

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, MARCH 26, 2001

SESSION OF 2001 185TH OF THE GENERAL ASSEMBLY

No. 18

SENATE

MONDAY, March 26, 2001

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

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

PRAYER

The Chaplain, Reverend WILLIAM LENTZ, of Wesley United Methodist Church, Bethlehem, offered the following prayer:

From the depths of our hearts, let us pray.

O God of heaven and earth, we call on Your holy name. We humble ourselves before You, we seek Your grace, and we turn to You in prayer. Pour out Your blessings upon this Chamber and all who have assembled here, that today the Senators may meet together to fulfill the promises of their esteemed office. Remind the Senators of the Commonwealth's rich past of religious freedom, social equality, and respect for the land, so that in the present they may pass laws that embody justice, morality, fairness, and a peaceable way of life for all.

O Divine Governor of every heart, mind, and soul of the Commonwealth, we have set ourselves on a quest for greatness, but before we covet future greatness, let us confess our present failings. We have allowed the allure of language to call what is unreasonable, reasonable; what is immoderate, moderate; what is unhealthy, healthy; and what is wrong, right. We call State-sponsored gambling a benefit for senior citizens. We call building one hopeless prison, criminal justice; we call burdening the poor, welfare reform; we call releasing the mentally ill on the streets, mainstreaming; we call tax relief, economic reform; we call ethical meandering, political know-how; we call abuse of process, paradigm shifting.

O God, on our way to greatness, may Your wisdom, light, and love come upon our Governor, Senators, Representatives, and all who are entrusted with leadership. May the burdens of the least and the lost weigh as heavily on this hallowed place as the desires of the strong and powerful. May the helplessness of the homeless, hungry, and haggard weigh as heavily on this hallowed place as the affluent clamor for more opportunities to be profitable and competitive. May the anxieties of those who cannot pay rent, who cannot afford medication, who cannot feel safe in their own homes weigh as heavily upon this hallowed place as the eagerness of those who want to build more developments and start new businesses and construct one new highway.

You have blessed this Commonwealth that we love, O God, and so now we ask You to help us to be a blessing to others. Because we are blessed, make us good; because we are citizens, make us neighbors; because we are strong, make us compassionate; because we are powerful, make us just; because we are large, make us inviting; because we are rich, now make us generous.

O God, set the Senators to their respective work. Remind them that You and the people of the Commonwealth are concerned with what they say and do together. Give them clear consciences that are free to do the people's work, unencumbered by fear of the unknown future. Give them Your own strength to meet the challenges before them and whisper in their ears and spirits Your wisdom that is greater than their own.

For all we have prayed and asked, we do so in Your holy name and for Your own sake. Amen.

The PRESIDENT pro tempore. The Chair thanks Reverend Lentz, who is the guest today of Senator Boscola.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of March 21, 2001.

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

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

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

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

YEA-48

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT pro tempore 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:

SECRETARY OF ENVIRONMENTAL PROTECTION

March 21, 2001

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 E. Hess, 6110 Chatham Glenn Way, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified, vice the Honorable James M. Seif, Esquire, Mechanicsburg, resigned.

THOMAS J. RIDGE
Governor

JUDGE, COMMONWEALTH COURT OF PENNSYLVANIA

March 22, 2001

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 E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge of the Commonwealth Court of Pennsylvania, to serve until the first Monday of January 2002, vice The Honorable James J. Flaherty, mandatory retirement.

THOMAS J. RIDGE
Governor

JUDGE, COURT OF COMMON PLEAS, PHILADELPHIA COUNTY

March 22, 2001

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, Doris M. Leisch, Esquire, 3437 West Penn Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2002, vice The Honorable Bernard J. Goodheart, mandatory retirement.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE EMPLOYEES' RETIREMENT BOARD

March 22, 2001

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, The Honorable Robert A. Bittenbender, 465 Rich Valley Road, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE EMPLOYEES' RETIREMENT BOARD

March 22, 2001

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. Paese, Esquire, 2518 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

RECALL COMMUNICATION REFERRED TO COMMITTEE

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

JUDGE, COURT OF COMMON PLEAS, PHILADELPHIA COUNTY

March 22, 2001

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 12, 2001 for the appointment of Doris M. Leisch, Esquire, 3437 West Penn Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2002, vice The Honorable Robert A. Latrone, deceased.

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

THOMAS J. RIDGE
Governor

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:

March 23, 2001

HB 244 -- Committee on Finance.

HB 413 -- Committee on Public Health and Welfare.

