

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MAY 9, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 24

SENATE

TUESDAY, May 9, 2000

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend ANTHONY FLOYD, of Philadelphia Council of Clergy, Inc., offered the following prayer:

O God, our help in ages past, our hope for years to come, be Thou our guide while life shall last and our defense is sure. Stir up within us, the Members of this Senate, a new appreciation of life and liberty that we enjoy in this land of the free, and of great readiness to serve the citizens of the Commonwealth of Pennsylvania with our talent.

Bless all those in authority: our President, William Jefferson Clinton; our Governor, Thomas Ridge; our Lieutenant Governor, our Senators, our legislators, and all other elected officers and their staff and families. Preserve them, O God, from becoming the prey of selfish pressure groups and give them willingness to serve the interests of Your people.

Grant enduring peace to our Commonwealth and our nation, so that Your gospel, O God, may be able, without hindrance, to turn the hearts of all from the bondage of sin to the freedom. But above all things, give us faith in You that our Commonwealth and our nation may give glory to Your name, O God, that You will bless all people. Amen.

The PRESIDENT. The Chair thanks Reverend Floyd, who is the guest today of Senator Schwartz.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 8, 2000.

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 598, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

DISCHARGE PETITIONS

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

May 9, 2000

A PETITION

To place before the Senate the nomination of Arthur R. Tilson, Esq., for Judge, Court of Common Pleas, Montgomery County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Arthur R. Tilson, Esq., for Judge, Court of Common Pleas, Montgomery County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Vincent J. Fumo

May 9, 2000

A PETITION

To place before the Senate the nomination of Virginia Ishman, for Prothonotary, Clerk of Courts, Jefferson County.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Virginia Ishman, for

Prothonotary, Clerk of Courts, Jefferson County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Raphael J. Musto
Robert J. Mellow
Leonard J. Bodack
Michael A. O'Pake
Richard A. Kasunic
Vincent J. Fumo

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

LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, I request legislative leaves on behalf of Senator Holl and Senator Greenleaf.

The PRESIDENT. Senator Loeper requests legislative leaves for Senator Holl and Senator Greenleaf. Without objection, those leaves are granted.

The Chair recognizes the gentleman from Allegheny, Senator Bodack.

Senator BODACK. Mr. President, I request a legislative leave for Senator Stout.

The PRESIDENT. Senator Bodack requests a legislative leave for Senator Stout. Without objection, that leave is granted.

LEAVES OF ABSENCE

Senator LOEPER asked and obtained leave of absence for Senator SLOCUM, for today's Session, for personal reasons.

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

CALENDAR

SB 1418 CALLED UP OUT OF ORDER

SB 1418 (Pr. No. 1849) -- 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 1418 (Pr. No. 1849) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on the Mon/Fayette Expressway, State Route 43, carrying the expressway over State Route 71 in Fallowfield Township, Washington County, as the Colonel Mitchell Paige Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Greenleaf has appeared on the floor, and his legislative leave is cancelled.

And the question recurring,
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

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

SPECIAL ORDER OF BUSINESS GUEST OF SENATOR JAKE CORMAN AND SENATOR ROBERT C. JUBELIRER PRESENTED TO THE SENATE

The PRESIDENT. Two Members will make introductions, beginning with Senator Corman of Centre County, who will take a few moments and introduce a special and accomplished guest from the world of Penn State athletics, as well as his important work in the Second Mile endeavor.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, it is indeed an honor for me to introduce our special guest today for a variety of reasons. One, as a Penn State alumnus and a strong Penn State football fan, I have certainly watched the exploits of this individual on the football field as the defensive coach for the Nittany Lions for 30 years. Among those 30 years were some great moments, some great moments in the history of Penn State, some great successes, some disappointments, but always great teams and great players, and probably of all the many great moments, it is always difficult to pick out your favorite, but after the 1986 Fiesta Bowl, when Penn State was a large underdog and won the national championship game, Coach Paterno was quoted coming off the field, "I think it was one of the greatest defenses in college football. Maybe someday Jerry will tell me what he did," on defense to stop Testaverde.

But Coach Sandusky, being a great person, also has a wonderful sense of humor, and evermore so when he is picking on himself, and most recently, after a tough November, when they lost to some Big Ten rivals, Michigan and Michigan State, Coach Sandusky said he was elected Coach of the Year in the Big Ten by the citizens of the State of Michigan. But that is just a testimony as to what type of person he is and what type of players he has developed at Penn State. I think his greatest tribute is when the organization which he runs, the Second Mile, has its big fundraiser in central Pennsylvania every year and all the former players come back to support him. It is a great thing to see.

