

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MAY 12, 2004

SESSION OF 2004 188TH OF THE GENERAL ASSEMBLY

No. 30

SENATE

WEDNESDAY, May 12, 2004

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

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

PRAYER

The Chaplain, Reverend ROBERT STEVENS, of Zion's Reformed United Church of Christ, Allentown, offered the following prayer:

Good morning. I bring you greetings from Zion's Liberty Bell Church in Allentown, and also from people of faith and all the communities of faith in the 16th district.

Let us pray.

Sovereign God, we praise You for all that You have made and thank You for Your watchful care over all creation. As the seasons change, we marvel at the order and constancy of nature. We are awed at the beauty awakening in flower and field around us. Along with everything that has breath, we praise Your holy name. We are grateful for all the signs of Your blessings to us.

We thank You for words of encouragement that lift our spirits when we are low, for fresh insights that come to mind when we are faced with difficult decisions. We thank You for colleagues who challenge us to think and work at our best, and for friends and family who keep laughter and fun in our lives. We thank You for the opportunity to serve purposes here larger than ourselves, and we pray that You empower us to persevere in good works when the job seems endless.

We unite our minds and hearts to pray for all those who serve in elected office here and around the State, and all who serve on their staffs. Give them the energy and dedication, the courage and foresight to provide for the needs of all of our citizens. Direct the deliberations and decisions of this Senate, that a spirit of wisdom and fair play and the virtues of justice and truth continue to be practiced among us. Bless this Commonwealth with involved and informed citizens and with prosperity that extends benefits to all our people.

We offer our prayers for the men and women serving our nation in time of war. Loving God, how sad You must be as You look upon our world, nations filled with hatred, conflict, and violence. We pray for the men and women who continue to serve in Iraq and around the world. Bless our President and all our representatives, that they may have the wisdom and the courage to meet these newest challenges with the best that is in them.

O God, we acknowledge our dependence upon You for strength and guidance. We acknowledge our dependence upon You for life and all its blessings, and so we also acknowledge our obligation to You to serve with integrity and to be good stewards of the powers entrusted to us. Blessed are You, O Lord our God, giver of peace. Bring peace to us all. Amen.

The PRESIDENT. The Chair thanks Reverend Stevens, who is the guest today of Senator Dent.

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 May 11, 2004.

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 BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 794**, **HB 2007** and **HB 2008**.

BILLS REPORTED FROM COMMITTEES

Senator M. WHITE, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 856 (Pr. No. 1619) (Amended)

An Act amending the act of May 15, 1939 (P.L.134, No.65), referred to as the Fireworks Law, regulating sale and use of fireworks.

SB 1040 (Pr. No. 1620) (Amended)

An Act amending the act of June 22, 1993 (P.L.105, No.24), known as the Environmental Education Act, providing for the establishment of the Pennsylvania Center for Environmental Education and the Pennsylvania Center for Environmental Education Board; making an appropriation; and making editorial changes.

SB 1041 (Pr. No. 1621) (Amended)

An Act providing for the continuation of the Pennsylvania Senior Environment Corps volunteer program administered by the Department of Environmental Protection and the Department of Aging; and making appropriations.

SB 1042 (Pr. No. 1622) (Amended)

An Act establishing the Pennsylvania Pollution Reduction and Prevention Program; establishing the Office of Pollution Reduction and Prevention within the Department of Environmental Protection; establishing a Pollution Prevention Index; providing an Environmental Report Card; establishing the Rachel Carson Environmental Excellence Award; and making an appropriation.

Senator D. WHITE, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

SB 981 (Pr. No. 1332)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for Educational Assistance Program definitions; and establishing the Educational Assistance Program Fund.

HB 2055 (Pr. No. 3423)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further defining "soldier."

RESOLUTION REPORTED FROM COMMITTEE

Senator D. WHITE, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

SR 236 (Pr. No. 1540)

A Concurrent Resolution extending the date for a report of a bipartisan legislative commission on improving the delivery of emergency services.

