the Rules room: the Committee on State Government to consider Senate Bills No. 949, 977, 983, 1000, 1004, 1005, and House Bills No. 192, 371, and 739; also, the Committee on Transportation to meet in the Rules room to consider Senate Bills No. 978, 993, 1001, and Senate Resolution No. 71.

RECESS

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

Senator BRIGHTBILL. Mr. President, I respectfully request a recess for three committee meetings: the Committee on State Government, the Committee on Rules and Executive Nominations, and the Committee on Transportation.

The PRESIDENT. For three committee meetings, the Committee on State Government, the Committee on Rules and Executive Nominations, and the Committee on Transportation, this 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 also been given for a meeting of the Committee on Communications and High Technology to occur in the Rules room during today's Session to consider Senate Bill No. 555.

RECESS

The PRESIDENT. The Senate now stands in recess.

AFTER RECESS

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR STEWART J.
GREENLEAF PRESENTED TO THE SENATE**

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

Senator GREENLEAF. Mr. President, I rise to have the Senate recognize constituents who are visiting here today from the 12th Senatorial District. They are residents of a community known as Georgetown in Lower Gwynedd Township. The coordinator is Mary Liz Eldridge, and I would appreciate if the Senate would give them its usual warm welcome.

The PRESIDENT. Would our special guests please rise so the Senate may extend to you its usual warm welcome.

(Applause.)

The PRESIDENT. Thank you for being with us, and thank you, Senator Greenleaf.

**GUESTS OF SENATOR JEFFREY E. PICCOLA
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I also have a guest here today, a young man from Baden, Switzerland, Raphael Fasko. Raphael is a foreign exchange student who has spent the last year at Central Dauphin High School here in Dauphin County. He is a 12th grader, and he has been here since August of 1998 and is leaving in July to go back to Switzerland. Raphael's interests are track, cross-country, and swimming, and I can personally attest to the track and cross-country because he and I competed against one another in a couple local 5-K races here in the county last summer. He is also very interested in reading and computers, and his career plans are in physics, research, or business.

Raphael is presently standing by the Sergeant-at-Arms behind the rail, and I would appreciate if the Senate would give him a warm welcome.

The PRESIDENT. Raphael, would you please raise your arm so the Senate may welcome you.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I forgot to add that Raphael is accompanied today by one of his hosts, one of our district justices here in Dauphin County, the Honorable Joseph Lindsey.

The PRESIDENT. Judge Lindsey, thank you for being with us.

(Applause.)

**GUESTS OF SENATOR JAMES J. RHOADES
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Mr. President, I have a guest Page with us today. He is a young man from Tannersville, which is in the

Monroe County part of my district. He attends Pocono Mountain High School, and participates in football and wrestling. And I think it is very evident when he stands up, you will know he is a football player and a wrestler. In the gallery are his father, Roger, his mother, Donna, his sister, Jenny, and brothers, Justin and Scott. It is a pleasure to introduce Mr. Roger Masotti to the Senate.

The PRESIDENT. Would our guests please stand so the Senate may welcome you.

(Applause.)

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

The PRESIDENT. The Chair recognizes the Democratic leader, Senator Mellow, for perhaps the youngest guest in the Senate Chamber.

Senator MELLOW. Mr. President, I would like to introduce to the Senate Hali Mellow, who was here on swearing-in day this past January, but she is making her presence much better known today than she did then.

Also with us is a friend by the name of Lorraine Turissini, who is visiting from California. And, of course, we have my wife and my daughter, Tressa, with us, so I would just like the Senate to welcome Lorraine to Pennsylvania. She is a former Pennsylvanian who now lives in California, and Hali is 18 months old and she is back to visit us again.

Thank you very much.

The PRESIDENT. Would Mrs. Mellow and our guests please rise so the Senate may welcome you.

(Applause.)

The PRESIDENT. Thank you, Hali, for being with us. Yes, I love that reaction.

**GUESTS OF SENATOR ROBERT M.
TOMLINSON PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, we have here today Kevin Ashmore, a Neshaminy High School senior who is a hotel and fast food service student at Bucks County Technical School. He was the winner of the technical school resume challenge. Under a Pennsylvania State initiative learning and work force development grant, Bucks County Technical School students have the opportunity to complete resumes and job ready cards and to appreciate the importance of career planning and workplace behavior. Kevin was selected from an elite group of students who completed all portions of the job preparedness program, from developing a career dream to submitting resumes to prospective employers. His dream is to become a famous chef.

With Kevin today are his mother, Susan Golderer, and his stepfather, Jerry Golderer, his grandparents, Peg and Joe Cloud, and his aunt and uncle, Bruce and Kathy Ashmore. Here earlier today were the administrator from Bucks County Technical School, Lamar Snyder, and the assistant in charge of that program, Joann Boraski.

I would like to welcome Kevin and his family today and congratulate him on that great honor and on his accomplishments and wish him well in the future.

The PRESIDENT. Would Kevin and his company please stand so the Senate may welcome you.

(Applause.)

RECESS

The PRESIDENT. The Senate now stands in recess.

AFTER RECESS

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1022**.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Weekly adjournment.

BILL INTRODUCED AND REFERRED

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

June 8, 1999

Senator SALVATORE presented to the Chair **SB 1005**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in the City of Philadelphia, Pennsylvania.

Which was committed to the Committee on STATE GOVERNMENT, June 8, 1999.

BILLS SIGNED

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

HB 1022 and **HB 1335**.

REPORTS FROM COMMITTEES

Senator MADIGAN, from the Committee on Transportation, reported the following bills:

SB 993 (Pr. No. 1150)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege.

SB 1001 (Pr. No. 1159)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the scope of the chapter on size, weight and load, for restrictions on use of highways and bridges and for penalties.

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

SB 1002 (Pr. No. 1161)

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for city natural gas distribution operations; and making repeals.

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

SB 442 (Pr. No. 488) (Rereported)

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for the amount of scholarship awards.

SB 886 (Pr. No. 1179) (Amended) (Rereported)

An Act amending the act of March 11, 1971 (P.L.104, No.3), entitled, as amended, Senior Citizens Rebate and Assistance Act, further defining income to exclude a portion of railroad retirement benefits and Federal Social Security benefits; payment of claims; and making a repeal.

HB 8 (Pr. No. 1902) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development and for a program for continuing professional education; and providing for national board certification.

Senator LEMMOND, from the Committee on State Government, reported the following bills:

SB 949 (Pr. No. 1181) (Amended)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Newlin Township, certain property situate in Newlin Township, Chester County, Pennsylvania.

SB 977 (Pr. No. 1133)

An Act authorizing the release of Project 70 restrictions on certain lands owned by Hanover Township, Luzerne County, in return for imposition of Project 70 restrictions on other lands to be obtained by Hanover Township, Luzerne County.

SB 983 (Pr. No. 1139)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Mercer County certain lands situate in Coolspring Township, Mercer County.

SB 1000 (Pr. No. 1163)

An Act designating the Capitol Annex Building as the Speaker Matthew J. Ryan Legislative Office Building and providing for its use; and making a repeal.

SB 1004 (Pr. No. 1160)

An Act amending the act of December 22, 1989 (P.L.732, No.101), entitled Election District Alteration and Data Reporting Act, further providing for alteration of election districts.

SB 1005 (Pr. No. 1176)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in the City of Philadelphia, Pennsylvania.

HB 192 (Pr. No. 981)

An Act authorizing the release of Project 500 restrictions on certain lands in the Borough of Dickson City, Lackawanna County, for residential development and extension of Jermyn Street under certain conditions.

HB 371 (Pr. No. 384)

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

HB 739 (Pr. No. 985)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Emergency Management Assistance Compact.

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

SB 646 (Pr. No. 1177) (Rereported) (Concurrence)

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), entitled Second Class County Port Authority Act, further providing for membership on the authority board, for removal of authority board members, for a quorum for board meetings and for eating and drinking in certain transit stations.

RESOLUTION REPORTED FROM COMMITTEE

Senator MADIGAN, from the Committee on Transportation, reported the following resolution:

SR 71 (Pr. No. 968)

A Resolution urging the Department of Transportation and the Pennsylvania Turnpike Commission to support the "Keep your butt in the car" campaign.

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Mellow requests a temporary Capitol leave for Senator Bodack. Without objection, that leave is granted.

SB 970 CALLED UP OUT OF ORDER

SB 970 (Pr. No. 1100) -- Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator LOEPER, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 970 (Pr. No. 1100) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), entitled Agricultural Area Security Law, providing for the allocation of moneys appropriated for the supplemental agricultural easement purchase programs; and making a repeal.

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-50

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

Earl
Fumo
Gerlach

Lemmond
Loeper
Madigan

Schwartz
Slocum
Stapleton

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 PRESENTATION OF CITATION

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

Senator MADIGAN. Mr. President, today is a special day for me. Since 1985 I have been a member of an exclusive club of the Senate of Pennsylvania, and indeed the legislature of Pennsylvania. My father, Senator Albert E. Madigan, and I both served in the House of Representatives and the Senate of Pennsylvania. As I pointed out, since 1985 that has been an exclusive club. According to historian Paul Beers, and the late John Scotzin, my father and I were the only father-son combination to have served in both the House and Senate of Pennsylvania.

