

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, JUNE 14, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 34

SENATE

MONDAY, June 14, 1999

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

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

PRAYER

The Chaplain, Reverend ROLAND P. FORBES, of Ebenezer Baptist Church, Lancaster, offered the following prayer:

Let us pray.

Dear God, our Creator, our Sustainer, and Provider, we ask Your blessings upon this Chamber and those whom Thou has authorized to be in the affairs of men's lives, and we pray that You would grant unto them divine wisdom as they shall consider those things which are laid before them. Bless them in these matters that those lives that shall be affected by their decisions shall be better.

We pray that You would allow Your divine presence to permeate this place with Your presence and Your power, that we might stand in awe of all that You have done, and that in the end, our satisfaction may be of You and not of ourselves.

We thank You and we bless You now. Amen.

The PRESIDENT. The Chair thanks Reverend Forbes, who is the guest today of Senator Armstrong.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 9, 1999.

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF LANDSCAPE ARCHITECTS

June 9, 1999

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

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

THOMAS J. RIDGE Governor

MEMBER OF THE STATE BOARD OF PHYSICAL THERAPY

June 10, 1999

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

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

THOMAS J. RIDGE Governor

RECALL COMMUNICATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF COSMETOLOGY

June 9, 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 April 21, 1999 for the appointment of Sharon Loughran, Market Square Beauty Salon, Market Square Shopping Center, Shrewsbury 17361, York County, Twenty-eighth Senatorial District, as a member of the State Board of Cosmetology, to serve until November 20, 1999 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Harold E. Cobb, Middletown, resigned.

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

THOMAS J. RIDGE  
Governor

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

June 9, 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 April 19, 1999 for the appointment of Ann Smith (Public Member), 319 Maywood Road, York 17402, York County, Twenty-eighth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve until November 21, 1999 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jesse C. Achenbach, Pottsville, resigned.

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

THOMAS J. RIDGE  
Governor

**RECALL COMMUNICATIONS  
LAID ON THE TABLE**

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

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

June 9, 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 25, 1999 for the appointment of Javad K. Hassan, 1190 Draymore Court, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph F. Leeson, Jr., Esq., Bethlehem, whose term expired.

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

THOMAS J. RIDGE  
Governor

**JUDGE, COURT OF COMMON PLEAS,  
ERIE COUNTY**

June 14, 1999

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 8, 1999 for the appointment of Matthew L. Wolford, 638 W. Sixth Street, Erie 16507, Erie County, Forty-ninth Senatorial District, for appointment as Judge, Court of Common Pleas, Erie County, to serve until the first Monday of January 2000, vice The Honorable Roger M. Fischer, resigned.

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

THOMAS J. RIDGE  
Governor

**HOUSE MESSAGES**

**HOUSE CONCURS IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS TO SENATE BILL BY  
FURTHER AMENDING SAID AMENDMENTS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to SB 255, by further amending said amendments, in which 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.

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate SB 365 and 366, 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, these bills will be referred to the Committee on Rules and Executive Nominations.

**HOUSE BILLS FOR CONCURRENCE**

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

June 14, 1999

**HB 17 and 848** -- Committee on Education.  
**HB 979** -- Committee on Local Government.

**HOUSE RESOLUTION FOR CONCURRENCE**

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

June 14, 1999

**HR 182** -- Committee on Intergovernmental Affairs.

**BILLS INTRODUCED AND REFERRED**

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

June 14, 1999

Senators HOLL, MOWERY, COSTA, WHITE, TARTAGLIONE, WENGER, LEMMOND, HART and THOMPSON presented to the Chair **SB 1003**, entitled:

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

Which was committed to the Committee on BANKING AND INSURANCE, June 14, 1999.

Senators EARLL, WHITE, KUKOVICH, THOMPSON, MUSTO, COSTA and WOZNIAK presented to the Chair **SB 1006**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, Real Estate Tax Sale Law, providing for responsibilities of purchasers.

Which was committed to the Committee on LOCAL GOVERNMENT, June 14, 1999.

Senators KASUNIC, BELAN, TARTAGLIONE, MELLOW, BODACK, STOUT, WOZNIAK, BELL, COSTA, SCHWARTZ and BOSCOLA presented to the Chair **SB 1007**, entitled:

An Act providing for workplace health and safety standards for public employees; providing for powers and duties of the Secretary of Labor and Industry, creating a review board; providing for workplace inspections; and imposing penalties.

Which was committed to the Committee on LABOR AND INDUSTRY, June 14, 1999.

Senators KASUNIC, BELAN, TARTAGLIONE, STOUT, WOZNIAK and COSTA presented to the Chair **SB 1008**, entitled:

An Act amending the act of July 17, 1961 (P.L.659, No.339), entitled Pennsylvania Bituminous Coal Mine Act, further providing for duties of mine inspectors.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 14, 1999.

Senators SALVATORE and MUSTO presented to the Chair **SB 1009**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, mandating prompt reporting of vacancies on boards and commissions.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 14, 1999.

Senators KUKOVICH, BELAN, BELL, LAVALLE, CONTI, WAGNER, TOMLINSON, MUSTO, BODACK, O'PAKE, STAPLETON, COSTA, TARTAGLIONE, MELLOW, SCHWARTZ, RHOADES, KASUNIC and BOSCOLA presented to the Chair **SB 1010**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for supplemental annuities commencing 1998.

Which was committed to the Committee on FINANCE, June 14, 1999.

**RESOLUTION INTRODUCED AND REFERRED**

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

June 14, 1999

Senators MURPHY, CONTI, PUNT, LAVALLE, HART, SALVATORE, STOUT, TARTAGLIONE, THOMPSON, COSTA, HELFRICK, ROBBINS, WOZNIAK, WENGER, TOMLINSON, BELAN, EARLL, KASUNIC, LOEPER, RHOADES, GERLACH, FUMO, MUSTO, MELLOW and BRIGHTBILL presented to the Chair **SR 91**, entitled:

A Resolution commemorating the 50th anniversary of the establishment of Flag Day as a national holiday and honoring Collier Township for its role in the history of Flag Day.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 14, 1999.

**AUDITOR GENERAL'S CERTIFICATE**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE AUDITOR GENERAL  
Harrisburg, PA 17120-0018

June 10, 1999

The Honorable Robert Jubelirer  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

In accordance with the provisions of Article VIII of the Constitution of Pennsylvania and Section 1604-B of The Fiscal Code, as amended, I am providing you with the accompanying certification, relevant to the settlement of the general obligation bond sale of June 2, 1999.

A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

ROBERT P. CASEY, JR.  
Auditor General

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**AUDITOR GENERAL'S CERTIFICATE**  
 Pursuant to  
**ARTICLE VIII, Section 7(a) (4) and 7(c)**  
 of the  
**CONSTITUTION OF PENNSYLVANIA**  
 and the  
 Act of April 9, 1929, No. 176, as amended,

To the Governor and The General Assembly:

I, Robert P. Casey, Jr., Auditor General of the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Constitution Article VIII, (Section 7(a) (4) and 7(c)) and Section 1604-B of The Fiscal Code (Act of April 9, 1929, P.L. 343, No. 176, Article XVI-B: added June 21, 1984, P.L. 407, No. 83 Section 2), certify as follows:

The amount of the outstanding net debt  
 as of the date of this certificate . . . . . \$ 4,041,734,429.00

The difference between the limitation  
 upon all net debt outstanding as provided  
 in Article VIII, Section 7(a) (4) of the  
 Constitution of Pennsylvania and the  
 amount of outstanding net debt as of  
 the June 10, 1999 . . . . . \$31,644,353,351.00

IN TESTIMONY WHEREOF, I have hereto set my hand and af-  
 fixed the seal of the Auditor General, this 10th day of June 1999.

ROBERT P. CASEY, JR.  
 Auditor General  
 Commonwealth of Pennsylvania

**APPOINTMENT BY  
 PRESIDENT PRO TEMPORE**

The PRESIDENT. The Chair wishes to announce the Presi-  
 dent pro tempore has made the following appointment:

Duane E. Adams as a member of the Operational Committee  
 for the Pennsylvania Community Development Bank.

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

The SECRETARY. Consent has been given for the Commit-  
 tee on Environmental Resources and Energy to meet during  
 today's Session in the Rules room to consider House Bill No.  
 528 and Senate Resolution No. 80.

**REPORTS FROM COMMITTEES**

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

**HB 773 (Pr. No. 2027) (Amended)**

An Act amending the act of March 11, 1971 (P.L.104, No.3),  
 known as the Senior Citizens Rebate and Assistance Act, further pro-  
 viding for definitions and for funds for payment; and making a repeal.

Senator TILGHMAN, from the Committee on Appropria-  
 tions, reported the following bill:

**SB 1002 (Pr. No. 1214) (Amended) (Rereported)**

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.

**LEGISLATIVE LEAVES**

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

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

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

The Chair recognizes the gentleman from Lackawanna, Sen-  
 ator Mellow.

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

The PRESIDENT. Senator Mellow requests a temporary  
 Capitol leave for Senator Boscola. Without objection, that leave  
 will be granted.

**LEAVES OF ABSENCE**

Senator LOEPER asked and obtained leaves of absence for  
 Senator HELFRICK and Senator TOMLINSON, for today's  
 Session, for personal reasons.

**CALENDAR**

**BILL ON CONCURRENCE IN  
 HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 832 (Pr. No. 1185) --** The Senate proceeded to consider-  
 ation of the bill, entitled:

An Act redesignating a portion of the Lackawanna Valley Indus-  
 trial Highway, SR 0006, as the Governor Robert P. Casey Highway,  
 designating the Olyphant on and off ramp, Exit 2 of the Lackawanna  
 Valley Industrial Highway as the Representative Joseph G. Wargo  
 Exit; and designating a section of U.S. Route 11 in Columbia County  
 as Columbia Boulevard.

On the question,

Will the Senate concur in the amendments made by the  
 House to Senate Bill No. 832?

