

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, NOVEMBER 18, 2003

SESSION OF 2003 187TH OF THE GENERAL ASSEMBLY

No. 74

SENATE

TUESDAY, November 18, 2003

The Senate met at 1 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the Chair.

PRAYER

The Chaplain, Reverend KENT BELL, of Bethel Life Church, Greenville, offered the following prayer:

Shall we pray.

We come to You today, Eternal Father, God of all creation, with a heart of thanksgiving, thankful, Father, for the gift of life and the privilege to live in a nation as great as the United States of America.

Father, today we pray for the safety of those who serve in our Armed Forces and for the families of those who have paid the ultimate price for the freedom we enjoy. We come to You today with a heart of humility, for Your word declares that God opposes the proud, but gives grace to the humble. We pray today, Father God, for Your blessing upon the public servants and leaders of the State of Pennsylvania.

Father, as our Senate prepares for Session, I ask that You grant them, as our leaders, the wisdom and knowledge that comes from above, the wisdom that is first of all pure, peaceable, considerate, impartial, and sincere. Father, as servants, grant them a discerning heart to govern Your people and to distinguish between right and wrong.

Father, now I pray that Your gentleness be evident to all and that the peace of God which transcends all understanding guide our hearts and our minds. This we pray in the name above all names. Amen.

The PRESIDENT. The Chair thanks Reverend Bell and his lovely spouse, who are the guests today of Senator Robbins. Thank you very much.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 17, 2003.

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 AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 786**.

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

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

Weekly adjournment.

BILLS REPORTED FROM COMMITTEES

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

SB 940 (Pr. No. 1277) (Amended)

An Act providing for intergovernmental cooperation in cities of the second class; establishing an intergovernmental authority; providing for financing, for bankruptcy and for sovereign immunity; and making an appropriation.

HB 176 (Pr. No. 2785)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for State real estate transfer tax determination and for imposition of local real estate transfer tax; providing for rules and regulation, documentary stamps, collection agent, disbursements, proceeds of judicial sale, failure to affix stamps, determination and notice of tax and review, lien, refunds and penalties related to local real estate transfer tax; and making repeals.

HB 545 (Pr. No. 2916) (Amended)

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, changing vesting rights.

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

SB 936 (Pr. No. 1250)

An Act providing for the Pennsylvania Amber Alert System; authorizing and directing the Pennsylvania State Police to establish and maintain the Pennsylvania Amber Alert System; assessing costs; and providing for immunity and penalties.

SB 965 (Pr. No. 1271)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for when sales may be made at Pennsylvania Liquor Stores, for sales by Pennsylvania Liquor Stores, for authority to issue liquor licenses to hotels, restaurants and clubs, for issuance of hotel, restaurant and club liquor licenses, for secondary service area, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for prohibitions against the grant of licenses, for renewal of licenses, for temporary provisions for licensees in armed service, unlawful acts relative to liquor, malt and brewed beverages and licensees, for prohibitions against the grant of licenses and for limited wineries.

HB 1279 (Pr. No. 2915) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for wine marketing, for sales on Saint Patrick's Day and for wine purchased for consumption at a restaurant.

LEGISLATIVE LEAVES

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

Senator BRIGHTBILL. Madam President, I ask for temporary Capitol leaves for Senator Mowery and Senator Thompson.

The PRESIDENT. Senator Brightbill requests temporary Capitol leaves for Senator Mowery and Senator Thompson. Without objection, the leaves will be granted.

The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNAK. Madam President, I ask for legislative leaves for Senator Stout and Senator Tartaglione.

The PRESIDENT. Senator Wozniak requests legislative leaves for Senator Stout and Senator Tartaglione. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

Senator PIPPY remains on military leave pursuant to Senate Rule XXI(3).