In January of this year, that changed when Anthony Williams was elected to the Senate, and I would like to read from the citation that I have for Anthony and his father, Hardy, because Hardy served and attended Penn State when I did and we had a relationship over the years. It has really been an honor for me to have served with Hardy and now with Anthony.

Part of the citation says: *(Reading)*

Whereas, The first independently elected African American to the General Assembly of Pennsylvania, Hardy Williams served in the House from 1971 to 1974 and from 1977 to 1982 and in the Senate from 1983 to 1998. The 1972 founder of the Legislative Black Caucus and chairman of the Senate's Philadelphia Delegation, he served as chairman and minority chairman of the Senate Public Health and Welfare Committee. His son, Anthony Hardy Williams, was a member of the House from 1989 to 1998, where he served as cochairman of the Philadelphia Delegation, then began his tenure in the Senate in 1999. Both natives of Philadelphia, this father and son team has changed the face of politics and government over the past three decades, both in Philadelphia and throughout this Commonwealth, particularly championing the causes of civil and human rights.

So today it is my pleasure to welcome the second member of the father-son caucus of the Senate, Anthony Hardy Williams, and I have a citation which outlines all of this for both Anthony and for Hardy.

Thank you.

The PRESIDENT. The Chair thanks Senator Madigan.

(Applause.)

The PRESIDENT. Now we will go to the other side of the ledger, Senator Williams.

Senator WILLIAMS. Mr. President, you should hear what my friends are saying.

I guess I do come from a proud family of talkers, and I am so stunned and humbled by those generous words. I have to get the videotape because my father will be equally stunned. I am really

brought almost to tears by that. It was so really, really genuine and kind of this body and certainly you, Senator, to provide that in the record, and I can only tell you we will be indebted as a family and certainly as political folks. Yes, we will continue to work across the aisle, and God bless you and thank you very much.

(Applause.)

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

Senator MELLOW. Mr. President, as the leader of the Democratic Caucus, I would like to congratulate Tony on following the legacy that was established in this body by his father, Hardy, but I do not know whether Tony did or did not play basketball. I know he did not go to Penn State. Hardy talked about the fact that he had the opportunity of playing with Penn State when they played in the NCAA basketball tournament. Of course, the one thing he did not tell us then was that the NCAA was not the main basketball tournament in college basketball, it was the National Invitational Tournament, the NIT, but nevertheless, it sounds very good today.

I think that Senator Madigan did a great job in introducing the resolution and congratulating father, Hardy, and son, Tony, and the same thing goes with Doyle and Jake Corman. I think it is outstanding when a son can follow in a father's footsteps, regardless of what the field of endeavor may be. And for these two distinguished gentlemen to be able to follow in the line of what their dads did before them is tremendous.

I can recall my own late father, who was my mentor, and he was the person I looked to for guidance on just about everything I did in my life, and I can only assume that with both Jake and Tony that has to be the same. So I think it is wonderful when we in this particular body take a few minutes aside to put family first, because the most important thing that we can do in our lives is try to be respectful not only of one another, but equally important is to remember our family and put our family first above all.

So I would like to also congratulate you, Tony, on behalf of your Democratic colleagues and, of course, all Members of the Senate, and also you, Jake, on behalf of the Democratic colleagues and Members of the Senate.

Thank you very much, Mr. President.

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 my pleasure and honor to introduce some friends of mine who are visiting today. Alexander Grubb and Katie Petrucci are two eighth graders from the Lehigh Valley area, and I would like them to be recognized. They are in the gallery, along with Alexander's mother, Susan. Please welcome them to the Pennsylvania Senate.

The PRESIDENT. Would our fine Pennsylvania students please rise so the Senate may welcome you.

(Applause.)

GUESTS OF SENATOR JAMES W. GERLACH PRESENTED TO THE SENATE

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

Senator GERLACH. Mr. President, I, likewise, would like to introduce two guests who are here to observe our legislative Session today. Paul Flaherty, who will be entering Cornell University as a freshman this fall, and his mother, Dulcie, are here to observe us. They are from Montgomery County, and I would appreciate a warm welcome to the Senate.

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

(Applause.)

The PRESIDENT. Thank you all for being with us.

RECESS

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

Senator LOEPER. Mr. President, at this time I request a recess of the Senate for the purpose of a Republican caucus to begin immediately in the first floor caucus room, with an expectation of returning to the floor at approximately 4:15.

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

Senator MELLOW. Mr. President, I request the Members of the Democratic Caucus report to our caucus room on the fourth floor, Room 461.

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

AFTER RECESS

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

REPORTS FROM COMMITTEES

Senator MADIGAN, from the Committee on Transportation, reported the following bill:

SB 978 (Pr. No. 1183) (Amended)

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

Senator TOMLINSON, from the Committee on Communications and High Technology, reported the following bill:

SB 555 (Pr. No. 1182) (Amended)

An Act providing for use of electronic records and signatures, for application and construction, for legal recognition of electronic records, for provision of information in writing, for attribution and effect of electronic record and signature, for effect of changes and errors, for notarization and acknowledgment, for retention of electronic records and originals, for admissibility in evidence, for formation of contract, for operations of electronic agents, for time and place of sending and receipt, for transferable records, for secure electronic records and signatures, for presumptions and for governmental electronic records and signatures.

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

SB 262 (Pr. No. 264)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for obscene and other sexual materials and performances.

SB 818 (Pr. No. 1184) (Amended)

An Act regulating certain transfers of structured settlement payments.

SB 833 (Pr. No. 943)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for offenses relating to telecommunication identification interception devices; and further providing for the disclosure of certain evidence.

SB 844 (Pr. No. 947)

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

HB 88 (Pr. No. 1960) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for possession of firearms or other dangerous weapons in court facility.

HB 779 (Pr. No. 990)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for police animals; and providing penalties.

HB 963 (Pr. No. 1959) (Amended)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for deposits in the Judicial Computer System Augmentation Account and for sentencing procedure for murder of the first degree.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED, AMENDED

SB 309 (Pr. No. 1165) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service, for eligibility for limited early retirement, for contributions for purchase of credit for creditable nonschool service and for exceptions to termination of annuities.

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER offered the following amendment No. A2509:

Amend Sec. 2 (Sec. 8324), page 3, line 30, by striking out the bracket before "ANY"

Amend Sec. 2 (Sec. 8324), page 4, line 4, by striking out the bracket after "SERVICE."

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 CONTI offered the following amendment No. A2447:

Amend Sec. 3 (Sec. 8346), page 4, line 29, by striking out "(e) Exception.—An" and inserting:

(e) Exceptions.—

(1) An

Amend Sec. 3 (Sec. 8346), page 5, by inserting between lines 8 and 9:

(2) An annuitant also may be employed under separate contract by a school district, intermediate unit or area vocational-technical school on a less-than-full-time basis as an instructor or administrator of an adult education or basic literacy education program without being subject to the cessation of annuity provisions and the forfeiture provisions in subsection (a), provided the program is conducted outside the regular instructional hours, is not part of a program or curriculum mandated by State law and does not require State certification of the administrators or instructors conducting the program. The contract shall specify that no credited service will be earned toward the account of the annuitant and no contributions by the annuitants, the employer or the Commonwealth shall be made to the annuitant's savings account for work provided under any such contract.

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 LOEPER.

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

SB 456 — Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILLS REREPORTED FROM COMMITTEE
AS AMENDED, AMENDED**

SB 927 (Pr. No. 1102) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, requiring continuing professional development programs to include prevention of school violence.

On the question,
Will the Senate agree to the bill on third consideration?
Senator CONTI offered the following amendment No. A2319:

Amend Sec. 2 (Sec. 1205.2), page 2, line 22, by striking out "and" and inserting a comma

Amend Sec. 2 (Sec. 1205.2), page 2, line 23, by inserting after "techniques": and identification of substance abuse problems

Amend Sec. 2 (Sec. 1205.2), page 3, line 12, by inserting after "TECHNIQUES": and substance abuse identification and screening

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 LOEPER.

SB 934 (Pr. No. 1104) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for written policies for terroristic threats in schools.

On the question,
Will the Senate agree to the bill on third consideration?
Senator MURPHY offered the following amendment No. A2413:

Amend Sec. 1 (Sec. 1310-A), page 1, line 15, by inserting after "administrators": parents or guardians of each student

Amend Sec. 1 (Sec. 1310-A), page 2, line 20, by inserting after "1303-A(c)": and also report such incidents to the parents or guardians of the student making such terroristic threats

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 LOEPER.

**NONPREFERRED APPROPRIATION BILL OVER
IN ORDER TEMPORARILY ON FINAL PASSAGE**

HB 984 (Pr. No. 1801) — The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees, providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly, providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, may we be at ease for a moment?

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

(The Senate was at ease.)

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

Senator LOEPER. Mr. President, I withdraw my request for immediate consideration of House Bill No. 984 and move that it go over temporarily.

The PRESIDENT. The bill will go over temporarily on final passage.

BILL OVER IN ORDER

HB 10 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL AMENDED AND OVER IN ORDER TEMPORARILY

HB 124 (Pr. No. 1591) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sexual intercourse with animals, further providing for theft from a motor vehicle, and making the appearance in public while under the influence of a controlled substance an offense.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW offered the following amendment No. A2020:

Amend Sec. 3 (Sec. 5505), page 2, line 28, by inserting after "practitioner": as defined in the Controlled Substance, Drug, Device and Cosmetic 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 third consideration, as amended?