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

LEGISLATIVE LEAVES

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

Senator O'PAKE. Madam President, I request legislative leaves for Senator Schwartz, Senator Stout, and Senator Tartaglione.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Schwartz, Senator Stout, and Senator Tartaglione. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

DISCHARGE PETITIONS

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Mark Schneider as a member of the Pennsylvania Economic Development Financing Authority.

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 Mark Schneider, Pittsburgh, Pennsylvania, as a member of the Pennsylvania Economic Development Financing Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of John A. Dawkins, III, as a member of the Pennsylvania Industrial Development Authority.

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 John A. Dawkins, III, Wyndmoor, Pennsylvania, as a member of the Pennsylvania Industrial Development Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Frank Mascara as a member of the Pennsylvania Industrial Development Authority.

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 Mascara, Charleroi, Pennsylvania, as a member of the Pennsylvania Industrial Development Authority, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Samuel A. Brackeen, III, as a member of the Workers' Compensation Appeal Board.

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 Samuel A. Brackeen, III, Laverock, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Harold V. Fergus, Jr., as a member of the Workers' Compensation Appeal Board.

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 Harold V. Fergus, Jr., Washington, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of John C. McFadden as a member of the Workers' Compensation Appeal Board.

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 John C. McFadden, Media, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Henry Lee Moore as a member of the Workers' Compensation Appeal Board.

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 Henry Lee Moore, Irwin, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Thomas E. Reiber as a member of the Workers' Compensation Appeal Board.

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 Thomas E. Reiber, Portersville, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of The Honorable Harry Schwartz as a member of the Workers' Compensation Appeal Board.

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 The Honorable Harry Schwartz, Philadelphia, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of Lisa A. Watkins as a member of the Workers' Compensation Appeal Board.

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 Lisa A. Watkins, Wyncote, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

May 12, 2004

A PETITION

To place before the Senate the nomination of James Young as a member of the Workers' Compensation Appeal Board.

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 James Young, Harrisburg, Pennsylvania, as a member of the Workers' Compensation Appeal Board, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

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

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

BILL OVER IN ORDER

SB 92 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1123 (Pr. No. 1597) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004.

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-49

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

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 W. DENT PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Dent.

Senator DENT. Madam President, I am delighted to introduce two guests who are here with me today, Dr. Ihor and Mrs. Martha Fedoriw. They are with the West Allentown Rotary. I am delighted that they are joining me here today, and I would like the Senate to give Dr. and Mrs. Fedoriw its customary warm welcome.

The PRESIDENT. Would the guests of Senator Dent, Dr. and Mrs. Fedoriw, please rise so that the Senate may give you a warm welcome.

(Applause.)

GUESTS OF SENATOR NOAH W. WENGER PRESENTED TO THE SENATE

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

Senator WENGER. Madam President, this is a special day for me, Madam President, because today I have the distinct pleasure of introducing to you yet another State championship team from my district. Several weeks ago, I was able to introduce the Pennsylvania State football champions and the Pennsylvania State girls' volleyball champions, both from Lancaster County. Well, today I want to introduce to the Senate the 2004 Pennsylvania State High School Bowling Champions from Cocalico High School, which is actually in my home district, the high school that my daughters all attended.

The Cocalico High School Bowling Team recently won the State Championship held in Philadelphia. In just their third season, the team beat 35 other teams from around the State to capture their first State team title. However, not only did the team

win the State championship, but Jason Weaver was also awarded the gold medal for scoring a 192 in the final round of play. The team members, who are in the gallery today, consist of Josh Stegeman, Jason Weaver, Zach Sweigart, Maxwell Forsythe, Jon Rogers, and Mike Leshner. They are accompanied by the assistant principal of Cocalico High School and their coach, Mr. Weaver. So let us give a warm Senate welcome to the 2004 State Championship Bowling Team, the Cocalico Eagles.

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

(Applause.)

**GUESTS OF SENATOR VINCENT J.
HUGHES PRESENTED TO THE SENATE**

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

Senator HUGHES. Madam President, I would like the Senate to extend a warm round of applause to some of the best and brightest from Roxborough High School. They are here with their leader, Mr. John Teague, and the fine history and administrative support staff. We have had a great time so far. They asked a lot of great questions, and there are a lot of great leaders in that group. They are a fine, fine group of young people from Roxborough High School, and I ask that we give them a warm round of applause.