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:

March 22, 2001

Senators SCHWARTZ, LAVALLE, COSTA, STOUT, MOWERY, O'PAKE, KUKOVICH, HUGHES, BODACK, MUSTO, MELLOW, TARTAGLIONE, STACK and BOSCOLA presented to the Chair **SB 689**, entitled:

An Act establishing a grant program to provide relief to public schools with lead-contaminated drinking water; and making an appropriation.

Which was committed to the Committee on EDUCATION, March 22, 2001.

Senators SCHWARTZ, COSTA, STOUT, MOWERY, O'PAKE, KUKOVICH, TOMLINSON, HUGHES, BODACK, THOMPSON, MELLOW, EARLL, STACK and BOSCOLA presented to the Chair **SB 690**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for termination of annuities and exceptions to termination of annuities.

Which was committed to the Committee on FINANCE, March 22, 2001.

Senators SCHWARTZ, LAVALLE, COSTA, O'PAKE, KUKOVICH, HUGHES, BODACK, MUSTO, MELLOW, TARTAGLIONE, STACK and BOSCOLA presented to the Chair **SB 691**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a small class size incentive in kindergarten through third grade for certain schools.

Which was committed to the Committee on EDUCATION, March 22, 2001.

Senators SCHWARTZ, COSTA, O'PAKE, KUKOVICH, HUGHES, BODACK, MUSTO, MELLOW, TARTAGLIONE and STACK presented to the Chair **SB 692**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a full-day kindergarten incentive.

Which was committed to the Committee on EDUCATION, March 22, 2001.

Senators SCHWARTZ, COSTA, O'PAKE, HUGHES, BODACK, MUSTO, MELLOW, TARTAGLIONE, STACK and BOSCOLA presented to the Chair **SB 693**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a full-day kindergarten incentive.

Which was committed to the Committee on EDUCATION, March 22, 2001.

March 23, 2001

Senators SCHWARTZ, LAVALLE, COSTA, O'PAKE, HUGHES, BODACK, MUSTO, MELLOW, TARTAGLIONE and STACK presented to the Chair **SB 694**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a small class size incentive in kindergarten through third grade for certain schools.

Which was committed to the Committee on EDUCATION, March 23, 2001.

Senator BELL presented to the Chair **SB 695**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, increasing the complement of the Pennsylvania State Police.

Which was committed to the Committee on LAW AND JUSTICE, March 23, 2001.

Senators WAGNER, BODACK, LOGAN, MUSTO, COSTA, HUGHES, O'PAKE, KITCHEN, STACK and SCHWARTZ presented to the Chair **SB 697**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, March 23, 2001.

Senators ROBBINS, LEMMOND, GERLACH, COSTA, THOMPSON, BELL, CONTI, RHOADES, LOGAN and MOWERY presented to the Chair **SB 698**, entitled:

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, providing for a Deputy Secretary for Local Government Services in the Department of Community and Economic Development.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, March 23, 2001.

Senators GREENLEAF, O'PAKE, BOSCOLA, THOMPSON, DENT, MELLOW, COSTA, EARLL, GERLACH, HELFRICK, KASUNIC, KITCHEN, KUKOVICH, LAVALLE, MOWERY, SCHWARTZ, STOUT, WAUGH, M. WHITE and CORMAN presented to the Chair **SB 701**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, providing for access to public records;

establishing the Office of Access to Public Records; imposing penalties; and making a repeal.

Which was committed to the Committee on STATE GOVERNMENT, March 23, 2001.

Senators GREENLEAF, HOLL, COSTA, SCHWARTZ, TARTAGLIONE, BELL, BOSCOLA, CONTI, DENT, EARLL, GERLACH, KASUNIC, LEMMOND, MUSTO, O'PAKE, RHOADES, THOMPSON, TILGHMAN, TOMLINSON, WAUGH, M. WHITE, WAGNER, STACK and CORMAN presented to the Chair **SB 702**, entitled:

An Act amending the act of October 15, 1975 (P.L.390, No.111), known as the Health Care Services Malpractice Act, further providing for professional liability insurance.

Which was committed to the Committee on BANKING AND INSURANCE, March 23, 2001.

Senators GREENLEAF, STOUT, BELL, BOSCOLA, CONTI, COSTA, DENT, GERLACH, HOLL, HUGHES, KASUNIC, KITCHEN, KUKOVICH, LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, TILGHMAN, TOMLINSON and WAGNER presented to the Chair **SB 705**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for advance notification of pesticide application within schools, school grounds, athletic fields and playgrounds.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 23, 2001.