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

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

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

(The Senate was at ease.)

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

Senator LOEPER. Mr. President, on House Bill No. 124, it is my understanding that we are still waiting for an amendment to arrive. I request that we go over House Bill No. 124 temporarily.

The PRESIDENT. House Bill No. 124 will go over temporarily.

HB 984 CALLED UP

HB 984 (Pr. No. 1801) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator LOEPER.

NONPREFERRED APPROPRIATION BILL ON FINAL PASSAGE

HB 984 (Pr. No. 1801) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

And the question recurring,

Shall the bill pass finally?

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

Senator FUMO. Mr. President, on this particular piece of legislation, we had asked that this bill go over a number of times because of difficulties that we had with Temple University and the Temple School of Podiatry. Mr. President, the podiatry school there was formerly known as the Pennsylvania College of Podiatric Medicine, and we had two separate appropriations for those schools. Last year in a merger Temple University took over the College of Podiatry. We were concerned about a possible AHERF situation here, and we still have some concerns but not as much as we had before. We requested a large amount of information which has been provided to us.

Mr. President, our fear is that during this merger we understand that Temple picked up probably about \$25 million, \$28 million in assets from the College of Podiatric Medicine in addi-

tion to their annual appropriation. Our fear was that at some point in time they may decide to close the College of Podiatric Medicine, and then keep all the money and the continuing appropriation. That is why we wanted to separate them into two appropriations. We still feel that is good policy, at least until this school exists for about 5 years. However, the House has been very strident in its requests to have them merged as one appropriation. It is late in the Session. If we were to hold this up, then we would be causing some pretty serious injury to the entire Temple appropriation.

So in light of that, Mr. President, and also in light of the fact that we received the information and we will be able to now review it, we are willing to allow this to pass. However, we are still hopeful that next year we can split these appropriations in two, which we think is the proper way to do this until this school has had some time to run.

With that being said, Mr. President, I urge an affirmative vote on the bill.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Bodack has returned, and his temporary Capitol leave is cancelled.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

A constitutional two-thirds 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.

BILLS OVER IN ORDER

HB 314 and SB 332 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL AMENDED

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

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

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER offered the following amendment No. A2490:

Amend Title, page 1, line 5, by inserting after "thereto,"": further providing for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies, small district assistance and basic education, and for transportation; and

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting:

Section 1. Sections 917.1-A(h) and 919.1-A(e) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, added April 27, 1998 (P.L.270, No.46), are amended to read:

Section 917.1-A. Commonwealth Payments.—* * *

(h) For the 1998-1999 school year, and each school year thereafter, each intermediate unit shall receive a proportionate share of the amount available under subsection (a) minus the payments made under section 919.1-A(e) based on the amount received by the intermediate unit under subsection (g) for the 1997-1998 school year. [During] Beginning with the 1998-1999 school year, however, no intermediate unit shall receive less payment under this subsection than the amount of the payments the intermediate unit received under subsection (g) during the 1997-1998 school year.

Section 919.1-A. Capital Subsidy.—* * *

(e) Notwithstanding any provision of this act to the contrary, for the 1998-1999 school year, and each school year thereafter, each intermediate unit shall receive the actual payment for capital subsidy which it received under this section and section [2502.6(b)] 2502.6 during the 1997-1998 school year.

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

Section 1215.—Locally Issued Temporary Certification for Substitute Teachers.—A temporary substitute teacher certificate may be issued by a public school entity to an individual who presents a letter from a college or university verifying that the individual has completed an approved teacher preparation program, has successfully completed the certification testing requirements and has completed all requirements for the awarding of a bachelor's degree on a date certain. The temporary substitute teacher certificate shall only be used for day-to-day assignments and shall expire upon the termination of any summer school conducted in the summer which follows the date of issuance or upon the receipt of Instructional I certification by the individual.

Section 3. Section 1372 of the act is amended by adding a clause to read:

Section 1372. Exceptional Children; Education and Training.—* * *

(7) Reporting of exceptional students:

(i) The department shall review each school district's count of exceptional students reported under section 2509.5(f) and (g), not including gifted students. When the count is thirty (30) per centum above or below the Statewide average, the department shall prepare an analysis of the process used by the school district to identify and place exceptional students.

(ii) The department shall submit a written report to the school district of the department's findings relating to the process used by the school district to determine its count of exceptional students that is above or below thirty per centum (30%) of the Statewide average under subclause (i). The report may include recommendations regarding the process used to develop the count of exceptional students.

(iii) Following receipt of the report under subclause (i), the school district shall submit a written response to the department describing the basis for the deviation from the Statewide average of exceptional students under this section.

(iv) The department may conduct site visits and review school district records relating to the process used to identify and place exceptional students under this clause.

(v) The department shall submit a report to the majority and minority chairman of the Education and Appropriations Committees of the Senate and the majority and minority chairman of the Education and Appropriations Committees of the House of Representatives regarding procedures used by school districts to develop counts of exceptional students. The report shall be submitted annually at the same time as the department's budget request.

Section 4. Section 1503-A(c) of the act, amended April 27, 1998 (P.L.270, No.46), is amended to read:

Section 1503-A. Basic Education Grants.—* * *

(c) (1) Grants shall be allocated through a grant review process established by the Secretary of Education.

(2) The secretary [shall] may establish matching requirements for grant recipients [with a market value/income aid ratio, as defined in section 2501 of this act, which is less than .4000]. Grant recipients with a market value/income aid ratio which is equal to or greater than .7000 shall be eligible for larger grant awards as determined by the secretary. A school district of the first class shall be eligible for a grant award which shall not exceed three million dollars (\$3,000,000), and a school district of the first class A shall be eligible for a grant award which shall not exceed six hundred thousand dollars (\$600,000), unless the grant awards are included within a partnership.

[(2.1) For the 1997-1998 and 1998-1999 school years, a school district shall be eligible for a grant in the same amount as a school district was eligible to receive for the 1996-1997 school year as provided in clause (2).]

(2.2) For the 1997-1998 and 1998-1999 school years, an area vocational-technical school shall be eligible to receive from the amount of three million dollars (\$3,000,000) appropriated for the purposes of this clause a grant in the same amount as the area vocational-technical school was eligible to receive for the 1997-1998 school year.]

(3) The application for a grant shall be made at such time and in such form as the Secretary of Education may require.

(4) [In order to receive funds, a] A school district or area vocational-technical school [must] ~~may collaborate or~~ form a partnership with one or more of the following: a political subdivision, a school district, an area vocational-technical school, an intermediate unit, a nonpublic school, a local library, an independent institution of higher education, a State-owned institution, a State-related institution, a community education council or any other entity approved by the Department of Education. [Exceptions to this requirement may be requested in the application where the applicant school district or area vocational-technical school justifies why it is better for the applicant to apply as a separate entity.]

Section 5. The act is amended by adding an article to read:

ARTICLE XV-B.

READ TO SUCCEED PROGRAM.

Section 1501-B. Establishment of Program.—There is hereby established in the Department of Education the Read to Succeed Program. The program shall provide competitive grants to school districts and charter schools to build strong reading skills in Pennsylvania students. The program shall emphasize students with the greatest need for intensive reading instruction and school programs that will enable students to learn to read by the end of the third grade.

Section 1502-B. Eligibility Requirements.—(a) The Department of Education shall establish eligibility criteria to be used to select schools and students in kindergarten through third grade to participate in the Read to Succeed Program.

(b) The secretary shall establish matching requirements for grant recipients.

Section 1503-B. Program Requirements.—School districts and charter schools shall apply for grants as prescribed by the Department of Education. The application will contain the following:

(1) Identification of students with the greatest need.

(2) Methods of ongoing assessment.

(3) Reading instruction based on current reading research.

(4) Integration with the reading instruction programs and activities of the school district.

(5) Professional development plan.

(6) Opportunities for extended learning time.

(7) Coordination with community-based reading activities, including family literacy programs.

(8) Staff and program facilities.

(9) A multiyear plan that shows how the school district or charter school will assume full financial and programmatic responsibility for the Read to Succeed Program at the conclusion of the grant period.

(10) The estimated budget for each specific program activity.

Section 1504-B. Technical Assistance and Monitoring.—The Department of Education shall provide technical assistance and establish methods to ensure the quality of the program receiving a grant, including program monitoring and onsite visitation.

Section 1505-B. Reports.—(a) A school district or charter school participating in the Read to Succeed Program shall provide program and fiscal reports as required by the Department of Education.

(b) Beginning in the year 2000, the department shall submit a report by December 31 of each year to the majority and minority chairman of the Education Committee of the Senate and the majority and minority chairman of the Education Committee of the House of Representatives.

Section 6. Section 1726-A of the act, added June 19, 1997 (P.L.225, No.22), is amended to read:

Section 1726-A. Transportation.—(a) Students who reside in the school district in which the charter school is located or who are residents of a school district which is part of a regional charter school shall be provided transportation to the charter school on the same terms and conditions as transportation is provided to students attending the schools of the district. School districts of the first class shall also provide transportation to the students if they are the same age or are enrolled in the same grade, grades or their grade equivalents, as any students of the district for whom transportation is provided under any program or policy to the schools of the district. Nonresident students shall be provided transportation under section 1361. Districts providing transportation to a charter school outside the district shall be eligible for payments under section 2509.3 for each public school student transported.