Senator LOEPER. Mr. President, I move that the Senate do  
 concur in the amendments made by the House to Senate Bill No.  
 832.

On the question,

Will the Senate agree to the motion?

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

Senator MELLOW. Mr. President, 6 years ago today each and every one of us who were Members of the Chamber at the time and those in the House of Representatives were notified that Governor Casey was undergoing a double organ transplant in Pittsburgh. A lot has taken place since then, and Governor Casey, thank God, has done well during that 6-year period of time.

Mr. President, for us today to pass Senate Bill No. 832 on the 6th anniversary of the surgery that Governor Casey went through I think is a very dynamic and very strong expression. Senate Bill No. 832 names a brand new highway that has been built throughout my senatorial district the Governor Robert P. Casey Highway. This was a road that first was initiated through resolution by former State Representative Joseph Wargo, and Exit 2 off the road will be named after Representative Joseph Wargo.

It was first introduced in the House of Representatives, Mr. President, back in 1964, and it was 30 years from the date of the introduction that we had the groundbreaking. The road has been under construction now for 6 years and should be completed, Mr. President, later on this year. It also has received very strong support from Governor Tom Ridge during the 5 years now of his administration.

Mr. President, this road opens up an entire new area in northeastern Pennsylvania for industrial development. I am honored to be able to say that Senator Jubelirer was a very strong supporter when I first talked to him about introducing this piece of legislation to have this road named for Governor Casey. I am pleased, Mr. President, that Governor Casey was successful in his double transplant, and that he is a very distinguished constituent in the district that I have been benefitted and honored to represent.

Mr. President, today by us naming what was known before as the Lackawanna Valley Industrial Highway and to be able to name that as the Governor Robert P. Casey Highway on the 6th anniversary of his surgery and the dynamic journey that he led us through with such tremendous courage is just a very wonderful day today for me personally, and I just want to express my thanks on behalf of not only the Casey family but the people of Lackawanna County and indeed the 12 million people of Pennsylvania, because what we are doing today is the right thing to honor a man who has distinguished himself in so many ways, and I am very happy that finally we will be able to come to final passage of this proposal.

Thank you very much, Mr. President.

The PRESIDENT. The Chair recognizes the President pro tempore, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, I join with Senator Mellow in expressing my hope that all Members of the Senate will vote in a positive fashion to concur with Senate Bill No. 832. Mr. President, probably the best thing I can say is I am thrilled that 6 years after Bob Casey went through one of the most challenging and difficult medical procedures that any human being has ever undergone, we are here today prepared to pass a bill that sets forth a highway in Lackawanna County, in northeastern Pennsylvania, as the Robert P. Casey Highway.

Thank God, it is not the Robert P. Casey memorial highway. There is no reason, Mr. President, that people who commit themselves, who work hard, who earn their way should have to pass away before a highway or building, or whatever the case may be, is designated in their honor. Bob Casey deserves this. He has earned it. He has shown the world great courage.

When Governor Casey was active, when he was asked who is your adversary on this, who is going to oppose you? I guess it was my name that always came up. But people do not realize that Bob Casey and I had a very strong respect for one another. Whether we were publicly arguing, whether I was carrying the message for the Republican Caucus of the Senate of Pennsylvania, personally I had great admiration and respect for the man who showed me a fighting spirit while he was in office, and when it really counted, that frankly is unparalleled, and when he came back I have a picture sitting in my office of Bill Lincoln and I standing there with tears in my eyes welcoming him back because the courage that he displayed I believe is unparalleled in my lifetime. And I am delighted and pleased that I can be here today joining with Senator Mellow and I believe every Member of the Senate in passing this bill, designating this highway as the Robert P. Casey Highway.

Thank you, Mr. President.

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

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

#### YEA-48

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

#### NAY-0

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

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

#### BILL SIGNED

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

SB 832.

#### LEGISLATIVE LEAVE CANCELED

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

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR JOE CONTI  
PRESENTED TO THE SENATE**

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

Senator CONTI. Mr. President, I rise today for the purpose of the introduction of a number of guests I have visiting the Senate of Pennsylvania today.

First is Robert B. Stanfield, who is the vice chairman of the Tinicum Environmental Advisory Committee. Mr. Stanfield is an expert on water issues, and we welcome him to the Capitol today.

I also have an intern visiting today, Laura Barker, who will be a sophomore at George Washington University in Washington, D.C., for the next school year. I also have a constituent friend of mine from Bucks County in the gallery, Chris Curci, who will be a senior next year at LaSalle College High School, and finally I would like to welcome to the Senate of Pennsylvania two young women serving as Pages today, Lauren Petrino, age 13, and Laura Woomer, also age 13. Both of these young women will be entering eighth grade at Palmyra Area Middle School in September.

I ask you, Mr. President, to welcome my guests on behalf of my colleagues in the Senate.

The PRESIDENT. Would our five guests please rise so we can give you our usual warm welcome.

(Applause.)

**GUEST OF SENATOR JAKE CORMAN  
PRESENTED TO THE SENATE**

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

Senator CORMAN. Mr. President, today I would like to introduce a guest of mine. He is an intern in my district office who has made the trip here to Harrisburg this week to be with us, and I found in finally getting to know this young man that we have quite a bit in common. First of all, we are both named for our grandfathers, and passed down to our fathers, until now we are both the thirds. We both showed great judgment in choosing Penn State University as our place to go for higher education, myself being a graduate and young Joseph as an American studies major going into his senior year. Both of our fathers chose to be public officials, mine having served here in the Senate and his currently serving here in the Senate, but most importantly, both of us were raised by our mothers, so I would like to welcome my guest, Walter Joseph Conti III.

The PRESIDENT. Will Walter Conti III please stand so the Senate may welcome you.

(Applause.)

**GUESTS OF SENATOR MICHAEL A. O'PAKE  
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, also in the gallery is another future Penn State University student who I know will do very well there. He graduated from Governor Mifflin High School, and his name is Ronald Remke. With Ronald is another Governor Mifflin graduate, an outstanding student at Boston College who is interning in my district office this summer, Chris Giovanis, so I would ask the Senate to welcome Ron and Chris, who are in the gallery.

The PRESIDENT. Would Ron and Chris please rise so the Senate may give you its usual warm welcome.

(Applause.)

**CONSIDERATION OF CALENDAR RESUMED**

**SB 925 CALLED UP OUT OF ORDER**

SB 925 (Pr. No. 1200) -- 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 925 (Pr. No. 1200) -- 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 the reporting of student conduct; and requiring the adoption of a code of student conduct.

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-48**

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

**NAY-0**

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

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

**SB 1000 CALLED UP OUT OF ORDER**

**SB 1000 (Pr. No. 1163)** — 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 AMENDED**

**SB 1000 (Pr. No. 1163)** — The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator LOEPER offered the following amendment No. A2756:

Amend Sec. 4, page 2, line 4, by striking out "in 60 days" and inserting: immediately

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.

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1000 (Pr. No. 1203)** — The Senate proceeded to consideration of the bill, entitled:

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.

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 President pro tempore, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, I think I can start off my remarks by saying, like I was saying before, when somebody who works so very diligently over so many years makes such an enormous contribution as did Governor Casey in the previous bill as has Speaker Ryan, I think it is appropriate to honor those people. It does not happen every day. It is remarkable that we are poised to do it twice today, but Speaker Matt Ryan has clearly been the moving force and the driving

force to having the legislative office building redone. We call it the Capitol Annex. I think it is far more appropriate to be the Matthew Ryan Building than the Capitol Annex. Matt Ryan has earned this, he has been an icon of State government over many decades. He is as respected a Member of this General Assembly as has ever served here. I think it sets a very good precedent and one that certainly ought to be continued in the future for those people who earn the right for something as outstanding as this to have a building named after them in their lifetime.

Mr. President, I think it is appropriate that this Senate initiate the bill and send it over to the House of Representatives that the Capitol Annex be named the Speaker Matthew J. Ryan Legislative Office Building and providing for its use. As I said, Speaker Ryan has earned it, and I think this is an appropriate reaction to his dedication, hard work, and commitment to many, many issues and particularly to the preservation of the Capitol and to the renovation of what will be the former Capitol Annex Building, and I urge a positive vote, Mr. President.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I, too, rise to support this. As a former Member of the House, I have to tell you that Matt Ryan is aboveboard and one of the most respected gentlemen of whom I am aware, and his perseverance for preservation is unbounded. I think many a weaker person would have backed off because of the significant price tag that goes along with reestablishing and refurbishing and taking this entire State Capitol back to its original glory, and I think it is because of his hard work, dedication, and his understanding that this is truly a Pennsylvania treasure that we rightfully so designate a piece of this treasure in his name. There is not a bus trip or group of people that comes into this State Capitol from the four corners of this State that is not mightily impressed with the condition and the beauty and historical ambience of these structures, and I think by naming the annex after Speaker Ryan, I think we are doing him a great service because without his leadership, without his perseverance, without him taking on a lot of criticism, this entire effort probably would not be done in this century.

Thank you, Mr. President.

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

Senator CONTI. Mr. President, I rise, too, to support Senate Bill No. 1000. As a former Member of the House, as the former speaker, it is an honor and privilege to serve in the Senate of Pennsylvania, but when you serve in the House of Representatives, a piece of that stays with you, and a significant piece of that for me is Matt Ryan and my experience with the Speaker. Senator Jubelirer used the word "remarkable." I think Speaker Ryan is a remarkable individual. He has certainly dignified our institution with his distinguished service, and I do not know anybody who respects the institution and the General Assembly more than Speaker Ryan, so this is an entirely fitting and appropriate gesture on our part, and I am very proud to rise in support of this matter.

Thank you, Mr. President.

