

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

MONDAY, JUNE 5, 2000

SESSION OF 2000

184TH OF THE GENERAL ASSEMBLY

No. 28

SENATE

MONDAY, June 5, 2000

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

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

PRAYER

The Chaplain, Pastor JEFF WILLIAMS-BRINKS, of Greenawalds United Church of Christ, Allentown, offered the following prayer:

I invite you to pray with me.

Merciful and loving God, as we come before You this day, we are perhaps more aware than on other days of the fleeting nature of our time on this earth. We pray with thanksgiving for the life of our former Governor, Robert P. Casey, and ask that You continue to hold his family, friends, and colleagues in Your comforting embrace as they live through these days of grief.

As this Senate embarks upon another Session, we give You thanks for the countless hours that our Governor, our Lieutenant Governor, our Senators, their staffs, and our other elected officials have given in service to the people of this great Commonwealth, and we ask Your continued blessings upon them.

We gather here today, unique and gifted individuals engaged in the work of governing. Help our Senators to balance the art of what is possible with what is practical, to temper justice with mercy, to balance good policy with compassion, and to be bold in the decisions they make. Grant each one of them to live up to his or her fullest potential and to create laws and make decisions based on their best and truest selves. Guide us all by Your spirit of grace. Amen.

The PRESIDENT. The Chair thanks Reverend Williams-Brinks, who is the guest today of Senator Dent.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 16, 2000.

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

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

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

SB 1, 2, 1077, 1134, 1359, 1364, 1365, 1366, 1368, 1369, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383 and 1391.

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 FUNERAL DIRECTORS

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald J. Murphy (Public Member), 348 N. 24th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory K. Jordan, Harrisburg, whose term expired.

THOMAS J. RIDGE  
Governor

MEMBER OF THE STATE BOARD  
OF MEDICINE

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard E. Wright, M.D., 1419 Stoltz Road, Bethel Park 15102, Allegheny County, Thirty-seventh 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

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara F. Zsigovits (Public Member), 3423 Limestone Drive, Whitehall 18052, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF PODIATRY**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Larry M. Newman, D.P.M., 441 Meadowbrook Drive, Huntingdon Valley 19006, Montgomery County, Twelfth Senatorial District, for appointment as a member of the State Board of Podiatry, 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 Thomas J. Rittenhouse, D.P.M., Clarks Green, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE TAX  
EQUALIZATION BOARD**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles H. Dougherty, 2514 East Dauphin Street, Philadelphia 19125, Philadelphia County, First Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve until November 14, 2003, or until his successor is appointed and qualified, vice Martha Bell Schoeninger, Wayne, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF VETERINARY MEDICINE**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. McGrath, D.V.M., 1493 Iron Bridge Road, Columbia 17512, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Veterinary 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 Paul J. Suorsa, V.M.D., Slippery Rock, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA  
GAME COMMISSION**

May 18, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Russell E. Schleidon (District 3), R.R. 2, Box 165, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice George M. Miller, Brockway, whose term expired.

THOMAS J. RIDGE  
Governor

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

May 18, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward F. Sickel, M.D., 666 St. John's Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kwan H. Won, M.D., Mechanicsburg, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY**

May 19, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Geoffrey G. Grivner, 1755 Hallman Drive, Blue Bell 19422, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 2002 and until his successor is appointed and qualified, vice Robert L. Myers, Lansdale, whose term expired.

THOMAS J. RIDGE  
Governor

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

May 19, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael J. DeStefano, 31 Metoxet Street, Ridgway 15853, Elk County, Twenty-fifth Senatorial District, for reappointment 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 his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING**

May 24, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Megan L. Consedine, Esquire, 1954 Daybreak Circle, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2002 and until her successor is appointed and qualified, vice Audrey Reichblum, Pittsburgh, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF NURSING**

May 24, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rena M. Lawrence, 48 Pilgrim Drive, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Susanne M. Kelly, Coraopolis, resigned.

THOMAS J. RIDGE  
Governor

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

May 26, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel J. Patterson, 110 Leighton Drive, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Wendell R. Whitlock, Philadelphia, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE CIVIL  
SERVICE COMMISSION**

May 26, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara L. Krause, Esquire, 5218 Fifth Avenue, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2004 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ethel S. Barnett, Philadelphia, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE ADVISORY COMMITTEE  
ON PROBATION**

May 26, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Richard A. Lewis, 2321 Forest Hill Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice The Honorable Kenneth G. Biehn, Doylestown, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE ADVISORY COMMITTEE  
ON PROBATION**

May 26, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richmond S. Parsons, Jr., 2703 Old Welsh Road, Willow Grove 19090, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice David W. Crowe, Meadville, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF DIRECTORS OF  
THE PENNSYLVANIA ECONOMIC DEVELOPMENT  
FINANCING AUTHORITY**

May 31, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. Talbot Heppenstall, Jr., 223 Cornwall Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified, vice Jerald S. Batoff, Esquire, Villanova, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF DIRECTORS OF  
THE PENNSYLVANIA ECONOMIC DEVELOPMENT  
FINANCING AUTHORITY**

May 31, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Teri J. MacBride, 123 Victoria Lane, Lewisburg 17837, Union County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until her successor is appointed and qualified, vice William R. Sasso, Esquire, Gwynedd Valley, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE TAX  
EQUALIZATION BOARD**

June 2, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel G. Guydish, R. 401 West Green Street, West Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the State Tax Equalization Board, to serve until November 14, 2003 or until his successor is

appointed and qualified, vice James E. Bach, Sr., Shickshinny, whose term expired.