(b) In the event that the Secretary of Education determines that a school district of the first class is not providing the required transportation to students to the charter school, the Department of Education shall pay directly to the charter school funds for costs incurred in the transportation of its students. Payments to a charter school shall be determined in the following manner: for each eligible student transported, the charter school shall receive a payment equal to the total expenditures for transportation of the school district divided by the total number of school students transported by the school district under any program or policy.

(c) The department shall deduct the amount paid to the charter school under subsection (b) from any and all payments made to the district.

(d) A school district of the first class shall submit a copy of its current transportation policy to the department no later than August 1 of each year.

Section 7. Section 1850.1(b) of the act is amended by adding a clause to read:

Amend Sec. 2, page 2, line 4, by striking out "2" and inserting: 8

Amend Sec. 3, page 3, lines 3 and 4, by striking out all of said lines and inserting:

Section 9. Section 1913-A(b)(1.4) of the act, amended June 25, 1997 (P.L.297, No.30) and April 27, 1998 (P.L.270, No.46), is amended to read:

Section 1913-A. Financial Program; Reimbursement or Payments.—* * *

(b) * * *

(1.4) The equivalent full-time student reimbursement of a community college shall be the sum of credit course, noncredit course and stipend reimbursements. These reimbursements shall be calculated

using a reimbursement factor of one thousand and forty dollars (\$1,040) for the 1993-1994 fiscal year, of one thousand eighty dollars (\$1,080) for the 1994-1995 fiscal year and of one thousand one hundred eighty dollars (\$1,180) for the 1995-1996 fiscal year and one thousand and two hundred and ten dollars (\$1,210) for the 1996-1997 fiscal year and one thousand two hundred sixty dollars (\$1,260) for the 1997-1998 fiscal year and the 1998-1999 fiscal year and one thousand three hundred dollars (\$1,300) for the 1999-2000 fiscal year and for each year thereafter and shall be determined as follows:

(i) Credit course reimbursement shall be calculated by multiplying the reimbursement factor by the number of equivalent full-time students enrolled in credit courses as determined by an audit to be made in a manner prescribed by the State Board of Education.

(ii) Noncredit course reimbursement shall be calculated as follows:

(A) eighty percent (80%) of the reimbursement factor multiplied by the number of equivalent full-time students enrolled in eligible noncredit courses for the 1993-1994 fiscal year, as determined by the audit referred to in paragraph (i);

(B) seventy percent (70%) of the reimbursement factor multiplied by the number of equivalent full-time students enrolled in eligible noncredit courses for the 1994-1995 fiscal year and for each year thereafter, as determined by the audit referred to in paragraph (i); or

(C) one hundred percent (100%) of the reimbursement factor multiplied by the number of equivalent full-time students enrolled in eligible noncredit public safety courses that provide training for volunteer firefighters and emergency medical services for the 1995-1996 fiscal year and for each year thereafter, as determined by the audit referred to in paragraph (i).

(iii) Stipend reimbursement on account of a community college's operating costs for all equivalent full-time students enrolled in the following categories of two-year or less than two-year occupational or technical programs, shall be the sum of the following:

(A) One thousand one hundred dollars (\$1,100) per full-time equivalent student enrolled in advanced technology programs. For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the reimbursement rate shall be calculated at one thousand one hundred seventy-five dollars (\$1,175) per full-time equivalent student enrolled in advanced technology programs. For the fiscal year 1998-1999 and each year thereafter, the reimbursement rate shall be calculated at one thousand four hundred sixty dollars (\$1,460) per full-time equivalent student enrolled in advanced technology programs. Advanced technology programs are programs using new or advanced technologies which hold promise for creating new job opportunities, including such fields as robotics, biotechnology, specialized materials and engineering and engineering-related programs.

(B) One thousand dollars (\$1,000) per full-time equivalent student enrolled in programs designated as Statewide programs. For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the reimbursement rate shall be calculated at one thousand seventy-five dollars (\$1,075) per full-time equivalent student enrolled in programs designated as Statewide programs. For the fiscal year 1998-1999 and each year thereafter, the reimbursement rate shall be calculated at one thousand three hundred sixty dollars (\$1,360) per full-time equivalent student enrolled in programs designated as Statewide programs. A Statewide program is a program which meets one or more of the following criteria:

(I) Program enrollment from out-of-sponsor area is twenty per cent or more of the enrollment for the program.

(II) A consortial arrangement exists with another community college to cooperatively operate a program or share regions in order to avoid unnecessary program duplication.

(C) Five hundred dollars (\$500) per full-time equivalent student enrolled in other occupational or technical programs. For the fiscal year 1995-1996, 1996-1997 and 1997-1998, the reimbursement rate shall be calculated at five hundred seventy-five dollars (\$575) per full-time equivalent student enrolled in other occupational or technical programs. For the fiscal year 1998-1999 and each year thereafter, the reimbursement rate shall be calculated at eight hundred sixty dollars (\$860) per full-time equivalent student enrolled in other occupational or technical programs.

Section 10. Section 2502.8 of the act is amended by adding a subsection to read:

Section 2502.8. Payments on Account of Pupils Enrolled in Vocational Curriculums.—***

(c) For the school year 1998-1999 and each school year thereafter, any additional funding provided by the Commonwealth over the amount provided for the school year 1997-1998 will be distributed to area vocational-technical schools and to school districts with eight (8) or more vocational programs based on subsection (b).

Section 11. Section 2502.13 of the act, amended April 27, 1998 (P.L.270, No.46), is amended to read:

Section 2502.13. Small District Assistance.—For the 1984-1985 and 1985-1986 school years, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and has a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater, an amount equal to fifty dollars (\$50) multiplied by that district's average daily membership. For the 1985-1986 school year, no school district shall receive less on account of this section than it did for the 1984-1985 school year. For the school year 1986-1987, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and has a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater, or received payments under this section for the 1985-1986 school year, an amount equal to seventy-five dollars (\$75) multiplied by that district's average daily membership. For the school year 1987-1988, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater, or received payments under this section for the 1986-1987 school year, an amount equal to eighty-five dollars (\$85) multiplied by that district's average daily membership. For the school year 1988-1989, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and a market value/income aid ratio of five thousand ten thousandths (0.5000) or greater, or received payments under this section for the 1987-1988 school year, an amount equal to one hundred fifteen dollars (\$115) multiplied by the district's average daily membership as provided for in section 212 of the act of July 1, 1990 (P.L.1591, No.7A), known as the "General Appropriation Act of 1990." For the school year 1990-1991, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater, or received payments under this section for the prior school year, an amount equal to one hundred seventy dollars (\$170) multiplied by that district's average daily membership. For the school year 1990-1991, each school district with a population per square mile of less than ninety (90), which otherwise meets the average daily membership and market value/income aid ratio requirements of this section, or received payments under this section for the prior school year, shall instead receive an amount equal to one hundred ninety dollars (\$190) multiplied by that district's average daily membership. For the 1987-1988 school year through the 1990-1991 school year, no school district shall receive less on account of this section than it did for the prior school year. For the school year 1994-1995, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater, an amount equal to ninety five dollars (\$95) multiplied by that district's average daily membership. For the school year 1997-1998 and the school year 1998-1999, the Commonwealth shall pay to each school district which has an average daily membership of one thousand five hundred (1,500) or less and a market value/income aid ratio of five thousand ten-thousandths (0.5000) or greater an

amount equal to seventy-five dollars (\$75) multiplied by that district's average daily membership.

Section 12. Section 2502.30 of the act, amended April 27, 1998 (P.L.270, No.46), is amended to read:

Section 2502.30. Temporary Special Aid to School Districts Suffering Loss of Tax Revenue Due to Reduction in Assessed Valuation of Taxable Property.—(a) Temporary special aid shall be paid in fiscal years 1994-1995, 1995-1996, 1996-1997 [and], 1997-1998, 1998-1999 and 1999-2000 to school districts experiencing a severe reduction in local revenue due to a decline in the assessed value of taxable properties. The allocation to these districts shall be determined by multiplying the reduction in assessed value between 1985-1986 and 1992-1993 by the 1992-1993 real estate millage rate. This aid shall be paid from undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the Department of Education. No other funds shall be used for assistance under this section. These funds shall be sufficient to provide temporary relief to seven school districts in fiscal year 1995-1996 at seventy-five per centum (75%) of the funds received in fiscal year 1994-1995, in fiscal year 1996-1997 at fifty per centum (50%) of the funds received in fiscal year 1994-1995 [and], in fiscal year 1997-1998 [and], 1998-1999 and in fiscal year 1999-2000 at twenty-five per centum (25%) of the funds received in fiscal year 1994-1995. This section shall expire October 1, [1999] 2000.

(b) Payments made pursuant to subsection (a) shall be paid from a restricted receipt account, which is hereby established, for such payments. Funds shall be transferred by the Secretary of the Budget to the restricted account only to the extent necessary to make the payments authorized by this section. The money in the restricted account is hereby appropriated from the account for purposes of this section.

Section 13. The act is amended by adding a section to read:

Section 2502.36. Basic Education Funding for 1998-1999 School Year.—For the 1998-1999 school year, the Commonwealth shall pay to each school district a basic education funding allocation which shall consist of the following:

(1) An amount equal to the basic education funding allocation for the 1997-1998 school year pursuant to section 2502.35.

