

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, OCTOBER 25, 1999

SESSION OF 1999

183RD OF THE GENERAL ASSEMBLY

No. 45

SENATE

MONDAY, October 25, 1999

The Senate met at 2 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend DENNIS SNIDER, of Zion Lutheran Church, Enola, offered the following prayer:

Let us pray.

Most holy and gracious God, we give You thanks for the many ways in which You bless us, Your people of the Commonwealth of Pennsylvania. To each You give abilities for the common good. We ask on this day that You would bless each of the Senators in this Chamber, as they seek to faithfully serve Your people, that goodness and mercy, justice and equality might be known.

We ask You grant unto them the spirit of wisdom and understanding, strengthened and supported by the spirit of counsel and might, as they pursue legislation in this Chamber. We ask all this in the name of Christ our Lord. Amen.

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

The PRESIDENT. The Chair thanks Reverend Snider, who is the guest today of Senator Mowery.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of October 20, 1999.

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

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The PRESIDENT laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, advising that the following Senate Bill had been approved and signed by the Governor:

SB 949.

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 STATE BOARD OF MEDICINE

October 20, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles D. Hummer, Jr., M.D., 20 Guernsey Road, Swarthmore 19081, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Solomon C. Luo, M.D., Orwigsburg, whose term expired.

THOMAS J. RIDGE Governor

MEMBER OF THE STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

October 20, 1999

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, Leonard S. Oddo, 1241 Richard Road, Huntingdon 15642, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jesse C. Achenbach, Pottsville, resigned.

THOMAS J. RIDGE 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 STATE BOARD  
OF ACCOUNTANCY**

October 22, 1999

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 April 21, 1999 for the appointment of Michelle M. Grove (Public Member), 220 Umberto Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until May 2, 1999 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert L. Rubendall, Esq., Halifax, resigned.

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

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF WESTERN CENTER**

October 22, 1999

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 April 19, 1999 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Western Center, to serve for a term of four years or until her successor is appointed and qualified, vice I. Marie Bahn, Indiana, resigned.

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

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
WESTERN YOUTH DEVELOPMENT CENTERS**

October 22, 1999

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 April 21, 1999 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Western Youth Development Center, to serve until the third Tuesday of January 2001 and until her successor is appointed and qualified, vice The Honorable Cheryl Allen Craig, Pittsburgh, resigned.

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

THOMAS J. RIDGE  
Governor

**DISTRICT JUSTICE**

October 22, 1999

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 May 3, 1999 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as District Justice, in and for the County of Somerset, Magisterial District 16-3-05, to serve until the first Monday of January 2000, vice Melissa K. Dively, resigned.

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

THOMAS J. RIDGE  
Governor

**HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

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

October 20, 1999

**HB 478 and 877** -- Committee on Judiciary.

**HB 854** -- Committee on Banking and Insurance.

**HB 519 and 1361** -- Committee on Aging and Youth.

**HB 672, 1153, 1155, 1157 and 1158** -- Committee on Local Government.

**HB 1443** -- Committee on State Government.

**HB 1848** -- Committee on Finance.

October 25, 1999

**HB 1450** -- Committee on Judiciary.

**HB 1570** -- Committee on Public Health and Welfare.

**GENERAL COMMUNICATIONS**

**ANNUAL REPORT OF THE PENNSYLVANIA  
INTERGOVERNMENTAL COOPERATION  
AUTHORITY**

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

PENNSYLVANIA INTERGOVERNMENTAL  
COOPERATION AUTHORITY  
14<sup>TH</sup> Floor - 1429 Walnut Street  
Philadelphia, PA 19102

October 19, 1999

Honorable Robert J. Jubelirer  
President Pro Tempore  
Senate of Pennsylvania  
Commonwealth of Pennsylvania  
Main Capitol Building  
Harrisburg, PA 17120

Dear Senator Jubelirer:

As you know, the PICA Act requires the Authority to prepare an annual report and provide an independent audit of its finances. Enclosed is our Annual Report for the Fiscal Year ended June 30, 1999. We hope that you will find this document to be both useful and informative, and we sincerely thank you for your support of our efforts to appropriately assist the City of Philadelphia.

Very truly yours,

JOSEPH C. VIGNOLA  
Executive Director

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

**AUDITOR GENERAL'S CERTIFICATE**

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

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE AUDITOR GENERAL  
Harrisburg, PA 17120-0018

October 21, 1999

The Honorable Robert C. Jubelirer  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

In accordance with the provisions of Article VIII of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999), as amended, I am providing you with the accompanying certification, relevant to the settlement of the general obligation bond sale of October 13, 1999.