THOMAS J. RIDGE  
Governor

**DISTRICT JUSTICE**

June 2, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dean R. Patton, 941 Lobelia Avenue, Reading 19605, Berks County, Eleventh Senatorial District, for appointment as District Justice, in and for the County of Berks, Magisterial District 23-1-06, to serve until the first Monday of January 2002, vice Anthony F. Horning, mandatory retirement.

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 PENNSYLVANIA  
GAME COMMISSION**

May 18, 2000

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 6, 2000 for the appointment of Fritz Bittenbender (District 3), 4400 Colonial Road, Dover 17315, York County, Twenty-eighth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice George M. Miller, Brockway, 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 VETERINARY MEDICINE**

May 18, 2000

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 30, 2000 for the appointment of Valerie Smith, 7723 Farmdale

Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Veterinary Medicine, to serve until for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Paul J. Suorsa, V.M.D., Slippery Rock, resigned.

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

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE CIVIL  
SERVICE COMMISSION**

May 26, 2000

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 3, 2000 for the appointment of Michelle M. Grove, 220 Umberto Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the State Civil Service Commission, to serve until April 9, 2004 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ethel S. Barnett, Philadelphia, resigned.

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

THOMAS J. RIDGE  
Governor

**MEMBER OF THE ADVISORY COMMITTEE  
ON PROBATION**

May 26, 2000

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 15, 2000 for the appointment of Fritz Bittenbender, 4400 Colonial Road, Dover 17315, York County, Twenty-eighth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice The Honorable Kenneth G. Biehn, Doylestown, 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 REGISTRATION  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND GEOLOGISTS**

May 26, 2000

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 3, 2000 for the appointment of Edward A. Dobson, 2808 Union

Avenue, Altoona 16601, Blair County, Thirtieth 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 Ronald L. Schrock, Somerset, whose term expired.

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

THOMAS J. RIDGE  
Governor

**RECALL COMMUNICATION  
LAID ON THE TABLE**

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 laid on the table:

**CONTROLLER, LUZERNE COUNTY**

June 2, 2000

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 3, 2000 for the appointment of Daniel G. Guydish, R. 401 West Green Street, West Hazleton 18201, Luzerne County, Fourteenth Senatorial District, as Controller, in and for the County of Luzerne, to serve until the first Monday of January 2002, vice Thomas P. Pizano, 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:

May 17, 2000

**HB 1523** -- Committee on Judiciary.

**HB 1537 and 2313** -- Committee on Public Health and Welfare.

**HB 2083** -- Committee on Community and Economic Development.

**HB 2463** -- Committee on State Government.

May 18, 2000

**HB 483** -- Committee on Public Health and Welfare.

**HB 1686** -- Committee on State Government.

**HB 1813** -- Committee on Local Government.

**HB 2116** -- Committee on Transportation.

**HB 2335** -- Committee on Education.

May 26, 2000

**HB 1728** -- Committee on State Government.

**HB 2209** -- Committee on Consumer Protection and Professional Licensure.

### 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 17, 2000

Senators GREENLEAF, ROBBINS, KITCHEN, BELL, HELFRICK, LEMMOND, WAUGH, WAGNER, BOSCOLA, COSTA, EARLL, HART, O'PAKE, SALVATORE, SCHWARTZ, STOUT, TARTAGLIONE, THOMPSON, TILGHMAN, TOMLINSON, WHITE, KASUNIC and MUSTO presented to the Chair **SB 1453**, entitled:

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

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, May 17, 2000.

Senators TARTAGLIONE, KITCHEN, HUGHES, KUKOVICH, FUMO, COSTA, WAGNER, KASUNIC and SCHWARTZ presented to the Chair **SB 1454**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the definition of "nonrepairable vehicle" and the offense of dumping of vehicles in cities of the first class.

Which was committed to the Committee on TRANSPORTATION, May 17, 2000.

Senator WILLIAMS presented to the Chair **SB 1455**, entitled:

An Act allocating a percentage of the net proceeds from all unclaimed funds from sheriffs' sales of residential real property to the Pennsylvania Housing Finance Agency for the purpose of assisting potential homebuyers with the financing and purchase of homes at sheriffs' sales; and establishing the Sheriffs' Sales Homeownership Assistance Fund and the Sheriffs' Sales Homeownership Assistance Program.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, May 17, 2000.

May 26, 2000

Senator TILGHMAN presented to the Chair **SB 1456**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for special education payments to school districts.

Which was committed to the Committee on EDUCATION, May 26, 2000.