(2) A base supplement payable to qualifying school districts.

(i) To qualify for the base supplement, a school district's 1999-2000 market value/income aid ratio must be equal to or greater than four thousand ten-thousandths (0.4000).

(ii) The base supplement is calculated for qualifying school districts as follows: multiply the school district's 1999-2000 market value/income aid ratio times its 1998-1999 average daily membership; multiply this product times seventy million five hundred thousand dollars (\$70,500,000); divide the resultant product by the sum of the products of the 1999-2000 market value/income aid ratio times the 1998-1999 average daily membership for all qualifying districts.

(3) A growth supplement is calculated for qualifying school districts as follows: multiply the increase in average daily membership between the 1997-1998 and 1998-1999 school years times four hundred dollars (\$400).

(4) A poverty supplement to qualifying school districts.

(i) To qualify for the poverty supplement, the number of children in low-income families residing in the district for the 1998 calendar year divided by the district's average daily membership for the 1998-1999 school year must be greater than or equal to ten per centum (10%).

(ii) The poverty supplement is calculated for qualifying school districts by multiplying the number of children in low-income families as defined in section 2501(21) residing in the district for the 1998 calendar year times fifty dollars (\$50).

(5) Each school district will be guaranteed a minimum increase to be calculated as follows:

(i) Each school district with a 1999-2000 market value/income aid ratio equal to or greater than seven thousand ten-thousandths (0.7000) will receive additional funding, as necessary, so that the sum of the amounts in clauses (2), (3), (4) and (5) will equal at least four per centum (4%) of the amount in clause (1).

(ii) Each school district with a 1999-2000 market value/income aid ratio less than seven thousand ten-thousandths (0.7000) will re-

ceive additional funding, as necessary, so that the sum of the amounts in clauses (2), (3), (4) and (5) will equal at least one per centum (1%) of the amount in clause (1).

Section 14. Sections 2509.1 and 2509.5 of the act are amended by adding subsections to read:

Section 2509.1. Payments to Intermediate Units.—* * *

(b.7) Up to nine million five hundred thousand dollars (\$9,500,000) may be utilized for programs administered and operated during the 1999-2000 school year for institutionalized children by intermediate units as established in subsection (b.1).

Section 2509.5. Special Education Payments to School Districts.—* * *

(u) During the 1999-2000 school year, each school district shall be paid:

(1) an amount to be determined by multiplying fifteen percent (15%) of its school-age average daily membership by one thousand three hundred fifteen dollars (\$1,315); and

(2) an amount to be determined by multiplying one percent (1%) of its school-age average daily membership by fourteen thousand five hundred thirty-five dollars (\$14,535).

(v) During the 1999-2000 school year, a portion of the funds appropriated to the Department of Education for special education shall be available to provide supplemental funding for special education to school districts which operate special education programs. Only school districts that qualify under the provisions of subsection (w) shall be eligible to receive the supplemental special education funding.

(w) School districts shall qualify for supplemental payments under subsection (v) if:

(1) (i) the school district's special education expenditures for the 1996-1997 school year as a percentage of the sum of the school district's 1996-1997 school year expenditures for regular education, vocational-technical education and special education is equal to or greater than the special education expenditures of all school districts for the 1996-1997 school year as a percentage of the sum of the 1996-1997 school year expenditures of all school districts for regular education, vocational-technical education and special education;

(ii) the school districts market value/income aid ratio for the 1998-1999 school year is equal to or greater than five thousand four hundred ten thousandths (0.5400); and

(iii) the school district's equalized millage for the 1996-1997 school year is equal to or greater than sixteen and one half (16.5); or

(2) The school district satisfies the criterion set forth in clause (1)(i), does not satisfy the criterion set forth in clause (1)(ii) but the school district's equalized millage for the 1996-1997 school year is equal to or greater than twenty and six tenths (20.6).

(3) The school district does not satisfy the criteria of clause (1) or (2) but does satisfy the following:

(i) the number of school-age children in low-income families as defined in section 2501(21) for calendar year 1997 is equal to or greater than ten percent (10%) of the school district's 1997-1998 school year average daily membership; and

(ii) the school district's market value/income aid ratio for the 1998-1999 school year is equal to or greater than five thousand four hundred ten thousandths (0.5400).

(x) Qualifying school districts shall receive an additional twenty percent (20%) of the amount calculated in subsection (u)(1). The amount shall be paid pursuant to the payment schedule established in subsection (c).

(y) Additionally, during the 1999-2000 school year, each school district of the first class or first class A belonging to an intermediate unit the boundary of which is coterminous with that of the school district shall receive a proportionate share of ten million three hundred thousand dollars (\$10,300,000) based on the amount received by its coterminous intermediate unit for the cost of operating and administering classes or schools for students with exceptionalities as approved by the department for the 1990-1991 school year. This amount shall be added to the school district's payment under subsection (v). Provided, however, That during the 1999-2000 school year, no school district of the first class or first class A shall receive less payment under this subsection and subsection (v) than the amount of the payments the school district's coterminous intermediate unit received during the

1997-1998 school year under section 2509.1(d)(3).

(z) During the 1999-2000 school year, a school district with an incidence rate of mildly and severely disabled students greater than one hundred thirty percent (130%) of the Statewide average incidence rate of mildly and severely disabled students shall qualify to receive a supplemental payment, as specified in this subsection, from funds appropriated to the department for special education. A school district's incidence rate of mildly and severely disabled students shall be calculated by dividing the school district's 1997 child count of students with disabilities collected and reported under sections 611(d)(2) and 618(a) of the Education of the Handicapped Act (Public Law 91-230, 20 U.S.C. §§ 1411(d)(2) and 1418(a)) and 64 C.F.R. § 300.750 by the school district's 1997-1998 total enrollment reported to the department. The Statewide average incidence rate of mildly and severely disabled students shall be calculated by dividing the Statewide total 1997 child count of students with disabilities for all school districts by the 1997-1998 Statewide total enrollment for all school districts. The payment to a qualifying school district shall be calculated as follows: (1) subtract one hundred thirty percent (130%) of the Statewide average incidence rate from the school district's incidence rate; (2) multiply the difference obtained in paragraph (1) by the school district's 1998-1999 school year average daily membership; and (3) multiply the product obtained in paragraph (2) by one thousand three hundred fifteen dollars (\$1,315).

(aa) For the 1999-2000 school year, the sum of payments to school districts received under subsections (u), (v), (y) and (z) must be greater than or equal to one hundred and two percent (102%) of the payments school districts for the 1998-1999 school year under subsections (p), (q) and (t).

Section 15. Section 2595(a) of the act, reenacted and amended April 27, 1998 (P.L.270, No.46), is amended and the section is amended by adding a subsection to read:

Section 2595. School Performance Incentives.—(a) The purpose of this section is to establish a program of school performance incentives to reward significant educational improvements, to encourage accountability programs with school districts, to evoke further school performance improvement and to foster collegial participation by school employees in improving school performance.

* * *

(f1) Up to one million dollars (\$1,000,000) of the allocation for school performance funding under this section shall be used to fund an incentive program for School District Performance Measures (SDPM) to be based upon the individual performance of employees of a school district.

(1) School districts shall apply annually for an SDPM award in a format established by the Department of Education.

(2) The Department of Education shall review school district professional teacher accountability plans that contain differentiated rewards and sanctions based on individual job performance.

(3) The Department of Education shall review the submitted school district accountability plans and rate them for impact on the individual employe according to financial and programmatic measures, including compensation and training and other rewards and sanctions.

(4) The Department of Education shall use the total impact of each plan times the number of professional staff affected in the school district to award SDPM incentive grants to school districts.

(5) If the amount for awards under this subsection exceed the amount allocated for that purpose, the awards shall be reduced to reflect the amount allocated.

Section 16. This act shall take effect July 1, 1999, or immediately, whichever is later.

On the question,

Will the Senate agree to the amendment?

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

Senator SCHWARTZ. Mr. President, I just want to make a comment on this amendment, if I may. The comment that I have speaks in particular to one aspect of this amendment which

provides for the funding for a program that many of us are interested in. It is referred to as the "Read to Succeed Program," and the language that is provided for here, I think some of us had some hopes that we might actually see some spelling out of the way this money would be distributed to school districts across the State. Instead, what it does is it leaves the discretion for how the money is spent completely in the hands of the Department of Education, and what I would, by way of making comments, request and hope is that my colleagues on the Committee on Education, and particularly the chairman of the Committee on Education, would be willing to work with us, to talk about how this money might be directed to school districts, so that we will have some sense of the direction in which the money will be used.

Many of us, myself in particular, have been very interested in early reading programs. Certainly, as I have traveled around and visited schools, many schools are doing some very fine work in early reading programs and are helping to meet the national goal of every child being able to read by the end of third grade. What I would like to say is that I hope that this money is in particular directed to schools where we have not seen the highest achievement levels, where there might be some need for additional funding, where the State might be particularly helpful in helping to make sure that all of our children are brought up to the appropriate levels at the earliest age. What we do know is that early success leads to later success, and early failure is very hard to recover from.

