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SESSION OF 2001 185TH OF THE GENERAL ASSEMBLY

No. 63

SENATE

TUESDAY, December 11, 2001

The Senate met at 11 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the Chair.

PRAYER

The Chaplain, the Very Reverend THOMAS A. CAPPELLONI, of Holy Name of Jesus Church, Scranton, offered the following prayer:

Let us pray.

Eternal God, we gather to hold in our hearts and minds the memory of the terrorist attacks on our nation's life and liberty. Once we beheld the face of evil, and we have responded with the sure and certain remedy of faith and God's supreme power to save and give life. On this anniversary, we commend especially to Your care the victims of these attacks and their survivors. We praise You for the lives of the valiant men and women who brought comfort, courage, valor, love, and compassion to those in need.

Almighty God, we humbly thank You for this good land which You have given as our inheritance. May we always prove to be a people mindful of Your love and kindness. Bless this land with honest labor. Save us from violence, discord and confusion, from pride and arrogance, and from every evil way. Preserve and increase our liberties and fashion into one united nation this people of many races and tongues. Fill with the spirit of wisdom those to whom we entrust the authority of government. Let them seek justice and peace and prosperity. Fill our hearts with thankfulness, and in these times of trouble, do not allow our trust and hope in You to fail. We commend our land to Your merciful care, that we may follow Your guidance and live in peace.

Guide and direct our Senators and all Members of this legislature, that by just and prudent laws they may promote the well-being of all our people. Fill them with the love of truth, honesty, and righteousness. Make them always remember that they are Your servants, called to lead and serve this State in the fear of Your righteous judgments.

We pray for strength and purpose to make officers in every branch of government accountable to all people, fulfilling roles of service and responsibility, that they may seek justice, protect the weak, and lead us in constructing institutions for our peace and mutual aid.

By Your spirit, break through barriers that divide people. Destroy hatred and let suspicions disappear so that we may live as one.

Lastly, in these perilous times, we commend to Your protective care and benevolent keeping all the men and women of our armed forces at home and abroad. Defend them with Your guiding hand. Encourage them and strengthen them in their trials, and grant them Your abiding presence in their times of loneliness. In this holy season, fill their families with hope and joy. We make this prayer through Christ our Lord. Amen.

THE PRESIDENT. The Chair thanks Reverend Cappelloni, who is the guest today of Senator Musto and Senator Lemmond.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of December 10, 2001.

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 286**, with the information the House has passed the same without amendments.

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1633**, in which concurrence of the Senate is requested.

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

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 607**, 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.

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

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

Recess adjournment.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Robert C. Jubelirer) in the presence of the Senate signed the following bill:

SB 286.

**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 Bills No. 216, 696, 837, House Bill No. 1633, and certain nominations.

REPORTS FROM COMMITTEES

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

SB 955 (Pr. No. 1584) (Rereported)

An Act providing for vaccination against meningococcal disease for students at institutions of higher education and for duties of the Department of Health.

SB 1007 (Pr. No. 1615) (Amended) (Rereported)

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, providing for the definition of "acupuncture educational program"; and further providing for the regulations of the practice of acupuncture.

SB 1240 (Pr. No. 1607) (Rereported)

An Act amending the act of June 30, 1995 (P.L.170, No.25), entitled "An act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals," further providing for the definitions of "district register," "general register," "qualified elector," "registrant," "registration records" and "Statewide Uniform Registry of Electors" or "SURE system," for departmental responsibilities, for commissions, for legislative intent, for establishment of SURE system, for qualifications to register, for in-person voter registration, for application with driver's license application, for application by mail, for time, for preparation and distribution of applications, for approval of registration applications, for general register, for district registers, for street lists, for public information lists, for retention of records, for removal notices, for transfer of registration, for court of common pleas, for registration, for votes, for official documents, for law enforcement assistance, for preventing registration, for approval of registration, for power of department, for removal of voters and for files; and providing for SURE sys-

tem costs, for SURE registration number and for conversion of registration records.

HB 3 (Pr. No. 3060) (Amended) (Rereported)

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

HB 27 (Pr. No. 616) (Rereported)

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "salary deductions"; and further providing for member contributions for creditable school service, for contributions for purchase of credit for creditable nonschool service, for incomplete payments, for termination of annuities, for administrative duties of board, for reporting requirements of board, for duties of board regarding applications and elections of members, for duties of employers, for creditable nonstate service, for member contributions for purchase of credit for previous State service or to become a full coverage member, for contributions for the purchase of credit for creditable nonstate service and for duties of heads of departments and for rights and duties of State employees and members.

Senator EARLL, from the Committee on Finance, reported the following bills:

SB 315 (Pr. No. 320)

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

SB 1223 (Pr. No. 1614) (Amended)

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone and Keystone Opportunity Expansion Zone Act, further providing for the zone authorization and duration of program.

HB 1360 (Pr. No. 1683)

An Act amending the act of December 14, 1988 (P.L.1192, No.147), known as the Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act, further providing for definitions, for special ad hoc postretirement adjustments and for the administration of the Commonwealth's reimbursements for these adjustments; and making editorial changes.

HB 1363 (Pr. No. 3059) (Amended)

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for service increments to pensions of police and firefighters.

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

SB 1048 (Pr. No. 1309)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the simulation of legal process and related acts; prohibiting the use of unofficial license plates; and imposing penalties.

SB 1244 (Pr. No. 1601)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for unlawful contact or communication with minor.

HB 227 (Pr. No. 3064) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the definition of "offensive weapons," for use or possession of electric or electronic incapacitation devices, for penalties, for aggravated assault and for use of tear or noxious gas in labor disputes; imposing a penalty; and making an editorial change.

HB 344 (Pr. No. 3065) (Amended)

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

RESOLUTION REPORTED FROM COMMITTEE

Senator CONTI, from the Committee on Law and Justice, reported the following resolution:

SR 59 (Pr. No. 1613) (Amended)

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

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

LEGISLATIVE LEAVE

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

Senator BRIGHTBILL. Mr. President, I ask for a legislative leave for Senator Piccola.

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Piccola. Without objection, that leave will be granted.

LEAVE OF ABSENCE

Senator BRIGHTBILL asked and obtained a leave of absence for Senator BELL, for today's Session, for personal reasons.

CALENDAR**SB 1106 CALLED UP OUT OF ORDER**

SB 1106 (Pr. No. 1568) -- Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1106 (Pr. No. 1568) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a monument in honor of United Airlines Flight 93 victims; conferring powers and imposing duties on the Department of General Services; establishing the Flight 93 Victims Memorial Fund; and providing for solicitation of contributions.

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-49

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

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
GUESTS OF SENATOR CHARLES D.
LEMMOND PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Lemmond.

Senator LEMMOND. Mr. President, the gentleman who offered our invocation today, as you mentioned, is Father Thomas Cappelloni, jointly sponsored by Senator Musto and myself. Father Cappelloni had been with St. Martin of Tours Church in Jackson and St. Paul's Church in Starrucca in my district, and a month ago moved to become the Pastor of Our Lady of Grace in the city of Hazleton. He is joined today by Ivan Burman, one of his former parishioners and the head of Burman Collision Service in Susquehanna County; two friends from Wilkes-Barre, Mary Hahn and Ann MacFarland; and by his sister, Maryann Falk, all of whom are proud of him, and I would appreciate our welcoming them to the Senate today.

The PRESIDENT. Would the guests of Senator Lemmond kindly rise so we may welcome you to the Senate of Pennsylvania.

(Applause.)

**GUESTS OF SENATOR JANE C.
ORIE PRESENTED TO THE SENATE**

The PRESIDENT. For the introduction of another very, very special guest, the Chair is pleased to recognize the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Mr. President, at this time I would like to introduce some honored guests who are here today in the Senate gallery. As you know, today is the third-month anniversary of the terrorist attacks in New York, Washington, D.C., and Somerset County in the Commonwealth of Pennsylvania. There were many heroes that day and many acts of courage. Some of the most remarkable heroes were the crew and passengers of Flight 93 who sacrificed themselves in an attempt to overpower their hijackers. These heroes gave their lives in order to save hundreds, even thousands of Americans. They made the ultimate sacrifice, and it is our duty as Americans and as Pennsylvanians to pay tribute to these brave men and women.

Earlier today here in the Capitol, I introduced a new project to commemorate these courageous individuals. It is called the "Hearts of Steel" bracelet project. This project was begun by a group of businessmen, nonprofit organizations, unions, schools, and other individuals who joined to make stainless steel bracelets honoring the victims of Flight 93. The bracelets are in a similar style to the POW and MIA bracelets that were popular in the 1970s. It is inscribed with the words, "We remember 9-11-01. United We Stand." On one side it says, "Let's roll," on the other side it says, "USA." All the proceeds from the sale of these bracelets will go toward the construction of a memorial commemorating these heroes of Flight 93 in Somerset County.

Today when I announced this project, I was joined by Jerry Bingham, father of Flight 93 passenger Mark Bingham, and Craig Bingham, who is Mark's cousin. Mark Bingham, along with Todd Beamer, and every other member of that flight are national heroes. Their acts of extraordinary bravery and sacrifice touched many people, not just here in Pennsylvania but around the nation, and it is only fitting that we pay tribute to the sacrifices they made. We are urging all Pennsylvanians, in fact all Americans, to take part in the Hearts of Steel project so that heroes like Mark Bingham and others aboard Flight 93 will be remembered always as true patriots and defenders of democracy. They are befitting of a heroes' memorial.