A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

ROBERT P. CASEY, JR.  
Auditor General

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AUDITOR GENERAL'S CERTIFICATE  
Pursuant to  
ARTICLE VIII, Section 7(a) (4) and 7(c)  
of the  
CONSTITUTION OF PENNSYLVANIA  
and the  
Act of April 9, 1929, No. 176, as amended,

To the Governor and The General Assembly:

I, Robert P. Casey, Jr., Auditor General of the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Constitution Article VIII, (Section 7(a) (4) and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999) certify as follows:

The amount of outstanding net debt  
as of the date of this certificate . . . . . \$ 3,875,784,343.00

The difference between the limitation  
upon all net debt outstanding as provided  
in Article VIII, Section 7(a) (4) of the  
Constitution of Pennsylvania and the  
amount of outstanding net debt as of  
October 21, 1999 . . . . . \$33,297,664,715.00

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 21st day of October 1999.

ROBERT P. CASEY, JR.  
Auditor General  
Commonwealth of Pennsylvania

**ANNUAL REPORT ON ADULT BASIC AND LITERACY EDUCATION**

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Education  
333 Market Street  
Harrisburg, PA 17126-0333

October 21, 1999

Dear Honorable Member of the General Assembly:

The Department is pleased to send you this report on the 1997-98 adult basic education activities in the Commonwealth of Pennsylvania provided under the Pennsylvania Adult Literacy Act of 1986 as amended in 1996. The \$8,525,000 made available by this legislation was combined with \$15,662,926 in federal funds to provide basic and literacy education services for educationally and economically disadvantaged adults of the Commonwealth.

Providers of these services include local education agencies, colleges, universities, corrections institutions, community-based organizations and literacy councils. These 226 agencies served over 56,000 adult students, preparing them to pass the GED test, obtain employment, advance in employment, and achieve competency in English language skills.

It is the goal of the Department that every adult Pennsylvanian who wants to improve his or her basic education skills has access to quality programs. This report highlights the activities conducted under the law to ensure that this goal is met through the instructional programs offered to the learners and the professional development opportunities made available to those engaged in providing instructional programs.

This report provides information for you on how the funds were utilized and how the services provided have made a difference to Pennsylvania's adult learners. We hope you will find the report informative and of benefit to you as you work to meet the needs and goals of all Pennsylvania's citizens.

Sincerely yours,

EUGENE W. HICKOK  
Secretary

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

**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:

October 25, 1999

Senators KUKOVICH, EARLL, MUSTO, STAPLETON and BOSCOLA presented to the Chair SB 1156, entitled:

An Act providing for a community revitalization program, for grants to promote public health and safety, to assist local crime preven-

tion programs, to support local community initiatives and to enhance local economic conditions; providing for eligibility requirements and application procedures; providing for fiscal allocations; and providing for duties of the Department of Community and Economic Development.

Which was committed to the Committee on COMMUNITY AND ECONOMIC DEVELOPMENT, October 25, 1999.

Senators COSTA, O'PAKE, SCHWARTZ, GERLACH, KUKOVICH, KITCHEN, SALVATORE, LAVALLE, BELL, MUSTO, KASUNIC, MELLOW, BELAN and WOZNIAK presented to the Chair **SB 1158**, entitled:

An Act amending the act of December 29, 1972 (P.L.1713, No.367), entitled Motor Vehicle Physical Damage Appraiser Act, further providing for compliance provisions.

Which was committed to the Committee on BANKING AND INSURANCE, October 25, 1999.

Senators CORMAN, TILGHMAN, WOZNIAK, SALVATORE, COSTA, CONTI, O'PAKE, EARLL, WAGNER, GERLACH, KASUNIC, HELFRICK, LAVALLE, MOWERY, BOSCOLA, MURPHY, RHOADES, SLOCUM, WAUGH, WHITE, STOUT and THOMPSON presented to the Chair **SB 1159**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for rate of inheritance tax.

Which was committed to the Committee on FINANCE, October 25, 1999.

### RESOLUTION INTRODUCED AND REFERRED

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

October 25, 1999

Senators THOMPSON, EARLL, COSTA, ARMSTRONG, TOMLINSON, ROBBINS, GERLACH, BELL, WOZNIAK, SLOCUM, MURPHY, CONTI, BRIGHTBILL, RHOADES, HART and LOEPER presented to the Chair **SR 112**, entitled:

A Concurrent Resolution calling on the United States Bureau of the Census to refrain from using statistical sampling in the decennial census.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, October 25, 1999.

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given for the following committee meetings to be held during today's Session off the floor in the Rules room: the Committee on Rules and Executive Nominations to consider Senate Bill No. 456 and certain nominations; also the Committee on Finance to consider Senate Resolution No. 103 and House Bill No. 1848.

### REPORTS FROM COMMITTEES

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

#### **SB 380 (Pr. No. 1440) (Amended) (Rereported)**

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

#### **SB 670 (Pr. No. 1441) (Amended) (Rereported)**

An Act relating to the licensure and regulation of pediatric extended care centers in this Commonwealth.

#### **SB 1011 (Pr. No. 1267) (Rereported)**

An Act amending the act of December 28, 1994 (P.L.1445, No.171), entitled Automobile Theft Prevention Act, repealing sunset provisions of the act.

#### **SB 1135 (Pr. No. 1442) (Amended) (Rereported)**

An Act providing grants for crop losses related to the drought in 1999; conferring powers and duties on the Department of Agriculture; establishing the Drought Emergency Fund; and making appropriations.