But the other side, as I said, for a variety of reasons, as a resident of Centre County and central Pennsylvania, the work that the Second Mile does is just outstanding, and the hundreds of thousands of kids who have been positively affected really goes far beyond the football field with the testimony of what a great man this is, and I want to read the mission statement of what the Second Mile is about, and really, I think it is, in essence, what we all should be about.

The mission statement says, "The Second Mile challenges young people to achieve their potential as individuals and community members by providing opportunities for them to develop positive life skills and self-esteem as well as providing education and support for parents and professionals addressing the needs of youth."

Mr. President, in my opinion, that sums it up. I am honored to have Mr. Sandusky as a constituent. He is not only a great person from central Pennsylvania but the entire Commonwealth of Pennsylvania, and I am honored to host him today, along with the next speaker, Senator Jubelirer.

The PRESIDENT. Thank you, Senator Corman, for those important observations, and continuing in the same vein, the Chair recognizes the President pro tempore and certainly a proud Penn State alumnus, the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, I join with Senator Corman in welcoming Coach Jerry Sandusky to the Senate of Pennsylvania. Over many years we have welcomed many folks here in the national championship years. We have had Coach Paterno and Coach Sandusky and all the rest of the coaches and the entire Penn State team visit to honor them. Today Jerry is here, no longer, frankly, as a coach of Penn State, but as someone who has retired from that particular profession to take up his life's work.

Mr. President, as I had the opportunity to say this morning at the prayer breakfast, Coach Sandusky has distinguished himself as one of the great geniuses in defensive strategy on the football field over a lot of years, and his record is legendary. But I do not believe that is what Jerry Sandusky will be remembered for. Many years, when time goes on and people think about Penn State football, I am not sure what they will recall. I do know, though, that the young men who come out of that Second Mile Program and who turn their lives around, who contribute to society, who raise families, who teach their children to be good citizens, will be because one man had the courage, had the tenacity, had the foresight, and had the belief to bring this orga-

nization to its fullest fruition. Now it is really off the ground, blooming very, very well, and the legend of Jerry Sandusky will be the legacy that he leaves behind with those young people.

I am deeply honored that he would honor us today by coming to this floor, and I am as pleased as I could be to speak on behalf of his many, many deeds and welcome him to the Senate of Pennsylvania. Fortunately, Mr. President, he did not have to make a living playing golf. Other than that, we would have never heard of him. I am delighted, Mr. President, to welcome not only a great coach, but a great humanitarian, Jerry Sandusky, to the Senate of Pennsylvania.

The PRESIDENT. Thank you, Senator Jubelirer, and if Coach Sandusky would be kind and patient for one more moment, I would like to have Senator O'Pake also comment, given the rise of the Second Mile Program and the chapter in his senatorial district.

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

Senator O'PAKE. Mr. President, I will be brief. I want to thank Jerry. I think the fact that there are already 110,000 children in Pennsylvania who are benefitting from his leadership in the Second Mile says a lot about him as a person and as an individual. Just as he asked the Penn State athletes to go the extra mile, he has gone far more than that extra mile. I am proud to be able to stand up here and say that we just formed a Berks County chapter, and last Wednesday Jerry was in for our initial fundraising, very successful, and we will do in Berks County what they have done in Centre County and Dauphin County, and I know that the children of Berks County will be the beneficiaries, because this is a tremendous crime prevention program dealing with at-risk youth, summer camps, making things available to them to build their self-esteem, and our hats are off to Jerry.

We thank him for his second career, which I know will be at least as successful as his first, and Berks County--and I encourage my colleagues, I was one of the founding board members of the Berks County chapter--and I urge you to take a look at this and advance this within your own area, because the kids in your area will be the beneficiaries.

Thank you, Jerry Sandusky.

The PRESIDENT. Thank you, Senator O'Pake.

The Chair asks the Members of the Senate to please rise and offer a warm and vigorous welcome to Coach Sandusky.

(Applause.)

The PRESIDENT. Coach Sandusky, we encourage you to comment and certainly talk about the important endeavor that the Second Mile Program represents as far as the mentoring work that you have provided for literally years and plan to continue to do.

Coach Sandusky.