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

Senator PICCOLA. Mr. President, I also rise to support Senate Bill No. 1000 and to indicate to the Members of the Senate why this designation is so appropriate and so meaningful. We here in Dauphin County treasure this Capitol building and the Capitol Complex as a jewel and a treasure that is of particular significance to those of us who live here. Speaker Ryan has been absolutely passionate over the 22 years that I have known him and associated with him and served with him about Capitol preservation. The beauty that you see here in this Chamber is unmatched anywhere in the United States when it comes to legislative chambers. The beauty that you see in the House Chamber, the beauty that you see in the Rotunda, the beauty that you see throughout this Capitol, much of that, if not all of that, would not have been possible nor would it have been done had not Speaker Ryan used the initiative and the power of the office that he held over many years as both Minority Leader and the Speaker of the House to make sure that this Capitol was preserved in a way that was meaningful.

For that reason, naming the former Capitol Annex after him is an entirely appropriate and very, very appropriate and justifiable way of honoring a man who has been absolutely passionate about Capitol preservation, and I certainly stand in strong support of this bill.

And the question recurring,  
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

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 by 3:45 p.m.

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

Senator MELLOW. Mr. President, I request that the Democratic Members report to our caucus room on the fourth floor, Room 461, immediately upon the recess.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately, the Senate will stand in recess.

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS  
ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given for the following committee meetings to occur during today's Session in the Rules room: the Committee on Education to consider House Bill No. 17, and the Committee on Local Government to consider House Bill No. 979.

CONSIDERATION OF CALENDAR RESUMED

SB 384 CALLED UP OUT OF ORDER

SB 384 (Pr. No. 393) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

SB 384 (Pr. No. 393) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-48

Armstrong	Gerlach	Madigan	Slocum
Belan	Greenleaf	Mellow	Stapleton
Bell	Hart	Mowery	Stout
Bodack	Holl	Murphy	Tartaglione
Boscola	Hughes	Musto	Thompson
Brightbill	Jubelirer	O'Pake	Tilghman
Conti	Kasunic	Piccola	Wagner
Corman	Kitchen	Punt	Waugh



Costa	Kukovich	Rhoades	Wenger
Dent	LaValle	Robbins	White
Earll	Lemmond	Salvatore	Williams
Fumo	Loeper	Schwartz	Wozniak

NAY-0

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

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Boscola has returned, and her temporary Capitol leave is cancelled.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR**

**BILL AMENDED**

**HB 10 (Pr. No. 1702)** — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for licensing eligibility and licensing of minors, for learner's permits, for suspension of operating privilege, for school, examination or hearing on accumulation of points or excessive speeding and for requirements for driving under influence offenders; providing for additional annual fees for certain registrations; further providing for annual hauling permits, for restraint systems; establishing a task force on driver's education programs; providing for conditions of permits and security for damages and for permits for movement of float glass or flat glass; further providing for permit for movement during the course of manufacture and for permit for movement of wooden structures; providing for security wall pilot project; and making editorial changes.

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

**CORMAN AMENDMENT A2761**

Senator CORMAN offered the following amendment No. A2761:

Amend Title, page 1, lines 5 through 8, by striking out "AND" in line 5, all of lines 6 through 8, and inserting: , for requirements for driving under influence offenders, for annual hauling permits and

Amend Sec. 3 (Sec. 1505), page 8, line 25, by striking out "INTERNET" and inserting: electronic means

Amend Sec. 3 (Sec. 1505), page 8, line 26, by inserting after "WHO": knowingly

Amend Sec. 3 (Sec. 1505), page 8, lines 27 and 28, by striking out "VIOLATES THE PROVISIONS OF THIS TITLE AND SHALL BE SUBJECT TO THE PENALTIES AUTHORIZED IN" and inserting: commits a summary offense under

Amend Sec. 7, page 13, lines 19 through 30; page 14, line 1, by striking out all of said lines on said pages

Amend Sec. 8, page 14, line 16, by striking out "8" and inserting:

7 Amend Sec. 9, page 14, line 25, by striking out "9" and inserting:

8

Amend Sec. 10, page 15, line 20, by striking out all of said line and inserting:

Section 9. Sections 4962(f), 4968 and 4977 of Title 75, amended December 21, 1998 (P.L. 1126, No. 151), are amended to read:

Amend Sec. 11, page 16, lines 25 and 26, by striking out all of said lines

Amend Sec. 12, page 21, line 2, by striking out "12" and inserting: 10

Amend Sec. 13, page 22, line 15, by striking out "13" and inserting: 11

Amend Sec. 14, page 22, line 28, by striking out "14" and inserting: 12

Amend Sec. 15, page 23, line 10, by striking out "15" and inserting: 13

Amend Sec. 16, page 23, line 13, by striking out "16" and inserting: 14

Amend Sec. 16, page 23, line 15, by striking out "17" and inserting: 14

Amend Sec. 16, page 23, line 22, by inserting after "DESIGNEE": who shall be the chairman of the task force

Amend Sec. 16, page 23, lines 24 through 27, by striking out "TO BE APPOINTED ONE EACH BY THE" in line 24, all of lines 25 through 27 and inserting: comprised of the chairman and minority chairman of the Committee on Education of the Senate and the chairman and minority chairman of the Committee on Education of the House of Representatives or their designees.

Amend Sec. 16, page 23, line 28, by striking out "SEVEN" and inserting: four

Amend Sec. 16, page 24, line 26, by striking out "18" and inserting: 10

Amend Sec. 16, page 24, by inserting between lines 27 and 28: (f) The provisions of this section and the task force shall expire one year after the effective date of this section.

Amend Sec. 17, page 24, line 28, by striking out "17" and inserting: 15

Amend Sec. 17, page 25, line 7, by striking out "This" and inserting: Section 14 and this

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

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

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, would the maker of the amendment stand for interrogation?

The PRESIDENT pro tempore. Senator Corman, will you stand for interrogation?

Senator CORMAN. Mr. President, I will.

The PRESIDENT pro tempore. Senator Stout, you may proceed.

Senator STOUT. Mr. President, since this is a new amendment and has not been seen by our Caucus, I wish the maker of the amendment would explain exactly what the proposed amendment would do to House Bill No. 10.

Senator CORMAN. Mr. President, this amendment will remove the provision in the bill that deals with the specialty license plates and will also set up a task force dealing with driver education, and also some technical amendments dealing with the bill.

Senator STOUT. Mr. President, are those the three changes in this amendment that would impact upon House Bill No. 10?

No other changes in dealing with truck weights or special hauling permits?

Senator CORMAN. Mr. President, no, just what I previously stated.

Senator STOUT. Mr. President, and this amendment still retains the amendment that was inserted previously in the bill by Senator O'Pake dealing with violence legislation?

Senator CORMAN. Mr. President, yes, it does.

Senator STOUT. Mr. President, I believe that we should support the amendment offered by Senator Corman, because it does clear up some technical problems that were involved in House Bill No. 10. I believe we should adopt the amendment as presented by Senator Corman.

And the question recurring,  
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?

#### EARLL AMENDMENT A2406

Senator EARLL offered the following amendment No. A2406:

Amend Sec. 11 (Sec. 4968), page 20, by inserting between lines 7 and 8:

(3.7) A combination of vehicles which is hauling pulpwood and wood chips from a source to a paper and manufacturing facility may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

(i) The vehicle must be a six axle combination - three axle truck tractor.

(ii) Gross vehicular weight must not exceed 96,900 pounds.

(iii) Maximum weight on steering axles shall be 11,000 pounds.

(iv) Maximum weight on the truck-tractor tandem (axles two and three) shall be 38,000 pounds, with a maximum of 19,500 pounds on either axle in the group.

(v) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 47,700 pounds, with a maximum of 16,400 pounds on any axle in the group.

(vi) Minimum spacing between axle one and axle two shall be 12 feet, 11 inches.

(vii) The center to center distance between the last drive axle of the truck tractor, axle three and the first axle of semitrailer, axle 4, must be a minimum of 26 feet, seven inches.

(viii) Minimum spacing between tandem and tridem axles shall be four feet, one inch.

No permit may be issued for this type of movement upon an interstate highway.

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

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, I rise to support the amendment offered by Senator Earll. This would allow for a special

permit for the hauling of pulpwood and wood chips that are essential and vital to the paper industry in northwestern Pennsylvania, mainly the International Paper plant in Erie, in order to receive raw materials that are to be processed for the paper industry. It has an impact not only on the Erie plant, but since Erie supplies the Lock Haven plant, it would have an impact there. I think it is good business sense to allow Pennsylvania businesses to be competitive with other States in bringing in raw materials, so I support the Earll amendment, Mr. President.

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

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

#### SALVATORE AMENDMENT A2078

Senator SALVATORE offered the following amendment No. A2078:

Amend Bill, page 24, by inserting between lines 27 and 28:

Section 17. The Pennsylvania State Police and the Department of Transportation shall jointly study the issue of the problems involving registration validation stickers and present a report with findings and recommendations to the Transportation Committee of the Senate and the Transportation Committee of the House of Representatives no later than September 1, 1999.

Amend Sec. 17, page 24, line 28, by striking out "17" and inserting: 18

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

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

#### FUMO AMENDMENT A2345

Senator FUMO offered the following amendment No. A2345:

Amend Title, page 1, line 12, by inserting after "PROVIDING": for restrictions on use of limited access highways, for

Amend Sec. 8, page 14, lines 16 and 17, by striking out all of said lines and inserting:

Section 8. Sections 1943 and 3313 of Title 75 are amended by adding subsections to read:

Amend Sec. 8, page 14, by inserting between lines 24 and 25:  
§ 3313. Restrictions on use of limited access highways.

\*\*\*

(d) Driving in right lane.—Vehicles shall be driven in the lane nearest the right-hand edge of the roadway, except when overtaking another vehicle, or for a distance of up to two miles in preparation for a left turn, or as directed by official traffic control devices, police officers or appropriately attired persons authorized to divert, control or regulate traffic.