#### **HB 518 (Pr. No. 1040) (Rereported)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for face-to-face contact for high risk abused children.

Senator THOMPSON, from the Committee on Law and Justice, reported the following bill:

#### **HB 1692 (Pr. No. 2531) (Amended) (Rereported)**

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees, for special occasion permits and for wine auction permits; authorizing a multipurpose county-owned arena and convention center license and a national event permit; and further providing for breweries, for limiting number of retail licenses in each municipality, for transfer of licenses, for local option relating to special occasion permits, for granting of liquor licenses in certain municipalities, for unlawful acts relative to malt or brewed beverages and licenses, for employment of minors, for penalties for the sale of liquor or malt or brewed beverage without being licensed, for limited wineries; and for nuisances.

### LEGISLATIVE LEAVE

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

Senator HUGHES. Mr. President, I request a legislative leave for Senator Bodack.

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

### LEAVE OF ABSENCE

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

### SENATE CONCURRENT RESOLUTION

#### RECESS ADJOURNMENT

Senator LOEPER offered the following resolution, which was read as follows:

In the Senate, October 25, 1999

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, November 8, 1999, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, November 8, 1999, unless sooner recalled by the Speaker of the House of Representatives.

On the question,  
Will the Senate adopt the resolution?

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

#### YEA-49

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

#### NAY-0

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

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

### SPECIAL ORDER OF BUSINESS GUEST OF SENATOR JANE M. EARLL PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Erie, Senator Earll.

Senator EARLL. Mr. President, I would like to take this opportunity to introduce a guest I have visiting here today. Mr. Jeffrey Newcamp is serving as one of our guest Pages. I would like to review with my colleagues some of this young man's outstanding accomplishments. He is very remarkable. He has many gifts and talents. Among other things, he is currently a

senior at Cathedral Preparatory School in Erie. He is involved in many, many activities. He was his junior class president and is currently his senior class president. Last year he ranked number one academically in his class. He is a board member of the Intermediate Unit high school drug and alcohol board, and he is an Academic Sports League gold and silver medalist, a National Honor Society member, a features writer for the Times Publishing Company in Erie, and is even the owner of his own business. He creates web sites, and he has been doing so well that he has recently incorporated his business. He is also going to receive very soon the highest attainable honor from the Boy Scouts, which everyone knows is the Eagle Scout award, in November.

I recognize that he certainly represents what is the best in our youth today. I am delighted that he is here with us, and I ask my colleagues to join me in extending a very warm Senate welcome.

The PRESIDENT. Would our special guest and helpful Page please rise so the Senate may welcome you.

(Applause.)

### RECESS

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

Senator LOEPER. Mr. President, at this time I request a recess of the Senate, first for a meeting of the Committee on Rules and Executive Nominations to convene immediately in the Rules room at the rear of the Senate Chamber, to be followed by a Republican caucus in the first floor caucus room, with an expectation of returning to the floor at approximately 4:15 p.m.

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

Senator HUGHES. Mr. President, we would like all Democrat Members to report to our caucus room immediately following the meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. The Chair would also note that following the meeting of the Committee on Rules and Executive Nominations there will be a meeting of the Committee on Finance. For purposes of meetings of the Committee on Rules and Executive Nominations and the Committee on Finance, to be followed by Republican and Democratic caucuses, with the intention of returning at 4:15 p.m., the Senate stands in recess.

### AFTER RECESS

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

### LEGISLATIVE LEAVES

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

Senator LOEPER. Mr. President, Senator Robbins has been called from the floor, and I request a temporary Capitol leave on his behalf.

The PRESIDENT. Without objection, that leave is granted.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request a temporary Capitol leave for Senator Musto, and a legislative leave for Senator Schwartz.

The PRESIDENT. Without objection, those leaves are granted.

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

##### BILLS OVER IN ORDER

**HB 58** and **HB 285** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

##### BILL AMENDED

**SB 555 (Pr. No. 1404)** -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating electronic transactions.

On the question,

Will the Senate agree to the bill on third consideration?

Senator HART offered the following amendment No. A3847:

Amend Sec. 103, page 22, line 16, by striking out "OR STATE-RELATED INSTITUTION"

Amend Sec. 103, page 22, line 18, by striking out "AND POLITICAL SUBDIVISIONS" and inserting: , political subdivisions and State-related institutions.

Amend Sec. 103, page 23, line 17, by inserting after "ENTITY": or other instrumentality

Amend Sec. 103, page 23, line 18, by inserting after "ENTITY": or instrumentality

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

##### BILL OVER IN ORDER

**SB 630** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

##### BILL OVER IN ORDER TEMPORARILY

**SB 958** -- Without objection, the bill was passed over in its order temporarily at the request of Senator LOEPER.

##### BILLS OVER IN ORDER

**SB 997** and **SB 1047** -- Without objection, the bills were passed over in their order at the request of Senator LOEPER.