I would like to thank Mark Bingham's father, Jerry, and his cousin, Craig, for assisting us today with the Hearts of Steel project, and I would like to honor them for the sacrifice they, too, have made with the loss of their beloved family member 3 months ago. At this time I would like to introduce Jerry and Craig Bingham.

The PRESIDENT. Would Jerry and Craig Bingham please stand and accept the sympathy and the great welcome to you, certainly from our hearts, and I am privileged to wear a Hearts of Steel bracelet, but please let us welcome you and extend our sympathy as well. Would you kindly rise.

(Applause.)

The PRESIDENT. I think on this third-month anniversary it is only fitting that we have that opportunity.

**GUESTS OF SENATOR DAVID J.
BRIGHTBILL AND SENATOR MICHAEL A.
O'PAKE PRESENTED TO THE SENATE**

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

Senator BRIGHTBILL. Mr. President, I, too, have some guests in the gallery. Senator O'Pake and I are privileged to welcome the Wilson High School Girls' Water Polo Team. It is the team's first State championship when they captured a gold medal in the Pennsylvania Scholastic Water Polo League. The head coach for the girls is Peggy Shaner, and the assistant coach is Keith Woomer.

The PRESIDENT. Would the guests of Senator Brightbill and Senator O'Pake kindly rise so we may welcome you to the Senate of Pennsylvania.

(Applause.)

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, once again, on behalf of Senator O'Pake and myself, we have the Wilson High School Men's Water Polo Team of West Lawn, and they captured the gold medal in the Pennsylvania Scholastic Water Polo League. This is the team's 12th State championship title in 15 years. Their head coach is Christopher Lechlietner, and the assistant coach is Peter Brooks.

The PRESIDENT. Would the additional guests of Senator Brightbill and Senator O'Pake please rise so that we may welcome you.

(Applause.)

**SPECIAL ORDER OF BUSINESS
FAREWELL TRIBUTE TO SENATOR
RICHARD A. TILGHMAN**

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

Senator BRIGHTBILL. Mr. President, I have an original resolution here, Senate Resolution No. 143, and I would like, as I offer it, to be able to place the name of every Member of the Pennsylvania Senate on this resolution. It is a resolution recognizing the contributions of former Senator Richard A. Tilghman.

SENATE RESOLUTION ADOPTED

Senators BRIGHTBILL, ARMSTRONG, BELL, BODACK, BOSCOLA, CONTI, CORMAN, COSTA, DENT, EARLL, ERICKSON, FUMO, GERLACH, GREENLEAF, HELFRICK, HOLL, HUGHES, JUBELIRER, KASUNIC, KITCHEN, KUKOVICH, LAVALLE, LEMMOND, LOGAN, MADIGAN, MELLOW, MOWERY, MURPHY, MUSTO, O'PAKE, ORIE, PICCOLA, PUNT, RHOADES, ROBBINS, SCARNATI, SCHWARTZ, STACK, STOUT, TARTAGLIONE, THOMPSON, TOMLINSON, WAGNER, WAUGH, WENGER, WHITE, D., WHITE, M.J., WILLIAMS, A.H., WILLIAMS, C. and WOZNAK, by unanimous consent, offered **Senate Resolution No. 143**, entitled:

A Resolution recognizing the contributions that senator Richard A. Tilghman has made through valorous service to this country as well as

a long and distinguished career in the senate of Pennsylvania and wishing him well on his retirement.

WHEREAS, Senator Richard A. Tilghman retired on August 31, 2001; and

WHEREAS, Senator Richard A. Tilghman's tenure in the Senate has only been exceeded by three other individuals during the history of the Commonwealth; and

WHEREAS, Richard A. Tilghman served on active duty in the United States Marine Corps from 1943 to 1946, spending his tour of duty in the Pacific with action in the Solomon Islands and as part of the invasion force that captured Iwo Jima; and

WHEREAS, Richard A. Tilghman, in recognition of his outstanding service and dedication to his country, received the Silver Star, a Presidential Unit Citation and the Occupational Ribbon; and

WHEREAS, Richard A. Tilghman retired from the United States Marine Corps with the rank of Major; and

WHEREAS, Richard A. Tilghman utilized his degree from Princeton University to develop a highly successful business in this Commonwealth; and

WHEREAS, Richard A. Tilghman was elected to the Pennsylvania House of Representatives to represent the 149th Legislative District in November 1966; and

WHEREAS, Richard A. Tilghman was elected to the Pennsylvania Senate to represent the 17th Senatorial District in November 1968; and

WHEREAS, Senator Richard A. Tilghman was elected as Minority Chairman of the Senate Appropriations Committee in January 1974 and served as either Chairman or Minority Chairman until the date of his retirement; and

WHEREAS, Over the course of his illustrious career in the Senate, Senator Richard A. Tilghman has sponsored, supported and voted for many key pieces of legislation, including efforts to protect Pennsylvania's open space and prevent urban sprawl as well as other environmental protection legislation; and

WHEREAS, Senator Richard A. Tilghman sponsored other instrumental legislation to help our firefighter and ambulance personnel through the establishment of the Volunteer Fire Company Grant Program and the Volunteer Ambulance Service Grant Program; and

WHEREAS, Senator Richard A. Tilghman was the prime sponsor of a bill to recognize the sacrifice of our veterans through the appropriation of significant State funding to the American Battle Monuments Commission for construction of the National World War II Memorial in Washington, D.C.; and

WHEREAS, Senator Richard A. Tilghman sponsored important legislation to phase out and reduce State inheritance tax; and

WHEREAS, Senator Richard A. Tilghman worked arduously to pass State laws assuring that college students have access to reports of criminal activity on college campuses by requiring that college and university police departments allow public scrutiny of police logs; and

WHEREAS, Senator Richard A. Tilghman advocated legislation establishing two new scholarship programs which served to prepare Pennsylvania's students to succeed in today's technology-based economy and encourage graduates to remain in this Commonwealth; and

WHEREAS, Ever the gentleman, Senator Richard A. Tilghman exemplified strong, courteous, no-nonsense leadership; therefore be it

RESOLVED, That the Senate commend Senator Richard A. Tilghman for outstanding service to his country and this great Commonwealth, service that has made us better by his presence; and be it further

RESOLVED, That the Senate extend best wishes to Senator Richard A. Tilghman for an enjoyable retirement in the company of his lovely wife Diana, three successful sons and eight wonderful grandchildren; and be it further

RESOLVED, That a copy of this resolution be transmitted to Senator Richard A. Tilghman, with respect and gratitude.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. Before we vote on the resolution, we have a number of items. Obviously, Members are going to have an opportunity to speak on the resolution, and we have a video.

Before we do that, I think it would be appropriate to introduce somebody who needs no introduction. I am going to introduce them all at once, our former colleague and beloved friend, Dick Tilghman, Diana Tilghman, and John Tilghman. Would you please stand.

(Applause.)

May the Chair just make one comment. Including the Chair, there are not many Members here who do not have egos, but there is one of them, and I will make that comment. He is a remarkable guy.

I would also like to introduce the friends and staff of Dick Tilghman. I am not going to name them all, but certainly I think I would just single out, if I might, current Secretary of the Budget, Bob Bittenbender, who was Dick Tilghman's executive director, and the rest of the Tilghman staff and friends, if you would please rise.

(Applause.)

It is my privilege to introduce a video now that we will have an opportunity to watch. Too many times, Members of the Senate, we pay tribute to people and we say nice things about them only when the honoree has to hook up and listen in by celestial cell phone.

Thus today, it is our joy to be able to pay tribute to a great man, a great American when he is not in the past tense and when he can see we mean every word of it and it comes from our hearts.

Dick Tilghman is the real-life version of John Wayne, patriotic and principled, a man whose honor and word are everything. John Wayne starred in "The Sands of Iwo Jima," but Dick Tilghman did too - real sand, real bullets, and a real Silver Star for bravery. John Wayne rode a horse in countless westerns and war movies. I never saw Dick ride a horse to work, but he was our political war-horse, around whom our Majority was built and upon whom we could always depend to be there in the center of the action to rally around in the tough going.

Thirty-plus years in Harrisburg and Dick probably never spent a day of it hiding out in tall grass. John Wayne said he strongly disliked ambiguity. He really would have liked Dick Tilghman, for he is never in doubt about the things that are truly important. He was not just ramrod-straight in the Marines, that was the way he did his duty in life. His character, his commitment, his conviction, these were plain and direct and always present. Wherever he has been, Dick Tilghman has been a leader, not just by rank or by title, but by the strength of his actions and the quality of his contributions. Those who judge him only by his exterior miss one of the most charming and most dignified people any of us will ever know.

Over the years he offered many wise and sound pieces of advice. If he said it to me once, he said it a thousand times, Bob, let us just go out and vote it. We do not need any long speeches. So, Dick, while you may have thought I never heard you, now I am going to take your advice. However, you are going to have to sit still and pay attention a bit longer and not turn anything off, for we have a very special presentation for you.

Richard A. Tilghman, this is your life, in pictures, in video, in the words of those who admire you and love you very much. I will not give away the plot, but in the spirit of the season, we can agree, it is a wonderful life for you and Diana and your family,

for those of us fortunate enough to know you and work with you, and for all those whose lives are better because of your exceptional service. Dick Tilghman, this is your life.

(Whereupon, a video presentation was made.)