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

(Applause.)

**GUESTS 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 to recognize two championship teams from the 24th Senatorial District, doing the Lehigh Valley proud today, and both championship teams are from the same high school.

First, I am delighted to recognize the Easton Area High School Class AAA champions for wrestling this past year. The grapplers have now won the State championship four consecutive years in a row, and it is with great pride and pleasure that I recognize the coaching staff of the Red Rovers, head coach Steve Powell and his assistants Barry Snyder, Ed Ferraro, John Fidelibus, Jason Magdich, and Justin Hoff.

Madam President, I am also delighted to recognize today by resolution the National Championship High School Varsity Cheerleading Squad also from Easton Area High School. In fact, this team, under the direction of Kendra Durrah, placed first in the medium varsity category this past February in Orlando, Florida, and they did so by dispensing with 54 other championship caliber teams throughout the United States. Therefore, Madam President, I ask that the Senate offer both teams a hearty welcome and congratulations.

Thank you.

The PRESIDENT. Will our Champion Class AAA Wrestling Team and our National Champion Cheerleaders please rise so we can give you a nice round of applause.

(Applause.)

**GUEST OF SENATOR MIKE WAUGH
PRESENTED TO THE SENATE**

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

Senator WAUGH. Madam President, I actually have one guest to introduce today. We are fortunate from time to time to have young people who have an interest in our work here and lots of energy when they come to serve as a guest Page. Today, I have the privilege to introduce Paul Douglas Geltmacher, a young man who is 12 years old, is in the 6th grade, and is doing just that for us here in the Senate Chamber. He is from Wrightsville and is homeschooled. He enjoys basketball, bike riding, fishing, reading, and my favorite, NASCAR. He is a Jeff Gordon fan, so we will give him a little bit of a break on that. Be that as it may, I would like to welcome Paul today. We wish him the best in his service this afternoon as a guest Page in the Senate of Pennsylvania. Paul, if you would rise, we would like to welcome you.

(Applause.)

**GUEST OF SENATOR NOAH W.
WENGER PRESENTED TO THE SENATE**

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

Senator WENGER. Madam President, I have the distinct pleasure to introduce a young lady to the Senate today, my granddaughter Jamie Hertig. She lives with her mother in the State of Virginia, and she is a student at the University of Virginia. She has just completed her first year there, and she is visiting us in Lancaster County this week before she goes on to some other things. I am very pleased and proud to have Jamie as my granddaughter and present her to my colleagues here in the Senate. Jamie.

The PRESIDENT. Jamie, will you please rise.

(Applause.)

HB 304 TAKEN FROM THE TABLE

Senator BRIGHTBILL. Madam President, I move that House Bill No. 304, Printer's No. 350, be taken from the table and placed on the Calendar.

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

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

**PREFERRED APPROPRIATION BILLS
OVER IN ORDER**

SB 1124, SB 1125, SB 1127, SB 1128 and SB 1130 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

SB 276, HB 550, SB 871, SB 1039 and SB 1056 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL LAID ON THE TABLE

HB 1809 (Pr. No. 3576) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a commercial manure hauler and broker certification program; and establishing requirements.

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

HB 1809 TAKEN FROM THE TABLE

Senator BRIGHTBILL. Madam President, I move that House Bill No. 1809, Printer's No. 3576, be taken from the table and placed on the Calendar.

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2447 (Pr. No. 3459) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding a road, Logan Township, Blair County, to the State highway system.

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-49

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

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.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 668 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 565, HB 659 and SB 735 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 930 (Pr. No. 1210) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, extending the payment of the salary, medical and hospital expenses to sheriffs and deputy sheriffs under certain circumstances.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1059, HB 1972 and HB 2083 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

UNFINISHED BUSINESS SENATE RESOLUTION ADOPTED

Senators C. WILLIAMS, MELLOW, SCHWARTZ, O'PAKE, GREENLEAF, MOWERY, RAFFERTY, WAGNER, KUKOVICH, MUSTO, TARTAGLIONE, CORMAN, ERICKSON, STOUT, EARLL, COSTA, KASUNIC, DENT, CONTI, FERLO, KITCHEN, BOSCOLA, LOGAN, PILEGGI, PIPPY, ARMSTRONG, WONDERLING, LEMMOND, RHOADES, STACK and THOMPSON, by unanimous consent, offered Senate Resolution No. 275, entitled:

A Resolution recognizing the month of May, 2004 as "Melanoma Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator C. WILLIAMS. Madam President, warmer weather means trips to the beach, vacations with the family, opportunities to work in the yard or in the garden, and a chance to enjoy beautiful sunny days. It also means greater exposure to skin cancer, which can be caused by exposure to harmful ultraviolet rays. Melanoma, the deadliest skin cancer, affects more than 58,000 Americans annually, and about 8,000 will die. It is the fastest-growing cancer and will affect 1 in 50 Americans by the year 2010. The statistics for this kind of cancer are truly alarming. Melanoma is the most common cancer in young adults ages 20 to 30. There are currently more cases of melanoma than HIV/AIDS. Melanoma is the primary cause of cancer deaths in women age 25 to 30, and the second leading cause of death after breast cancer in women age 30 to 35. Melanoma has the fastest-growing incident rate of all cancers in the United States.

There is another statistic that I find very interesting. There is a lower rate of skin cancer in married men than in single men. Men can thank their wives for this, for not only pointing out potentially cancerous moles when they see them, but also insisting that their husbands seek medical attention. I always remind my husband that I am too old to be a young widow.

Research has not yet determined a cause for this type of cancer. The good news is that it is a potentially preventable disease, and if caught in its earliest form, it oftentimes can be cured. In more advanced stages, however, despite treatment and surgery, the chance of surviving 5 years after diagnosis is less than 5 percent. Education and awareness are the keys to preventing melanoma.

I urge you, and I hope you will join me in declaring May as Melanoma Awareness Month in Pennsylvania. Through research and effective treatments, a cure can be found and lives can be saved.

Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

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 Jennell Manzi, Adam David Laudenslager, Gretel Long, Samantha Doyle, Emily Kulper, Helen Coleman and to The Salvation Army of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Gavin Zuchlinski, Kevin Thompson, Stephen Dante Renaldo, Kristina Miller, Grant Stackhouse, Kelly Jones and to Laura Labar by Senators Boscola and Dent.

Congratulations of the Senate were extended to Krista Holtzman by Senator Brightbill.

Congratulations of the Senate were extended to Bucks County Community College by Senators Conti and Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Robert E. Eargle by Senator Corman.

Congratulations of the Senate were extended to Virginia Lepore Gasbarre, Jordan Soyke and to Matt Squires by Senator Costa.

Congratulations of the Senate were extended to Inez Donley by Senator Dent.

Congratulations of the Senate were extended to Jacob Pekelnicky and to the Boy Scouts of America Troop 133 by Senator Earll.

Congratulations of the Senate were extended to Veronica Hanulik, Frederick R. Favo and to Adeline Brown by Senator Ferlo.

Congratulations of the Senate were extended to Edward J. McLaughlin by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Bloss, Mr. and Mrs. Loren Kline, Eric Kline, Megan Strunk, Michael Cave and to Clinger Lumber and Home Project Center of Milton by Senator Gordner.

Congratulations of the Senate were extended to Ora P. Lambright and to Ruth Fullard by Senator Hughes.

Congratulations of the Senate were extended to the 2004 National Road Festival of Uniontown by Senator Kasunic.

Congratulations of the Senate were extended to Reverend Granville Perry Dennison, Christa Sine, Sharrod Davis, Dennis Stephens, Saprina Gaines, Jason Orkin, Joseph Skitek, Jacqueline Davis, Calvin Johns, Sabra Johnson, Robert McCarthy, Jacqueline Senior, Heriberto Velez, Wayne Brown, LaCarmella Witcher, Shawn Vincent, Junius Jones, Richard Bowman, Gerard Christiansen, W. Russell Bryant, Thomas Harrigan, John Williams-Bey, Irving Cohen, Effie King-Ross, Michael Viscusi, Michael Hand, Roco Basile, Joseph Slobordrian, George Jefferson, Joseph Yost, John Redfern, Frederick Baker, Athanasios Verros, Jeffrey Tillery, Thomas Huber, Robert Pomante, David Linn, Gary Vertlieb, Mitchell Reaves, Joseph Kase, Joatham Devine and to Ruth Anderson by Senator Kitchen.