### SECOND CONSIDERATION CALENDAR

#### BILL OVER IN ORDER

**SB 8** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL REREFERRED

**HB 227 (Pr. No. 1697)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for durable powers of attorney.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

#### BILL ON SECOND CONSIDERATION

**SB 242 (Pr. No. 930)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, requiring the establishment of a mandatory boater education program, and fixing additional fees.

Considered the second time and agreed to,

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

#### BILL OVER IN ORDER

**SB 300** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION

**HB 394 (Pr. No. 2485)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L. 1206, No. 331), known as The First Class Township Code, further providing for election of the township secretary.

Considered the second time and agreed to,

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

#### BILL OVER IN ORDER

**SB 528** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILLS ON SECOND CONSIDERATION

**SB 544 (Pr. No. 562)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge over the Susquehanna River in Clinton County as the Constitution Bridge.

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

**SB 598 (Pr. No. 623)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of Route 422 in Berks County, Pennsylvania as the Albert Boscov Commemorative Highway.

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

#### BILLS REREFERRED

**SB 705 (Pr. No. 765)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), entitled The First Class Township Code, further providing for compensation.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 707 (Pr. No. 767)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), entitled The First Class Township Code, further providing for certain reimbursement.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 708 (Pr. No. 1405)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, providing for compensation of auditors for attendance at conferences, institutes, schools and conventions.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 709 (Pr. No. 769)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled The Borough Code, further providing for borough councils' and mayors' salaries.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 710 (Pr. No. 770)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled The Borough Code, further providing for the State Association of Boroughs and for regional borough associations.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

**SB 711 (Pr. No. 775)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), entitled, as reenacted and amended, The Second Class Township Code, further providing for county associations and the State Association of Township Supervisors.

Upon motion of Senator LOEPER, and agreed to, the bill was rereferred to the Committee on Appropriations.

#### BILL ON SECOND CONSIDERATION

**SB 767 (Pr. No. 832)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), entitled Pennsylvania Municipal Retirement Law, further providing for the allocation of excess interest by successor municipalities in the case of certain authorities that have their operating functions transferred back or dissolved.

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

#### BILL OVER IN ORDER

**SB 800** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

#### BILL ON SECOND CONSIDERATION, AMENDED

**SB 842 (Pr. No. 945)** -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on second consideration?

Senator MELLOW offered the following amendment No. A3834:

Amend Sec. 1 (Sec. 4914), page 1, line 9, by inserting after "process": impersonating public official or legal tribunal; hindering public official

Amend Sec. 1 (Sec. 4914), page 1, line 10, by striking out "Legal" and inserting: Simulated legal

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.  
Ordered, To be printed on the Calendar for third consideration.

**BILL OVER IN ORDER**

**HB 868** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**BILLS ON SECOND CONSIDERATION**

**SB 1130 (Pr. No. 1382)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge in Fayette County as the Point Marion Veterans' Memorial Bridge.

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

**HB 1268 (Pr. No. 1458)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the walkway which crosses I-279 from East Street to Howard Street in the City of Pittsburgh as Gerst Way.

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

**BILL OVER IN ORDER**

**HB 1445** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**SB 958 CALLED UP**

**SB 958 (Pr. No. 1090)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator LOEPER.

**BILL OVER IN ORDER**

**SB 958** -- Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 555 (Pr. No. 1443)** -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating electronic transactions.

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 Allegheny, Senator Hart.

Senator HART. Mr. President, I rise in support of Senate Bill No. 555, as amended, and I ask my colleagues to support it as well. Senate Bill No. 555 is another step in our progress in Pennsylvania to becoming one of the most technology-friendly States in the United States. Senate Bill No. 555 is the Uniform Electronic Transactions Act. This act would facilitate and promote electronic commerce, or e-commerce, in Pennsylvania by giving legal recognition to digital signatures and legal recognition to electronic documents to be valid contracts in the Commonwealth. Mr. President, this legislation would validate anyone's opportunity in the Commonwealth to make a contract via the Internet with someone in Singapore or someone down the street. What it does is allows us to use something called an electronic or digital signature as a validation for a contract, something that current Pennsylvania law does not recognize.

As I have worked as the chair of the Committee on Finance and worked with Chambers of Commerce, the High Technology Council in Pittsburgh, and other organizations, I have learned that Pennsylvania has a great opportunity, Mr. President. Our opportunity is to become one of the most technology-friendly States in the United States. We are well on our way. With this legislation, we take one step further in not only welcoming with open arms and encouraging the growth of technology firms, but welcoming and encouraging the growth of other firms who wish to use this technology to grow their customer base worldwide, to make it a lot easier to make a contract with someone on the other side of the world.

This bill allows freedom for the contractor to make the decision as to whether they wish to use a traditional contract form--that is unaffected, so they could still use a handwritten signature--or it now gives them the opportunity to utilize technology so that they could actually have a contract that has no paper whatsoever, that is an electronic document that is transmitted between the parties and basically signed by what we will call in this legislation electronic or digital signature.