SENATE RESOLUTION ADOPTED

Senators ORIE, KUKOVICH, KITCHEN, WAGNER, SCHWARTZ, WENGER, WONDERLING, ERICKSON, TARTAGLIONE, M. WHITE, THOMPSON, CONTI, ARMSTRONG, COSTA, BRIGHTBILL, O'PAKE, A. WILLIAMS RAFFERTY, SCARNATI and GREENLEAF, by unanimous consent, offered **Senate Resolution No. 180**, entitled:

A Resolution designating November 18, 2003, as "Prematurity Awareness Day" in Pennsylvania and encouraging efforts to fund research and programs to find the causes of prematurity.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Madam President, I am introducing this resolution to designate today, November 18, as Prematurity Awareness Day. The main reason for the introduction is to point out the seriousness of prematurity, which is the leading cause of newborn death. Premature delivery can happen to any woman, and almost half of premature births occur for unknown reasons. As tragic as the death of a newborn is, it is also tragic to discover that premature babies may suffer chronic ill health and may be subject to developmental disabilities. It is evident that premature births place both emotional and economic strains on the family and lead to increased costs for health care. The organization in which I have been deeply engaged, caring for the health and well-being of America's children for the past 65 years, is the March of Dimes. The March of Dimes is now taking on a new challenge, the issue of prematurity. We recognize the good work of the March of Dimes, and we look forward to its involvement and research in the causes of prematurity.

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

Senator ORIE. Madam President, may I also ask that the Senate recognize in the gallery the co-chair of the prematurity campaign, Dr. Jay Greenspan, the State board chair, Lyle Neal, and from the National Office of Volunteers, Harris Brooks and Susan Elder. There are 20 adult volunteers and a contingency of 50 youth volunteers from the March of Dimes who are seated in the gallery. I must tell you that I was extremely impressed with these young people, whom I met this morning. Their knowledge of the subject matter and their enthusiasm in getting their message across about the importance of education and research on prematurity is outstanding. Some of them have indicated that their career plans have been shaped by the work they have been doing on behalf of the March of Dimes. These young people are prime examples of what our youth in Pennsylvania can do and what they are doing. They are deserving of your acclamation.

The PRESIDENT. Would the guests of Senator Orie for the premature birth resolution please stand so we can give you a round of applause.

(Applause.)

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Thompson has returned to the floor, and his temporary Capitol leave is cancelled.

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

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

Senator GREENLEAF. Madam President, I rise to recognize some guests who are here in the gallery, Kevin Cornish, John Minor, Pastor Edna Smith, Pastor Derrick Smith, Pastor Mark Holcomb, Pastor Gene Stroup, Pastor Carl Vining, and Harry Bell.

The PRESIDENT. Would the guests of Senator Greenleaf please rise so we can give you a warm welcome.

(Applause.)

SENATE RESOLUTION ADOPTED

Senators GREENLEAF, BRIGHTBILL, WAGNER, EARLL, KUKOVICH, CONTI, SCHWARTZ, ERICKSON, TARTAGLIONE, KITCHEN, ARMSTRONG, THOMPSON, WONDERLING, RHOADES and STACK, by unanimous consent, offered **Senate Resolution No. 181**, entitled:

A Resolution designating November 24, 2003, as "Infant Botulism Awareness Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

CALENDAR

HB 1426 CALLED UP OUT OF ORDER

HB 1426 (Pr. No. 1994) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1426 (Pr. No. 1994) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, further providing for provisions of the redevelopment contract; and making repeals.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-48

Armstrong	Hughes	O'Pake	Tartaglione
Boscola	Jubelirer	Orie	Thompson
Brightbill	Kasunic	Piccola	Tomlinson
Conti	Kitchen	Pileggi	Wagner
Corman	Kukovich	Punt	Waugh

Costa	LaValle	Rafferty	Wenger
Dent	Lemmond	Rhoades	White, Donald
Earll	Logan	Robbins	White, Mary Jo
Erickson	Madigan	Scarnati	Williams, Anthony H.
Ferlo	Mellow	Schwartz	Williams, Constance
Fumo	Mowery	Stack	Wonderling
Greenleaf	Musto	Stout	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