(Applause.)

The PRESIDENT. Wow. A lot of love in here, Senator.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Mr. President, I think the last thing that a combat-tested marine like Dick Tilghman wants is a bunch of emotional good-byes led by the Lieutenant Governor.

Dick, for the first time in my memory at least, the powerful Appropriations chairman is not going to get his way today. It has been a very, very large pleasure to serve with you, and Lieutenant Governor Jubelirer/Senator Jubelirer really said it all when he said you are the kind of person who rubs off on the rest of us and makes the rest of us better people. You are a gentleman, number one. Some of the stories I have heard you tell in terms of the way you dealt with and treated the men with whom you served made a very large impression on me. You are a patriot who does not need to wear it, you are a public servant who does not need to shout it, and you are a family man who does not need to use it for political purposes. You are a true American hero in every way, Dick, and we will miss you.

I might say that the new Appropriations chairman is picking up some of your bad habits. I attended one of his meetings today, I usually go by proxy, and it is has rubbed off. Nevertheless, we will get along, but we will not get along as well.

Thank you very much for being here.

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

Senator FUMO. Mr. President, my good friend, the chairman, it has been wonderful serving with you in the years that I have been here. This has been a great tribute to a great American and a very good friend of mine, and I wish you happy days of sailing a Hinckley someday down the Chesapeake.

Thank you.

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator C. Williams.

Senator C. WILLIAMS. Mr. President, it is a privilege for me to rise here today to honor a man who has been an exemplary citizen and a dedicated public servant. Senator Tilghman, you fought for our country overseas, and you fought for our community in Harrisburg. You are a man who has always taken his responsibilities seriously and has strived for excellence in everything you have done. I admire your grace and dignity in the way you have served our Commonwealth, and as your successor, I will work to emulate your leadership, as well as your devotion to duty. I may never be able to walk in your shoes, but I am certain that I have learned a lot about what it means to be a Senator.

Good luck.

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

Senator THOMPSON. Mr. President, if you look in the Pennsylvania Manual, in the section describing the State Senate, you will find that one of the shortest biographies belongs to Richard A. Tilghman. It is typical, because Dick never was about self-promotion. But anyone looking at just one sparse set of facts

would miss an incredible story of distinguished service and significant accomplishment. It is for us then to set out the full record, a record of one of the most illustrious careers in this Senate, compiled by one of the finest gentlemen to serve here. Dick Tilghman exemplified leadership. He was not given to public gamesmanship or prolific speeches, so the Journals are not filled with his words. Actions were his trademark. He wanted to decide, he wanted to move forward, he wanted to do what was necessary, and do what was right.

Dick Tilghman had a hand in every major fiscal decision State government has made over the last 30 years - taxes cut, programs started, investments made. This represents an immense impact, because it was during this time that both Pennsylvania government and the Pennsylvania economy moved into the modern era. Our State has come far, and we would not have experienced the level of progress and the success we have had without the common sense and determination of Dick Tilghman and his added deliberations. He was tenacious and relentless, and he believed that money being badly used was not the right thing to do, and he was very upset when State resources were being poured into somewhere they had no business in going. One of his famous trademark phrases was, "The State has absolutely no business being involved in this," and I heard him say it many, many times.

His advocacy on behalf of community groups was every bit as determined as his guardianship of fiscal responsibility. Children, veterans, firefighters, all found an effective champion in Dick Tilghman. There were areas where he felt we had an obligation to act, and his leadership was powerful and effective: preserving the Chesapeake Bay, extending mental health and mental retardation services, providing health services for women.

He was a master of what is called cutting to the chase. His Committee on Appropriations hearings were the stuff of legends. Those who came in and thought they were going to bluff and bluster their way through the questioning were called up short, and the bottom line understanding of the numbers, he had that down pat. Those who did not have the answers knew they had better get the answers, and those who came up offering excuses soon found there was going to be a return appearance where they had better show how the problem was going to be solved and the timetable for solving that problem. That is the kind of accountability that taxpayers prize and that Dick Tilghman insisted upon.

It is our belief that he served as Committee on Appropriations chairman longer than anyone else, save one, an indication of the honest and capable leadership he provided. There may not be much political glory in oversight, but it is one of the most important functions we perform and, notably, nobody did it better than Dick Tilghman. Politics, Pennsylvania style, is a rough and tumble sport. To serve a long time in a difficult and high-profile position and yet depart with high marks and high regard is what Dick Tilghman has done. For many years we will be telling stories about him, quoting his memorable lines, and recalling his demonstrations of ultimate character. We will do all this with admiration and respect, for he is a great person, a great public servant, and a wonderful friend to all of us.

We have heard a lot about heroes over the last 3 months, ordinary people who have done extraordinary things. Dick Tilghman is a hero. From the beaches of Iwo Jima to the halls of this As-

embly, Dick Tilghman has been a hero to his country, a hero to his constituents, and a hero to this Commonwealth.

Dick, we are going to miss you. We wish you and Diana well, and smooth sailing.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Wenger.

Senator WENGER. Mr. President, Dick Tilghman was not only one of the most respected Members of our Caucus, but indeed one of the most respected Members of the Pennsylvania Senate. Dick served his district well with distinction, and he served the State well as chairman of the Senate Committee on Appropriations. I had the privilege and the opportunity to serve with Senator Tilghman as one of the two Members from our Senate on the Tri-State Chesapeake Bay Commission, and the policies that he helped develop there received national attention and support. So his influence was national from that standpoint.

We are all aware of his service in World War II and how he fought with his comrades, many who made the supreme sacrifice so that we could have the freedom we have today. Dick Tilghman, sure, he could be tough. He is a marine. He is the kind of person that I think we can all say that we are better people because we had the opportunity to serve with Dick Tilghman in the Pennsylvania Senate.

Dick and Diana, best wishes to you.

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

Senator WAGNER. Mr. President, I will be brief.

Senator, it was a pleasure and an honor to serve with you. You have my highest respect, and I know everyone in this Chamber's highest respect. We wish you well in your retirement, and finally, *Semper fi*.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Mr. President, we do talk about heroes today after September 11, but here we had one with us every day. And you know, he would never talk about his role in Iwo Jima, but being on the first wave of Iwo Jima, read the book, "Flags of our Father." It talks about the men involved in raising the flag on Iwo Jima and what they went through. It was not just a couple of days; it went on for week after week after week. I know for a fact he lost his best friend there on Iwo Jima.

Dick, it has been a privilege serving with you. You are an outstanding person. You are a marine's marine. *Semper fi*.

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Lemmond.

Senator LEMMOND. Mr. President, all of us adopt all of those comments which refer to the Senator as our ultimate role model, soft-spoken, firm, strong, generous with his time, with his advice if we sought it, and smart, very smart without being overbearing. His being a tower of strength comes, I am told, naturally to marines, but we do not hear much about it. As so many of the Senators have said, one of the finest nights this year was when a group of us were able to have dinner with Senator Tilghman at Catalano's where he had invited his own role model, his commanding officer in the Marines, who had led him on the beaches at Iwo Jima. Major Gerald Russell joined us and it was fascinating, absolutely fascinating to hear them recount that day, February 19, 1945, when they landed at Iwo Jima and some of the

other Marine stories. I pass this on because that story and the major's story is recounted in a State College magazine published earlier this year called, "Return to Red Beach One." That is what Iwo Jima was, and that is the story of Dick Tilghman and the others. I was delighted to see that even Senator Tilghman had a role model, and he came in the form of his former commanding officer, and I am sure that Dick looks forward to joining the major in being a retired contributor to his community and State.

No one has mentioned two shortfalls that I share with the Senator, that I just mention briefly. One, and it is not a shortfall. You know, we fought it every day of our lives, this hearing thing that happens, but his attempts to fix that have been positive, they have been very ongoing, and if you remember any of the caucuses when the former Governor came in, the first person the Governor would consult would be Senator Tilghman. They would compare their hearing aids and how they were handling it. The Governor's was always bigger, Tilghman's was always better.

But the second thing I shared, because I sat next to him in so many caucuses and watched him so often in his budget hearings, was his lukewarm, at best, feelings for attorneys and judges, well-known to every attorney who ever crossed paths with him. It often showed itself at its fullest at budget time when the Supreme Court would want obviously more than they were entitled to, or that he was prepared to give. It reached its fever pitch, and I enjoyed most his comments when he burst into caucus one day with the ultimate answer, he had them now, it was as though he had won the Super Lottery when he was able to announce I have it now, the judges in city hall have maids. They have maids, and some of them have two maids, and he said, how can we give money, how can we give more money to them? There were furious questions, there were denunciations, and finally it was explained to Senator Tilghman, no, the judges in city hall do not have maids, they are assigned aides, Senator. The last known time that I think that Senator Tilghman changed his hearing aids, and he does well to this day.

I am delighted, Dick, to add my voice to all who congratulate you on your superb service, and we extend, certainly, our warmest personal wishes for all of the years ahead to you and to all of the Tilghmans.