Mr. President, it is imperative, I believe, that we pass this legislation in this Commonwealth. The Internet represents for us one of the new economic frontiers, or it is the new economic frontier. It is filled with limitless potential for our businesses to grow and prosper. Storefronts are widening to include customers and window shoppers across the State, across the nation, and across the world. They would all be connected and be able to offer their products through the Internet. It is still growing, Mr. President. It is estimated that by 2002, electronic commerce will skyrocket from a \$43 billion industry to \$1.3 trillion in commerce by 2002. The Internet offers tremendous potential. I think many of us are familiar with the consumer products available through the Internet. This legislation expands us from being able to use it as a consumer tool for our own personal shopping to a tool for business growth. It means Pennsylvania firms will be among the first companies to have the legal structure that they need to do business over the Internet, as I said earlier. This



legislation gives them an early competitive advantage as many States have adopted some kind of acceptance of digital signatures, but they have not totally accepted the opportunity to validate contracts via the Internet. We also reinforce our current administration's commitment to making Pennsylvania completely high-tech friendly.

I would like to thank Governor Ridge and his staff for their help in developing this legislation and ensuring that we are ready and able to harness the benefits of the information super-highway. I would also like to thank an attorney in my district, Monica Deoras, for her help in this legislation as she got us started on it several years ago.

In our plan, Senate Bill No. 555 will enable individuals, businesses, and governments to use these e-signatures in legal and binding transactions, which they cannot do today. This kind of recognition will not only save businesses time in the passing of contracts back and forth, but it will also save them money and it will save them aggravation. In this way, we will be catching up with other parts of the nation which have already gone forward with these signatures, but also going ahead of them because our acceptance of an electronic signature is more technology-friendly.

The bill in today's final form advances the important tenets of our original proposal while tying our policies closely to the recommended uniform e-commerce bill that has been recommended and probably will be accepted by many other States in the future. This will ensure a smoother as well as a rapid move toward Internet commerce by all Pennsylvanians, whether they be large Fortune 500 businesses or small mom-and-pop businesses.

In addition to my staff's work on the legislation, I would like to thank Tom Hutton and Kevin Dellicker of Governor Ridge's staff, Steve Tuckey from Senator Loeper's staff, George Riddle and Greg Jordan from Senator Tilghman's staff, and Phil Dunn from Senator Tomlinson's staff for their assistance in preparing this legislation for a vote. I would encourage my colleagues, whether they use e-commerce or not, to please support this legislation and help Pennsylvania move forward.

Thank you, Mr. President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-49

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

Fumo	Loeper	Slocum
Gerlach	Madigan	Stapleton

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.

**COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS**

Senator SALVATORE, from the Committee on Rules and Executive Nominations, by unanimous consent, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

**MEMBER OF THE STATE BOARD OF ACCOUNTANCY**

October 22, 1999

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 April 21, 1999 for the appointment of Michelle M. Grove (Public Member), 220 Umberto Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until May 2, 1999 and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert L. Rubendall, Esq., Halifax, resigned.

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

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA GAME COMMISSION**

October 19, 1999

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 15, 1999 for the appointment of Paula Vitz (District 2), 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dennis Roy Fredericks, McMurray, whose term expired.

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

October 4, 1999

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 September 13, 1999 for the appointment of Thomas White, 213 Mission Meade Road, New Castle 16105, Lawrence County, Forty-seventh Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jesse C. Achenbach, Pottsville, resigned.

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WESTERN CENTER

October 22, 1999

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 April 19, 1999 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Western Center, to serve for a term of four years or until her successor is appointed and qualified, vice I. Marie Bahn, Indiana, resigned.

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

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
WESTERN YOUTH DEVELOPMENT CENTERS

October 22, 1999

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 April 21, 1999 for the appointment of Annette Steele, 2029 Bonita Court, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of Western Youth Development Center, to serve until the third Tuesday of January 2001 and until her successor is appointed and qualified, vice The Honorable Cheryl Allen Craig, Pittsburgh, resigned.

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

THOMAS J. RIDGE  
Governor

DISTRICT JUSTICE

October 22, 1999

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 May 3, 1999 for the appointment of Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, as District Justice, in and for the County of Somerset, Magisterial District 16-3-05, to serve until the first Monday of January 2000, vice Melissa K. Dively, resigned.

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

THOMAS J. RIDGE  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

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

The motion was agreed to.

The PRESIDENT. The nominations will be returned to the Governor.

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

Senator SALVATORE, 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

June 2, 1999

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, Denise K. Chamberlain (Alternate Member), 3930 Sullivan Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice James Rue, West Chester, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

June 2, 1999

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 S. Zimmerman, Jr. (Voting Member), 202 Fox Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Peter J. Jannetta, M.D., Rector, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE CHARTER SCHOOL  
APPEAL BOARD**

October 8, 1999

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, Marcia E. Reeves, 131 Hoerner Street, Harrisburg 17103, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2001 and until her successor is appointed and qualified, vice Lisa M. Tait, Harrisburg, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD**

September 30, 1999

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, Nicholas J. Maiale, 225 South 18<sup>th</sup> Street, Apt. 1406, Philadelphia 19103, Philadelphia County, First Senatorial District, for reappointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE ENVIRONMENTAL  
HEARING BOARD**

September 17, 1999

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 L. Krancer, Esquire, 439 North Ithan Drive, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Environmental Hearing Board, to serve for a term of six years or until his successor is appointed and qualified, vice Richard S. Ehmman, Esquire, Pittsburgh, resigned.