Coach SANDUSKY. Thank you very much. I did not plan on any grand exit from Penn State football. The circumstances of the retirement window kind of dictated one, but I am very glad. The warmth and appreciation has been overwhelming, and a day like this has been overwhelming. I never looked at myself as a person who was a great strategist or had these tremendous ideas, about the Second Mile either. But throughout every en-

deavor that I have had, someone has come along to make a difference, whether it was a great football player making a key play in the clutch and making the difference in a football game, or whether it was a person throughout the Commonwealth of Pennsylvania who came forward to take an interest in a young person, and we just kind of fell into one thing after another, to the point where we have had 10 programs and have touched so many kids throughout the State of Pennsylvania.

And that is what you people have done for years as you have come forward and as you have come through for this State, and I want to thank you for everything that you have done for us.

Thank you very much.

The PRESIDENT. Thank you, Coach Sandusky.

(Applause.)

GUESTS OF SENATOR ALLYSON Y. SCHWARTZ PRESENTED TO THE SENATE

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

Senator SCHWARTZ. Mr. President, I rise to introduce a couple of guests from my district. This morning I have two students following me from the Community College of Philadelphia. They are participating in a shadowing day. I understand there are some other students from community colleges shadowing a number of legislators, and I want to introduce two who will be with me today, Richard Walker and Lawrence Williams. If the Senate would give them a warm welcome, I would appreciate that.

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

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS OVER IN ORDER

HB 2362 and HB 2364 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

NONPREFERRED APPROPRIATION BILLS OVER IN ORDER

SB 1360, SB 1361, SB 1362 and SB 1363 -- Without objection, the bills were passed over in their order at the request of Senator MELLOW.

BILLS OVER IN ORDER

HB 28, SB 172, HB 599, SB 784, SB 785 and SB 786 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1099 (Pr. No. 3504) -- The Senate proceeded to consideration of the bill, entitled:

An Act directing the Department of Aging to conduct a study of area agencies on aging concerning waiting lists for persons in need of lottery-funded services including, but not limited to, home and community-based long-term care services.

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

On the question,
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

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

SB 1101 (Pr. No. 1916) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), entitled, as amended, Second Class County Code, further providing for payments by employees into the retirement system, for amount of retirement allowances and for charter limitations.

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

On the question,
Shall the bill pass finally?

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

YEA-46

Armstrong	Greenleaf	Madigan	Stout
Bell	Hart	Mellow	Thompson
Bodack	Helfrick	Mowery	Tilghman
Boscola	Holl	Murphy	Tomlinson
Brightbill	Hughes	Musto	Wagner

Conti	Jubelirer	O'Pake	Waugh
Corman	Kasunic	Piccola	Wenger
Costa	Kitchen	Punt	White
Dent	Kukovich	Rhoades	Williams
Earll	LaValle	Robbins	Wozniak
Furno	Lemmond	Salvatore	
Gerlach	Loeper	Schwarz	

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 1117, SB 1223 and SB 1244 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL AMENDED

SB 1251 (Pr. No. 1599) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 2027 in Westmoreland County, Pennsylvania, as Charles Houck Road.

On the question,

Will the Senate agree to the bill on third consideration?

Senator WAGNER offered the following amendment No. A2264:

Amend Title, page 1, line 2, by removing the period after "Road" and inserting: ; and designating a bridge over the Ohio River in Allegheny County as the Pittsburgh Naval and Shipbuilders Memorial Bridge 1941-1945.

Amend Bill, page 1, by inserting between lines 13 and 14: Section 2. Memorial bridge.

(a) Designation.—The bridge on Interstate Route 79, over the Ohio River at Neville Island in Allegheny County, is designated and shall be known as the Pittsburgh Naval and Shipbuilders Memorial Bridge 1941-1945.

(b) Sign.—The Department of Transportation shall erect and maintain at each side of the bridge a sign displaying the name of the bridge.

Amend Sec. 2, page 1, line 14, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 1281 and HB 2088 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 121 and SB 516 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

HB 538 (Pr. No. 989) -- 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 prosecution barred by former prosecution for different offense.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 553, HB 609, SB 704, HB 728, HB 777, SB 782, SB 935, SB 972, SB 1022, SB 1093, HB 1140, HB 1141 and HB 1142 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILL ON SECOND CONSIDERATION

SB 1212 (Pr. No. 1912) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for small business compliance assistance, for definitions, for implementation of duties and for reports and evaluations.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1265, SB 1275, SB 1282, SB 1284 and SB 1285 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

BILLS ON SECOND CONSIDERATION

SB 1288 (Pr. No. 1664) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 18, 1929 (P.L.612, No.253), entitled "An act for the election of the mayor, members of town council, and auditors, in incorporated towns of the Commonwealth; regulating the manner of voting for such officers, and repealing inconsistent general, local and special laws," providing residency requirements for vacancy appointments.