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

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

BRIGHTBILL AMENDMENT A2813

Senator BRIGHTBILL offered the following amendment No. A2813:

Amend Sec. 4 (Sec. 1532), page 9, line 10, by inserting after "OR": any person 21 years of age or younger upon receiving a certified record of the person's conviction or adjudication of delinquency

Amend Sec. 4 (Sec. 1532), page 9, line 11, by inserting after "THREATS": committed on any school property, including any public school grounds, during any school-sponsored activity or on any conveyance providing transportation to a school entity or school-sponsored activity

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

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

MADIGAN AMENDMENT A2762

Senator MADIGAN offered the following amendment No. A2762:

Amend Title, page 1, line 11, by striking out "AND" and inserting a comma

Amend Title, page 1, line 12, by inserting after "GLASS" where it appears the second time: and for permits for movement of self-propelled cranes

Amend Sec. 8, page 14, lines 16 and 17, by striking out "A SUBSECTION" and inserting: subsections

Amend Sec. 8 (Sec. 1943), page 14, by inserting between lines 24 and 25:

(p) Self-propelled cranes.—The annual permit fee for each self-propelled crane, as provided for in section 4979.5 (relating to permit for movement of self-propelled cranes), shall be as follows:

(1) Cranes not exceeding 100,000 pounds gross weight, prorated up to a maximum of \$400.

(2) Cranes in excess of 100,000 pounds gross weight, prorated up to a maximum of \$100 plus \$50 for each mile of highway authorized under the permit.

Amend Sec. 10 (Sec. 4962), page 16, by inserting between lines 23 and 24:

Section 4979.4 (relating to permit for movement of self-propelled cranes).

Amend Sec. 12, page 21, line 2, by striking out "A SECTION" and inserting: sections

Amend Sec. 12, page 22, by inserting between lines 14 and 15: § 4979.4. Permit for movement of self-propelled cranes.

An annual permit may be issued authorizing the movement on specified highways of self-propelled cranes which exceed the maximum vehicle gross or maximum axle weights specified in Subchapter C (relating to maximum weights of vehicles).

Amend Sec. 17, page 25, lines 5 and 6, by striking out "AND 4979.3" and inserting: , 4979.3 and 4979.4

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

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

Senator MADIGAN. Mr. President, this would permit the Department of Transportation to issue annual permits for the movement of self-propelled cranes. This has resulted from conferences between the department and a number of Members who have had problems with crane businesses in their district. I ask for unanimous support.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Mr. President, I rise to support the amendment offered by Senator Madigan that would allow for annual permits for self-propelled cranes. In my experience as chairman of the Committee on Transportation, this is a major problem encountered by contractors to move a crane from one location to another. This allows for an annual permit to be issued for certain specific routes and bridges that could be used for the movement of these cranes. I think it is important to commerce and business here in the Commonwealth of Pennsylvania so that people can move equipment not only to construction sites but to service buildings that are being erected. So I support this amendment for mobile cranes to have an annual permit, Mr. President.

The PRESIDENT pro tempore. The Chair thanks Senator Stout, who evidently has convinced the entire Senate.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I am not going to take a position against the amendment; however, I think we should look at what we are doing to highway safety in Pennsylvania. This amendment certainly could compromise the safety of the motorist traveling not only on our superhighways but on any particular highway that this kind of crane can travel. This is a very large vehicle. It is very heavy and it could potentially be very dangerous. So although we are not going to express our opposition by voting "no" on the amendment, Mr. President, I think we are going down a very slippery path to compromise the highway safety of the motoring public.

Thank you.

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

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

AMENDMENT A2406 RECONSIDERED

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

Senator BRIGHTBILL. Mr. President, I move to reconsider the vote by which amendment A2406 was agreed to.

The PRESIDENT pro tempore. It has been moved by Senator Brightbill that the Senate reconsider the vote by which amendment A2406 was agreed to.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the amendment?

AMENDMENT A2406 WITHDRAWN

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Erie, Senator Earll.

Senator EARLL. Mr. President, I rise to withdraw amendment A2406.

The PRESIDENT pro tempore. The amendment is withdrawn.

And the question recurring,

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

EARLL AMENDMENT A2495

Senator EARLL offered the following amendment No. A2495:

Amend Sec. 11 (Sec. 4968), page 17, line 6, by inserting after "INGOTS": pulpwood and wood chips for paper manufacture  
Amend Sec. 11 (Sec. 4968), page 20, by inserting between lines 7 and 8:

(3.7) A combination of vehicles which is hauling pulpwood or wood chips from a specified source to a paper manufacturing site may be permitted by the department and local authorities to move upon specified highways within their respective jurisdictions subject to the following conditions:

(i) The vehicle must be a five axle combination - three axle truck tractor meeting the following characteristics:

(A) Gross vehicular weight must not exceed 95,000 pounds.

(B) Maximum weight on steering axle shall be 11,000 pounds.

(C) Maximum weight on the truck-trailer tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.

(D) Maximum weight on the semitrailer tridem (axles four and five) shall be 42,000 pounds, with a maximum of 21,000 pounds on any axle in the group.

(E) Minimum spacing between axle one and axle two shall be 12 feet, six inches.

(F) The center-to-center distance between the last drive axle of the truck tractor, axle three and the first axle of the semitrailer, axle four, must be a minimum of 28 feet, zero inch.

(G) Minimum spacing between tandem and tridem axles shall be four feet, zero inch.

(ii) The vehicle must be a six axle combination - three axle truck tractor meeting the following characteristics:

(A) Gross vehicular weight must not exceed 107,000 pounds.

(B) Maximum weight on steering axles shall be 12,000 pounds.

(C) Maximum weight on the truck-tractor tandem (axles two and three) shall be 42,000 pounds, with a maximum of 21,000 pounds on either axle in the group.

(D) Maximum weight on the semitrailer tridem (axles four, five and six) shall be 53,000 pounds, with a maximum of 17,670 pounds on any axle in the group.

(E) Minimum spacing between axle one and axle two shall be 12 feet, six inches.

(F) The center to center distance between the last drive axle of the truck tractor, axle three, and the first axle of the semitrailer, axle four, must be a minimum of 45 feet, zero inch.

(G) Minimum spacing between tandem and tridem axles shall be four feet, zero inch.

No permit may be issued for this type of movement upon an interstate highway.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

LaVALLE AMENDMENT A2033

Senator LaVALLE offered the following amendment No. A2033:

Amend Title, page 1, line 10, by inserting after "PROGRAMS;": further providing for requirement for periodic inspection of vehicles and for prohibition on expenditures for emission inspection program;

Amend Bill, page 15, line 20, by striking out all of said line and inserting:

Section 10. Sections 4702(g) and 4706(g) of Title 75 are amended to read:

§ 4702. Requirement for periodic inspection of vehicles.

\*\*\*

(g) Exceptions.—The following [are exceptions to subsection (f):] vehicles shall be subject to the requirements provided by this subsection only when an enhanced emissions inspection program is implemented by the department in all areas of this Commonwealth as required for compliance with the Clean Air Act (69 Stat. 322, 42 U.S.C. § 7401 et seq.):

(1) Emission inspection criteria for registration of subject vehicles with new registration plates.—A subject vehicle never before registered in this Commonwealth or any other jurisdiction having less than 5,000 miles on its odometer and for which an annual or temporary registration plate was originally issued within the past 12 months shall be exempt from emission inspection for one year from the date of original registration. A certificate of exemption shall be affixed to the subject vehicle in a manner prescribed by department regulations.

(2) Emission inspection criteria for new vehicles with transferred registration plates.—A subject vehicle never before registered in this Commonwealth or any other jurisdiction having less than 5,000 miles on its odometer and bearing a registration plate which has been transferred from another vehicle shall be required to pass an emission inspection prior to the next registration renewal, but not within nine months of the date of purchase of the subject vehicle.

(3) Emission inspection criteria for used subject vehicles with new or transferred registration plates.—A subject vehicle sold having a title issued in this or any other jurisdiction or sold with a manufacturer's statement of origin and having 5,000 or more miles on its odometer and which displays a currently valid certification of emission inspection shall be required to be emission inspected prior to expiration of the certificate of emission unless the renewal of registration becomes due immediately before the expiration of the certificate of emission inspection, in which case the subject vehicle shall be emission inspected prior to expiration of the new or transferred registration

plate. If there is no evidence of emission inspection, an emission inspection must precede the next registration renewal.

(4) Emission inspection criteria for vehicles operated with miscellaneous motor vehicle business registration plates or dealer registration plate.—A subject vehicle which displays a miscellaneous motor vehicle business registration plate or a dealer registration plate shall be exempt from the requirements for emission inspection until it has accumulated 5,000 miles on its odometer. At that time it shall be subject to the provisions of subsection (f).

§ 4706. Prohibition on expenditures for emission inspection program.

\*\*\*

(g) Alternative enhanced emission inspection program.—Notwithstanding the provisions of subsection (f), the department shall comply with all of the following requirements:

(1) The department shall immediately suspend the development and implementation of a centralized, test-only vehicle emission inspection program until March 31, 1995.

(1.1) The department shall immediately suspend the operation and maintenance of any existing emissions inspection program or enhanced emissions inspection program implemented pursuant to this section in the counties of Allegheny, Beaver, Bucks, Chester, Delaware, Montgomery, Philadelphia, Washington and Westmoreland.

(1.2) The department shall immediately suspend the operation, maintenance, implementation, planning or design of any enhanced emissions inspection program pursuant to this section in the counties of Berks, Blair, Cambria, Centre, Cumberland, Dauphin, Erie, Lackawanna, Lancaster, Lehigh, Lebanon, Luzerne, Lycoming, Mercer, Northampton and York.

(2) The department shall immediately notify the Environmental Protection Agency that the Commonwealth is developing an alternative vehicle emission program and intends to seek its approval of the plan in accordance with the requirements of the Federal law.