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

Senator GERLACH. Mr. President, I just wanted to, also on a lighter note, relay a sort of personal story as it relates to being on the Committee on Appropriations. One of the things you covet as a new Member of the Senate is getting on one of the really important committees like the Committee on Appropriations or the Committee on Rules and Executives, and certainly, joining the Committee on Appropriations under Senator Tilghman's leadership was a great experience. Sometimes you would get a notice of a meeting coming up very hurriedly and would not have a full opportunity to review everything that was on that agenda before you sat down in the committee room, and inevitably, it would seem that out of the list of bills that were on the committee agenda, and you started going down through that agenda, all of a sudden you found yourself being the moving party to that bill or being the seconding party to that bill, even though you were not sure what the bill was about. And Senator Tilghman had an administrative style, sort of the Tilghman Rules of Order, that

things were going to move along very quickly in that committee meeting for all those who were present, so when you first joined the committee, all of a sudden you were moving a bill that you were not sure what the bill was, or seconding the bill could put you in a little bit different circumstance, but you knew that with the leadership of Senator Tilghman and the great staff work that was done for his committee, that the process was moving forward in an appropriate way and things were getting done. So as one person who had the pleasure of being on your committee for a number of years, thank you for your great leadership and best of luck in your future.

And the question recurring,
Will the Senate adopt the resolution?

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

The PRESIDENT. The Chair would exercise the privilege of asking our dear colleague, Senator Dick Tilghman, to come forth and address his former colleagues. Dick.

(Applause.)

Senator TILGHMAN. Thank you very much. Sometimes when I was in the home district I made the mistake of introducing various people and I want to do it today, but I do not want to make the mistake of not introducing my wife first. My wife, Diana.

(Applause.)

Over the course of 30-odd years, she has been very supportive, very patient, and she is a very good politician in her own right. I had not realized that we had so many photo albums, and she did a magnificent job of finding all those pictures. I would also like, if I might, to introduce my son John who has come up with us today. John.

(Applause.)

To the staff who are here, Secretary Bob Bittenbender was here, Carol and Jill from his staff, and I thank them for being here. I am not going to introduce all the rest of the staff. I could. I could go through name by name, and I know your families and I know your problems, and you know my problems. We have been friends for many, many years. Most on the staff here in Harrisburg, and there are three or four from the home office, we have been good friends. We have worked together for a long time, and it means a lot to me that you are here today and that we are still friends. Thank you for everything you have done for me for so many years. I really appreciate it.

I do not know whether to go through everything I have down here or not, because I know you had a long night last night until 1 o'clock. I thank each one of you for participating in the television show we just saw. Carol Maravic, I do not know whether she is still here or not, but she put it together and I thank her for everything she did for that particular show that we saw.

It is interesting to come back here and talk to you, having retired from the Senate on August 31. I have heard many speeches from various people here on the floor of this Senate who were retiring, and they were looking forward to the future. I have had 3-plus months to realize what an extraordinary group of people you are. You really are, all 50 of you. I look back and I think of various things that have taken place in this Chamber

and in this building and in your home districts, things you have accomplished in your home districts, and I am really proud to have been part of that here in Harrisburg. I thank you for everything you do. You sit here, you are tired today, you are probably going to have another couple of late Sessions on reapportionment, and I appreciate what you are going through. You do a good job, your constituents are lucky to have you here, and I am lucky to have you as friends.

I also want to thank each one of you who participated, Senator Fumo, Senator Wenger, and I cannot go through remembering all, Senator Thompson, who had a nice word to say relative to the resolution, but I am delighted to be with you here today. And I know that as you go through late nights such as last night, you are not paying attention every single second, and sometimes I would sit down and doodle on a piece of paper. When I use that word, I want to let you know that there is such a word in the English dictionary. It means to make a doodle, to produce by doodling, an aimless scribble, design, or sketch, and obviously, if we are talking about a sketch, we have to talk about Senator Ed Holl, who was always sketching. And this is pretty high-tech stuff when you are doodling, sitting in this room. But over the course of time, over the course of years, I have kept some records on some of the things that have gone on. I am not particularly the kind of person who takes all kinds of paper notes and all that type of stuff, but I have kept some records, and I want you to know that I have seen the baby thrown out with the bath water exactly 118 times. I have lived through 97 tempests in a teapot, and I have been repelled by the opening of a can of worms on 113 occasions. Of course, the opening of Pandora's box has occurred on 76 occasions. The tip of the iceberg has floated by 142 times. Unfortunately, for the chickens, we have put the fox in the henhouse so often, it is a wonder that there are any chickens left. And we have locked the stable door after the horse is stolen another 23 times. Will we never learn?

I am indebted to many of those instances and remarks and examples from Senator Dick Snyder. I had the opportunity to go through some of the Senate Journals as to the people who have retired, and one of the largest groups of retirees was in 1984. Senator Henry Hager retired, and he spoke here on the floor; Senator Dick Snyder, whom I thank for some of those remarks I just made; Senator Bob Kusse; Senator T. Milton Street; and Senator Jim Lloyd. They all made remarks relative to the honor of serving in the Senate, and I join them in those remarks. It has been a great time in my life to be up here with you, and I wish each of you very well. As for me, I am proud to live in the land of the free and the home of the brave.

Thank you very much for everything. Goodbye.

(Applause.)

The PRESIDENT. The Chair thanks the gentleman from Montgomery for his most poignant and everlasting remarks. I think all of us are better off for having had the opportunity to serve with you, to know you, to work with you, and to understand that it is the Dick Tilghmans of the world who are out there today protecting our freedom. Thank you, Dick.

LEGISLATIVE LEAVE CANCELLED

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

Senator PICCOLA. Mr. President, I would like to be removed from legislative leave.

The PRESIDENT. You are here, Senator. The Chair notes the presence on the floor of Senator Piccola, and his legislative leave is hereby cancelled.

RECESS

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

Senator PICCOLA. Mr. President, I would like to request a recess of the Senate at this time, first for the purpose of a Republican caucus, and then for the purpose of a meeting of the Committee on Rules and Executive Nominations to be called by the Chair, with the expectation that we will return to the floor around 3:30.

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

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

The PRESIDENT. For purposes of Democratic and Republican caucuses to begin immediately in their respective caucus rooms, and I understand there will be a call for a meeting of the Committee on Rules and Executive Nominations after that, without objection, the Senate will stand in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

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

HB 1402 (Pr. No. 3035) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the definition of "public utility" and for telecommunications services provided to State correctional institutions; and providing for limousine service in counties of the second class.

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-49

Armstrong	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tomlinson
Boscola	Hughes	O'Pake	Wagner
Brightbill	Jubelirer	Orie	Waugh
Conti	Kasunic	Piccola	Wenger

Corman	Kitchen	Punt	White, Donald
Costa	Kukovich	Rhoades	White, Mary Jo
Dent	LaValle	Robbins	Williams, Anthony H.
Earl	Lemmond	Scarnati	Williams, Constance
Erickson	Logan	Schwartz	Wozniak
Fumo	Madigan	Stack	
Gerlach	Mellow	Stout	
Greenleaf	Mowery	Tartaglione	

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.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL ON SECOND CONSIDERATION AND RECOMMITTED

HB 27 (Pr. No. 616) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "salary deductions"; and further providing for member contributions for creditable school service, for contributions for purchase of credit for creditable nonschool service, for incomplete payments, for termination of annuities, for administrative duties of board, for reporting requirements of board, for duties of board regarding applications and elections of members, for duties of employers, for creditable nonstate service, for member contributions for purchase of credit for previous State service or to become a full coverage member, for contributions for the purchase of credit for creditable nonstate service and for duties of heads of departments and for rights and duties of State employees and members.

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

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

RECESS

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

Senator BRIGHTBILL. Mr. President, if we could have a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, which will take probably 5, 10 minutes.

The PRESIDENT. Senator Brightbill requests a brief recess of the Senate for a meeting of the Committee on Rules and Executive Nominations to begin immediately in the Rules room at the rear of the Chamber. For that purpose, without objection, the Senate will stand in recess.

AFTER RECESS

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

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

The SECRETARY. Consent has been given for the Committee on Appropriations to meet imminently in the Rules room to consider House Bill No. 1944.

RECESS

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

Senator BRIGHTBILL. Mr. President, I request a recess for a meeting of the Committee on Appropriations.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to begin immediately in the Rules room at the rear of the Senate, without objection, the Senate will stand in recess.

AFTER RECESS

The PRESIDING OFFICER (Senator Mary Jo White) in the Chair.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

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

HB 1405 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PICCOLA.

BILLS OVER IN ORDER

SB 391, SB 413, SB 1011, SB 1012, SB 1074, SB 1177 and **HB 1408** -- Without objection, the bills were passed over in their order at the request of Senator PICCOLA.

BILL AMENDED

HB 1806 (Pr. No. 2935) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for qualifications of jurors.

On the question,

Will the Senate agree to the bill on third consideration?

Senator PICCOLA offered the following amendment No. A4868:

Amend Title, page 1, line 2, by inserting after "for": costs, for Commonwealth portion of fines, for

Amend Title, page 1, line 3, by removing the period after "jurors" and inserting: and for filling of certain new judgeships.

Amend Sec. 1, page 1, lines 6 and 7, by striking out all of said lines and inserting:

Section 1. Sections 1725.1, 3571(c) and 4502 of Title 42 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1725.1. Costs.