THOMAS J. RIDGE  
Governor

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

September 9, 1999

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, Andrea F. Fitting, Ph.D., 113 Sunridge Drive, Pittsburgh 15234, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2003 and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

September 9, 1999

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, Nancy D. Kolb, 4003 Mechanicsville Road, Doylestown 18901, Bucks County, Tenth Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2003 and until her successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

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

September 28, 1999

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, Allen M. Wenger, P.O. Box 40, Rheems 17570, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2003 and until his successor is appointed and qualified, vice George A. Nichols, Dalton, resigned.

THOMAS J. RIDGE  
Governor

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

September 28, 1999

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, Ronald H. Frey, 243 West Greenway Street, Fleetwood 19522, Berks County, Eleventh Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE PENNSYLVANIA  
LIQUOR CONTROL BOARD

September 17, 1999

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, Jonathan H. Newman, 1079 Baron Drive, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday in May 2002, vice Robert P. Fohl, Pittsburgh, resigned.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE

September 28, 1999

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, Daniel D. Dowd, Jr., D.O., 2858 Honey Valley Road, York 17403, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

MEMBER OF THE PUBLIC SCHOOL EMPLOYEES'  
RETIREMENT BOARD

September 30, 1999

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, Samuel M. Sanzotto, Ed.D., 6122 Charing Cross, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Public School Employees' Retirement Board, to serve until February 14, 2001 and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER

June 22, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen J. Holoviak, Ph.D., 410 Overhill Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

DISTRICT JUSTICE

September 28, 1999

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frank J. Pallone, Jr., 1008 Woodbury Road, New Kensington 15068, Westmoreland County, Fortieth Senatorial District, for appointment as District Justice, in and for the County of Westmoreland, Magisterial District 10-1-05, to serve until the first Monday of January 2000, vice John Smittle, resigned.

THOMAS J. RIDGE  
Governor

*NOMINATIONS LAID ON THE TABLE*

Senator SALVATORE. Mr. 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.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 2**

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

**SB 1135** – Without objection, the bill was passed over in its order at the request of Senator LOEPER.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 3**

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

**HB 1692 (Pr. No. 2531)** – The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by liquor licensees, for special occasion permits and for wine auction permits; authorizing a

multipurpose county-owned arena and convention center license and a national event permit; and further providing for breweries, for limiting number of retail licenses in each municipality, for transfer of licenses, for local option relating to special occasion permits, for granting of liquor licenses in certain municipalities, for unlawful acts relative to malt or brewed beverages and licenses, for employment of minors, for penalties for the sale of liquor or malt or brewed beverage without being licensed, for limited wineries; and for nuisances.

Considered the second time and agreed to,

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

### UNFINISHED BUSINESS REPORTS FROM COMMITTEES

Senator LOEPER, from the Committee on Rules and Executive Nominations, reported the following bill:

#### SB 456 (Pr. No. 1413) (Rereported) (Concurrence)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the qualifications and appointment of deputy waterways conservation officers; authorizing certain cooperative agreements; further providing for changes in grading of certain offenses, for increased fines for certain convictions, for violations of regulations and permits, for acknowledgment of guilt, for disposition of nonresident offenders and for issuing agents; prohibiting the sales of certain fish, reptiles and amphibians; providing for issuance of reduced fee fishing licenses to certain owners or possessors of land open to public fishing, and further providing for the grading of and penalties for violations relating to boating registration, identification, issuing agents and accident reports.

Senator HART, from the Committee on Finance, reported the following bill:

#### HB 1848 (Pr. No. 2418)

An Act providing for a tax credit to employers who hire certain individuals; and making a repeal.

### RESOLUTION REPORTED FROM COMMITTEE

Senator HART, from the Committee on Finance, reported the following resolution:

#### SR 103 (Pr. No. 1444) (Amended)

A Resolution requesting the Public Employee Retirement Commission to undertake a study relating to the funding of cost-of-living adjustments for retired State and public school employees.

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

### RECONSIDERATION OF SB 708

#### BILL OVER IN ORDER

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

Senator LOEPER. Mr. President, if we could return to today's Calendar, page 4, Senate Bill No. 708. I move for reconsidera-

tion of the vote by which Senate Bill No. 708 was rereferred to the Committee on Appropriations and ask that the bill go over in its order.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

The PRESIDENT. The bill will go over in its order.

### SENATE RESOLUTION ADOPTED

Senators CORMAN, ARMSTRONG, SALVATORE, COSTA, BRIGHTBILL, WHITE, TOMLINSON, HART, DENT, KASUNIC, O'PAKE, WENGER, LEMMOND, SCHWARTZ, WOZNIAK, BOSCOLA and THOMPSON, by unanimous consent, offered Senate Resolution No. 113, entitled:

A Resolution designating the week of November 1 through 6, 1999, as "Telephone Pioneer Week" in Pennsylvania.