(3) The department shall develop and submit to the Environmental Protection Agency an alternative enhanced vehicle emission inspection program for approval which meets the requirements of Federal law and consists of a decentralized test and repair program or a hybrid program which combines both decentralized test and repair and test-only components. The decentralized test program may contain an additional component which will test and repair only those components necessary to achieve compliance with Federal clean air standards. As part of this decentralized test program, the department shall utilize the newest and most efficient technologies, including, but not limited to, remote roadside testing, identification and targeting of gross polluting vehicles and alternative equipment to existing inspection technology. The department may incorporate pilot programs and demonstration projects which achieve and enhance vehicle emissions reductions.

(4) On the effective date of this subsection, the department shall be immediately prohibited from expending any funds or allowing any other action in furtherance of the development and implementation of a centralized, test-only vehicle emission inspection program until the Environmental Protection Agency approves the decentralized or hybrid system proposed under paragraph (3). Any funds expended by the department after the approval of the program by the Environmental Protection Agency shall be limited to the implementation of the revised vehicle inspection program.

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Section 11. Sections 4962(f), 4968 and 4977 of Title 75, amended December 21, 1998 (P.L. 1126, No. 151), are amended to read:

Amend Sec. 11, page 16, lines 25 and 26, by striking out all of said lines

Amend Sec. 17, page 25, by inserting between lines 6 and 7:

(3) The amendment of 75 Pa.C.S. §§ 4702(g) and 4706(g) shall take effect immediately.

Amend Sec. 17, page 25, line 7, by striking out "(3)" and inserting:

(4)

Amend Sec. 17, page 25, line 8, by striking out "(4)" and inserting:

(5)

On the question,

Will the Senate agree to the amendment?

## CONSTITUTIONAL POINT OF ORDER

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

Senator BRIGHTBILL. Mr. President, I rise to raise a constitutional point of order, namely that amendment A2033 violates Article III, Section 7, of the Pennsylvania Constitution in that it is a special bill or local bill by virtue of listing a number of counties, and the Constitution requires that there be at least 30 days' notice prior to the introduction of the bill. There was no notice given on this amendment and this is not something that can be cured through a subsequent notice, and I ask that this be declared out of order.

The PRESIDENT pro tempore. The question before the Senate is the point of order raised by Senator Brightbill that the LaValle amendment is unconstitutional and violates Article III, Section 7, of the Constitution of Pennsylvania.

On the question,

Shall the Senate sustain the constitutional point of order?

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

Senator BELL. Mr. President, I agree that Article III, Section 7, is as Senator Brightbill says. But he presumes this is a local or special bill. This bill pertains to one-half of the people of Pennsylvania. I do not think anybody in their right mind would call that a local bill.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Westmoreland, Senator Kukovich.

Senator KUKOVICH. Mr. President, I am not aware of any case law that would interpret that section of the Constitution the way it was just explained. My understanding is that the purpose of this section of the Constitution, and I have never seen this used before on the floor of either the House or Senate to try to prevent legislation from passing, but my understanding is that the purpose is to try to ensure that special legislation for a locality or some small part of the Commonwealth of Pennsylvania would not be run through this body unless those local individuals were informed. That is very different from the amendment being offered.

As Senator Bell said, he is referring to a program that was foisted on this State primarily by the Federal government. There may be some debate. Reasonable people could differ on the validity of that program, and there has been extensive debate in both Chambers for years over this particular program. But never before have we seen this article and section of the Constitution used for legislation that refers to so many counties, or to any county for that matter, as opposed to a local municipality. And it could not by any stretch of the imagination be considered to be special legislation. This is something that affects the entire State no matter how many counties are included.

I think this is clearly constitutional. I think there is no precedent to declare this unconstitutional, and as a matter of policy, this is something that many Members would like to address. I think that we cannot always hide behind parliamentary maneuvers, and I think the maker of this amendment, at the very least, deserves a debate and a vote on this particular language.

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

Senator LaVALLE. Mr. President, I think it is pretty clear to those who are affected by the original legislation that they were named by county, and to argue anything other than that does not make any sense at all. If there is an attempt to avoid voting on the amendment because some folks are not comfortable, I can understand that. You cannot tell that to the people who were named by county when they were put in the program in the first place and now the attempt is to exclude a whole bunch of other counties that were supposed to be in it later on.

Thank you, Mr. President.

The PRESIDENT pro tempore. The question before the Senate is a point of order raised by Senator Brightbill that the LaValle amendment is unconstitutional, violating Article III, Section 7, of the Constitution of Pennsylvania.

Those voting "aye" will vote to sustain the point of order, thereby declaring the amendment unconstitutional. Those voting "no" will vote that the point of order is not well-taken, and thereby declare that this amendment is constitutional.

LEGISLATIVE LEAVES

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

Senator MELLOW. Mr. President, I request temporary Capitol leaves for Senator Bodack, Senator Fumo, Senator Schwartz, Senator Williams, and Senator Hughes.

The PRESIDENT pro tempore. Senator Mellow requests temporary Capitol leaves for Senator Bodack, Senator Fumo, Senator Schwartz, Senator Williams, and Senator Hughes. Without objection, those leaves are granted.

Senator BRIGHTBILL. Mr. President, I request a temporary Capitol leave for Senator Robbins.

The PRESIDENT pro tempore. Senator Brightbill requests a temporary Capitol leave for Senator Robbins. Without objection, that leave will be granted.

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

The PRESIDENT pro tempore. Again, those voting "aye" will vote to sustain the point of order; those voting "no" will vote that the point of order is not well-taken and thereby declare the amendment to be constitutional.

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

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

YEA-26

Armstrong	Greenleaf	Murphy	Thompson
Brightbill	Holl	Piccola	Tilghman
Conti	Jubelirer	Punt	Waugh
Corman	Lemmond	Rhoades	Wenger
Dent	Loeper	Robbins	White

Earl	Madigan	Salvatore
Gerlach	Mowery	Slocum

NAY-22

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

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

The PRESIDENT pro tempore. The vote on the constitutional point of order is "ayes," 26; "nays," 22. The point of order that the amendment is unconstitutional is sustained.

House Bill No. 10 will go over in its order as amended.

BILLS OVER IN ORDER

SB 19, SB 234, SB 260 and HB 314 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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-48

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

NAY-0

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

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

#### BILLS OVER IN ORDER

**SB 456, HB 456, SB 769 and SB 839** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL AMENDED

**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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator EARLL offered the following amendment No. A2383:

Amend Sec. 1 (Sec. 4104.1), page 1, lines 14 through 16, by striking out all of said lines and inserting:

(b) Grading.—A first offense under this section is a felony of the third degree and a second and subsequent offense under this section is a felony of the second degree.

(1) In addition any penalty imposed herein, a person who violates this section shall be ordered by the court to pay restitution to the victim pursuant to section 1106 (relating to restitution for injuries to person or property).

(2) In prosecutions under subsection (a), if the offender possesses identifying information of more than one person, the identifying information relating to each person shall be considered a separate offense.

(3) Where a person commits an offense under subsection (a) and the victim of the offense is 60 years of age or older, the grading of the offense shall be one grade higher than specified herein.

(c) Concurrent jurisdiction to prosecute.—In addition to the authority conferred upon the Attorney General by the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and to institute criminal proceedings for any violation of this section or any series of such violations involving more than one county of this Commonwealth and/or another state. No person charged with a violation of this section by the Attorney General shall have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and, if any such challenge is made, the challenge shall be dismissed and no relief shall be made available in the courts of this Commonwealth to the person making the challenge.

Amend Sec. 1 (Sec. 4104.1), page 1, line 17, by striking out "(c)" and inserting: (d)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

#### BILL OVER IN ORDER

**SB 1004** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 8, HB 76 and HB 88** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL REREFERRED

**HB 157 (Pr. No. 1806)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### BILL ON SECOND CONSIDERATION

**HB 192 (Pr. No. 981)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

#### BILLS OVER IN ORDER

**HB 197, SB 262 and HB 443** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### BILL REREFERRED

**SB 555 (Pr. No. 1182)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

## BILL ON SECOND CONSIDERATION

**SB 648 (Pr. No. 705)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), entitled, as amended, Local Option Small Games of Chance Act, further providing for prize limits.

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

## BILLS OVER IN ORDER

**SB 669 and SB 706** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

## BILLS REREFERRED

**SB 708 (Pr. No. 768)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, providing for compensation of auditors for attendance at conferences, institutes, schools and conventions.

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

**HB 739 (Pr. No. 985)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

## BILLS ON SECOND CONSIDERATION

**HB 779 (Pr. No. 990)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 818 (Pr. No. 1184)** -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating certain transfers of structured settlement payments.

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

## BILLS OVER IN ORDER

**SB 833, SB 844 and SB 930** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

## BILL ON SECOND CONSIDERATION

**SB 949 (Pr. No. 1181)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

## BILL OVER IN ORDER

**HB 963** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

## BILL ON SECOND CONSIDERATION

**SB 977 (Pr. No. 1133)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

## BILL OVER IN ORDER

**SB 978** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

## BILL ON SECOND CONSIDERATION

**SB 983 (Pr. No. 1139)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

## BILL OVER IN ORDER

**SB 993** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.



### BILLS ON SECOND CONSIDERATION

**SB 1001 (Pr. No. 1159)** — The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

**SB 1005 (Pr. No. 1176)** — The Senate proceeded to consideration of the bill, 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.

Considered the second time and agreed to,

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

### UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Reverend William Geiger and to Reverend James Small by Senator Armstrong.

Congratulations of the Senate were extended to J & W Variety Store of Aspinwall by Senator Bodack.

Congratulations of the Senate were extended to the Puerto Rican Cultural Association of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Garden Design, Inc., by Senators Boscola and Dent.

Congratulations of the Senate were extended to Dr. Harvey P. Hanlen, Joan E. Taylor, Christan Dressler and to Sonoco Products Company of Milesburg by Senator Corman.

Congratulations of the Senate were extended to the Polish Falcons by Senator Costa.

Congratulations of the Senate were extended to Florence Kressly and to Stephen Constantine Compos III by Senator Dent.