Congratulations of the Senate were extended to James J. Simmons, Sarah Jane Chappell, Shane Richard Malicky, Jacob William Wagner, Sean M. Brown and to Zachary M. Bremmer by Senator Lemmond.

Congratulations of the Senate were extended to Reverend Dr. Mitchel A. Nickols and to David Michael Stagon II by Senator Logan.

Congratulations of the Senate were extended to Henry M. Baylor, Jr., by Senator Madigan.

Congratulations of the Senate were extended to Henry M. Fox and to the Lions Club of Fairview Township by Senator Mowery.

Congratulations of the Senate were extended to Mr. and Mrs. Warren Ihlenfeld, Carol Troese, West Deer American Legion of Curtisville and to Peebles Fire Department of Pittsburgh by Senator Orie.

Congratulations of the Senate were extended to Robert W. Freeston by Senator Piccola.

Congratulations of the Senate were extended to John T. Adkinson and to Josh Kramer by Senator Pileggi.

Congratulations of the Senate were extended to Carol Sprintz by Senator Rafferty.

Congratulations of the Senate were extended to Frank M. Tenenholtz by Senator Rhoades.

Congratulations of the Senate were extended to Sean Douglas Getway, Bryce MacKenzie Cubbal and to Brian Paul Taylor by Senator Robbins.

Congratulations of the Senate were extended to James Wilson by Senator Schwartz.

Congratulations of the Senate were extended to Edward Sawicki, Peter O'Driscoll, Jr., and to Shannon Stewart by Senator Stack.

Congratulations of the Senate were extended to Frank Peluso by Senator Tomlinson.

Congratulations of the Senate were extended to Melanie B. Gefert, Mary Frances Gargotta and to Connie Conboy by Senator Wagner.

Congratulations of the Senate were extended to the University of Pittsburgh School of Nursing by Senators Wagner and Ferlo.

Congratulations of the Senate were extended to Shirley Bischoff and to Jordan Berkes by Senator Wenger.

Congratulations of the Senate were extended to Harmonville Fire Company No. 1 by Senator C. Williams.

Congratulations of the Senate were extended to Lowell Tinner by Senators Wonderling and Greenleaf.

Congratulations of the Senate were extended to Harry Grubb, Mary Ann Kennis, Rose Ann Mc Nerney, Sandra Kibler, Eileen Graham, Debbie Craig, Lillian Shima, Barbara Duryea, Tanya McCoy Caretti, Theresa Mitnik, Molly Simmons, Debra Myers, Charvonne N. Holiday, Karen D. Broach and to Roberta Doyle by Senator Wozniak.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Carol Gibbs by Senator Orié.

BILLS ON FIRST CONSIDERATION

Senator PILEGGI. 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 by voice vote.

The bills were as follows:

SB 856, SB 981, SB 1040, SB 1041, SB 1042 and HB 2055

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

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

Senator STACK. Madam President, I rise to once again discuss prescription drug abuse. It is a prevalent and growing problem. According to national statistics, nearly 6 million Americans abuse prescription drugs in one form or another. Attorney General Pappert is concerned that the problem could become worse with the introduction of a generic version of the powerful painkiller OxyContin and another new painkiller. He has recently

been touring the State to discuss prescription drug abuse and steps that can be taken to stem its growth.

One particular appeal he has made has been of specific interest to me. He has asked that the General Assembly introduce and pass doctor shopping legislation. As it happens, I introduced such a bill in the year 2003. My Senate Bill No. 365 would make it a third-degree felony to visit multiple doctors or practitioners with the intent to buy controlled substances for abuse or for sale. But, I did not stop there, Madam President. I also have introduced legislation, Senate Bill No. 363, that would make it a third-degree felony to steal and then use a medical practitioner's prescription form. This is a fairly common practice by drug abusers, and we need an effective law to make it uncommon. Additionally, I introduced Senate Bill No. 364 which would make it a third-degree felony to steal a controlled substance from either a person, medical office, or any other location that houses prescription drugs. Right now in Pennsylvania, far too many prescription drugs are improperly dispensed or diverted for nonmedical purposes. I encourage my colleges to join me in helping to combat this abuse. My bills effectively attack this problem from three different directions, while complimenting and enhancing the current efforts of our Attorney General's Office.