Senators GREENLEAF, O'PAKE, LEMMOND, M. WHITE, HOLL, MOWERY and TOMLINSON presented to the Chair **SB 706**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 23, 2001.

Senators GREENLEAF, COSTA, LEMMOND, O'PAKE, SCHWARTZ, STACK, TARTAGLIONE and M. WHITE presented to the Chair **SB 707**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for action by judgment creditor.

Which was committed to the Committee on JUDICIARY, March 23, 2001.

Senators DENT, HELFRICK, COSTA, TILGHMAN, ARMSTRONG, WENGER, TOMLINSON and CORMAN presented to the Chair **SB 709**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for chemical testing to determine amount of alcohol or controlled substance and for driving under the influence of alcohol or controlled substances.

Which was committed to the Committee on JUDICIARY, March 23, 2001.

Senators CORMAN, MADIGAN, CONTI, THOMPSON, TILGHMAN, RHOADES, FUMO, COSTA, BELL, WENGER, HOLL and GERLACH presented to the Chair **SB 712**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators RHOADES, CONTI, CORMAN, TILGHMAN, COSTA, STOUT, FUMO, BELL, MADIGAN, GERLACH and THOMPSON presented to the Chair **SB 713**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators HOLL, TILGHMAN, RHOADES, FUMO, CONTI, CORMAN, THOMPSON, BELL, STOUT, GERLACH, MADIGAN and SCHWARTZ presented to the Chair **SB 714**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators THOMPSON, TILGHMAN, BELL, MADIGAN, FUMO, CORMAN, RHOADES, CONTI, STOUT and GERLACH presented to the Chair **SB 715**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania

residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators THOMPSON, MADIGAN, GERLACH, BELL, TILGHMAN, FUMO, RHOADES, CONTI, HOLL, CORMAN, SCHWARTZ and STOUT presented to the Chair **SB 716**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia, for instruction and student aid.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators BELL, WENGER, MADIGAN, GREENLEAF, SCHWARTZ, CONTI, GERLACH, FUMO, TILGHMAN, THOMPSON, RHOADES and STOUT presented to the Chair **SB 717**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, FUMO, MADIGAN, GERLACH and STOUT presented to the Chair **SB 718**, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the MCP Hahnemann University and for continuation of pediatric services.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GERLACH, TILGHMAN, HOLL, BELL, CONTI, RHOADES, THOMPSON, FUMO, MADIGAN, SCHWARTZ and STOUT presented to the Chair **SB 719**, entitled:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators RHOADES, TILGHMAN, BELL, CONTI, THOMPSON, FUMO, SCHWARTZ, MADIGAN, GERLACH and STOUT presented to the Chair **SB 720**, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators MOWERY, CONTI, RHOADES, TILGHMAN, FUMO, BELL, GERLACH, MADIGAN, SCHWARTZ and STOUT presented to the Chair **SB 721**, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia, for instruction.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, THOMPSON, MADIGAN, FUMO, GERLACH and STOUT presented to the Chair **SB 722**, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GERLACH, TILGHMAN, CONTI, FUMO, MADIGAN and STOUT presented to the Chair **SB 723**, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators MADIGAN, TILGHMAN, CONTI, GERLACH, FUMO and STOUT presented to the Chair **SB 724**, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators BELL, TILGHMAN, RHOADES, GERLACH, FUMO, MADIGAN, STOUT and CONTI presented to the Chair **SB 725**, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GREENLEAF, TILGHMAN, HOLL, BELL, SCHWARTZ, CONTI, THOMPSON, FUMO, MADIGAN, GERLACH and STOUT presented to the Chair **SB 726**, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators TILGHMAN, CONTI, FUMO, MADIGAN, GERLACH, STOUT and SCHWARTZ presented to the Chair **SB 727**, entitled:

An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for research.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GERLACH, TILGHMAN, CONTI, MADIGAN, FUMO and STOUT presented to the Chair **SB 728**, entitled:

An Act making an appropriation to the Central Penn Oncology Group.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, BODACK, COSTA, STOUT, MADIGAN, GERLACH and FUMO presented to the Chair **SB 729**, entitled:

An Act making an appropriation to St. Francis Hospital, Pittsburgh, for cardiovascular studies.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators ARMSTRONG, WENGER, TILGHMAN, GERLACH, MADIGAN, STOUT, CONTI and FUMO presented to the Chair **SB 730**, entitled:

An Act making an appropriation to the Lancaster Cleft Palate for outpatient-inpatient treatment.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators TILGHMAN, BODACK, CONTI, COSTA, MADIGAN, FUMO, GERLACH and STOUT presented to the Chair **SB 731**, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate for outpatient-inpatient treatment.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators THOMPSON, TILGHMAN, BODACK, GERLACH, FUMO, MADIGAN, CONTI and STOUT presented to the Chair **SB 732**, entitled:

An Act making an appropriation to the Burn Foundation, Philadelphia for outpatient and inpatient treatment.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, COSTA, MADIGAN, STOUT, FUMO and GERLACH presented to the Chair **SB 733**, entitled:

An Act making an appropriation to The Children's Institute, Pittsburgh for treatment and rehabilitation of certain persons with disabling diseases.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators THOMPSON, TILGHMAN, GERLACH, CONTI, FUMO, MADIGAN, SCHWARTZ and STOUT presented to the Chair **SB 734**, entitled:

An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CORMAN, TILGHMAN, RHOADES, WENGER, FUMO, CONTI, MADIGAN, GERLACH and STOUT presented to the Chair **SB 735**, entitled:

An Act making an appropriation to the Beacon Lodge Camp, Mifflin County, for services to the blind.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators TILGHMAN, CONTI, BODACK, COSTA, STOUT, GERLACH, MADIGAN and FUMO presented to the Chair **SB 736**, entitled:

An Act making an appropriation to the Arsenal Family and Children's Center in Pittsburgh for services for children and their families.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators TILGHMAN, STOUT, GERLACH, COSTA, MADIGAN, FUMO, CONTI and BODACK presented to the Chair **SB 737**, entitled:

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators DENT, TILGHMAN, HOLL, THOMPSON, CONTI, FUMO, MADIGAN, GERLACH, SCHWARTZ and STOUT presented to the Chair **SB 738**, entitled:

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GERLACH, TILGHMAN, THOMPSON, SCHWARTZ, MADIGAN, CONTI, FUMO and STOUT presented to the Chair **SB 739**, entitled:

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, GERLACH, FUMO, MADIGAN, STOUT and SCHWARTZ presented to the Chair **SB 740**, entitled:

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators GERLACH, TILGHMAN, CONTI, FUMO, MADIGAN and STOUT presented to the Chair **SB 741**, entitled:

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators CONTI, TILGHMAN, HOLL, MADIGAN, FUMO, GERLACH and STOUT presented to the Chair **SB 742**, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

Senators PICCOLA, TILGHMAN, CORMAN, WENGER, GERLACH, FUMO, CONTI, STOUT and MADIGAN presented to the Chair **SB 743**, entitled:

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

Which was committed to the Committee on APPROPRIATIONS, March 23, 2001.

RESOLUTIONS INTRODUCED AND REFERRED

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

March 21, 2001

Senators SCHWARTZ, TARTAGLIONE, BOSCOLA, MUSTO, COSTA, KASUNIC, FUMO, MELLOW and STACK presented to the Chair **SR 41**, entitled:

A Resolution directing the Joint State Government Commission to establish a task force to study issues relating to the quality of education and the increased employment of part-time faculty at the Commonwealth's institutions of higher education and to make a report to the Senate.

Which was committed to the Committee on EDUCATION, March 21, 2001.

March 23, 2001

Senators MURPHY, BELL, BRIGHTBILL, THOMPSON, ROBBINS, TOMLINSON, LEMMOND, WAGNER, BOSCOLA, GREENLEAF, ARMSTRONG, WENGER, EARLL, SCHWARTZ, O'PAKE, TARTAGLIONE, COSTA, DENT, STOUT, LOGAN and STACK presented to the Chair **SR 44**, entitled:

A Resolution designating April 6, 2001, as "Tartan Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 23, 2001.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair wishes to announce that he has made the following appointments:

Senator Timothy F. Murphy as a member of the Health Capacity Task Force of the Council of State Governments.

Senator Mary Jo White as a member of the Environmental Task Force of the Council of State Governments.

Mr. David W. Woods as a member of the Philadelphia Regional Port Authority.

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. 44 and certain nominations.

REPORTS FROM COMMITTEE

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

SB 35 (Pr. No. 33) (Rereported)

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

SB 153 (Pr. No. 159) (Rereported)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for respiratory care practitioners; and providing for refusal or suspension or revocation of respiratory care practitioner certificates, for automatic suspension and temporary suspension of respiratory care practitioners, for impaired professionals and for continuing respiratory care education.