Congratulations of the Senate were extended to Mr. and Mrs. Wilbert Godfrey, Mr. and Mrs. Stephen Matisz, Mr. and Mrs. Frank Ozdany and to Tyler Emerick by Senator Hart.

Congratulations of the Senate were extended to Brian Michael Kishbaugh, Scott Thomas Farver and to Scott Andrew Sponenberg by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Robert A. Miller, Mr. and Mrs. Howard P. Schetrompf, Mr. and Mrs. John N. Reed, Reverend and Mrs. Raymond Morris and to Mr. and Mrs. Earle E. Smith by Senator Jubelirer.

Congratulations of the Senate were extended to the Honorable Henry G. Hager by Senator Jubelirer and others.

Congratulations of the Senate were extended to Grace Anna Bentley by Senator Lemmond.

Congratulations of the Senate were extended to Arthur Gregory and to Thomas A. Liuzzo by Senator Mellow.

Congratulations of the Senate were extended to the Harrisburg Chapter of the Sons of the American Revolution by Senator Mowery.

Congratulations of the Senate were extended to Mr. and Mrs. Edward T. Wassel and to Mark Brian Semanchik by Senator Rhoades.

Congratulations of the Senate were extended to Robert Ritchie and to Joseph Waters by Senator Salvatore.

Congratulations of the Senate were extended to Helen T. Harvey and to Sylvan M. Cohen by Senator Schwartz.

Congratulations of the Senate were extended to Barbara J. Trislet by Senator Slocum.

Congratulations of the Senate were extended to The Independence Grange and to the Community Action Southwest Women, Infants and Children program by Senator Stout.

Congratulations of the Senate were extended to Helen T. Chaykowsky by Senator Tomlinson.

Congratulations of the Senate were extended to Michael Bodell, Evan Robert Krantz and to Jason E. Shields by Senator Waugh.

Congratulations of the Senate were extended to Aaron Gish and to Brandon Adams by Senator Wenger.

Congratulations of the Senate were extended to the former Honorable Senator Albert E. Madigan and the Honorable Senator Roger A. Madigan by Senator Williams.

Congratulations of the Senate were extended to Joseph R. Casale by Senator Wozniak.

### CONDOLENCE RESOLUTION

The PRESIDENT pro tempore laid before the Senate the following resolution, which was read, considered and adopted:

Condolences of the Senate were extended to the family of the late Charles N. Griffin by Senator Hughes.

### BILL ON FIRST CONSIDERATION

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

The motion was agreed to.

The bill was as follows:

**HB 773.**

And said bill having been considered for the first time,

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

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on State Government to meet during today's Session to consider Senate Bill No. 630 and House Bill No. 1520.

## PETITIONS AND REMONSTRANCES

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

Senator GREENLEAF. Mr. President, I rise to thank the Senate for passing Senate Bill No. 384, which deals with missing children legislation. This legislation deals with the abduction of children and the requirement that law enforcement agencies have an immediate investigation of those abductions, and particularly when they deal with the abduction by a parent of a child. The purpose of it would be to require that the investigation would locate and ascertain the welfare of the missing child, as well as to make sure that that investigation occurs quickly. By the way, the Pennsylvania State Police are very supportive of this legislation and have instituted a program similar to this, and this legislation would give them statutory authority to implement it. It would require an update of a missing persons file within 60 days of the original missing persons entry and also require an investigation and computer file entry of all unidentified children, living or dead.

It would also establish the Pennsylvania State Police Missing Children Information Clearinghouse to serve as a central repository for information on missing children in the Commonwealth, and then finally it would require the obtaining of comprehensive descriptive information on an enrolling parent for a new or transferring student, and by ensuring that law enforcement authorities are notified by the school if an enrolled child is missing, so that we make sure that a child who is abducted and then the abductor attempts to enroll that child in a school that there are steps taken by both the school authorities and the law enforcement officers involved in that situation.

I would also like to make a note of last week when we passed—and I did not have an opportunity to mention it—Senate Bill No. 332, which is Schools for Safe Action. It is my belief that it is important for us to take preventive steps in dealing with school violence and not pass more criminal statutes that we have an abundance of in dealing with this because then it is too late for us to pass legislation that will try to identify the children who are at risk. Many times when we see these reports on TV, they have reports of children who have committed acts for months, sometimes years, or telltale signs of violent, coming violent behavior, and then nothing is done about it, so in Pennsylvania this Senate bill was passed last week and would take a significant step in that direction.

For example, it authorizes all school employees to act in the place of parents in disciplinary matters and would provide good Samaritan immunity for school employees so they can intervene in acts of violence without the fear of litigation and being sued.

It also will provide for conflict resolution training for school employees and conflict resolution instruction for school students so that we deal with these issues before they escalate into acts of violence, maybe not in shootings, but there are still acts of violence every day in our schools that we will hopefully help to prevent by this type of training. Also, school employees would be required to report acts of a criminal nature to supervisors for investigation and referral to the appropriate law enforcement authorities. I had a police chief recently contact me and indicate

that attacks on students and assaults on teachers by students were not reported to him, and I think it is important for them, the law enforcement agencies, to know not necessarily that there will be a prosecution, but they will be involved in it and take the necessary steps that are important to take.

It would also ensure that transferring students will have their prior school conduct records reviewed, and any disciplinary action from a prior school would be continued at the school to which the student transfers. Also, if the student has a police record, the superintendent will review it and determine whether that student should be placed in some type of alternative education, and then also to ensure that the State Board of Education will have a drug and alcohol policy that will be developed and enforced uniformly in schools across the Commonwealth, because drug and alcohol abuse in our schools is one of the major factors in violence and criminal activity.

And finally, when local law enforcement authorities are notified that a student has been a victim of violence, these authorities will notify the victim's family about that act.

I congratulate the Senate on its passage, and I look forward to its enactment in the House.

Thank you, Mr. President.

## SENATE RESOLUTION ADOPTED

Senators CORMAN, SLOCUM, MADIGAN, STAPLETON, LOEPER, ARMSTRONG, BELAN, BOSCOLA, BRIGHTBILL, CONTI, DENT, EARLL, GERLACH, PUNT, WAUGH, WENGER, TILGHMAN, RHOADES, JUBELIRER, HOLL, HART, HELFRICK, LAVALLE, LEMMOND, MOWERY, O'PAKE, ROBBINS, SALVATORE, SCHWARTZ, STOUT, THOMPSON, TOMLINSON, WAGNER, WHITE, PICCOLA and KASUNIC, by unanimous consent, offered Senate Resolution No. 92, entitled:

A Resolution recognizing June 1999 as "Dairy Month" in Pennsylvania.

Which was read, considered and adopted.

## SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Resolution No. 91, IRRRC Final Form Regulation 70-6, and certain nominations.

## HOUSE MESSAGE

### HOUSE BILL FOR CONCURRENCE

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

June 14, 1999

HB 1520 -- Committee on State Government.

**BILLS INTRODUCED AND REFERRED**

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

June 14, 1999

Senators SCHWARTZ, HUGHES, BELAN, TARTAGLIONE, O'PAKE, KUKOVICH, BODACK, MUSTO, KITCHEN, LAVALLE, STOUT, KASUNIC, COSTA, STAPLETON, MELLOW, WOZNAK, FUMO and WAGNER presented to the Chair SB 1012, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for a small class size incentive in kindergarten through third grade for certain schools; and making an appropriation.

Which was committed to the Committee on EDUCATION, June 14, 1999.

Senators SCHWARTZ, HUGHES, BELAN, TARTAGLIONE, O'PAKE, KUKOVICH, KITCHEN, KASUNIC, STOUT, COSTA, BODACK, MELLOW, MUSTO and FUMO presented to the Chair SB 1013, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for a full-day kindergarten incentive; and making an appropriation.

Which was committed to the Committee on EDUCATION, June 14, 1999.

Senator BOSCOLA presented to the Chair SB 1014, entitled:

An Act regulating stockpiled tree stump and tree debris storage management; and providing for powers and duties of the Department of Environmental Protection.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 14, 1999.

Senators WAGNER, BODACK and COSTA presented to the Chair SB 1015, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Public Auditorium Authority of Allegheny County certain land situate in the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania.

Which was committed to the Committee on STATE GOVERNMENT, June 14, 1999.

Senators WAGNER, ROBBINS, KITCHEN, BELAN, TOMLINSON, SALVATORE, STOUT, MOWERY, BODACK, O'PAKE, EARLL, DENT, BOSCOLA, CORMAN, SCHWARTZ, MELLOW, MUSTO, KUKOVICH and WOZNAK presented to the Chair SB 1016, entitled:

An Act making an appropriation to the Department of Military and Veterans Affairs for the National World War II Memorial, Washington, D.C.

Which was committed to the Committee on APPROPRIATIONS, June 14, 1999.

Senator GERLACH presented to the Chair SB 1017, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for jumping from bridges and overpasses.

Which was committed to the Committee on JUDICIARY, June 14, 1999.

Senators SALVATORE, EARLL, MOWERY, KITCHEN, STOUT, GREENLEAF, LAVALLE, MUSTO, LEMMOND, SCHWARTZ, O'PAKE, COSTA, RHOADES, WILLIAMS, KASUNIC, ARMSTRONG and KUKOVICH presented to the Chair SB 1018, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), entitled Public Welfare Code, providing for payments for burial expenses; and making a repeal.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 14, 1999.

Senators JUBELIRER, BRIGHTBILL, WHITE, CONTI, MELLOW, CORMAN, COSTA, EARLL, ROBBINS, O'PAKE, KUKOVICH, SCHWARTZ, WOZNAK, RHOADES, BOSCOLA and GERLACH presented to the Chair SB 1019, entitled:

An Act establishing the School District Financial Emergency Fund and the Financial Emergency Program; and making an appropriation.

Which was committed to the Committee on EDUCATION, June 14, 1999.