(a) Civil cases.—Subject to subsection (f), the costs to be charged by district justices in every civil case, except as otherwise provided in this section, shall be as follows:

- (1) Actions involving \$500 or less \$30.00
- (2) Actions involving more than \$500 but not more than \$2,000 \$40.00
- (3) Actions involving more than \$2,000 but not more than \$4,000 \$50.00
- (4) Actions involving more than \$4,000 but not more than \$8,000 \$75.00
- (5) Landlord-tenant actions involving less than \$2,000 \$45.00
- (6) Landlord-tenant actions involving more than \$2,000 but not more than \$4,000 \$55.00
- (7) Landlord-tenant actions involving more than \$4,000 but not more than \$8,000 \$75.00
- (8) Order of execution \$22.50
- (9) Objection to levy \$10.00
- (10) Reinstatement of complaint \$ 5.00

Such costs shall include all charges except the costs of a district justice's transcript of every proceeding on appeal or certiorari (including affidavit and certificate) which shall be \$2.50 per transcript. Said costs shall not include, however, the cost of postage and registered mail which shall be borne by the plaintiff.

(a.1) Custody cases.—Except as provided in section 1725(c)(2)(v) (relating to establishment of fees and charges) and subject to subsection (f), in a custody case, the court of common pleas shall, in addition to the cost provided by general rule, assess a cost of \$5.00. Eighty percent of the funds generated by the charge under this subsection shall be transmitted by the prothonotary to the Administrative Office to pay for the implementation of section 1904 (relating to availability of criminal charge information in child custody proceedings).

(b) Criminal cases.—Subject to subsection (f), the costs to be charged by the minor judiciary or by the court of common pleas where appropriate in every criminal case, except as otherwise provided in this section, shall be as follows:

- (1) Summary conviction, except motor vehicle cases \$28.50
- (2) Summary conviction, motor vehicles cases, other than paragraph (3) \$22.50
- (3) Summary conviction, motor vehicle cases, hearing demanded \$27.50
- (4) Misdemeanor \$32.50
- (5) Felony \$37.50

Such costs shall include all charges including the costs of giving a district justice's transcript to the prosecutor or defendant, or both, if requested. Such costs shall not include, however, the cost of postage and registered mail which shall be paid by the defendant upon conviction.

(c) Unclassified costs or charges.—Subject to subsection (f), the costs to be charged by the minor judiciary in the following instances not readily classifiable shall be as follows:

- (1) Entering transcript of judgment from another member of the minor judiciary \$ 5.00
- (2) Marrying each couple, making record thereof, and certificate to the parties \$25.00
- (3) Granting emergency relief pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) \$10.00
- (4) Issuing a search warrant (except as provided in subsection (d)) \$10.00
- (5) Any other issuance not otherwise provided for in this subsection \$10.00

(d) Search warrants.—In every case where a search warrant is requested by a police officer, constable or other peace officer engaged as such in the employ or service of the Commonwealth or any of its political subdivisions, no cost or charge shall be assessed against such officer, the Commonwealth or political subdivision for the issuance of such search warrant.

(e) Fish and boating offenses.—

(1) Except as provided in paragraph (2), any person convicted of a summary offense under Title 30 (relating to fish) shall, in addition to the fine imposed, be sentenced to pay \$10 as costs of the issuing authority which costs shall include all charges including, when called for, the costs of postage and registered or certified mail and the costs of giving a transcript to the prosecutor or defendant, or both, if requested.

(2) here the person charged with a summary offense under Title 30 demands a hearing, the costs of the issuing authority shall be \$15, which costs shall include all charges including the charges specified in paragraph (1).

(f) Annual increase in costs.—Beginning on January 1, 1994, and each January 1 thereafter, the costs under subsections (a), (b) and (c) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for the immediate preceding calendar year which shall be published in the Pennsylvania Bulletin annually by the Supreme Court on or before the preceding November 30. This subsection shall expire January 1, [2001] 2010.

§ 3571. Commonwealth portion of fines, etc.

(c) Costs in district justice proceedings.—

(1) Costs collected by a district justice shall be transmitted monthly to the Commonwealth in amounts as prescribed in subsection (b) and the balance shall be transmitted monthly to the county in which the magisterial district is located. Costs transmitted to the Commonwealth shall be credited to the General Fund. Costs transmitted to the county shall be retained by the county for its use.

(2) Amounts payable to the Commonwealth:

(i) Summary conviction, except motor vehicle cases

cases \$10.00

(ii) Summary conviction, motor vehicle cases other than subparagraph (iii)

..... \$10.00

(iii) Summary conviction, motor vehicle cases, hearing demanded

..... \$10.00

(iv) Misdemeanor

..... \$13.00

(v) Felony

..... \$20.00

(vi) Assumpsit or trespass involving:

(A) \$500 or less

..... \$12.50

(B) More than \$500 but not more than \$2,000

..... \$20.00

(C) More than \$2,000 but not more than \$4,000

..... \$30.00

(D) More than \$4,000 but not more than \$8,000

..... \$50.00

(vii) Landlord-tenant proceeding involving:

(A) \$2,000 or less

..... \$20.00

(B) More than \$2,000 but not more than \$4,000

..... \$25.00

(C) More than \$4,000 but not more than \$8,000

..... \$35.00

(viii) Objection to levy

..... \$ 5.00

(ix) Order of execution

..... \$15.00

(x) Issuing a search warrant (except as provided in section 1725.1(d) (relating to costs))

..... \$ 7.00

(xi) Order of possession

..... \$15.00

(3) In all cases where costs are borne by the county pursuant to section 1725.2 (relating to assumption of summary conviction costs by county), no share of such costs shall be payable to the Commonwealth.

(4) Beginning on January 1, 1994, and each January 1 thereafter, the costs under paragraph (2) shall be increased by the percentage of increase in the Consumer Price Index for Urban Workers for the immediate preceding calendar year which shall be published in the Pennsylvania Bulletin annually by the Supreme Court on or before the preceding November 30. This paragraph shall expire January 1, [2001] 2010.

Amend Bill, page 2, line 19, by striking out all of said line and inserting:
Section 2. Notwithstanding the provisions of section 7(b)(1) and (2)(i) of the act of December 20, 2000 (P.L.742, No.105), entitled "An act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsyl-

vania Consolidated Statutes, further providing for the number of judges of the courts of common pleas in certain judicial districts; providing for reimbursement for common pleas court costs and for judgment by confession filed against incorrectly identified debtors; further providing for county judicial center or courthouse, for composition of investigating grand jury and for confidential communications with sexual assault counselors; providing for confidential communications to crime stopper or similar anticrime program; and further providing for exemption from attachment of retirement funds and accounts," the new judgeships authorized by 42 Pa.C.S. § 911(a) and initially filled by election at the 2001 municipal election shall be created on January 7, 2002.

Section 3. This act shall take effect immediately.

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

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

SECOND CONSIDERATION CALENDAR

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

HB 453 (Pr. No. 3034) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for eligibility for paralyzed veteran's pension.

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

BILL OVER IN ORDER

HB 1830 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

BILL ON SECOND CONSIDERATION

HB 209 (Pr. No. 1872) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a program to assist public and private institutions of higher education to install sprinkler systems in dormitories.

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

BILLS OVER IN ORDER

SB 460 and SB 462 -- Without objection, the bills were passed over in their order at the request of Senator PICCOLA.

BILL ON SECOND CONSIDERATION

HB 476 (Pr. No. 2189) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for membership of an advisory committee.

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

BILLS OVER IN ORDER

SB 533 and SB 587 -- Without objection, the bills were passed over in their order at the request of Senator PICCOLA.

BILL ON SECOND CONSIDERATION

SB 656 (Pr. No. 1574) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for definitions; defining the offense of unlawful access to information; and further providing for unlawful use of computer and for bases of personal jurisdiction over persons outside this Commonwealth.

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

BILL OVER IN ORDER

HB 1333 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

REPORTS FROM COMMITTEES

Senator THOMPSON, from the Committee on Appropriations, reported the following bill:

HB 1944 (Pr. No. 3070) (Amended) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, authorizing municipalities to deny issuing permits, variances, licenses or other approvals to persons who are delinquent in tax payments or are in violation of certain codes, statutes or regulations; codifying provisions on taxation and fiscal affairs for cities of the first class; making repeals; and providing for funds for specified fines and penalties.

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

SB 216 (Pr. No. 1617) (Amended) (Rereported) (*Concurrence*)

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for limitations on asbestos-related liabilities relating to certain mergers or consolidations; and further providing for certain statutes of limitations and for certain transfers.

SB 696 (Pr. No. 1618) (Amended) (Rereported) (*Concurrence*)

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, defining "environmental media"; and providing for certain notification when there are releases from storage tanks.

SB 837 (Pr. No. 1619) (Amended) (Rereported) (*Concurrence*)

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for payment of certain claims from the Underground Storage Tank Indemnification Fund; and for Underground Storage Tank Environmental Cleanup Program.

HB 1633 (Pr. No. 3033) (Rereported) (*Concurrence*)

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease."

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 216 (Pr. No. 1617) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for limitations on asbestos-related liabilities relating to certain mergers or consolidations; and further providing for certain statutes of limitations and for certain transfers.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 216?

Senator PICCOLA. Madam President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 216.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Madam President, an amendment that was put into Senate Bill No. 216 in the Committee on Rules and Executive Nominations is an amendment that will help the company Crown Cork & Seal, an international company with its world headquarters located in Philadelphia, about 5 minutes from my district. Crown Cork & Seal is a company that makes cans and bottles and bottle caps. It has a thousand employees and a payroll of about \$47 million, pays local taxes and State taxes of about \$4 million, and besides that it does about a billion dollars'

worth of business in the State of Pennsylvania with other Pennsylvania companies. So, its financial impact on this State is very, very important, and at a time when we are losing more and more jobs and at a time when we are losing good, family-sustaining jobs, and at a time when we are losing manufacturing jobs, this company is critically important to the financial welfare of many, many families in my district.