Which was read, considered and adopted.

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Bill Miller by Senator Armstrong.

Congratulations of the Senate were extended to Clint Carl Coder and to Minitab Inc., of State College, by Senator Corman.

Congratulations of the Senate were extended to Angelina Perin by Senator Costa.

Congratulations of the Senate were extended to Richard C. Kipp by Senator Gerlach.

Congratulations of the Senate were extended to Scott V. Fainor and to Lucent Technologies' Microelectronics Group of Allentown by Senator Gerlach and others.

Congratulations of the Senate were extended to Mr. and Mrs. Nyle E. Sommers, Mr. and Mrs. Joseph Skopic, Mr. and Mrs. Donald R. Shuman, Mr. and Mrs. Roland L. Beck and to Chris Gearhart by Senator Helfrick.

Congratulations of the Senate were extended to Hatfield Quality Meats by Senator Holl.

Congratulations of the Senate were extended to Ira Lee Kirkland by Senator Kitchen.

Congratulations of the Senate were extended to Mr. and Mrs. William D. Dunn and to Mr. and Mrs. Louis C. Rosbach by Senator Madigan.

Congratulations of the Senate were extended to Andy Flanigan by Senator Murphy.

Congratulations of the Senate were extended to Verna Kovich by Senator Rhoades.

Congratulations of the Senate were extended to James P. Lehman, Walter A. Blichasz, Joseph G. Calhoun and to Donald V. Miskit by Senator Salvatore.

Congratulations of the Senate were extended to Mr. and Mrs. Roy Duncan, Mr. and Mrs. Tom Rovison, Kevin McArde and to Dora Lynn Mumper by Senator Stapleton.

Congratulations of the Senate were extended to Jonathan Weaver by Senator Thompson.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Elliot, Blanche E. Troutman and to John Van Arsdale by Senator White.

### CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Reverend Dr. Edward K. Knettlar by Senator Armstrong.

### BILL ON FIRST CONSIDERATION

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

The motion was agreed to.

The bill was as follows:

#### HB 1848.

And said bill 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 Allegheny, Senator Murphy.

Senator MURPHY. Mr. President, I rise today to urge my colleagues from western Pennsylvania to join with me to fight a dangerous initiative which stands to drive a wedge between the city of Pittsburgh dwellers and suburban residents and thwart progress on economic development. One bill recently vetoed by the city of Pittsburgh's Mayor Tom Murphy would have set unprecedented residency requirements for employment in the city, and I appreciate the mayor's veto of that bill. But I am also asking city council to let that veto stand.

Another issue that is on the November ballot in the city of Pittsburgh would call for residency requirements for construction workers. These may be backward-looking ideas, and I fear they will not only stand in the way of economic progress but erode any progress that has been made in bringing the city and the suburbs together. At best, they will cause hard feelings. At worst, they will drive a wedge between city and suburban residents at a time when we are trying desperately hard to create a spirit of regional cooperation.

Briefly, that first bill vetoed by the mayor would require that at least 35 percent of the employees on projects built using tax increment financing assistance live within Pittsburgh city limits. The ballot question would require 35 percent of construction workers on these projects to live within city limits. Meanwhile, suburban taxpayers who contribute financially to the city's economic development projects will lose the opportunity to vie for jobs. How could any of us go to our constituents, carpenters and electricians who do the building, and the students, men and women who will work at the stores and the stadiums, how can

we tell any of them your tax dollars will be used to build these projects, but you will not be able to earn dollars at them? I call that discriminatory and blatantly unfair to the people who should have every opportunity to compete on equal footing, the city and suburban residents alike, for available openings. I believe the quality and talent is there to compete, and we should let the people do so.

Not only is this an emotional issue, but it also stands to degenerate into a protracted legal battle that could be costly for the city and needlessly delay any construction projects. Mark my words, if enacted, there will be court challenges and they will be expensive, and we can expect other communities to retaliate by enacting their own ordinances to shut out city residents from jobs. And legislators here, I am sure, will submit bills to stop these practices by prohibiting State dollars from going to any city or county or community that engages in this sort of warfare. And how can we possibly try to encourage any employers to locate new jobs in a State where they are told who they can and cannot hire based upon an address?

The Pittsburgh region has long been accused of living in the Dark Ages politically, but recently leaders have begun to step out of the shadows of parochialism and patronage to embrace a more regionally sound and effective approach to governing, and we should continue to embrace that. Of course, that was before such promotion of these issues occurred. I believe the good people of the Pittsburgh city council have the best interests of their constituents at heart, and we should work together toward those ends. Indeed, we all want to see people employed, but I believe we are better off focusing our efforts on vigorous job training and recruitment rather than erecting barriers.