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

SB 1298 (Pr. No. 1676) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled The Borough Code, further providing residency requirements for vacancy appointments.

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

BILLS OVER IN ORDER

SB 1313, SB 1409, HB 1856, HB 1962, HB 2069 and HB 2094 -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

SENATE CONCURRENT RESOLUTION No. 127, ADOPTED

Senator LOEPER, without objection, called up from page 9 of the Calendar, **Senate Concurrent Resolution No. 127**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to study and make recommendations concerning the issue of highway safety and driver distractions, including communications technology, electronic entertainment and other nontechnological distractions.

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

On the question,
Will the Senate adopt the resolution?

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

Senator CONTI. Mr. President, I rise today to seek the support of my colleagues on Senate Resolution No. 127. This is the resolution to study roadway distractions in the Commonwealth. I also rise to thank all of my colleagues in this Chamber for supporting me in a letter, a very important letter, to move this issue forward, working with the administration.

I have remarked many times publicly about the special family in my district, the Pena family, and we will never know how many lives they have saved because of their actions in bringing the cell phone safety issue to everybody's attention, but I think I would like to thank all of you because you have now joined many people here in Pennsylvania who are recognizing the problems with cell phone use and many other road distractions. So I would like to thank you all for that support and urge your adoption of this resolution.

Thank you, Mr. President. I wish to submit remarks for the record.

The PRESIDENT. The remarks will be submitted for the record.

(The following remarks were made a part of the record at the request of the gentleman from Bucks, Senator CONTI:)

Mr. President, as everyone in this Chamber is well aware, the issue of driver distractions among Pennsylvania's motorists has become a topic of great concern to many citizens.

As you will recall, I first introduced legislation on this issue last September to amend the state vehicle code and prohibit motorists from using handheld mobile telephones while driving on Pennsylvania roadways.

Only a few weeks later, the death of 2-year-old Morgan Pena, of Bucks County, brought home the reality of this very dangerous situation. It was a horrible tragedy, and sadly, it was preventable. According to the police, the accident was caused by a motorist who was distracted while using a cellular phone.

Since that time, the Senate Transportation Committee has held hearings on this matter, and has heard expert testimony that a motorist's distraction level increases four-to-one when he or she uses a cellular phone. That's the same level of distraction produced when a driver is under the influence of alcohol.

Just a few weeks ago, I composed a letter to Governor Tom Ridge, asking him to consider a requirement to add a "check-off box" on vehicle accident reports filed by police, signifying whether cellular telephone use was a contributing factor in the accident. In a tremendous show of bipartisan support for this issue, the letter was signed by all 50 members of the Pennsylvania Senate.

Soon after, Governor Ridge directed the Department of Transportation to add the check-off box to vehicle accident reports filed by state and local police, and directed them to collect and report the information that will be gathered.

These new forms will be distributed to all police departments for use beginning in January 2001. In the meantime, law enforcement is also being asked to include cell phone information in the narrative portion of their accident reports.

PennDOT will collect this data and make it available to the General Assembly, so we can see the numbers involved and proceed on this issue in the appropriate manner.

In addition, the measure we are considering today, Senate Resolution 127 -- for which I have the honor of being prime sponsor -- will direct the Joint State Government Commission to study the issue of driver distractions and highway safety, including cell phone usage; as well as other types of communications technology, such as pagers, fax machines, and locator devices; and electronic entertainment such as radios and CD and cassette players.

This study will analyze how these distractions affect highway and traffic safety, determine how new technologies can help to alleviate risks, and develop recommendations for strategies to address these issues, including appropriate legislative or regulatory action.

Senate Resolution 127 also directs the Department of Transportation and the State Police to assist the Joint State Government Commission in supplying the statistics that are needed to study driver distractions, and asks that the Commission make a preliminary report on its findings and recommendations to the General Assembly by December 1st of this year, with a final report due by December 1, 2001.

I also sponsored Senate Bill 1323 recently, which would increase fines for careless or reckless driving when it results from telephone use. This measure is now before the Transportation Committee, and I look forward to its consideration in the near future.

Finally, Mr. President, I would like to add that constituent response to this issue has been overwhelmingly in favor of new laws to protect Pennsylvania's motorists from driver distractions. As you know, some local governments have already made it illegal to use cell phones while driving in their communities. And you only need to look as far as the terrible tragedy which took the life of Morgan Pena to understand why this legislation is needed.