But something has happened to them. They have been under siege by litigants and lawyers from Texas and Mississippi, and they are now paying to the tune of about \$100 million a year in litigation and claims to people who have asbestos claims against Crown Cork & Seal.

Now, the thing that aggrieves me about that is that Crown Cork & Seal does not and never has made asbestos or used asbestos in its products. It did, however, in 1963 acquire a bottle cap company that had an asbestos division, but within 90 days sold off that division and relieved itself of that business. Because of that and an investment of about \$6 million, they now have paid out almost \$300 million in claims in Texas and Mississippi. What that has done to this company is destroyed its bond rating. Its bond rating is now junk-rate bonds, it is having difficulty borrowing money, and that has impacted on the company very, very severely. I think it is important that we try to protect Pennsylvania jobs and a Pennsylvania company against out-of-State litigants when they do not even have asbestosis. Not one of the claimants has been found to be sick or have asbestosis, and the company does not make asbestos. So, what we have done here is tried to limit the liability of the company to the amount that it paid for the subsidiary that it bought in 1963, and that is about \$6 million.

Madam President, it does not make any sense to me to have an 80-year-old litigant in Mississippi who does not have asbestosis get an award of \$25 million from a company that did not make asbestos. Yet, I have a retired couple in my district who worked all their life, raised a family, they have now retired, they have done everything right, they have saved their money, and now they are looking at losing their pension, and they certainly have looked at the stock they bought from a company that they worked for all their life go from \$45 to \$50 a share down to about \$1.50 a share.

It makes no sense to me that I have people who are 55 years of age working in Bensalem, Philadelphia, Wilkes-Barre, Connellsville, working and giving a lot of their life to this company who are now not sure they are going to have a job, when a 55-year-old litigant in Mississippi gets a \$25 million award. What we are doing is transferring money from a company that makes bottles and cans to people in Mississippi and Texas who do not have asbestosis. Yet, I have workers who are working for a company who are worried about their jobs, who are worried about their futures, who are worried about their retirements, and who are worried about their pensions.

So, Madam President, I ask that we adopt Senate Bill No. 216 with the amendment that Senator Conti put into it in the Committee on Rules and Executive Nominations, and I ask for the Members' support on this issue.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I also rise in support of Senate Bill No. 216. I rise today to discuss legislation that will have an important impact on Pennsylvania public policy. It should be a basic governmental interest to make sure our corporate merger laws do not unfairly expose innocent companies to ruin solely because of a merger.

It is now evident that as an unforeseen consequence of mergers that happened in the past, Pennsylvania corporations that never themselves produced, sold, or installed asbestos products may become subject to asbestos-related liabilities. Similarly, the amount of assets fairly available to satisfy those asbestos-related liabilities may have become unfairly and unjustly enlarged. There is an unprecedented avalanche of asbestos-related claims made in the United States today. What has been described by the U.S. Supreme Court as an elephantine mess that the court has called out for legislative solutions. In view of this historically unprecedented situation, it is an essential governmental interest and matter of public policy that the amount of assets available to satisfy asbestos-related claims be fairly limited to the value of assets of the person or company that actually caused the damage through the production, sale, or installation of asbestos.

What this all boils down to is really an issue of fairness. That is the goal of this legislation, to achieve some measure of fairness for Pennsylvania companies like Crown Cork & Seal. Now, I believe many of you are familiar with the problems that Crown Cork & Seal is facing, but I want to provide a brief summary to put this issue into perspective.

Crown Cork & Seal, a solid Pennsylvania company that employs 1,000 Pennsylvania residents and contributes close to \$1 billion to the State economy, is teetering on the brink of bankruptcy. It is in this predicament, in large part, because of an avalanche of asbestos-related lawsuits the company faces, hundreds of thousands of lawsuits amounting to hundreds of millions of dollars in claims. Crown Cork & Seal faces these lawsuits and this dire financial situation despite the fact the company never manufactured, sold, or installed a single asbestos-containing product, not a single asbestos product in the company's 100 year history.

The origins of this problem began some 40 years ago when Crown Cork & Seal, a manufacturer of bottle caps and beverage and food containers, was seeking to expand its operations. As part of that effort, it acquired a stock interest in Mundet Cork Company, a manufacturer of cork-lined bottle caps, called crown corks, that were first invented in the 1800s by Crown Cork & Seal's founder. A small division of Mundet, prior to any Crown involvement with the company, had at one time manufactured cork and asbestos insulation. However, those asbestos manufacturing operations were shut down before any Crown involvement with Mundet. In addition, what was left of that insulation division was sold off to another company within 93 days of Crown's first stock interest in Mundet, and 2 years later the remainder of Mundet was merged into Crown.

Now Crown's very existence is threatened, the result of an avalanche of lawsuits against the company for a product it never produced or sold. Today, we have a chance to restore fairness for companies like Crown Cork & Seal. We have in this amendment a fair and equitable solution. One section of the amendment limits its liability inherited solely because of the merger law to the total

value of the assets of the merged company that was actually in the asbestos business. And in an independent section, the amendment places the assets of a Pennsylvania corporation that exceed that total value beyond the reach of claimants. The amendment eliminates what is essentially a windfall to claimants, a windfall that is destroying innocent corporations and innocent working people's jobs.

The amendment to Title 15 that will become law as part of Senate Bill No. 216 is substantively the same as the amendment to section 7104 of Title 42 in Senate Bill No. 818, with revisions to certain terms to conform with the definitions in Title 15.

Now, I know many of my colleagues are concerned about insuring that individuals injured by asbestos receive just compensation, but it should be those companies that were actually involved in the production and installation of asbestos that should bear the cost of compensating individuals exposed to asbestos and suffering health problems. Crown Cork & Seal is not one of those companies. Beyond that fact, there are typically dozens, if not hundreds, of companies named in asbestos lawsuits. Do not let anyone fool you by saying that these people will not be compensated. I think it is clear they will. More importantly, they will be compensated by the companies that actually bear some responsibility.

I have also heard arguments against the bill that say it will only apply to Pennsylvania claimants. That is plain wrong. This bill will apply to out-of-State claimants in out-of-State courts. Yes, in the case of Crown Cork & Seal, claims against Mundet will continue to be filed in out-of-State courts, and each court will use its own State liability law to determine the impact that Mundet's products had on claimants. However, each out-of-State court will have to look to Pennsylvania corporate law to determine the extent which Crown, as a successor by merger, is responsible for Mundet's liability.

Pennsylvania public policy should insure that domestic corporations like Crown Cork & Seal that engage in a merger do not become the subject of unfair, unjustifiable, and unprecedented liability solely as a result of the merger.

This legislation also provides protections for working families and retirees. Specifically, the legislation states that the provisions shall not apply to insurance companies, workers' compensation benefits, collective bargaining agreements, or obligations arising under the National Labor Relations Act. These protections, as well as a significant number of Pennsylvania jobs this bill will save, are why so many labor unions are backing this legislation. The International Association of Machinists and Aerospace Workers, the Teamsters, and the Seafarers International Union, as well as other local Pennsylvania unions, are all supporting this bill. It is not often that Pennsylvania's business community and labor unions join together in support of an issue such as this. When they do, I think it is important to take notice.

Today, we have the opportunity to make a significant statement in terms of Pennsylvania public policy. By voting "yes," you can ensure that a major Pennsylvania company like Crown Cork & Seal is treated equitably, and that jobs will be protected for our Pennsylvania citizens and families.

Thank you, Madam President.

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

Senator WAUGH. Madam President, the legislation before us today, Senate Bill No. 216, is legislation that I support. I rise today to just make a few comments for the record on the proposal. It has obviously been here for quite some time in the General Assembly and been identified, as the two speakers before me so eloquently pointed out, as the Crown Cork & Seal legislation.

I would like to, first of all, just say for the record, make no mistake, this legislation does affect some 150 to 200 jobs in the legislative district that I represent. In Hanover, there is a Crown Cork & Seal plant. But I would like to just say to the Members briefly that there is really more to this legislation than just the jobs that we have heard about. Before you make your decision, please consider the subject, and that subject is asbestos litigation. Under the history and future of asbestos-related litigation in the United States, asbestos claims have been going on for nearly a generation, Madam President. Tens of thousands of claims are filed each year by a relatively small number of "specialized," quote, unquote, law firms. It has been said that the asbestos attorneys, as they are called, file claims using a shotgun approach. This method of naming claimants is that they list every possible manufacturer of asbestos products or a parent corporation that may have been the cause of harm to their clients. After a court finds liability or the company is ready or agrees to settle the lawsuit, the lawyers simply go after the deepest pockets to satisfy that judgment.

Over the years, the list of defendants with a direct relationship to asbestos manufacturing and installation has really been shrinking. Corporations named as defendants in these suits have been falling into bankruptcy, quite frankly. When one of the big guys falls, their pockets are finally empty, the asbestos attorneys focus their efforts on the next biggest, and then the next, and then the next. Right or wrong, that is just the way the game is played in asbestos litigation. Since 1982, 28 national companies have declared or been involved in bankruptcy because of asbestos-related claims. Among those corporations that have fallen in just the past year alone, Owens Corning International, W. R. Grace Company, Babcock and Wilcox Company, Armstrong World Industries, and G-I Holdings. All of these corporations have sought bankruptcy protection because of liabilities from claims for asbestos-containing products that they stopped using decades ago. The fact is, more than 40,000 asbestos-related cases are filed each year; 40,000 asbestos-related cases are filed each year. Even more startling, 1,200 companies have been drawn into asbestos litigation so far. Even though asbestos has not been used since the mid-1970s, insurance experts believe that claims will continue to be filed until the year 2050. By then the tab for asbestos-related claims is expected to hit \$200 billion in compensation and punitive damage payments. Madam President, that is equivalent to the budget of the Commonwealth of Pennsylvania for 10 full years.