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

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

Senator RHOADES. Madam President, I do have some special guests upstairs and a very special person to me. The Mahanoy Area High School public speaking class is here today visiting the beautiful Capitol, looking at State government in action, seeing public officials in action, and dealing with parliamentary procedure and various speeches. The students are Matthew Delluso, John Fetrow, Andrew Flaim, Mark Fowler, Corey Hanrahan, Joel Herring, Nathan Hower, Amanda Kowalick, Kasey Logan, Ashley Nefos, Andrew Neidlinger, Timothy Oliva, William Pecika, Anna Smitrovich, and Michael Yawornicky. They are accompanied by their teacher, and I am going to say their teacher knows her way around the Capitol. She has been here a few times to see her husband in action, aside from late night PCN. She has been teaching English for 30 years and public speaking for probably the last 10. I will say this, too, her PSSA scores for ninth grade English are probably among one of the highest in the State. You ask, who is this teacher? Let me just say that when she says "jump," I ask "how high?" So it is my privilege also to introduce my wife, Mary Edith, who has her public speaking class here today, spending the day with us. I would appreciate it if the Senate would extend its usual warm welcome to my special guests.

The PRESIDENT. Would Mrs. Rhoades and her students please stand.

(Applause.)

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

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

Senator ROBBINS. Madam President, I have two guests to introduce today. First, I would like to introduce the wife of our Chaplain today, Kent Bell. She is Denise Bell, who accompanied him here and works hard in his church with him back home, ministering to their flock and also the children. I ask the Senate to greet Denise and give her one of our great welcomes.

The PRESIDENT. Would Denise please stand.

(Applause.)

Senator ROBBINS. Madam President, today I have the pleasure of introducing Mr. Bill Chisholm, a district justice from Meadville, Crawford County. Judge Chisholm is currently serving his 18th year as district justice and was recently reelected to begin another 6-year term in January. Additionally, Judge Chisholm is currently the president of District I of the Special Court Judges Association. Madam President and fellow Members, please join me in welcoming my special guest to the Senate of Pennsylvania.

The PRESIDENT. Would Mr. Chisholm please rise.
(Applause.)

GUESTS OF SENATOR ROBERT M. TOMLINSON PRESENTED TO THE SENATE

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

Senator TOMLINSON. Madam President, today, in conjunction with Senator Ori's resolution, I have a group who has been very active with the March of Dimes Capitol Day. This group of Neshaminy High School students have raised over \$30,000 for the March of Dimes in the past 4 years. The students are here today and were down on the floor earlier and talked about many of the things they thought were important to try to improve the health and viability of the young and premature. I have a niece and a nephew who were both born at less than a pound. Today my niece is a senior at Penn State, and my nephew is a senior in high school playing football.

So, prematurity is a very, very serious problem. It is something these kids are very aware of and they are doing a wonderful job. They are very committed to making this world and this life and these children's chances at a quality life a lot better. So, I want to welcome them. I think they had to leave the gallery, but I would just like to recognize that group and the chairpersons, Ms. Suzi Drake, an English teacher at Neshaminy High School, Mrs. Pam Ballard, a kindergarten teacher at Oliver Heckman, and Ms. Noreen Killian. The children were here earlier. I do not think they are in the gallery anymore, but I ask the Senate to please give them a warm welcome anyway.

(Applause.)

Senator TOMLINSON. Madam President, also with me today is the seventh grade junior achievement class at St. Charles Borromeo in Bensalem and their advisor, Paul Rosso, who every year brings up a group of young students to observe the goings on and things we do here in Harrisburg. I want to thank you, Madam President, for taking the time to address that group and standing and having your picture taken with them. I would like the Senate to please welcome the seventh grade junior achievement group from St. Charles Borromeo.

The PRESIDENT. Will the students please rise so we can give you a round of applause.

(Applause.)

GUEST OF SENATOR ROBERT C. WONDERLING PRESENTED TO THE SENATE

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

Senator WONDERLING. Madam President, I rise today to introduce a student who is a constituent of mine who has been with me all day as a student intern. His name is Michael McCauley, and he is currently a junior at Souderton High School. He is 16 years of age, an outstanding wrestler, and 4-wheel racer. He is here today as part of an English project to understand our State government and what we all do here day in and day out. So I ask, Madam President, that the Senate give him its usual warm welcome.