Senators BOSCOLA, BELL, MOWERY, WAGNER, COSTA, BELAN, O'PAKE and THOMPSON presented to the Chair SB 1021, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the definition of "emergency vehicle."

Which was committed to the Committee on TRANSPORTATION, June 14, 1999.

Senators TILGHMAN, WAGNER, BELAN, SALVATORE, TARTAGLIONE, WOZNAK, WENGER, EARLL, KITCHEN, LEMMOND, SCHWARTZ, MELLOW, RHOADES and BOSCOLA presented to the Chair SB 1022, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), entitled Unfair Trade Practices and Consumer Protection Law, further defining "unfair methods of competition" and "unfair or deceptive acts or practices"; and further providing for civil penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 14, 1999.

Senators ROBBINS, GERLACH, WAUGH, CONTI, BRIGHTBILL, LEMMOND, HELFRICK, MADIGAN, MOWERY, WHITE and THOMPSON presented to the Chair SB 1023, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, further reviewing advertising or bidding requirements.

Which was committed to the Committee on LOCAL GOVERNMENT, June 14, 1999.

### RESOLUTION INTRODUCED AND REFERRED

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

June 14, 1999

Senators TARTAGLIONE, COSTA, WAGNER, BODACK, KITCHEN, KASUNIC, BELL, O'PAKE, MELLOW, RHOADES, STOUT, SCHWARTZ, BOSCOLA, CONTI, TOMLINSON, SALVATORE, WOZNAK and HUGHES presented to the Chair SR 88, entitled:

A Resolution calling upon the Governor to renew contract negotiations by entering into binding arbitration and to reward valued Commonwealth employees for their dedicated work.

Which was committed to the Committee on LABOR AND INDUSTRY, June 14, 1999.

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

TUESDAY, JUNE 15, 1999

9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 997; House Bill No. 438; and any other business that may come before the Committee)	Room 461 Main Capitol
10:30 A.M.	JUDICIARY (to consider Senate Bills No. 379 and 596)	Room 8E-B East Wing
10:30 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 670 and 672)	Room 461 Main Capitol
10:45 A.M.	APPROPRIATIONS (to consider House Bills No. 17, 157, 371 and 773)	Rules Cmte. Conf. Rm.
10:55 A.M.	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 366 and certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, JUNE 16, 1999

10:30 A.M.	AGING AND YOUTH (to consider Senate Bill No. 765; and House Bill No. 518)	Room 461 Main Capitol
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TUESDAY, JUNE 22, 1999

12:30 P.M.

SENATE PUBLIC HEALTH AND WELFARE and HOUSE HEALTH AND HUMAN SERVICES (joint hearing on Tobacco Settlement)

Room 140  
Main Capitol

### RECESS

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

Senator BRIGHTBILL. Mr. President, I request a short recess of the Senate. We have five committee meetings, plus we are planning to have a Supplemental Calendar to run House Bill No. 10, and we are not sure when that will be up, but the five committee meetings are the Committee on Education, the Committee on Environmental Resources and Energy, the Committee on Local Government, the Committee on State Government, and then finally the Committee on Rules and Executive Nominations. We also will have some executive nominations to do at the end of the recess.

The PRESIDENT pro tempore. Members of the Senate, there is much of the agenda yet to be considered, and I do not want anybody to miss anything. Let me review what Senator Brightbill has requested. All of the meetings are in the Rules room in the order that Senate Brightbill announced. When one committee is done, we will announce the next committee to come up. Would all Members of the Committee on Education please report to the Rules room for the purpose of a meeting upon the recess, and after the meeting of the Committee on Education will be the meeting of the Committee on Environmental Resources and Energy, then the Committee on Local Government, the Committee on State Government, and finally the Committee on Rules and Executive Nominations.

In addition, Senator Brightbill has indicated that a Supplemental Calendar is being printed on House Bill No. 10, and that there are executive nominations yet to deal with, so the work of this Session still has much to do, and I ask that all Members kindly be aware of these issues before us. Those of you who are on the respective committees, please be prepared to report to the committee room, and when the committees are done, we will report back to the floor for consideration of House Bill No. 10 on a Supplemental Calendar and executive nominations.

For those purposes, the Senate stands in recess.

### AFTER RECESS

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

### COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE STATE BOARD  
OF COSMETOLOGY

June 9, 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 April 21, 1999 for the appointment of Sharon Loughran, Market Square Beauty Salon, Market Square Shopping Center, Shrewsbury 17361, York County, Twenty-eighth Senatorial District, as a member of the State Board of Cosmetology, to serve until November 20, 1999 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Harold E. Cobb, Middletown, resigned.

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

THOMAS J. RIDGE  
Governor

JUDGE, COURT OF COMMON PLEAS,  
ERIE COUNTY

June 14, 1999

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 8, 1999 for the appointment of Matthew L. Wolford, 638 W. Sixth Street, Erie 16507, Erie County, Forty-ninth Senatorial District, for appointment as Judge, Court of Common Pleas, Erie County, to serve until the first Monday of January 2000, vice The Honorable Roger M. Fischer, resigned.

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

June 9, 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 April 19, 1999 for the appointment of Ann Smith (Public Member), 319 Maywood Road, York 17402, York County, Twenty-eighth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve until November 21, 1999 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jesse C. Achenbach, Pottsville, resigned.

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION

June 9, 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 25, 1999 for the appointment of Javad K. Hassan, 1190 Draymore Court, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph F. Leeson, Jr., Esq., Bethlehem, whose term expired.

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

THOMAS J. RIDGE  
Governor

*NOMINATIONS RETURNED TO THE GOVERNOR*

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

The motion was agreed to.

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

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

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

MEMBER OF THE BOARD OF TRUSTEES  
OF DANVILLE STATE HOSPITAL

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory S. Moyer, 467 King Street, Northumberland 17857, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice C. Herbert Zeager, Watsontown, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara F. Zsigovits (Public Member), 3423 Limestone Drive, Whitehall 18052, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until May 6, 2000 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Charles A. Bish, Meadville, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF PHARMACY**

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, Michael J. Romano, 5130 Daube Drive, Pittsburgh 15236, Allegheny County, Thirty-seventh Senatorial District, for appointment 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, vice Paula L. Castor, Lansdale, whose term expired.

THOMAS J. RIDGE  
Governor

**COMMONWEALTH TRUSTEE OF THE UNIVERSITY  
OF PITTSBURGH—OF THE COMMONWEALTH  
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, Thomas G. Bigley, 15 Old Timber Trail, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh—of the Commonwealth System of Higher Education, to serve until October 5, 2002, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
SELINGROVE CENTER**

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, Margaret Y. Keller, P.O. Box 190, Port Trevorton 17864, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsrove Center, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

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, Lou Bizzarro, 5657 Zuck Road, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

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, Lee G. Kachel, 131 E. Summit Street, Mohnton 19607, Berks County, Eleventh Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Judith F. Bailis (Public Member), 103 Blackberry Hill, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve until June 16, 2001 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Danette A. Koons, Red Lion, 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, Alan B. Cooper, Esq., RR #2,

Box 700, Hawley 18428, Pike County, Twentieth Senatorial District, for appointment as District Justice, in and for the County of Pike, Magisterial District 60-3-03, to serve until the first Monday of January 2000, vice Gudrun K. Quinn, resigned.

THOMAS J. RIDGE  
Governor

#### **NOMINATIONS LAID ON THE TABLE**

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

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

#### **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 THE TABLE**

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

The Clerk read the nominations as follows:

#### **MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD**

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Paulette Aliota, 538 Margo Court, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve for a term of three years or until her successor is appointed and qualified, pursuant to Act 22, approved June 19, 1997.

THOMAS J. RIDGE  
Governor

#### **MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD**

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard L. Bunn, 2077 Fox Creek Road, Berwyn 19312, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve for a term of two years or until his successor is appointed and qualified, pursuant to Act 22, approved June 19, 1997.

THOMAS J. RIDGE  
Governor

#### **MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD**

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Darryl Ford-Williams, 6453 Cloverleaf Road, Verona 15147, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve for a term of four years or until her successor is appointed and qualified, pursuant to Act 22, approved June 19, 1997.

THOMAS J. RIDGE  
Governor

#### **MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD**

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Steven A. Melnick, Ph.D., 68 Valerie Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve for a term of three years or until his successor is appointed and qualified, pursuant to Act 22, approved June 19, 1997.

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 STATE CHARTER SCHOOL APPEAL BOARD**

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lisa M. Tait, 2007 Mulberry

Street, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve for a term of two years or until her successor is appointed and qualified, pursuant to Act 22, approved June 19, 1997.

THOMAS J. RIDGE  
Governor

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

May 26, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory S. Moyer, 467 King Street, Northumberland 17857, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice C. Herbert Zeager, Watsonstown, whose term expired.

THOMAS J. RIDGE  
Governor

**SECRETARY OF HEALTH**

April 28, 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 S. Zimmerman, Jr., 202 Fox Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2003, or until his successor is appointed and qualified, vice Daniel F. Hoffman [sic], Hershey, resigned.

THOMAS J. RIDGE  
Governor

**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, 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.

THOMAS J. RIDGE  
Governor

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

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara F. Zsigovits (Public Member), 3423 Limestone Drive, Whitehall 18052, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until May 6, 2000 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Charles A. Bish, Meadville, resigned.

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 STATE BOARD  
OF PHARMACY**

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, Michael J. Romano, 5130 Daube Drive, Pittsburgh 15236, Allegheny County, Thirty-seventh Senatorial District, for appointment 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, vice Paula L. Castor, Lansdale, whose term expired.

THOMAS J. RIDGE  
Governor

**COMMONWEALTH TRUSTEE OF THE UNIVERSITY  
OF PITTSBURGH—OF THE COMMONWEALTH  
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, Thomas G. Bigley, 15 Old Timber Trail, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh—of the Commonwealth System of Higher Education, to serve until October 5, 2002, and until his successor is appointed and qualified.