Mr. President, I urge my colleagues on both sides of the aisle from western Pennsylvania to do our part to promote cooperation by working together to encourage defeat of any bills that do not promote this cooperation and stand in that way.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I rise to support my colleague, Senator Murphy. And as a matter of fact, I have a bill right here for anybody who wants to sign on that will prevent the city of Pittsburgh from using artificial political borders for employment. Last year when this General Assembly, both the Senate and the House, went through the agonizing process of trying to come up with a capital budget that would be fair to rural Pennsylvania as well as to help the stadiums in our urban center, there were a lot of us who came from the rural parts of Pennsylvania, and I am not blaming Mr. McClatchy, I am not blaming Mr. Rooney, but they put a hybrid together to make it affordable and palatable to those of us who do not come from the Allegheny County region to be able to support a bill, knowing that within that are opportunities for the rest of Pennsylvania. However, when the council of Pittsburgh and all the other entities over there came to this Senator, they always came saying, but, John, this effort is regional. It is going to create jobs for your people, too.

Well, the other week there was a movie on television called Animal Farm, if anybody ever read that, by George Orwell. And

it says all the animals are equal, but the pigs are a little more equal. So it is not good enough that Pittsburgh is getting two new stadiums. The council of Pittsburgh wants to say that 35 percent of the man-hours worked on those construction sites have to be from the city itself, not from Johnstown, not from Monessen, not from Beaver County, not from Washington County, but 35 percent. But of course, that is regional. It is going to help everybody.

It is not right, it is protectionism, and I think that this august body here has every right to step forward and tell the council of Pittsburgh that we do not agree with your philosophy, it is wrong, and instead of thanking the taxpayers all over Pennsylvania, from Union County, to Juniata County, to the counties in the northern tier whose moneys are going into these stadiums, you are saying it is not good enough for our people to have the opportunity to work there.

Let us make sure that this message is sent loud and clear. And if they do not retrace their steps and eliminate this effort, then let us move forward and pass the legislation that not only is it going to be Pittsburgh or Philadelphia or Johnstown or any other place, no political subdivision in this Commonwealth is allowed to put up walls and tariffs as to who can and cannot be employed within their borders using Pennsylvania taxpayer money.

Thank you, Mr. President.

### COMMUNICATION FROM THE GOVERNOR NOMINATION 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 MEDICINE

October 25, 1999

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, Daniel B. Kimball, Jr., M.D., 1303 Orchard Road, Reading 19611, Berks County, Eleventh Senatorial District, for reappointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

### 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:

October 25, 1999

Senators RHOADES, CONTI, WAGNER, DENT, MADIGAN, WHITE, TARTAGLIONE, FUMO, COSTA, TOMLINSON, O'PAKE, HART, WOZNIAK, SLOCUM, LOEPER, LEMMOND, MOWERY, SCHWARTZ, EARLL, KITCHEN, WILLIAMS, JUBELIRER, SALVATORE, MURPHY, HUGHES and BELAN presented to the Chair **SB 1162**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14) entitled Public School Code of 1949, providing for the establishment, membership and powers and duties of the Community College Coordinating Board; and further providing for payments to community colleges.

Which was committed to the Committee on EDUCATION, October 25, 1999.

Senators CORMAN and HELFRICK presented to the Chair **SB 1163**, entitled:

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

Which was committed to the Committee on GAME AND FISHERIES, October 25, 1999.

Senators THOMPSON, HART, EARLL, MELLOW, SLOCUM, WHITE, DENT, PUNT, TOMLINSON, WAUGH, GERLACH, ROBBINS, WOZNIAK, LEMMOND and O'PAKE presented to the Chair **SB 1164**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2) entitled Tax Reform Code of 1971, further providing for the exclusions from the definition of "building maintenance or cleaning services."

Which was committed to the Committee on FINANCE, October 25, 1999.

Senators CONTI, TILGHMAN, WOZNIAK, GERLACH, CORMAN, SALVATORE, COSTA, PUNT, MURPHY, DENT, LAVALLE, WAGNER, EARLL, KASUNIC, GREENLEAF, STOUT, BOSCOLA and ARMSTRONG presented to the Chair **SB 1165**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), entitled Tax Reform Code of 1971, further providing for imposition of tax and for the rate of inheritance tax.

Which was committed to the Committee on FINANCE, October 25, 1999.

### ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, OCTOBER 26, 1999

10:15 A.M.	JUDICIARY (to consider Senate Bills No. 847, 850 and 1109; and House Bills No. 538 and 849)	Room 8E-B East Wing
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TUESDAY, NOVEMBER 9, 1999

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing to consider the nomination of Terrance J. Fitzpatrick, Esq., to the Public Utility Commission)	Room 8E-B East Wing
10:30 A.M.	COMMUNICATIONS AND HIGH TECHNOLOGY (to consider Senate Bill No. 1077)	Room 8E-A East Wing

**ADJOURNMENT**

Senator WENGER. Mr. President, I move that the Senate do now adjourn until Tuesday, October 26, 1999, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to.

The Senate adjourned at 5:10 p.m., Eastern Daylight Saving Time.