The PRESIDENT. Will Michael McCauley please stand so we can give you a warm welcome.

(Applause.)

RECESS

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

Senator PICCOLA. Madam President, at this time, I request a recess of the Senate for the purpose of a Republican caucus. However, I alert the Members that the Republican caucus will not begin until about 3:30.

The PRESIDENT. Senator Piccola requests a recess for a caucus starting at 3:30.

The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Madam President, I would like to notify the Democratic Caucus that there will not be an immediate caucus. If one does occur, it will be at 3:30, or slightly after, and all Members will be notified. Thank you.

The PRESIDENT. Senator Wagner indicates that the Democratic caucus will probably not be called until 3:30, or soon thereafter.

Without objection, the Senate stands in recess.

AFTER RECESS

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

RECESS

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

Senator BRIGHTBILL. Madam President, at this time I request a brief recess for a meeting of the Committee on Rules and Executive Nominations. It will occur in the Rules room at the rear of the Senate. We will be back in 5 minutes and should go through this Calendar in less than 15 minutes.

The PRESIDENT. Senator Brightbill requests a 5-minute recess for a meeting of the Committee on Rules and Executive Nominations. Without objection, the Senate will stand in recess.

AFTER RECESS

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

**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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

August 8, 2003

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David J. Allard, (Alternative Member), 285 Dogwood Drive, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for reappointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

July 9, 2003

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, Clifford E. Haines, 2520 Aspen Street, Philadelphia 19130, Philadelphia County, First Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2006, and until his successor is appointed and qualified, vice Marian Barford, Doylestown, whose term expired.

EDWARD G. RENDELL
Governor

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

July 24, 2003

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 N. Dampman, 255 Hill Field Road, Ringtown 17967, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert Buehner, Jr., Danville, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA HISTORICAL
AND MUSEUM COMMISSION**

July 7, 2003

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, Dr. Gordon A. Haaland, 243 Broadway, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Allen Wenger, Hershey, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING**

October 10, 2003

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Linda G. Trabucco, Esquire, (Public Member), 3 Douglas Lane, Chester Springs 19425, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Examiners in Speech-Language and Hearing, 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.

EDWARD G. RENDELL
Governor

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

October 15, 2003

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael P. Williams, Esquire, 1168 Fitzwatertown Road, Abington 19001, Montgomery County, Twelfth Senatorial District, for appointment as a Commonwealth Trustee of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2007, and until his successor is appointed and qualified, vice Michael A. Cibik, Esquire, Philadelphia, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF THADDEUS STEVENS COLLEGE
OF TECHNOLOGY**

October 10, 2003

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 R. Hoffer, 340 Rock Hill Road, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

October 29, 2003

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, James E. Kelly, 5403 Rinker Circle, Doylestown 18901, Bucks County, Tenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Neil Pufko, Chester Springs, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER**

September 2, 2003

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, Maryanne C. Petrilla, 55 Aristocrat Circle, Sugarloaf 18249, Luzerne County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice John P. Rogers, Sr., Hazleton, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE CLINTON COUNTY
BOARD OF ASSISTANCE**

September 29, 2003

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, Elwood C. Hocker, Jr., (Republican), 26 Irish Lane, Lock Haven 17745, Clinton County, Thirty-fifth Senatorial District, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

**MEMBER OF THE FAYETTE COUNTY
BOARD OF ASSISTANCE**

October 10, 2003

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, Anthony Perna, (Democrat), 24 Johnson Avenue, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

**MEMBER OF THE FAYETTE COUNTY
BOARD OF ASSISTANCE**

October 10, 2003

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Rabbitt Zajac, (Democrat), 128 Hutchinson Street, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

DISTRICT JUSTICE

September 3, 2003

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, Karen Devine, 413 North 5th Street, Allentown 18102, Lehigh County, Sixteenth Senatorial District, for appointment as District Justice, in and for the County of Lehigh, Magisterial District 31-2-01, to serve until the first Monday of January 2004, vice Diane R. Jepsen, forfeiture of judicial office.