Thank you, Madam President.

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

Senator HUGHES. Madam President, I will do my best to be brief, but it is an important issue that I think is important to be raised. This week, throughout the entire country, we are celebrating and raising up the issue of the over 49 million people in this country who have no health insurance. This is Cover the Uninsured Week, Madam President. In the Commonwealth of Pennsylvania, about 1.4 million people have no health insurance, and our adult basic program, while we have thankfully 42,000 people being covered with a bare amount of insurance, albeit they are covered, we also have almost 90,000 people who are signed up on the waiting list. We need to be clear that the folks who are uninsured, 75 percent of them are working individuals. They are in our lives on a daily basis working hard, making a difference, doing the things that they are asked to do, and being participants in our society, in our economy. However, they have no health insurance. The majority of these individuals are women, heads of households, doing what it is that they need to do to make life better for themselves and their families, but unfortunately, we have not found the capacity in this State or in this country to provide health insurance for these individuals. The Robert Wood Johnson Foundation did a study about a year or two ago, and we found out that throughout the entire country in a 2-year snapshot, about 75 million people for a 6-month period had no health insurance, and that is really unacceptable, Madam President. We have to do better. When folks have no health insurance, they get sicker, and what happens when they get sicker? They wind up eventually in an emergency room. There is no costlier type of health care provided than in an emergency room. Everyone testifies to this, and we have been at the hearings, we have held the hearings and heard the testimony. The Chair has analyzed the problem from her various vantage points in public policy over the years. We have to come to a resolution on this matter, and

hopefully, on this day, in this week, Pennsylvania will stand up again to try to make a difference on this issue and try to move forward on this issue.

Earlier today our policy chairman, Senator Kasunic, convened a press conference announcing public hearings that the Senate Democratic Policy Committee will be having across the State over the next several months, and hopefully, when we come back in the fall, we will have some specific resolutions to be brought up and put into legislative form so we can move on this issue. But, we could not go forward at the end of this legislative week, Madam President, and not raise the attention of this body to this particular issue.

Thank you very much for giving me a few moments to speak on this issue.

BILLS SIGNED

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

HB 794, HB 2007 and HB 2008.

RECESS

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now recess to the call of the President pro tempore.

On the question,

Will the Senate agree to the motion?

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

The PRESIDENT. The Senate will stand in recess to the call of the President pro tempore.

AFTER RECESS

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

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:

BRIGADIER GENERAL,
PENNSYLVANIA AIR NATIONAL GUARD

May 12, 2004

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, Colonel James M. Lillis, 1701 Alsace Road, Reading 19604, Berks County, Eleventh Senatorial District, for appointment as Brigadier General, LINE, with assignment as Vice Di-

rector of Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR), Joint Forces Command, Pennsylvania Air National Guard, to serve until terminated, vice Brigadier General Michael Newland, retired.

EDWARD G. RENDELL
Governor

BRIGADIER GENERAL,
PENNSYLVANIA AIR NATIONAL GUARD

May 12, 2004

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, Colonel Stephen M. Sischo, 24 Farber Drive, Chalfont 18914, Bucks County, Tenth Senatorial District, for appointment as Brigadier General, LINE, with assignment as Commander, 193rd Special Operations Wing, Pennsylvania Air National Guard, to serve until terminated, vice Brigadier General Steven Speer, retired.

EDWARD G. RENDELL
Governor

RECALL COMMUNICATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA ECONOMIC DEVELOPMENT FINANCING AUTHORITY

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 20, 2004, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters, 17319, York County, Fifteenth Senatorial District, as a member of the Pennsylvania Economic Development Financing Authority, to serve until October 11, 2004, and until her successor is appointed and qualified, vice Teri J. MacBride, Lewisburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE
BOARD OF PODIATRY

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 20, 2004, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Podiatry, to serve until November 14, 2005, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 11, 2004, [data missing] Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice John M. Brinjac, Wormleysburg, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 20, 2004, 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

MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 9, 2004, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert E. Fischer, Greenville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 5, 2004, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice J. Michael Wilkins, New Castle, whose term expired.