SB 154 (Pr. No. 160) (Rereported)

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for respiratory care practitioners certificates and permits; providing for refusal or suspension or revocation of respiratory care practitioner certificates, for automatic suspension and temporary suspension of respiratory care practitioners, for impaired professionals and for continuing respiratory care education.

SB 280 (Pr. No. 286) (Rereported)

An Act prohibiting the sale of products containing dog or cat fur, skin or hair; defining a criminal offense; directing the Bureau of Consumer Protection to conduct investigations; and imposing penalties.

SB 372 (Pr. No. 385) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police.

SB 503 (Pr. No. 737) (Rereported)

An Act establishing the adult basic coverage insurance program; and imposing powers and duties on the Insurance Department.

SB 505 (Pr. No. 798) (Amended) (Rereported)

An Act establishing regional biotechnology research centers; and providing for powers and duties of the Department of Community and Economic Development and the Department of Health and for funding standards.

SB 549 (Pr. No. 569) (Rereported)

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

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

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

Senator BOSCOLA. Mr. President, with me today is Reverend Bill Lentz and his wife, Kathy, from Wesley United Methodist Church in Bethlehem, and I wanted to let you know that Reverend Lentz is the president and on the board of directors of the Interfaith Coalition on Poverty in the Lehigh Valley. It is the only organization like this in the State, with the objectives of monitoring welfare reform, advocating for legislation that treats the poor more fairly, and serves the poor with direct services toward economic self-sufficiency, and educating the Lehigh Valley about the needs of eradicating poverty.

He is a remarkable man who cares about his community, and we are very lucky to have him in the Lehigh Valley, so I ask the Senate to extend its usual warm welcome.

The PRESIDENT pro tempore. Would the guests of Senator Boscola please stand so the Senate may give you a warm welcome.

(Applause.)

RECESS

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

Senator BRIGHTBILL. Mr. President, at this time I request a brief recess of the Senate for the purpose of a Republican caucus. Immediately after the caucus, there will be an off-the-floor meeting of the Committee on Rules and Executive Nominations, and then we will return to the floor to run the Calendar.

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

Senator MELLOW. Mr. President, I ask that our Members report to our caucus room at the rear of the Chamber.

The PRESIDENT pro tempore. For purposes of Republican and Democratic caucuses in their respective caucus rooms, without objection, the Senate will stand in recess.

AFTER RECESS

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

CALENDAR**THIRD CONSIDERATION CALENDAR****PREFERRED APPROPRIATION BILL OVER IN ORDER**

SB 631 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER

SB 2 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

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

SB 65 (Pr. No. 680) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for home and community-based care services to certain individuals; and providing for responsibilities of the Department of Aging and the Department of Public Welfare.

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

Senator BRIGHTBILL. Mr. President, could we go over Senate Bill No. 65 temporarily.

The PRESIDENT pro tempore. Senate Bill No. 65 will go over in its order temporarily on final passage.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 130 (Pr. No. 714) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protection from abuse orders.

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 pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, today I rise to urge my colleagues to support Senate Bill No. 130, a measure that would add Pennsylvania to a growing number of States that recognize out-of-State Protection From Abuse orders as valid and enforceable.

Right now, our nation is kind of like a 50-piece jigsaw puzzle, but there are three pieces missing. There are three States where out-of-State PFAs are not recognized. Unfortunately, Mr. President, Pennsylvania is one of those missing pieces, and that is simply not acceptable. We need to put these last three pieces of the puzzle in place so that those protected by PFAs can travel freely throughout the United States, with the reassurance that regardless of where they go they will always have legal safeguards against an abusive partner.

Domestic violence is one of our nation's greatest tragedies, robbing people, women in particular, of dignity, self-worth, and often their lives, and the problem is pervasive, crossing every age group and social and economic strata. In fact, according to the U.S. Department of Justice, anywhere from 960,000 to 4 million women are battered each year by a spouse, former spouse, or partner. Even more disturbing, 40 percent of girls between the ages of 14 and 17 report knowing someone of their own age who has been hit or beaten by a boyfriend, 40 percent.

Mr. President, we owe it to all the victims of domestic violence to join the network of States that are banding together to take a stand against abuse by giving women stronger legal protections. Under Senate Bill No. 130, all Protection From Abuse orders issued out of State will be presumed valid by law enforcement officials and enforced as if they were issued in Pennsylvania. Victims would not be required to present a certified copy of the out-of-State order in order for police to enforce it, and law enforcement officials who acted in good faith to enforce the foreign PFA would be protected from civil liability.