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

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

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, Joseph P. Muldowney, 1971 Howard Avenue, Pottsville 17901, Schuylkill County, Twenty-ninth 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 BOARD OF TRUSTEES OF  
SELINGROVE CENTER**

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, Margaret Y. Keller, P.O. Box 190, Port Trevorton 17864, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingrove Center, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

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, Lou Bizzarro, 5657 Zuck Road, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

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, Lee G. Kachel, 131 E. Summit Street, Mohnton 19607, Berks County, Eleventh Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

April 12, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Judith F. Baillis (Public Mem-

ber), 103 Blackberry Hill, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve until June 16, 2001 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Danette A. Koons, Red Lion, 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, Alan B. Cooper, Esq., RR #2, Box 700, Hawley 18428, Pike County, Twentieth Senatorial District, for appointment as District Justice, in and for the County of Pike, Magisterial District 60-3-03, to serve until the first Monday of January 2000, vice Gudrun K. Quinn, resigned.

THOMAS J. RIDGE  
Governor

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

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

#### YEA-48

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

#### NAY-0

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

Ordered, That the 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.

#### RESOLUTIONS REPORTED FROM COMMITTEES

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

#### SR 91 (Pr. No. 1202)

A Resolution commemorating the 50th anniversary of the establishment of Flag Day as a national holiday and honoring Collier Township for its role in the history of Flag Day.

Senator WHITE, from the Committee on Environmental Resources and Energy, reported the following resolution:

#### SR 80 (Pr. No. 1142)

A Resolution urging the Department of Environmental Protection to develop and establish new wastewater technologies for on-lot systems and small flows.

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

#### REPORTS FROM COMMITTEES

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

#### SB 630 (Pr. No. 1226) (Amended)

An Act amending Titles 26 (Eminent Domain), 42 (Judiciary and Judicial Procedure) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to eminent domain; and making repeals.

#### HB 1520 (Pr. No. 1992)

An Act authorizing the release of Project 70 restrictions on certain lands owned by the borough of Downingtown, Chester County, in return for imposition of Project 70 restrictions on other lands owned or to be obtained by the Borough of Downingtown, Chester County; and authorizing the release of Project 70 restrictions on certain land owned by the Township of Silver Spring, Cumberland County, in return for the imposition of Project 70 restrictions on certain land to be obtained by the Township of Silver Spring, Cumberland County.

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

#### HB 979 (Pr. No. 1891)

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for auxiliary appeal boards.

Senator WHITE, from the Committee on Environmental Resources and Energy, reported the following bill:

#### HB 528 (Pr. No. 1663)

An Act reenacting the act of July 5, 1989 (P.L.166, No.31), known as the Phosphate Detergent Act, making editorial changes and eliminating sunset provisions.

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

**HB 17 (Pr. No. 1961)**

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

**BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to.

The bills were as follows:

**SB 630, HB 17, HB 528, HB 979 and HB 1520.**

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

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

**SENATE RESOLUTION No. 91, ADOPTED**

Senator LOEPER, without objection, called up from page 1 of Supplemental Calendar No. 3, **Senate Resolution No. 91**, entitled:

A Resolution commemorating the 50th anniversary of the establishment of Flag Day as a national holiday and honoring Collier Township for its role in the history of Flag Day.

On the question,  
Will the Senate adopt the resolution?

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

Senator MURPHY. Mr. President, I wanted to just say a couple of words about Senate Resolution No. 91, which is about Flag Day. Today is Flag Day, the 50th anniversary celebration of Flag Day, and it really is also the story of a gentleman who showed that from the time that he was a young child how one person really can make a difference.

William T. Kerr, who was born in 1868 in Pittsburgh's lower hill area, began working when he was about 14 years old to have a national Flag Day established. He met with or communicated with every President of the United States from William McKinley to Harry Truman. After he met with President Woodrow Wilson, the President proclaimed that he would have Flag Day on June 14. It was not until Mr. Kerr was in his 80th year that he stood next to Harry Truman as President Truman officially signed the bill designating June 14 as Flag Day.

So on a day like today we not only acknowledge Flag Day, but we also honor the name of W. T. Kerr and the fact that he lived in Pittsburgh, specifically in Collier Township's Rennerdale section, and note how one man's dream and his vision and his patriotism came to make this day what it is today. So I ask all Members to heartily vote for Senate Resolution No. 91.

And the question recurring,  
Will the Senate adopt the resolution?  
A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT pro tempore. The resolution is adopted.

**BILLS REREFERRED**

Upon motion of Senator LOEPER, and agreed to, the following bills, which were read for the first time today, were rereferred to the Committee on Appropriations:

**HB 17 and HB 773.**

**RECESS**

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

Senator LOEPER. Mr. President, at this time I move that the Senate recess to the call of the President pro tempore, and I suggest to the Members that they be available at approximately 10:00 tomorrow morning.

The PRESIDENT pro tempore. Senator Loeper moves that the Senate do recess to the call of the President pro tempore and asks that the Members be prepared to come in at approximately 10:00 tomorrow morning to deal with House Bill No. 10, still in today's Session.

With that, the Senate stands in recess to the call of the President pro tempore.

**AFTER RECESS**

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

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

**HOUSE MESSAGES****HOUSE BILLS FOR CONCURRENCE**

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

June 14, 1999

**HB 220** — Committee on State Government.

**HB 227 and HB 1099** — Committee on Aging and Youth.

**HB 788** — Committee on Environmental Resources and Energy.

**HB 1331** — Committee on Rules and Executive Nominations.

**HB 1030** — Committee on Judiciary.

**CONSIDERATION OF CALENDAR RESUMED****SENATE RESOLUTION No. 25, ADOPTED**

Senator LOEPER, without objection, called up from page 8 of the Calendar, **Senate Resolution No. 25**, entitled:

A Resolution memorializing the President and Congress to take whatever action is necessary to obtain the release of Americans being held against their will in North Korea, China, Russia and Vietnam.

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

On the question,  
Will the Senate adopt the resolution?

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

**YEA-48**

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

**NAY-0**

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

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR MIKE WAUGH  
PRESENTED TO THE SENATE**

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

Senator WAUGH. Mr. President, I am sure we are all familiar with the Junior ROTC program in our high schools. That is the program that takes young people in schools across this State and teaches leadership and personal skills.

Today I have the honor of hosting a group of nine cadets and, Members may be interested, these cadets are not just from York. There is one cadet who is a member of Junior ROTC at a York High School, William Penn to be specific, but also some of the cadets who are about to be recognized are from Philadelphia, Pittsburgh, Perry County, Franklin County, Scotland School, Valley Forge, and Carson Long Military Academy. These cadets are here today on a visit from the Camp Keystone summer camp at Fort Indiantown Gap. Would the Senate give them its usual warm welcome.

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

(Applause.)

**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 introduce guest Pages who are here today: Christopher Morse, Andrew Morse, Brandon Davidow, and Kimberly Davidow. Also here is Mrs. Susan Davidow, who is sitting in the balcony. They are constituents from Bucks County. I certainly welcome them, and would the Senate give them its usual warm welcome.

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

(Applause.)

**GUEST OF SENATOR ROBERT D. ROBBINS  
PRESENTED TO THE SENATE**

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

Senator ROBBINS. Mr. President, if I could, before the introduction of my guest, remind the Senate of the importance of the Junior ROTC program. I am certainly pleased, and I did not know there were going to be some of those young people here today, but it is an outstanding program, and I think if you get a chance to go visit a school in your area or near you to see the program, I certainly would encourage you to do so.

I have the honor today of introducing Mr. Jim Winner, who has been a tremendous force in western Pennsylvania in the tourism and economic development area, and he is part of the Governor's Team Pennsylvania force. He is here with us today. Most of you will know him as the person who sells you the Club, and the originator of that product, but he also has Winner Associates in Mercer County and the Winner's Store, and Tara, which again if you are going to visit Mercer County, please stop in to stay and/or allow your wife or spouse to purchase outstanding products.

But also in his movement to improve Pennsylvania, he established last year and over the last several years the Vocal Group Hall of Fame in Sharon, Pennsylvania, Mercer County, truly a unique and a great opportunity for Pennsylvania, and I believe the only hall of fame of its type in Pennsylvania which honors these groups, whether it be the Platters from my age group or the Lennon Sisters from another time and place, that truly provides a unique opportunity for Pennsylvania to grow and to honor some people who truly deserve it. And he has created a living being and in the future he is going to have a barber shop hall of fame and a spiritual group hall of fame, which will put Mercer County and Pennsylvania more on the map than they are today.

The PRESIDENT. Thank you, Senator Robbins, and as you have pointed out, a wonderful civic leader, and I believe our distinguished Pennsylvanian is already standing. So would the Senate please welcome this wonderful Pennsylvanian.

(Applause.)

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

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bill No. 366, House Bill No. 1331, and certain nominations.

## 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 meeting of the Committee on Rules and Executive Nominations to begin immediately in the Rules room at the rear of the Senate Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, this Senate stands in recess.

## AFTER RECESS

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

## REPORTS FROM COMMITTEE

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

**SB 366 (Pr. No. 1229) (Amended) (Rereported) (Concurrence)**

An Act amending the act of August 9, 1955 (P.L. 323, No. 130), entitled The County Code, further providing for the definition of "county" for authorization of excise tax; authorizing counties of the first class to impose an excise tax on vehicle rentals; authorizing county control of certain waste facilities; and providing for establishment of a commission on the status of women.

**HB 1331 (Pr. No. 2032)**

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

## BILL ON FIRST CONSIDERATION AND REREFERRED

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

The motion was agreed to.

The bill was as follows:

**HB 1331.**

And said bill having been considered for the first time,

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

## ADJOURNMENT

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

Senator LOEPER. Mr. President, at this time I move that the Senate do now adjourn until Tuesday, June 15, 1999, at 11:25 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 11:59 p.m., Eastern Daylight Saving Time.