A recent study conducted by the Rand Corporation's Institute for Civil Justice predicts that all of the remaining asbestos manufacturers will be driven into bankruptcy within the next 2 years alone. The study goes on to predict that when the companies that actually caused the harm all go under, asbestos attorneys will file claims against a whole new list of targets, including oil refining businesses, retailers, automobile manufacturers and distributors of automobiles, textile manufacturers, and other businesses, busi-

nesses that had little or absolutely no relationship to asbestos products or asbestos industries.

I ask the Members of this body to look to their own senatorial districts. Think about it. Consider whether you have a company, a manufacturer, a retailer, a refinery that could be named as a defendant in an asbestos-related claim sometime in the near future. According to the Rand Corporation study, every Senate Member likely does, and in my case, as I pointed out earlier, there are more than 150 employees of the Crown Cork & Seal Company in York County. I am deeply concerned about those workers, and I am concerned about the futures for their families. I have received a number of letters, phone calls, and faxes from them over the last several weeks. I would like to give you one example. This one constituent wrote to me with his perspective. His sentiments were echoed time and time again in the messages I received. Here is what he wrote: quote, "The company I work for was in the wrong place at the wrong time. They are getting hammered 40 years after the temporary ownership of an asbestos-producing company, even though they never even produced asbestos, and now we are being pushed to the brink of financial ruin by lawsuits," unquote. They have families, homes, hopes for the future that may well ride on the passage of this bill.

Make no mistake, Madam President, I support Senate Bill No. 216 for the jobs, the constituents that I have just alluded to, but any legislation, in my book at least, that we pass here really has to be fundamentally fair, and that was mentioned earlier by Senator Stack. Senate Bill No. 216 is fair. I doubt that there is anyone who would stand on this Senate floor today and argue that persons afflicted with asbestosis or a malignant cancer of some type related to asbestos inhalation should not be compensated for their injury. There is no one in this Senate who would say compensation is not due if you have that type of an injury. Certainly, they should receive compensation. They have been harmed, they should be allowed to go after the companies that manufactured and installed asbestos products and be permitted to extract a fair, a fair amount of compensation for the harm done to them.

Madam President, that is exactly what the legislation before us today does. It does nothing to stop a person suffering from an asbestos-related injury from going after the ones who are responsible for causing the harm. This legislation is about ensuring that the list of potential or possible defendants in these lawsuits only includes the ones that have actually done harm. Today that list of defendants includes a company that is headquartered in Pennsylvania, with employees in my senatorial district. It is a company that never, ever manufactured or installed an asbestos product in all the years of its operation. Today it is Crown Cork & Seal. If the Rand Corporation study is to be believed, in the not-too-distant future that hit list of named defendants and asbestos-related claims will possibly include a company in the senatorial district that you represent, with employees that you serve as constituents.

I urge your support of this legislation this evening. Thank you, Madam President, for the time.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, will Senator Tomlinson submit to interrogation.

Senator TOMLINSON. Yes, Madam President.

Senator RHOADES. Madam President, will this amendment affect anthracosilicosis or any black lung claims?

Senator TOMLINSON. Madam President, no, it will not. In fact, as Senator Waugh and Senator Stack have stated, it will not affect those even with asbestosis claims, so it will not affect black lung.

Senator RHOADES. Madam President, it affects no present, no future black lung claims?

Senator TOMLINSON. No, Madam President.

Senator RHOADES. Madam President, and it is not intended to limit anthracosilicosis or black lung claims?

Senator TOMLINSON. Madam President, that is true; it is not intended to limit that.

Senator RHOADES. Thank you, Madam President.

POINT OF ORDER

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I rise to ask the Chair for a ruling under Senate Rule XXI, section 2. As a partner in a law firm that represents Crown Cork & Seal, is it appropriate for me to vote on this bill, or should I recuse myself?

The PRESIDING OFFICER. The Senator has requested a ruling from the Chair as to whether he is required to vote on the motion. He cites his membership in a law firm that is involved in the matter. The rules require that a Member not voting have a direct pecuniary interest in the outcome of the matter before this body. We find that as an attorney, Senator Stack is a member of a class and has, at best, if any interest, an indirect pecuniary interest, and it is the ruling of the Chair that you are required to vote on the motion.

Senator STACK. Thank you, Madam President.

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

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

YEA-44

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

NAY-5

Earll	Orie	Tartaglione	Williams, Constance
Helfrick			

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

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

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 696 (Pr. No. 1618) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, defining "environmental media"; and providing for certain notification when there are releases from storage tanks.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 696?

Senator PICCOLA. Madam President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 696.

On the question,

Will the Senate agree to the motion?

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

YEA-49

Table listing names of Senators who voted 'YEA' for SB 696, including Armstrong, Bodack, Boscola, Brightbill, Conti, Corman, Costa, Dent, Earll, Erickson, Fumo, Gerlach, Greenleaf, Helfrick, Hohl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Logan, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Ori, Piccola, Punt, Rhoades, Robbins, Scarnati, Schwartz, Stack, Stout, Tartaglione, Thompson, Tomlinson, Wagner, Waugh, Wenger, White, Donald, White, Mary Jo, Williams, Anthony H., Williams, Constance, and Wozniak.

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 837 (Pr. No. 1619) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for payment of certain claims from the Underground Storage Tank Indemnification Fund; and for Underground Storage Tank Environmental Cleanup Program.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 837?

Senator PICCOLA. Madam President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 837.

On the question,

Will the Senate agree to the motion?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator Conti.

Senator CONTI. Madam President, I rise seeking support for concurrence in the amendments to Senate Bill No. 837. This is a very important issue, and the bill we just voted addressed the MTBE issue, which for those of us who have spent 11 glorious years living in the ozone transport zone and living with reformulated gas, we have quite a pollution problem, and these two bills as a package go a long way in public notification and also increases the Underground Storage Tank Indemnification Fund. I thank the Chair for her role as chairman of the committee, and also my colleague from Luzerne County for the previous piece of legislation, because this is a very important package to all of us in these areas of Pennsylvania, and I respectfully seek your support.

Thank you.

And the question recurring,

Will the Senate agree to the motion?

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

YEA-49

Table listing names of Senators who voted 'YEA' for SB 837, including Armstrong, Bodack, Boscola, Brightbill, Conti, Corman, Costa, Dent, Earll, Erickson, Fumo, Gerlach, Greenleaf, Helfrick, Hohl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Logan, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Ori, Piccola, Punt, Rhoades, Robbins, Scarnati, Schwartz, Stack, Stout, Tartaglione, Thompson, Tomlinson, Wagner, Waugh, Wenger, White, Donald, White, Mary Jo, Williams, Anthony H., Williams, Constance, and Wozniak.

NAY-0

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

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

HB 1405 CALLED UP

HB 1405 (Pr. No. 3045) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PICCOLA.

BILL REREPORTED FROM COMMITTEE
AS AMENDED, AMENDED

HB 1405 (Pr. No. 3045) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for classification of counties, for expenses of elected county officers attending the annual meetings of their associations, for other meeting expenses paid by the counties, for reports and for preparation and filing of proposed budget; and making editorial changes.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MADIGAN offered the following amendment No. A4899:

Amend Title, page 1, line 12, by inserting after "COUNTIES,": for filling of vacancies,

Amend Bill, page 5, by inserting between lines 27 and 28:

Section 3.1. Section 1404 of the act is amended to read:

Section 1404. Filling of Vacancies.—(a) If any vacancy shall occur in the office of district attorney, in a county of the third class either by death, resignation, removal from office or from the county, or otherwise, the judges of the court of common pleas shall supply such vacancy by the appointment of a competent person to fill the office during the balance of the unexpired term.

(b) If any vacancy shall occur in the office of district attorney in a county of the fourth through eighth class, the first assistant district attorney shall become district attorney and discharge the duties of the district attorney until the first Monday in January following the next municipal election occurring not less than ninety days after the occurrence of the vacancy. If the first assistant district attorney is unwilling or unable to serve, the judges of the court of common pleas shall fill the vacancy by the appointment of a competent person to fill the office until the first Monday in January following the next municipal election occurring not less than ninety days after the occurrence of the vacancy.

On the question,

Will the Senate agree to the amendment?

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

YEA-48

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

NAY-1

White, Mary Jo

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

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

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 4

BILLS ON SECOND CONSIDERATION

SB 955 (Pr. No. 1584) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for vaccination against meningococcal disease for students at institutions of higher education and for duties of the Department of Health.