EDWARD G. RENDELL
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 PRESIDENT. 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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

August 8, 2003

To the Honorable, the Senate
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In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David J. Allard, (Alternative Member), 285 Dogwood Drive, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for reappointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COMMONWEALTH OF
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July 9, 2003

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EDWARD G. RENDELL
Governor

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

July 24, 2003

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 N. Dampman, 255 Hill Field Road, Ringtown 17967, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert Buehner, Jr., Danville, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA HISTORICAL
AND MUSEUM COMMISSION**

July 7, 2003

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of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Gordon A. Haaland, 243 Broadway, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Allen Wenger, Hershey, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING**

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EDWARD G. RENDELL
Governor

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EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF THADDEUS STEVENS COLLEGE
OF TECHNOLOGY**

October 10, 2003

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 R. Hoffer, 340 Rock Hill Road, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

October 29, 2003

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, James E. Kelly, 5403 Rinker Circle, Doylestown 18901, Bucks County, Tenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Neil Pufko, Chester Springs, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER

September 2, 2003

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, Maryanne C. Petrilla, 55 Aristocrat Circle, Sugarloaf 18249, Luzerne County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice John P. Rogers, Sr., Hazleton, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE CLINTON COUNTY
BOARD OF ASSISTANCE

September 29, 2003

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, Elwood C. Hocker, Jr., (Republican), 26 Irish Lane, Lock Haven 17745, Clinton County, Thirty-fifth Senatorial District, for appointment as a member of the Clinton County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

MEMBER OF THE FAYETTE COUNTY
BOARD OF ASSISTANCE

October 10, 2003

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, Anthony Perna, (Democrat), 24 Johnson Avenue, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

MEMBER OF THE FAYETTE COUNTY
BOARD OF ASSISTANCE

October 10, 2003

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Rabbitt Zajac, (Democrat), 128 Hutchinson Street, Uniontown 15401, Fayette County, Thirty-second Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, add to complement.

EDWARD G. RENDELL
Governor

DISTRICT JUSTICE

September 3, 2003

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, Karen Devine, 413 North 5th Street, Allentown 18102, Lehigh County, Sixteenth Senatorial District, for appointment as District Justice, in and for the County of Lehigh, Magisterial District 31-2-01, to serve until the first Monday of January 2004, vice Diane R. Jepsen, forfeiture of judicial office.

EDWARD G. RENDELL
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-48

Armstrong	Hughes	O'Pake	Tartaglione
Boscola	Jubelirer	Orie	Thompson
Brightbill	Kasunic	Piccola	Tomlinson
Conti	Kitchen	Pileggi	Wagner
Corman	Kukovich	Punt	Waugh

Costa	LaValle	Rafferty	Wenger
Dent	Lemmond	Rhoades	White, Donald
Earll	Logan	Robbins	White, Mary Jo
Erickson	Madigan	Scarnati	Williams, Anthony H.
Ferlo	Mellow	Schwartz	Williams, Constance
Fumo	Mowery	Stack	Wonderling
Greenleaf	Musto	Stout	Wozniak

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Madam President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 46, SB 677, SB 689 and SB 690 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL LAID ON THE TABLE

HB 709 (Pr. No. 2707) -- The Senate proceeded to consideration of the bill, entitled:

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

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill was laid on the table.

BILLS OVER IN ORDER

SB 892 and SB 924 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1580 (Pr. No. 2612) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L. 130, No.48), known as the Health Care Facilities Act, providing for employment of health care practitioners.

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

On the question, Shall the bill pass finally?

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

Senator SCHWARTZ. Madam President, I rise to comment not on the substance of the bill as much as about the process, if I may. As some of those on the other side of the aisle know, I have been seeking to amend this bill with some language that would create, for the first time, State licensure of home care attendant agencies. These are agencies that hire people to come in and take care of some of our most frail elderly, people who need help with tasks of daily living, and it has been something that I know a number of the providers are very interested in, as are many of the consumers who use these services in this State licensing program.