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

EDWARD G. RENDELL
Governor

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

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 13, 2004, 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 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, vice F. Irene Graybill, Duncannon, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BEDFORD COUNTY
BOARD OF ASSISTANCE

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 19, 2004, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Bedford County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Larry Garlock, Everett, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MERCER COUNTY
BOARD OF ASSISTANCE

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 18, 2004, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Mercer County Board of Assistance, to serve until December 31, 2006, and until his successor is appointed and qualified, vice Michael Reichart, Sharpsville, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SUSQUEHANNA COUNTY
BOARD OF ASSISTANCE

May 12, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 5, 2004, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Susquehanna County Board of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified, vice Nancy Ross, Uniondale, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

May 12, 2004

HB 747 -- Committee on State Government.

HB 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2531, 2532, 2533, 2534, 2536, 2537, 2538, 2539, 2540, 2541, 2542,

2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559 and 2579 -- Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

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

May 12, 2004

Senators MOWERY, ARMSTRONG, BOSCOLA, COSTA, DENT, ERICKSON, GORDNER, LEMMOND, O'PAKE, ORIE, PICCOLA, PILEGGI, PIPPY, RAFFERTY, RHOADES, ROBBINS, WENGER, D. WHITE, M. WHITE, WOZNAK, WAUGH, C. WILLIAMS and CORMAN presented to the Chair **SB 1111**, entitled:

An Act authorizing the establishment and maintenance of health savings accounts; exempting contributions from taxation; and imposing restrictions on health savings accounts.

Which was committed to the Committee on BANKING AND INSURANCE, May 12, 2004.

Senators WAUGH, MADIGAN, WOZNAK, D. WHITE, TOMLINSON, O'PAKE, KUKOVICH, ERICKSON, WAGNER, KITCHEN, PIPPY, STOUT, ORIE, RAFFERTY, LAVALLE, MOWERY, GORDNER, GREENLEAF, TARTAGLIONE, ARMSTRONG, WONDERLING and ROBBINS presented to the Chair **SB 1114**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for alternative fuels funding and for reporting; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 12, 2004.

Senators WAUGH, MADIGAN, WOZNAK, D. WHITE, TOMLINSON, O'PAKE, KUKOVICH, ERICKSON, WAGNER, KITCHEN, PIPPY, STOUT, ORIE, RAFFERTY, LAVALLE, MOWERY, GORDNER, GREENLEAF, TARTAGLIONE, ARMSTRONG, WONDERLING and ROBBINS presented to the Chair **SB 1115**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the establishment, functions and funding of the Energy Development Authority.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 12, 2004.

Senators WAUGH, MADIGAN, WOZNAK, D. WHITE, TOMLINSON, O'PAKE, KUKOVICH, ERICKSON, WAGNER, KITCHEN, PIPPY, STOUT, ORIE, RAFFERTY, LAVALLE, MOWERY, GORDNER, GREENLEAF, TARTAGLIONE, ARMSTRONG, WONDERLING and ROBBINS presented to the Chair **SB 1116**, entitled:

An Act requiring the phaseout of methyl tertiary butyl ether as a gasoline additive; conferring powers and duties on the Department of Environmental Protection; and imposing penalties.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 12, 2004.

Senators WAUGH, WENGER, PICCOLA, MELLOW, O'PAKE, KITCHEN, RHOADES, MOWERY, WAGNER, KUKOVICH, LEMMOND, PUNT, ERICKSON, COSTA, PILEGGI, LOGAN, GORDNER, GREENLEAF, MUSTO, ARMSTRONG, PIPPY, ORIE, WONDERLING, DENT, KASUNIC, RAFFERTY, D. WHITE, WOZNIAK and C. WILLIAMS presented to the Chair **SB 1117**, entitled:

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further providing for award of grants, for expenses incurred by the Pennsylvania Emergency Management Agency and for appropriations; and making appropriations.