So I hope that the department and the administration, instead of being unilateral in the way they make these decisions, would be willing to work with the Committees on Education in the House and the Senate in determining what kind of eligibility there might be for what is about \$20 million a year in this Read to Succeed Program. So I am disappointed to see such broad language and such complete discretion given to the department, and I hope that by way of bringing some attention to it that I and my colleagues might have some input into assuring that the money is directed to our neediest school districts, our neediest children, and really helps to make sure that all of our children are readers by the third grade. So that was particularly what I was concerned about. There are some other aspects of this bill that I would hope to have some further discussion on, but that one in particular is one that I wanted to highlight attention around and hope that we will continue to have the kind of discussion that all of us should have in making sure we have the finest public education system that we possibly can.

Thank you very much, Mr. President.

And the question recurring,

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 LOEPER.

HB 124 CALLED UP

HB 124 (Pr. No. 1591) -- Without objection, the bill, which previously went over in its order temporarily as amended, was

called up, from page 3 of the Third Consideration Calendar, by Senator LOEPER.

BILL AMENDED

HB 124 (Pr. No. 1591) – The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting sexual intercourse with animals; further providing for theft from a motor vehicle; and making the appearance in public while under the influence of a controlled substance an offense.

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

Senator FUMO offered the following amendment No. A2137:

Amend Sec. 2 (Sec. 3934), page 2, line 3, by inserting after "TAKES": or attempts to take.

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 LOEPER.

BILL OVER IN ORDER

SB 925 – Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 926 (Pr. No. 1170) – The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No. 14), entitled Public School Code of 1949, requiring the adoption of parent involvement policies by school entities.

Considered the 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 Centre, Senator Corman.

Senator CORMAN. Mr. President, as we begin to discuss and vote on many of these bills about school violence, I have some remarks I would like to make, but in the interest of time I will submit them for the record.

The PRESIDENT. Without objection those comments will be submitted for the record.

Thank you, Senator Corman.

(The following prepared remarks were made a part of the record at the request of the gentleman from Centre, Senator CORMAN:)

Mr. President, school violence is of particular concern in Pennsylvania right now in the wake of the Edinboro and Columbine killings and a backlash of school threats and closings. It is a problem that we can solve if we look for a way to make deliberative, comprehensive, and commonsense changes.

I support Senate efforts to curb school violence by involving parents, schools, and law enforcement officials in efforts to stop violence before it escalates.

But I am also concerned about the ever-present issue of unfunded mandates, requiring our schools to do more without providing them with the necessary resources. We have to be careful when we impose additional paperwork, new requirements, and more responsibilities on schools that in many cases have worked to address these problems on their own, because these mandates can take away money and time from the number one priority, which is providing a good education to students.

So I will support the school violence bills being considered today, because I understand the need to make our schools safe. But I also plan to work hard as they move through the legislative process to ensure that they do not impose costly or time-consuming burdens on schools, teachers, and administrators.

Senate passage of these bill is the first step in a long process, and as we move through that process I will be working to ensure that we balance concerns about school safety with a commitment to give schools flexibility and resources in meeting those needs.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILL OVER IN ORDER

SB 928 – Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL AMENDED

SB 929 (Pr. No. 1171) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, requiring the establishment, implementation and administration of school safety committees and school safety plans.

On the question, Will the Senate agree to the bill on third consideration? Senator SALVATORE offered the following amendment No. A2483:

Amend Title, page 1, line 5, by inserting after "thereto," further providing for distress in school districts of the first class; and Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting:

Section 1. Section 696(k) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended April 27, 1998 (P.L.270, No.46), is amended to read:

Section 696. Distress in School Districts of the First Class.—* * *

(k) Collective bargaining between employes, excluding nonprofessional employes, and the school district of the first class shall be conducted in accordance with this subsection.

(1) Whether or not a declaration of distress has been made under section 691(c), a collective bargaining agreement in effect on the effective date of this section shall not be extended and shall have no force or effect beyond the existing term of the contract, notwithstanding any other law to the contrary.

(2) No distressed school district of the first class shall be required to engage in collective bargaining negotiations or enter into memoranda of understanding or other agreements regarding any of the following issues:

(i) Contracts with third parties for the provision of goods or services, including educational services or the potential impact of such contracts on employes.

(ii) Decisions related to reductions in force.

(iii) Staffing patterns and assignments, class schedules, academic calendar, places of instruction, pupil assessment and teacher preparation time.

(iv) The use, continuation or expansion of programs designated by the chief executive officer as pilot or experimental programs.

(v) The approval or designation of a school as a charter or magnet school.

(vi) The use of technology to provide instructional or other services.

(3) A collective bargaining agreement for professional employes entered into after the expiration of the agreement in effect on the date of the declaration of distress shall provide for the following:

(i) A school day for professional employes that is equal to or exceeds the State average as determined by the department. An extension of the school day resulting from this requirement shall be used exclusively for instructional time for students.

(ii) The number of instructional days shall be equal to or exceed the State average number of instructional days.

(iii) The chief executive officer and the commission shall not increase compensation for employes solely to fulfill the requirements under subparagraphs (i) and (ii).

(4) A provision in any contract in effect on the date of the declaration of distress under this subsection that is in conflict with this subsection shall be discontinued in any new or renewed contract.

(5) Nothing in this subsection shall eliminate, supersede or preempt any provision of an existing collective bargaining agreement until the expiration of the agreement unless otherwise authorized by law.

(6) If upon the termination of a collective bargaining agreement in effect on the date of the declaration of distress under this section a new collective bargaining agreement has not been ratified, the Secretary of Education shall establish a personnel salary schedule to be used until a new agreement is ratified.

* * *

Section 2. The act is amended by adding a section to read: Amend Sec. 2, page 3, line 10, by striking out "2" and inserting:

3

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

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Belan, Senator O'Pake, and Senator Stapleton.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Belan, Senator O'Pake, and Senator Stapleton. Without objection, those leaves will be granted.

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

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

Senator MELLOW. Mr. President, I request a negative vote on the amendment.

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

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

YEA-30

Table with 4 columns of names: Armstrong, Bell, Brightbill, Corti, Corman, Dent, Earll, Gerlach, Greenleaf, Hart, Helfrick, Holl, Jubelirer, Lemmond, Loeper, Madigan, Mowery, Murphy, Piccola, Punt, Rhoades, Robbins, Salvatore, Slocum, Thompson, Tilghman, Tomlinson, Waugh, Wenger, White.

NAY-20

Table with 4 columns of names: Belan, Bodack, Boscola, Costa, Fumo, Hughes, Kasunic, Kitchen, Kukovich, LaValle, Mellow, Musto, O'Pake, Schwartz, Stapleton, Stout, Tartaglione, Wagner, Williams, Wozniak.

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

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 945 (Pr. No. 1172) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for instruction relating to nonviolent behavior and conflict resolution.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

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

SB 19 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

DISCHARGE PETITIONS

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

In the Senate, June 8, 1999

A PETITION

To place before the Senate the nomination of L. Dennis Martire, as a member of the Pennsylvania Labor Relations Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of L. Dennis Martire, as a member

of the Pennsylvania Labor Relations Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

In the Senate, June 8, 1999

A PETITION

To place before the Senate the nomination of Joseph P. Muldowney, as a member of the Professional Standards and Practices Commission.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Joseph P. Muldowney, as a member of the Professional Standards and Practices Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

In the Senate, June 8, 1999

A PETITION

To place before the Senate the nomination of Javad K. Hassan, as a member of the Pennsylvania Public Television Network Commission.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Javad K. Hassan, as a member of the Pennsylvania Public Television Network Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Michael A. O'Pake
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

The PRESIDENT. These communications will be laid on the table.

**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 PENNSYLVANIA MINORITY
BUSINESS DEVELOPMENT AUTHORITY**

June 7, 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 February 5, 1999 for the appointment of Maritza Robert, 2314 Chestnut Street, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, 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.

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.

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

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, Michael G. Warfel, 2201 Aspen Way, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment 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 2003, and until his successor is appointed and qualified, vice James W. Harris, Mechanicsburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD
OF PARDONS**

May 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, Gerald N. Massaro, Ph.D., 415 Canterbury Trail, Cranberry Township 16066, Butler County, Fortieth Senatorial District, for appointment as a member of the Board of Pardons, to serve for a term of six years, and until his successor is appointed and qualified, vice Daniel J. Menniti, Ph.D., Carlisle, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE**

May 11, 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 Castor, Jr., 121 Pine Crest Lane, Lansdale 19446, Montgomery County, Twelfth Senatorial District, for reappointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE**

May 11, 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, Gary R. Lucht, 1300 Fieldcrest Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

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

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

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 STATE BOARD
OF ACCOUNTANCY**

April 19, 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 King (Public Member), P.O. Box 437, Conneaut Lake, PA 16316, Crawford County, Fiftieth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years or until her *[sic]* successor is appointed and qualified, but not longer than six months beyond that period, vice Albert Beiber, Reading, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE ARCHITECTS
LICENSURE BOARD**

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, Robert J. Crowner, 1008 Lookout Drive, Erie 16507, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Architects Licensure 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.

THOMAS J. RIDGE
Governor

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

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, Joseph J. Mowad, M.D., 17 Frosty Hills Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Bloomsburg 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 COUNCIL OF TRUSTEES OF
CALIFORNIA UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

May 7, 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, Leo T. Krantz, 20 Wiggins Lane, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Frank R. Deluca, Bridgeville, whose term expired.