This measure has the full support of the Pennsylvania Coalition Against Domestic Violence, a group that deserves our applause for the excellent work that they do to combat domestic abuse. By supporting Senate Bill No. 130 today, we can do our part to make our nation just a little safer for women who are trying to escape the violence and rebuild their lives. Mr. President, I urge my colleagues to vote "yes" on this measure.

Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

Armstrong	Greenleaf	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione
Bodack	Holl	Murphy	Thompson
Boscola	Hughes	Musto	Tilghman
Brightbill	Jubelirer	O'Pake	Tomlinson
Conti	Kasunic	Piccola	Wagner
Corman	Kitchen	Punt	Waugh

Costa	Kukovich	Rhoades	Wenger
Dent	LaValle	Robbins	White, Donald
Earll	Lemmond	Scarnati	White, Mary Jo
Fumo	Logan	Schwartz	Williams
Gerlach	Madigan	Stack	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 65 CALLED UP

SB 65 (Pr. No. 680) -- Without objection, the bill, which previously went over in its order temporarily on final passage, was called up, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL ON FINAL PASSAGE

SB 65 (Pr. No. 680) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for home and community-based care services to certain individuals; and providing for responsibilities of the Department of Aging and the Department of Public Welfare.

And the question recurring,
Shall the bill pass finally?

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

Senator TOMLINSON. Mr. President, Senate Bill No. 65 is the Home and Community-Based Care Act, and the purpose of this bill is to make home and community-based care readily available to senior citizens across the Commonwealth of Pennsylvania.

Right now, we have about 7,500 senior citizens in Pennsylvania eligible for care and help, and in Bucks County alone we have about 120 eligible residents. This bill would help people who need care or nursing home care or who qualify for nursing home care but still would like to stay in their home, it would provide services to them so they could stay in their homes. As we know from many of our parents and people in our community, the longer people stay in their homes, the better the quality of life. Yet, we would still be able to provide nursing care and personal care to them so that they could stay in their neighborhoods, stay in their homes, and stay around their friends and families. To qualify for this, we would use a 300-percent Social Security supplement income, which would be about \$19,000. This bill, as I said, would include about 7,500 people in the State of Pennsylvania, making them eligible for care in their home and providing for a better quality of life. I urge the adoption of this bill.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

Armstrong	Greenleaf	Mellow	Stout
Bell	Helfrick	Mowery	Tartaglione
Bodack	Holl	Murphy	Thompson
Boscola	Hughes	Musto	Tilghman
Brightbill	Jubelirer	O'Pake	Tomlinson
Conti	Kasunic	Piccola	Wagner
Corman	Kitchen	Punt	Waugh
Costa	Kukovich	Rhoades	Wenger
Dent	LaValle	Robbins	White, Donald
Earll	Lemmond	Scarnati	White, Mary Jo
Fumo	Logan	Schwartz	Williams
Gerlach	Madigan	Stack	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 147, SB 290, SB 421, SB 500, SB 501, SB 502 and SB 504 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 506 (Pr. No. 688) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a grant and loan program for certain hospitals to purchase medical and surgical equipment; providing for powers and duties of the Department of Health; and establishing the HealthLink Fund.

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 pro tempore. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

Senator SCARNATI. Mr. President, Senate Bill No. 506 will help ensure that the latest and best medical equipment is not reserved solely for those Pennsylvanians who happen to live in urban and suburban areas. Senate Bill No. 506 will create the HealthLink Fund to provide grants and loans for medical equipment in rural areas. With the help of HealthLink, access to state-of-the-art x-ray machines, surgical lasers, MRI equipment, and indeed any equipment that would mean the difference between life and death, between comfort and pain, will not hinge on whether somebody lives in a township or borough or city.

Under Senate Bill No. 506, HealthLink grants or loans of up to \$500,000 would be made available. The loans would be

interest-free, and the State commitment must be matched by local commitment. To be eligible, hospitals and health centers would be required to match the grant amount.

Mr. President, this bill is supported by Members on both sides of the aisle and by various areas of the Commonwealth, rural, urban, and suburban. I urge my colleagues to cast their vote for Senate Bill No. 506 and cast their vote for equal access to high quality health care.

Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL REREFERRED

SB 507 (Pr. No. 689) -- The Senate proceeded to consideration of the bill entitled:

An Act establishing the Community Coordinated Care and Health Improvement Program and authorizing grants to certain community-based health care provider organizations.

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

BILL OVER IN ORDER

SB 634 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 14 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON SECOND CONSIDERATION

HB 41 (Pr. No. 1258) -- 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 simple assault.