Which was committed to the Committee on STATE GOVERNMENT, May 12, 2004.

Senator MUSTO presented to the Chair **SB 1118**, entitled:

An Act amending the act of June 22, 1931 (P.L.594, No.203), referred to as the Township State Highway Law, adding roads, Jenkins Township and Pittston Township, Luzerne County, to the State highway system.

Which was committed to the Committee on TRANSPORTATION, May 12, 2004.

Senators PILEGGI, RAFFERTY, ERICKSON, RHOADES, KUKOVICH, STOUT, EARLL, M. WHITE, O'PAKE, FUMO, MOWERY, MUSTO, PUNT, PIPPY, C. WILLIAMS, WONDERLING, DENT, BOSCOLA, LEMMOND and STACK presented to the Chair **SB 1119**, entitled:

An Act establishing the Independent Higher Education and Community Financing Program and the Board of Review.

Which was committed to the Committee on EDUCATION, May 12, 2004.

Senators BOSCOLA, PIPPY, KASUNIC, TARTAGLIONE, MUSTO, COSTA, GORDNER, KITCHEN, STOUT, O'PAKE, WAGNER and RAFFERTY presented to the Chair **SB 1120**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for blood donation education.

Which was committed to the Committee on EDUCATION, May 12, 2004.

Senator PUNT presented to the Chair **SB 1121**, entitled:

An Act amending the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, providing for reclamation of certain bridges in counties of the sixth class formerly part of the State highway system.

Which was committed to the Committee on TRANSPORTATION, May 12, 2004.

Senators KUKOVICH, SCHWARTZ, EARLL, BOSCOLA, M. WHITE, TARTAGLIONE, LAVALLE, MELLOW, ERICKSON, KASUNIC, O'PAKE, WAGNER, LOGAN, COSTA, MUSTO, STOUT, HUGHES, STACK and C. WILLIAMS presented to the Chair **SB 1122**, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for adult basic coverage insurance program.

Which was committed to the Committee on BANKING AND INSURANCE, May 12, 2004.

GENERAL COMMUNICATION

MANAGED CARE ANNUAL REPORT FISCAL YEAR 2000-01

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

COMMONWEALTH OF PENNSYLVANIA
Department of Health
P. O. Box 90
Harrisburg, PA 17108

May 10, 2004

Mr. Mark R. Corrigan
Secretary of the Senate
462 Capitol Building
Harrisburg, PA 17120-2020

Dear Mr. Corrigan:

I am pleased to submit the Department of Health's Managed Care Annual Report covering the period of July 1, 2000 through June 30, 2001. This is the first Managed Care report completed in cooperation with the Pennsylvania Department of Insurance. I hope you find it informative.

If you have any questions, feel free to contact Mike Yantis, Acting Director of Legislative Affairs, at 783-3985

Sincerely,

CALVIN B. JOHNSON, M.D.,
Secretary

The PRESIDENT. This report will be filed in the Library.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Senator Scarnati as a member of the Pennsylvania Workforce Investment Board.

LEAVE CANCELLED

The PRESIDENT. Senator Armstrong has returned from personal leave, and that leave will be cancelled.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT 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. 2579.

RECESS

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

Senator BRIGHTBILL. Madam President, I ask for a brief recess of the Senate for an off-the-floor meeting of the Committee on Appropriations to begin immediately.

The PRESIDENT. Senator Brightbill requests a brief recess for a meeting of the Committee on Appropriations. Without objection, the Senate will be in recess.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE

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

HB 2579 (Pr. No. 3871) (Amended)

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2004, to June 30, 2005, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund and the Health Care Provider Retention Account to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2004, to June 30, 2005; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2004, to June 30, 2005, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide for the additional appropriation of Federal and State funds from the General Fund, for the Executive Department of the Commonwealth for the fiscal year July 1, 2003, to June 30, 2004, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2003.

BILL ON FIRST CONSIDERATION

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

The motion was agreed to.

The bill was as follows:

HB 2579

And said bill having been considered for the first time,

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

ADJOURNMENT

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

The Senator BRIGHTBILL. Madam President, I move that the Senate do now adjourn until Monday, May 17, 2004, at 3 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

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