THOMAS J. RIDGE
Governor

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

May 7, 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, Gwendolyn G. Simmons, 700 Meade Street, Monongahela 15063, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Paul H. Lemon, Marianna, whose term expired.

THOMAS J. RIDGE
Governor

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

May 7, 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, Jerry L. Spangler, 160 West Main Street, Somerset 15501, Somerset County, Thirty-second Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Carmine A. Durzo, D.D.S., Monroeville, whose term expired.

THOMAS J. RIDGE
Governor

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

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, Dongkyu Bak, 133 East Third Street, Media 19063, Delaware County, Ninth Senatorial District, for reappointment as a member of the Council of Trustees of Cheyney

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 STATE BOARD
OF DENTISTRY**

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, Thomas W. Braun, D.M.D., 393 Irwin Road, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, for appointment 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, vice Linda K. Himmelberger, D.M.D., Wayne, whose term expired.

THOMAS J. RIDGE
Governor

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

May 7, 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, Gertrude Q. Denlinger, P.O. Box 7, Pocono Pines 18350, Monroe County, Twenty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
EASTERN YOUTH DEVELOPMENT CENTER**

April 19, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Margaret T. Murphy McKeown, Esquire, 34 South 11th Street, Room 304-G, Philadelphia 19107, Philadelphia County, First Senatorial District, for appointment as a member of the Board of Trustees of Eastern Youth Development Center, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Sheldon C. Jelin, Philadelphia, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS**

April 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, Michael D. Morrison, 107 West First Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve until April 10, 2001 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Leandro N. Angelone, Wyndmoor, resigned.

THOMAS J. RIDGE
Governor

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

May 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, David Sanko, 2436 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2000 and until his successor is appointed and qualified, vice Rocco Ortenzio, Lemoyne, resigned.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PENNSYLVANIA
LABOR RELATIONS BOARD**

February 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, L. Dennis Martire, 124 Sandlewood Drive, McDonald 15057, Washington County, Forty-sixth Senatorial District, for reappointment as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2003 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

April 19, 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, Daron J. Smith (Public Member), 319 Maywood Road, York 17402, York County, Twenty-eighth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until his successor is appointed and qualified.

sor is appointed and qualified, but not longer than six months beyond that period, vice Marla W. Davis, Lewisberry, whose term expired.

THOMAS J. RIDGE
Governor

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

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, Larry Hunter Lytle, M.D., 23 Hemlock Drive, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

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, Leslie D. Noelk, 345 Park Avenue, Woolrich 17779, Clinton County, Thirty-fourth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

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, Ada Mae Saxton, 4845 Springtop Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified.

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, Abram W. Dittenbach, 296 Strasburg Pike, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment 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, vice Robert Torres, Harrisburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

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, Philip W. Briddell, 335 Hill-N-Dale Drive South, York 17403, York County, Twenty-eighth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Nevin W. Funk, Mechanicsburg, whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF NURSING**

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, Richard R. Kerr, 3952 Constance Road, Philadelphia 19114, Philadelphia County, Fifth Senatorial District, for reappointment 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.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD
OF NURSING**

May 3, 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, Linda G. Trabucco, Esquire (Public Member), 3 Douglas Lane, Chester Springs 19425, Chester County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until her 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 PHARMACY**

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, Michael A. Podgurski, 1125 W. Powderhorn Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Pharmacy, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

**MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION**

March 15, 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. Shipula, 222 Lyndwood Avenue, Wilkes-Barre 18702, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2002 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

March 15, 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 Marcus, 1701 Galen Road, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Nicholas DeRosa, New Castle, 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, Grace Bohr, 749 Harrison Avenue, Scranton 18503, Lackawanna County, Twenty-second 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 two 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 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, Thomas F. Matta, Ph.D., 2730 Hershey Road, Erie 16509, Erie County, Forty-ninth 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 his 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 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, J. Michael Wilkins, RD 1, Box 600, New Castle 16105, Lawrence County, Twenty-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 his 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 STATE
TRANSPORTATION COMMISSION**

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, Robert P. Daday, 1448 Colesville Road, Bethlehem 18015, Northampton County, Eighteenth 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
TRANSPORTATION COMMISSION**

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, Galen E. Drejbilbis, 100 North Hill Place, State College 16803, Centre County, Thirty-fourth 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
TRANSPORTATION COMMISSION**

May 11, 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, Ronald D. Ertley, Chestnut Ridge, Country Club Road, Dallas 18612, Lackawanna County, Twenty-second Senatorial District, for appointment 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, vice Robert A. Gleason, Jr., Johnstown, resigned.

THOMAS J. RIDGE
Governor

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

April 6, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Neil J. Pufko, 130 Harvest Lane, Phoenixville 19460, Chester County, Forty-fourth 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 COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

March 15, 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, Don Taylor, 1740 Lenape Road, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice John F. Unruh, Ph.D., whose term expired.

THOMAS J. RIDGE
Governor

**MEMBER OF THE YORK COUNTY
BOARD OF ASSISTANCE**

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, Mary M. Alt (Republican), 9 Dickson Court, New Freedom 17349, York County, Twenty-eighth Senatorial District, for appointment as a member of the York County Board of Assistance, to serve until December 31, 2000, and until her successor is appointed and qualified, vice Roseanne Lee Garner, York, resigned.

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, Ross Cioppa, 986 Illinois Avenue, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for appointment as District Justice, in and for the County of Allegheny, Magisterial District 5-2-09, to serve until the first Monday of January 2000, vice Betty J. Lloyd, 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-50

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

NAY-0

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

Ordered, That the 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.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR JAY COSTA
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I rise today to introduce to our General Assembly an individual who just moments ago was confirmed as Pennsylvania's newest district justice. His name is Ross Cioppa. He is up in the gallery, and I want to take a moment to briefly mention some of his credentials. He will be assuming duties in Swissvale, Braddock Hills, and Rankin communities, some of which are in my district and some are in Senator Bodack's district. Ross served for 6 years as mayor of Braddock Hills Borough and for 19 years as chief legislative aide to Pittsburgh Congressman Bill Coyne. Collectively, he has well over 25 years of combined Federal, State, county, and local service in government, and we are very encouraged by the work he has done not only in the community but also, more importantly, in government. I would like the Senate to give a warm welcome to Pennsylvania's newest district justice, Ross Cioppa.

The PRESIDENT. Mr. Cioppa, would you please stand so we may recognize you.

(Applause.)

The PRESIDENT. Thank you, Senator Costa, and, Ross, only the best in your new position.

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 8 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 234 (Pr. No. 1107) -- 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 investigation and report in juvenile matters.

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

SB 260 (Pr. No. 1108) -- 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 disarming a law enforcement officer, and providing a penalty.

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

HB 321 (Pr. No. 328) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of February 4, 1808 (P.L.34, No.18), entitled, "An act declaring part of Wallenpaupack Creek, in Wayne County, a Public Highway."

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

BILL OVER IN ORDER

SB 384 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 405 (Pr. No. 1105) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing a mechanism for parents to confer upon other persons the power to consent to medical and mental health care of their children; and regulating procedure.

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

BILLS OVER IN ORDER

HB 443 and **HB 456** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION, AMENDED

SB 602 (Pr. No. 1106) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1992 (P.L.1116, No.145), entitled Wholesale Prescription Drug Distributors License Act, further defining "wholesale distribution of prescription drugs."

On the question,

Will the Senate agree to the bill on second consideration?

Senator MOWERY offered the following amendment No. A2492:

Amend Sec. 1 (Sec. 3), page 2, line 4, by inserting after "to": a

Amend Sec. 1 (Sec. 3), page 2, line 5, by striking out "patients in their homes" and inserting: patient, who is under the care of a physician, at the patient's residence

Amend Sec. 2, page 3, line 11, by striking out "in 60 days" and inserting: immediately

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.

BILLS OVER IN ORDER

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

BILL REREFERRED

SB 767 (Pr. No. 832) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), entitled Pennsylvania Municipal Retirement Law, further providing for the allocation of excess interest by successor municipalities in the case of certain authorities that have their operating functions transferred back or dissolved.

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

BILL OVER IN ORDER

SB 769 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 839 (Pr. No. 1109) -- 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 powers and duties of probation officers concerning juveniles.

Considered the second time and agreed to,

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

SB 849 (Pr. No. 952) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 930 -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 999 (Pr. No. 1158) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, extending the termination date of provisions relating to the Pennsylvania Veterans' Memorial Commission.

Considered the second time and agreed to,

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

SENATE RESOLUTION No. 10,
AMENDED AND ADOPTED

Senator LOEPER, without objection, called up from page 7 of the Calendar, **Senate Resolution No. 10**, entitled:

A Resolution memorializing Congress to support the concept of creating interest-free loans to state and local governments to provide for capital projects for schools, roads, bridges, water and sewer projects, waste disposal projects, public housing, public buildings and environmental projects.

On the question,

Will the Senate adopt the resolution?