Considered the second time and agreed to,

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

SB 49 (Pr. No. 47) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further defining "daily drawing."

Considered the second time and agreed to,

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

HB 99 (Pr. No. 709) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating State Route 3160 in Allegheny County as the 99th Infantry Division Memorial Highway; and designating a portion of State Route 288 in Beaver County as The Dr. Aaron and Dr. Milton L. Caplan Highway.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 103 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS REREFERRED

HB 153 (Pr. No. 231) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for unlawful activities relating to vehicle equipment and for vehicle inspection by police or Commonwealth personnel; and providing for motor carrier safety.

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

HB 157 (Pr. No. 191) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the establishment of the Pennsylvania Pedalcycle and Pedestrian Advisory Committee and its powers and duties.

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

SB 206 (Pr. No. 733) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for the State Board of Certified Real Estate Appraisers and for requirements relating to appraising real estate; prohibiting certain acts; and making editorial changes.

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

BILLS OVER IN ORDER

SB 286 and **SB 330** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 365 (Pr. No. 378) -- 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 forcing a person into a motor vehicle.

Considered the second time and agreed to,

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

BILLS REREFERRED

SB 370 (Pr. No. 383) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 371 (Pr. No. 734) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 377 (Pr. No. 736) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers Act, further providing for license requirements and exemptions, for application for license, for licensee requirements, for authority of department or commission and for penalties.

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

SB 391 (Pr. No. 404) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact for the Supervision of Adult Offenders; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact Administrator; and making a repeal.

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

SB 400 (Pr. No. 413) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION

SB 490 (Pr. No. 517) -- 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 the offense of aggravated assault.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 597 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 612 (Pr. No. 663) -- 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 the dissemination of criminal history record information to noncriminal justice agencies and individuals.

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

RECESS

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

Senator BRIGHTBILL. Mr. President, I request a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations in the Rules room.

The PRESIDENT pro tempore. Senator Brightbill requests a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room at the rear of the Senate Chamber. For that purpose, without objection, the Senate stands in recess.

AFTER RECESS

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

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, by unanimous consent, reported a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

March 22, 2001

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 12, 2001 for the appointment of Doris M. Leisch, Esquire, 3437 West Penn Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2002, vice The Honorable Robert A. Latrone, deceased.

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

THOMAS J. RIDGE
Governor

NOMINATION RETURNED TO THE GOVERNOR

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

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

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

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

Senator ROBBINS, 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 PENNSYLVANIA
COUNCIL ON AGING**

December 12, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Helen-Ann Comstock, 231 South Sixth Street, Philadelphia 19106, Philadelphia County, First Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2002, and until her successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

January 19, 2001

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, Grant Stevenson, 108 North Sixth Street, Allentown 18101, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

March 2, 2001

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 M. Sanko, 2436 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher

Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

March 2, 2001

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 Willever, 531 Cattrell Street, Easton 18042, Northampton County, Eighteenth Senatorial District, for reappointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

March 2, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. Benjamin Wiley, 3570 Tanager Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

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

January 4, 2001

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 M. Sanko, 2436 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2004 and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

January 30, 2001

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, Bruce L. Castor, Jr., Esquire, 548 Mininger Road, Souderton 18964, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

January 30, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark W. Ostrander, 1206 Astor Street, Norristown 19401, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Judith A. Swanson, Pottstown, resigned.

THOMAS J. RIDGE
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

January 30, 2001

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, Timothy R. Tilson, 405 Norfolk Road, Flourtown 19031, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Mary Ellen Rehrman, Spring City, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

February 21, 2001

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, Esther F. Richwine (Public Member),

696 South Eighty Second Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PHARMACY

January 26, 2001

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, Frank A. Rubino, 7836 Lexington Avenue, Philadelphia 19152, Philadelphia County, Fifth Senatorial District, for reappointment as a member of the State Board of Pharmacy, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

February 27, 2001

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, Stephen Anthony Ragusea, Psy.D., 55 Aloha Street, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Yvonne E. Keairns, Ph.D., Pittsburgh, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD

January 2, 2001

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, The Honorable Thomas Paese, 2518 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 2004 and until his successor is appointed and qualified, vice Samuel Sanzotto, Mechanicsburg, whose term expired.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS

February 16, 2001

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 F. McRae, 1393 Hall Road, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, 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 David J. King, Cabot, whose term expired.

THOMAS J. RIDGE
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. 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.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 44 (Pr. No. 797)

A Resolution designating April 6, 2001, as "Tartan Day" in Pennsylvania.