Mr. President, I ask for a positive vote on Senate Resolution 127, which will provide the Commonwealth and the General Assembly with the facts and the analysis we need to address this issue, and to protect those who use Pennsylvania's highways from driver distractions.

Thank you.

And the question recurring

Will the Senate adopt the resolution?

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

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

**DISCHARGE RESOLUTION
LAID ON THE TABLE**

D.R. 1 – Pursuant to Senate Rule X, the discharge resolution was removed from the Calendar and laid on the table.

**UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED**

Senators MOWERY, LAVALLE, KITCHEN, SALVATORE, WAUGH, COSTA, WENGER, TILGHMAN, ROBBINS, DENT, WAGNER, THOMPSON, GERLACH, STOUT, O'PAKE, STAPLETON, TARTAGLIONE, PUNT, EARLL, LEMMOND, BOSCOLA, HOLL, SCHWARTZ, RHOADES and MUSTO, by unanimous consent, offered **Senate Resolution No. 172**, entitled:

A Resolution declaring that May 14 through 20, 2000, be observed as "National Nursing Home Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

BILL INTRODUCED AND REFERRED

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

May 9, 2000

Senators DENT, TILGHMAN, CORMAN, TOMLINSON, SALVATORE, WAGNER, TARTAGLIONE, O'PAKE, COSTA, EARLL, MOWERY, GERLACH, WAUGH, BELL, KUKOVICH, MADIGAN, MUSTO, WENGER, KITCHEN, THOMPSON, SCHWARTZ, RHOADES and BOSCOLA presented to the Chair **SB 1445**, entitled:

An Act amending the act of July 2, 1993 (P.L.439, No.64), entitled Ben Franklin/IRC Partnership Act, further providing for policy, for definitions for the Ben Franklin/IRC Partnership and Advisory Board, for the Ben Franklin/IRC Partnership Fund, for industrial resource centers, for technology centers, for certification, for grants, for matching funds, for reporting, for transfer of functions and for expiration.

Which was committed to the Committee on **COMMUNITY AND ECONOMIC DEVELOPMENT**, May 9, 2000.

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote: Congratulations of the Senate were extended to Philip W. Stumpf by Senator Bodack.

Congratulations of the Senate were extended to Richard V. SanFillippo by Senator Conti.

Congratulations of the Senate were extended to the Bellefonte Loyal Order of Moose Lodge No. 206 by Senator Corman.

Congratulations of the Senate were extended to Kathryn Randall, Harry Jordan and to the Polish Club of Uniontown by Senator Kasunic.

Congratulations of the Senate were extended in recognition of Peace Officers Memorial Day and Police Week by Senator LaValle.

Congratulations of the Senate were extended to Louis H. Cardoni by Senator Musto.

Congratulations of the Senate were extended to Union Fire Company No. 1 of Leesport and to Fleetwood Grange No. 1839 by Senator O'Pake.

Congratulations of the Senate were extended to the Chambersburg High School Indoor Guard by Senator Punt.

Congratulations of the Senate were extended to Ralph Ratcliffe by Senator Tomlinson.

Congratulations of the Senate were extended to Katherine Watson by Senators Tomlinson and Conti.

Congratulations of the Senate were extended to the Pennsylvania-American Water Company by Senator White.

CONDOLENCE RESOLUTION

The PRESIDENT laid before the Senate the following resolution, which was read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Gertrude A. Barber by Senator Earll.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 10, 2000

10:30 A.M.	APPROPRIATIONS (to consider Senate Bills No. 1271 and 1439; and House Bills No. 1601 and 1635)	Rules Cmte. Conf. Rm.
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MONDAY, MAY 15, 2000

11:00 A.M.	ETHICS AND OFFICIAL CONDUCT (to consider matters related to Senator Slocum)	Rules Cmte. Conf. Rm.
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TUESDAY, MAY 16, 2000

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to	Room 8E-B East Wing
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consider Senate Bills No. 474 and 1407;
and House Bills No. 398 and 2220)

TUESDAY, MAY 23, 2000

9:30 A.M.

CONSUMER PROTECTION AND
PROFESSIONAL LICENSURE (to
consider Senate Bills No. 474 and 1407;
and House Bills No. 398 and 2220)
C A N C E L E D

Room 8E-B
East Wing

ADJOURNMENT

Senator LOEPER. Mr. President, I move that the Senate do now adjourn until Wednesday, May 10, 2000, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate adjourned at 11:40 a.m., Eastern Daylight Saving Time.