Senator MOWERY offered the following amendment No. A2473:

Amend Title, page 1, line 2, by inserting after "governments": and school districts

Amend First Whereas Clause, page 1, line 6, by inserting after "governments": and school districts

Amend Second Whereas Clause, page 1, line 12, by inserting after "units": and school districts

Amend First Resolve Clause, page 2, line 1, by inserting after "governments": and school districts

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

On the question,
Will the Senate adopt the resolution, as amended?
A voice vote having been taken, the question was determined in the affirmative.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 886 (Pr. No. 1179) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 11, 1971 (P.L.104, No.3), entitled, as amended, Senior Citizens Rebate and Assistance Act, further defining income to exclude a portion of railroad retirement benefits and Federal Social Security benefits; payment of claims; and making a repeal.

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

BILLS ON SECOND CONSIDERATION

HB 8 (Pr. No. 1902) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development and for a program for continuing professional education; and providing for national board certification.

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

SB 442 (Pr. No. 488) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for the amount of scholarship awards.

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

ANNOUNCEMENT BY MAJORITY LEADER

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

Senator LOEPER. Mr. President, we are still awaiting the arrival of additional Supplemental Calendars, which I understand are to arrive within a timely period, and while we are doing that why do we not dispatch the regular business of the day.

UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Benjamin Spence, Mr. and Mrs. Raymond Stover, Mr. and Mrs. Richard Linton, Mr. and Mrs. Malcolm Sweigart, Mr. and Mrs. Elam Pickell, Mr. and Mrs. Fred Krallinger, Mr. and Mrs. Robert Keck, Mr. and Mrs. Carl Frey and to Daniel C. Witmer by Senator Armstrong.

Congratulations of the Senate were extended to Kathy D. Kidd, Cindy Glick, Stephen C. Compos III, Just Born, Inc., of Bethlehem and to the Portugese community of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Fred D. and Martha L. Hafer and to Cornwall Manor Retirement Community by Senator Brightbill.

Congratulations of the Senate were extended to William L. Miller, Laura Rosenberger, Matthew Lintal and to Kenneth C. Hertzog by Senator Corman.

Congratulations of the Senate were extended to Bruce L. Rothrock by Senator Dent.

Congratulations of the Senate were extended to the Vincent Elementary School Odyssey of the Mind Team by Senator Gerlach.

Congratulations of the Senate were extended to McKinley Elementary School of Elkins Park by Senator Greenleaf.

Congratulations of the Senate were extended to Douglas J. Butterworth and to Geoffrey T. Allerton by Senator Hart.

Congratulations of the Senate were extended to Terry R. Scholl and to Advanced Living, Incorporated by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. William Behrend by Senator Kukovich.

Congratulations of the Senate were extended to Anthony D. Leer by Senator Mowery.

Congratulations of the Senate were extended to Philip J. Fratti, Sr., by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. George Rayburn Campbell and to the Titusville Lions Club by Senator Robbins.

Congratulations of the Senate were extended to Patricia Link Canby by Senator Schwartz.

Congratulations of the Senate were extended to Reynoldsville Elks Lodge No. 519, Benevolent and Protective Order of Elks, by Senator Stapleton.

Congratulations of the Senate were extended to Larry and Kate Norton, Michael R. Norton, Eric Norrbom and to Matthew J. O'Neill by Senator Thompson.

Congratulations of the Senate were extended to James L. Shenberger by Senator Waugh.

Congratulations of the Senate were extended to the Central Cambria High School Girls' Track and Field Team by Senator Wozniak.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Thomas I. Drew was extended to the family by Senator Corman.

BILLS ON FIRST CONSIDERATION

Senator BOSCOLA. 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.

SB 262, SB 555, SB 818, SB 833, SB 844, SB 949, SB 977, SB 978, SB 983, SB 993, SB 1000, SB 1001, SB 1002, SB 1004, SB 1005, HB 88, HB 192, HB 371, HB 739, HB 779 and HB 963.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

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

Senator FUMO. Mr. President, I rise to discuss Senate Resolution No. 10, which we just voted on a few minutes ago. This resolution urges the Federal government to provide more money for education, schools, roads, bridges, water and sewer projects, and things of that nature. Mr. President, the idea of the resolution is certainly fine and these are things that Pennsylvania needs. The only real big problem with it is that we are whining to the Federal government that they should provide us with this money. Mr. President, it is our responsibility to do this, and if we cannot, then we go to the Federal government.

This year alone, Mr. President, our surplus will be \$720 million, in addition to another \$500 million in debt service which was prepaid, as well as lapses and things of that nature. Also, Mr. President, we are now hoarding \$1 billion in the Rainy Day Fund. Mr. President, it is not right for us to cry to Congress to provide these things to Pennsylvanians when it is not only our responsibility but we have the wherewithal to do it now. Mr. President, there is something wrong with a policy that hoards money from taxpayers. Either give it back or spend it where we need to spend it. We have just, as a body, unanimously asked

the United States Congress to provide us with money for low-interest loans for all of these vast local projects. Do you not think that it is important that we do this for ourselves?

Mr. President, over the years our State contribution to local projects has now fallen to an average of 16 percent. We can do more, and we should be doing more. If we did not have the surpluses we have, Mr. President, I would not be here and I would be joining the Greek chorus of crying to Congress for more, more, more.

Mr. President, I think you clean up your own house first, you do what you can by yourself first, and then hold out a hand to others and ask for help if and when you need it. But this is like us crying with two loaves of bread under our arms, Mr. President. No one in Congress is going to listen to us when we sit back here with \$2 billion in the bank. But I do think the projects are important to be done. I commend Senator Mowery for his foresight in putting the resolution together, but I do wish we could all get together and do some good with the money that we already have.

Thank you, Mr. President.

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

Senator MOWERY. Mr. President, my colleague makes some very good points, but I would just like to try to explain what we have really done in this resolution. Number one, I am not so sure that we have as big a loaf under our arm as many think we do. That money that we have here I think has been spent well over the years and I think will certainly be spent well in future years. But every year Congress has the ability to print money, and basically when they print that money they turn around, at no cost to them, and they loan it to the States with bond issues and interest rates that we as taxpayers have to pay for roads and infrastructure and schools that we pay big time interest on the bonds that we float.

Why cannot government in Washington, D.C., provide that money to us interest-free? It is our money to start with. Why are we paying taxes on it? Why are we paying interest on it? Why should that money not come to us on a free basis so that we can save the money that we are paying in interest for other projects that we all know we need so badly in this country? So that is the basis of what this is all about.

As the former speaker said, probably it is not going to be considered by Congress because it is really probably too simple an idea that probably they do not want to hear about. But I really feel it is time that we take a look at how money is passed from the Federal government to the States and why we pay interest on our own money.

Thank you very much.

COMMUNICATIONS FROM THE GOVERNOR

RECALL COMMUNICATION REFERRED TO COMMITTEE

The PRESIDENT 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:

JUDGE, MUNICIPAL COURT

June 8, 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 June 4, 1999 for the appointment of Frank Palumbo, 821 Catharine Street, Philadelphia 19147, Philadelphia County, First Senatorial District, for appointment as Judge of the Municipal Court of Philadelphia, to serve until the first Monday of January 2002, vice The Honorable Edward G. Mekel, resigned.

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

THOMAS J. RIDGE
Governor

**CORRECTION TO NOMINATION
LAID ON THE TABLE**

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and laid on the table:

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

June 8, 1999

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

Please note the nomination dated May 10, 1999 for the appointment of Michael G. Warfel, 2201 Aspen Way, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment 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 2003, and until his successor is appointed and qualified, vice James W. Harris, Mechanicsburg, whose term expired, should be corrected to read:

Michael G. Warfel, 1077 Country Club Road, Camp Hill 17011, Cumberland county, Thirty-first Senatorial District, for appointment 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 2003, and until his successor is appointed and qualified, vice James W. Harris, Mechanicsburg, whose term expired.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 390, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

ANNOUNCEMENT BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 9, 1999

11:00 A.M.

BANKING AND INSURANCE
(public hearing and committee meeting
to consider the nomination of David E.
Zuern as Secretary of Banking)

Room 461
Main Capitol

RECONSIDERATION OF AMENDMENT A2483

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

Senator SCHWARTZ. Mr. President, I ask for reconsideration of amendment A2483 to Senate Bill No. 929.

The PRESIDENT. Senator Schwartz asks to reconsider the vote by which amendment A2483 was adopted to Senate Bill No. 929.

The motion was agreed to.

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

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

YEA-31

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

NAY-19

Belan	Hughes	Mellow	Tartaglione
Bodack	Kasunic	Musto	Wagner
Boscola	Kitchen	O'Pake	Williams
Costa	Kukovich	Stapleton	Wozniak
Fumo	La Valle	Stout	

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**BILL REREPORTED FROM COMMITTEE
AS AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 309 (Pr. No. 1187) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service, for eligibility for limited early retirement, for contributions for purchase of credit for creditable nonschool service and for exceptions to termination of annuities.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 652 (Pr. No. 1186) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies, small district assistance and basic education, and for transportation; and authorizing area vocational-technical boards to establish capital reserve funds.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 4**

**BILLS REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 927 (Pr. No. 1188) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, requiring continuing professional development programs to include prevention of school violence.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

SB 934 (Pr. No. 1189) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for written policies for terroristic threats in schools.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 5**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 929 (Pr. No. 1190) -- 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 distress in school districts of the first class; and requiring the establishment, implementation and administration of school safety committees and school safety plans.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

ADJOURNMENT

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

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Wednesday, June 9, 1999, at 11:30 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 6:20 p.m., Eastern Daylight Saving Time.