Considered the second time and agreed to,

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

SB 1240 (Pr. No. 1607) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1995 (P.L.170, No.25), entitled "An act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals," further providing for the definitions of "district register," "general register," "qualified elector," "registrant," "registration records" and "Statewide Uniform Registry of Electors" or "SURE system," for departmental responsibilities, for commissions, for legislative intent, for establishment of SURE system, for qualifications to register, for in-person voter registration, for application with driver's license application, for application by mail, for time, for preparation and distribution of applications, for approval of registration applications, for general register, for district registers, for street lists, for public information lists, for retention of records, for removal notices, for transfer of registration, for court of common pleas, for registration, for votes, for official documents, for law enforcement assistance, for preventing registration, for approval of registration, for power of department, for removal of voters and for files; and providing for SURE system costs, for SURE registration number and for conversion of registration records.

Considered the second time and agreed to,

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

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
GAME COMMISSION

September 25, 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, John J. Riley (District 7), R.R. 1, Box

587, Scotrun 18355, Monroe County, Twenty-ninth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve until June 9, 2006, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice George J. Venesky, Mountaintop, commission revoked.

THOMAS J. RIDGE
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

October 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, Joseph L. French, Ed.D., 544 Kemmerer Road, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment 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.

Mark S. Schweiker
Governor

NOMINATIONS LAID ON THE TABLE

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

The PRESIDING OFFICER. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

Senator ROBBINS. Madam President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

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

November 8, 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, Melissa K. Kratz, RN, MSN, AOCN, 1345 Nace Road, Pennsburg 18073, Bucks County, Tenth Senatorial District, for appointment as a member of the Pennsylvania Cancer Con-

trol, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified, vice Karen Robinson, Allegheny, whose term expired.

Mark S. Schweiker
Governor

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

November 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, Robert L. Traynham, II, 713 Yeadon Avenue, Yeadon 19050, Delaware County, Eighth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified, vice Marc D. Kramer, Downingtown, whose term expired.

Mark S. Schweiker
Governor

MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD

November 14, 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, Andrew J. Behnke, M.D., 3415 Ridgewood Drive, Hermitage 16148, Mercer County, Fiftieth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lauren P. Argenio, D.O., West Pittston, whose term expired.

Mark S. Schweiker
Governor

MEMBER OF THE HEALTH POLICY BOARD

November 8, 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, Paul H. Boehringer, M.B.A., 1017 Gypsy Hill Road, Lower Gwynedd 19002, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Thomas McLoughlin, Erie, resigned.

Mark S. Schweiker
Governor

MEMBER OF THE HEALTH POLICY BOARD

November 8, 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, Joseph G. Mraz, 121 Silver Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Charles W. Pruitt, Jr., deceased.

Mark S. Schweiker
Governor

**COMMONWEALTH TRUSTEE OF LINCOLN
UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION**

October 9, 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, Craig Lincoln Tucker, 304 East Marshall Street, Apartment #812, West Chester, 19380, Chester County, Nineteenth Senatorial District, for appointment as a Commonwealth Trustee of Lincoln University of Pennsylvania of the Commonwealth System of Higher Education, to serve until August 31, 2003, and until his successor is appointed and qualified, vice William A. Robinson, Harrisburg, resigned.

Mark S. Schweiker
Governor

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

October 5, 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, Melanie A. Wennick, 6507 Chambersburg Road, Fayetteville 17222, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE
Governor

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

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

YEA-49

Armstrong	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tomlinson
Boscola	Hughes	O'Pake	Wagner
Brightbill	Jubelirer	Orie	Waugh
Conti	Kasunic	Piccola	Wenger
Corman	Kitchen	Punt	White, Donald

Costa	Kukovich	Rhoades	White, Mary Jo
Dent	LaValle	Robbins	Williams, Anthony H.
Earll	Lemmond	Scarnati	Williams, Constance
Erickson	Logan	Schwartz	Wozniak
Fumo	Madigan	Stack	
Gerlach	Mellow	Stout	
Greenleaf	Mowery	Tartaglione	

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Madam President, I move that the Executive Session do now rise.
The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
DISCHARGE PETITIONS**

The PRESIDING OFFICER laid before the Senate the following communications, which were read by the Clerk as follows:
December 11, 2001

A PETITION

To place before the Senate the nomination of Rebecca A. Clark, as Treasurer, Bradford 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 Rebecca A. Clark, as Treasurer, Bradford 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
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

December 11, 2001

A PETITION

To place before the Senate the nomination of John L. Perry, as Sheriff, Tioga 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 John L. Perry, as Sheriff, Tioga 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
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

December 11, 2001

A PETITION

To place before the Senate the nomination of Joel S. Noumoff, M.D., as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Joel S. Noumoff, M.D., as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

December 11, 2001

A PETITION

To place before the Senate the nomination of Marlo A. Merhige, as Controller, Monroe 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 Marlo A. Merhige, as Controller, Monroe 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
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

December 11, 2001

A PETITION

To place before the Senate the nomination of William F. Young, III, as Coroner, Butler 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 William F. Young, III, as Coroner, Butler 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
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

December 11, 2001

A PETITION

To place before the Senate the nomination of John J. Riley, as a member of the Pennsylvania Game Commission.

TO: The President Officer of the Senate:

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

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

December 11, 2001

A PETITION

To place before the Senate the nomination of Kelly Powell Logan, as Secretary, General Services.

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 Kelly Powell Logan, as Secretary, General Services, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

December 11, 2001

A PETITION

To place before the Senate the nomination of Kenneth G. Sauley, as Sheriff, Potter 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 Kenneth G. Sauley, as Sheriff, Potter 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
Michael A. O'Pake
Jack Wagner
Richard A. Kasunic
J. Barry Stout
Vincent J. Fumo

The PRESIDING OFFICER. The communications will be laid on the table.

CONGRATULATORY RESOLUTIONS

The PRESIDING OFFICER laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Mr. and Mrs. Jerry Michael and to Mr. and Mrs. Ivan Saylor by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Lester J. Ayres, Mr. and Mrs. Michael J. Blum and to Florence Piatkowski by Senator Bodack.

Congratulations of the Senate were extended to Edward Boksan by Senator Boscola.

Congratulations of the Senate were extended to Sigrid Angelika Daubert by Senators Brightbill and Wenger.

Congratulations of the Senate were extended to Charles A. Farrell by Senator Corman.

Congratulations of the Senate were extended to Bayfront Center for Maritime Studies of Erie and to the Erie County Office of Drug and Alcohol Abuse by Senator Earll.

Congratulations of the Senate were extended to Steven Marcinek by Senator Helfrick.

Congratulations of the Senate were extended to Mr. and Mrs. Philip Shebby and to Vera M. Sindoni by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Dean Hauser, Mr. and Mrs. Donald L. Strayer, Mr. and Mrs. Elmer L. Ulmer, Mr. and Mrs. Charles E. Fetterhoof, Mr. and Mrs. Charles Seth Chamberlain, Mr. and Mrs. Carmon O. Flynn, Sr., Mr. and Mrs. Leroy Davis, Mr. and Mrs. Charles B. Brass, Mr. and Mrs. Harrison F. Aderhold, Mr. and Mrs. Raymond McFadden and to Mr. and Mrs. Frank L. Smith by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. Armond Brunori by Senator Mellow.

Congratulations of the Senate were extended to Michael Cheberenchick, David Calabria and to Kathleen S. Anderson by Senator Murphy.

Congratulations of the Senate were extended to William Berkoben by Senator O'Pake and others.

Congratulations of the Senate were extended to Dr. Paul Black by Senator Orie.

Congratulations of the Senate were extended to Sara C. Sneeringer by Senator Punt.

Congratulations of the Senate were extended to Brent Semmel by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Frank Lerner by Senator D. White.

Congratulations of the Senate were extended to Ray Peel by Senator Wozniak.

CONDOLENCE RESOLUTIONS

The PRESIDING OFFICER laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the families of the victims of United Airlines Flight 93, the late Lorraine Bay, the late Sandra Bradshaw, the late Jason Dahl, the late Wanda Green, the late LeRoy Homer, the late CeeCee Lyles, the late

Deborah Welsh, the late Christian Adams, the late Todd Beamer, the late Alan Beaven, the late Mark Bingham, the late Deora Bodley, the late Marion Britton, the late Thomas E. Burnett, Jr., the late William Cashman, the late Georgine Rose Corrigan, the late Joseph DeLuca, the late Patrick Driscoll, the late Edward Felt, the late Colleen Fraser, the late Andrew Garcia, the late Jeremy Glick, the late Kristin Gould, the late Lauren Grandcolas, the late Donald Greene, the late Linda Gronlund, the late Richard Guadagno, the late Toshiya Kuge, the late Hilda Marcin, the late Waleska Martinez, the late Nicole Miller, the late Louis Nacke, the late Donald A. Peterson, the late Jean Hoadley Peterson, the late Mark Rothenberg, the late Christine Snyder, the late John Talignani, the late Honor Elizabeth Wainio and to the family of the late Oliver J. Price by Senator Orie.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

SB 315, SB 1048, SB 1223, SB 1244, HB 227, HB 344, HB 1360 and HB 1363.

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 820**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, DECEMBER 12, 2001

10:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 457, 1225 and 1249; and House Bill No. 1758)	Room 461 Main Capitol
10:45 A.M.	APPROPRIATIONS (to consider House Bill No. 27)	Rules Cmte. Conf. Rm.
10:50 A.M.	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 607 and 818; and certain executive nominations)	Rules Cmte. Conf. Rm.

ADJOURNMENT

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

Senator PICCOLA. Madam President, I move that the Senate do now adjourn until Wednesday, December 12, 2001, at 11 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 6:15 p.m., Eastern Standard Time.