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

**UNFINISHED BUSINESS
CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to the Lebanon County Planning Department by Senator Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Hubbert, Mr. and Mrs. Doyle Stumpff, Hilda Yarrison, Robert Andrew Silvis and to John Lentz by Senator Corman.

Congratulations of the Senate were extended to Peter Felton by Senator Dent.

Congratulations of the Senate were extended to Michael Fera by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Simmons by Senator Gerlach.

Congratulations of the Senate were extended to Michael E. Ozlanski and to Skyler A. Wolfe by Senator Helfrick.

Congratulations of the Senate were extended to the Volunteer Medical Service Corps of Lansdale by Senator Holl.

Congratulations of the Senate were extended to Brandywine Heights Area High School Wrestling Team, Wilson High School

Boys' Swim Team and to Fair Housing Month in Reading and Berks County by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Gunn and to Margarita Marengo by Senator Tomlinson.

Congratulations of the Senate were extended to Jeremy Fryburg by Senator Wenger.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT pro tempore 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:

SECRETARY OF EDUCATION

March 26, 2001

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 B. Zogby, Esquire, 607 Moores Mountain Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Education, to serve until the third Tuesday of January 2003 and until his successor shall have been appointed and qualified, vice the Honorable Eugene W. Hickok, Jr., Carlisle, resigned.

THOMAS J. RIDGE
Governor

**BRIGADIER GENERAL, PENNSYLVANIA
NATIONAL GUARD**

March 26, 2001

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 K. Fry, 7637 Spring Road, New Bloomfield 17068, Perry County, Thirty-first Senatorial District, for appointment as Brigadier General, LINE, with assignment as Assistant Adjutant General, Headquarters State Area Command (-), Pennsylvania Army National Guard, to serve until terminated, vice Brigadier General John E. Stevens, reassignment.

THOMAS J. RIDGE
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE**

March 26, 2001

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, Jeffrey R. Elliott, Esquire (Public Member), 331 Daniel Street, Wernersville 19565, Berks County, Forty-eighth Senatorial District, for appointment as a member of the State

Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia Sharer Kilgannon, Doylestown, resigned.

THOMAS J. RIDGE
Governor

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE**

March 26, 2001

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 12, 2001 for the appointment of Megan L. Consedine, Esquire, 1954 Daybreak Circle, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Occupational Therapy Education and Licensure, to serve until March 24, 2001 and until her successor is appointed and qualified, vice Patricia Sharer Kilgannon, Doylestown, resigned.

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

THOMAS J. RIDGE
Governor

BILL INTRODUCED AND REFERRED

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

March 26, 2001

Senators TILGHMAN, BRIGHTBILL and JUBELIRER presented to the Chair **SB 1**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2001, to June 30, 2002, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2001; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2001, to June 30, 2002, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2001.

Which was committed to the Committee on APPROPRIATIONS, March 26, 2001.

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. The Chair wishes to announce that he has made the following appointment:

Senator Allyson Y. Schwartz as a member of the Health Committee of the Assembly on Federal Issues of the National Conference of State Legislatures.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 27, 2001

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 626, 627 and 635)	Room 8E-B East Wing
10:30 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 507; and any other business that may come before the committee)	Room 8E-A East Wing
11:00 A.M.	BANKING AND INSURANCE (to consider Senate Bill No. 67)	Room 461 Main Capitol
11:30 A.M.	EDUCATION (to consider Senate Resolution No. 31; and any other business that may come before the committee)	Room 8E-A East Wing
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 214, 592 and 654; and House Bill No. 279)	Room 8E-B East Wing
12:00 Noon	APPROPRIATIONS (to consider Senate Bills No. 1, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742 and 743)	Rules Cmte. Conf. Rm.
12:00 Noon	FINANCE (to consider Senate Bills No. 485, 486 and 487; and House Bills No. 23, 26 and 27)	Room 461 Main Capitol

WEDNESDAY, APRIL 18, 2001

10:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on Senate Bill No. 665: Structural Separation) C A N C E L E D	Room 8E-B East Wing
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THURSDAY, APRIL 19, 2001

11:00 A.M.	INTERGOVERNMENTAL AFFAIRS (public hearing on Senate Resolution No. 35)	TBA Bucks Cty
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FRIDAY, MAY 4, 2001

10:00 A.M. INTERGOVERNMENTAL AFFAIRS TBA
(public hearing on Senate Resolution Bucks Cty
No. 35)

ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, March 27, 2001, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 4:35 p.m., Eastern Standard Time.