So, I really want to say that on behalf of the literally 400 agencies that would need to be licensed and the hundreds of thousands of people who are taken care of every day by them, I hope we are able to move forward, and I understand that the leadership on the other side of the aisle is interested in working with me and my staff to move forward on the substance. I do hope we can do that in the next few weeks and be able to move some legislation that would, in fact, assure some of the most vulnerable amongst us who really need this kind of help, to make sure that they are licensed by the State, and we can assure that kind of minimal quality standards are in place here in Pennsylvania.

So, I thank the other side of the aisle for their expression of willingness to work with me to get this done. I hope it gets done sooner rather than later.

Thank you, Madam President.

And the question recurring, Shall the bill pass finally?

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

YEA-48

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

BILL OVER IN ORDER

HB 1854 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 88 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 763 (Pr. No. 1243) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for income tax returns and liability.

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

UNFINISHED BUSINESS
RESOLUTION REPORTED FROM COMMITTEE

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

SR 176 (Pr. No. 1272)

A Resolution observing the week of November 23 through 29, 2003, as "National Family Week" in Pennsylvania.

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

SENATE RESOLUTION ADOPTED

Senators MADIGAN, PILEGGI, FERLO, BRIGHTBILL, WONDERLING, C. WILLIAMS, LEMMOND, RAFFERTY, SCHWARTZ, RHOADES, FUMO, CONTI, WAGNER, GREENLEAF, KITCHEN, TARTAGLIONE, DENT, MUSTO, ROBBINS, D. WHITE, KUKOVICH, ERICKSON, THOMPSON, ORIE, COSTA and SCARNATI, by unanimous consent, offered **Senate Resolution No. 182**, entitled:

A Resolution encouraging participation in the "Hunters Sharing the Harvest" program.

On the question,
Will the Senate adopt the resolution?

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

Senator MADIGAN. Madam President, this resolution encourages participation by our hunters as we go into the hunting season to participate in hunters sharing the harvest. Where the program is, the individual can take the meat to a processing plant

and the meat can be donated to our food banks across the Commonwealth. Last year, over 85,000 pounds of meat were provided to our food banks through hunters who participated in this program. I encourage all of our hunters in this Commonwealth to participate if they do not need the meat for their own use, to provide it to our food banks and needy families.

Thank you, Madam President, and thank you for approving this resolution.

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

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

DISCHARGE PETITIONS

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

November 18, 2003

A PETITION

To place before the Senate the nomination of Lillian Gaskins-Green as a member of the Commonwealth of Pennsylvania Council on the Arts.

TO: The Presiding 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 Lillian Gaskins-Green, Philadelphia, Pennsylvania, as a member of the Commonwealth of Pennsylvania Council on the Arts, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Clifford E. Haines as a member of the Commonwealth of Pennsylvania Council on the Arts.

TO: The Presiding 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 Clifford E. Haines, Philadelphia, Pennsylvania, as a member of the Commonwealth of Pennsylvania Council on the Arts, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Kimberly C. Nesmith as a member of the State Board of Cosmetology.

TO: The Presiding 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 Kimberly C. Nesmith, Philadelphia, Pennsylvania, as a member of the State Board of Cosmetology, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Susanne M. Philo as a member of the State Board of Cosmetology.

TO: The Presiding 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 Susanne M. Philo, Dalton, Pennsylvania, as a member of the State Board of Cosmetology, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Aginah C. Shabazz as a member of the State Board of Cosmetology.

TO: The Presiding 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 Aginah C. Shabazz, Wynnewood, Pennsylvania, as a member of the State Board of Cosmetology, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Hon. Frank LaGrotta as a member of the Slippery Rock University Council of Trustees.

TO: The Presiding 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 Frank LaGrotta, Ellwood City, Pennsylvania, as a member of the Slippery Rock University Council of Trustees, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

November 18, 2003

A PETITION

To place before the Senate the nomination of Richard Bloomingdale as a member of the Unemployment Compensation Board of Review.

TO: The Presiding 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 Richard Bloomingdale, Harrisburg, Pennsylvania, as a member of the Unemployment Compensation Board of Review, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert C. Jubelirer
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert D. Robbins

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to David Bender and to Truman Eshbach II by Senator Boscola.

Congratulations of the Senate were extended to Ronald A. Schuck by Senator Conti.

Congratulations of the Senate were extended to Patricia D. Hoffman, C. Collins Brown, James R. LeVan and to Janice L. Williams by Senator Dent.

Congratulations of the Senate were extended to Mr. and Mrs. Leroy Heaster and to Mr. and Mrs. Rodney Heist by Senator Jubelirer.

Congratulations of the Senate were extended to Christopher Petrell and to the Lincoln School of Pittsburgh by Senator Jubelirer on behalf of Senator Pippy.

Congratulations of the Senate were extended to Jeffrey A. Pavetti, Amy Misselli, Amanda Nelson and to the Laurel Highlands Chamber of Commerce of Mt. Pleasant by Senator Kukovich.

Congratulations of the Senate were extended to Mr. and Mrs. Ralph March, Jr., Mr. and Mrs. Richard Berry, Sr., Reverend and Mrs. John Pittenger, Mr. and Mrs. Harold W. Opp, Mr. and Mrs. Alvin Roupp, Mr. and Mrs. James A. Sauers, Sr., and to Margie Ficus by Senator Madigan.

Congratulations of the Senate were extended to Delores E. Nagy by Senator Mellow.

Congratulations of the Senate were extended to Keith W. Fahnstock, Charles C. Pearson, Jr., and to the Central Pennsylvania Youth Soccer League Lady Strikers by Senator Mowery.

Congratulations of the Senate were extended to Donald B. Springer and to the Aurora Club of Harrisburg by Senators Mowery and Piccola.

Congratulations of the Senate were extended to Steven W. Renner and to David A. Kaas by Senator Punt.

Congratulations of the Senate were extended to Mary K. Gombert Leibert and to Christopher W. Woodward by Senator Rhoades.

Congratulations of the Senate were extended to Eva K. Bowlby Public Library of Waynesburg and to the First United Methodist Church of Waynesburg by Senator Stout.

Congratulations of the Senate were extended to Evan G. Koch and to Gregory F. Ranalli by Senator Thompson.

Congratulations of the Senate were extended to Carl A. Meshey, Jr., by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Clair Bauer, Karen Bingham, Dr. Sylvia Stalker, Howard McGinn, Anita Lahr, Carol Lapinto, Jackie Collier, DeMar Manuel, Kenneth R. Hanby and to the Special Libraries Association (SLA) Student Chapter by Senator M.J. White.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Good by Senator Wonderling.

Congratulations of the Senate were extended to Lawrence L. Kokoskie and to The Tribune-Democrat of Johnstown by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Clare P. Simon and to the family of the late Maurice Johnson by Senator Tomlinson.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late James Antoniono was extended to the family by Senator Logan.

BILLS ON FIRST CONSIDERATION

Senator FERLO. 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 936, SB 940, SB 965, HB 176, HB 545 and HB 1279.

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

LEGISLATIVE LEAVE CANCELLED

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE CENTRE COUNTY BOARD OF ASSISTANCE

November 18, 2003

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, Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Centre County Board of Assistance, to serve until December 31, 2003, and until her successor is appointed and qualified, vice Paul Houck, State College, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY BOARD OF ASSISTANCE

November 18, 2003

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, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified, vice Marcia Shuman, Rixford, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY BOARD OF ASSISTANCE

November 18, 2003

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, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified, vice Shirley Reed, Eldred, resigned.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD
OF PSYCHOLOGY**

November 18, 2003

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 9, 2003, for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Psychology, to serve until November 26, 2006, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Kendra A. Pfautz, Mechanicsburg, declined appointment.

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

EDWARD G. RENDELL
Governor

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the presence of the Senate signed the following bills:

HB 106 and HB 786.

ADJOURNMENT

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

Senator PICCOLA. Madam President, I move that the Senate do now adjourn until Wednesday, November 19, 2003, at 11 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 7:05 p.m., Eastern Standard Time.