Senators ARMSTRONG, MADIGAN, CORMAN, WOZNIAK and LEMMOND presented to the Chair **SB 1458**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership in the retirement system.

Which was committed to the Committee on FINANCE, May 26, 2000.

Senators ARMSTRONG, MADIGAN, CORMAN, WOZNIAK and LEMMOND presented to the Chair **SB 1459**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for mandatory and optional membership in the retirement system.

Which was committed to the Committee on FINANCE, May 26, 2000.

May 30, 2000

Senators HELFRICK and HART presented to the Chair **SB 1457**, entitled:

An Act amending the act of May 2, 1945 (P.L.382, No.164), entitled Municipality Authorities Act of 1945, further providing for the purposes and powers of an authority.

Which was committed to the Committee on LOCAL GOVERNMENT, May 30, 2000.

Senator SLOCUM presented to the Chair **SB 1461**, entitled:

An Act amending the act of May 17, 1929 (P.L.1798, No.591), entitled Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth.

Which was committed to the Committee on LOCAL GOVERNMENT, May 30, 2000.

Senator SLOCUM presented to the Chair **SB 1462**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, to provide for the right to hunt and fish.

Which was committed to the Committee on GAME AND FISHERIES, May 30, 2000.

Senator SLOCUM presented to the Chair **SB 1463**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of environmental terrorism; and providing a penalty.

Which was committed to the Committee on JUDICIARY, May 30, 2000.

June 1, 2000

Senators MOWERY, TARTAGLIONE, CONTI, COSTA, TOMLINSON, SCHWARTZ, WAUGH, HART, GERLACH,

RHOADES, LEMMOND, MELLOW and BOSCOLA presented to the Chair **SB 1460**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of making false or fraudulent statements involving child day-care centers or family child day-care homes; and making repeals.

Which was committed to the Committee on AGING AND YOUTH, June 1, 2000.

Senators KITCHEN, TARTAGLIONE and MUSTO presented to the Chair **SB 1464**, entitled:

An Act amending the act of June 22, 1964 (Sp.Sess., P.L.84, No.6), entitled Eminent Domain Code, further providing for fair market value.

Which was committed to the Committee on STATE GOVERNMENT, June 1, 2000.

Senators KITCHEN, KUKOVICH, BELL, SCHWARTZ, TARTAGLIONE and KASUNIC presented to the Chair **SB 1465**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), entitled Public Welfare Code, further providing for the RESET Program and for program aspects of public assistance; and deleting provisions relating to food stamp program.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 1, 2000.

Senator SLOCUM presented to the Chair **SB 1466**, entitled:  
An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, providing for an aid ratio guarantee.

Which was committed to the Committee on EDUCATION, June 1, 2000.

## RESOLUTIONS INTRODUCED AND REFERRED

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

May 17, 2000

Senators TOMLINSON, SALVATORE, CONTI, CORMAN, EARLL and MURPHY presented to the Chair **SR 175**, entitled:

A Resolution recognizing the week of October 1 through 8, 2000, as "Saint Katharine Drexel Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 17, 2000.

Senators TILGHMAN, ROBBINS, KUKOVICH, BOSCOLA, THOMPSON, PICCOLA, SALVATORE, ARMSTRONG, COSTA, RHOADES, DENT, LOEPER, JUBELIRER, WENGER, BRIGHTBILL, STAPLETON, BODACK, HELFRICK, HOLL, PUNT, WAGNER, TOMLINSON, GREENLEAF, GERLACH, FUMO, TARTAGLIONE, MELLOW, WAUGH, SCHWARTZ, CONTI,

LEMMOND, MURPHY, WOZNIAK, O'PAKE, EARLL, MADIGAN, HART, WHITE, KASUNIC, BELAN, MUSTO and KITCHEN presented to the Chair **SR 178**, entitled:

A Resolution proclaiming the week of June 11 through 17, 2000, as "State Veterans' Home Week."

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, May 17, 2000.

June 2, 2000

Senator RHOADES presented to the Chair **SR 180**, entitled:

A Concurrent Resolution requesting the Pennsylvania Higher Education Assistance Agency to prepare a report on attaining college degrees within four years.

Which was committed to the Committee on EDUCATION, June 2, 2000.

Senators WHITE and MUSTO presented to the Chair **SR 181**, entitled:

A Concurrent Resolution disapproving Environmental Quality Board regulation on Stream Redesignation (Trout Run, Westmoreland County).

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 2, 2000.

## GENERAL COMMUNICATIONS

### COMMISSION ON CRIME AND DELINQUENCY GRANT PROPOSALS REPORT

The PRESIDENT. The Chair lays before the Senate the Commission on Crime and Delinquency's Grant Proposals Report.

This report will be referred to the Committee on Appropriations.

### REPORT ON ASSET FORFEITURE UNDER THE CONTROLLED SUBSTANCES FORFEITURES ACT

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

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ATTORNEY GENERAL  
Harrisburg, PA 17120

May 25, 2000

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

Dear Senator Jubelirer:

The Office of Attorney General is required under 42 Pa.C.S.A. §6801 *et seq.* to submit annually to the Senate and House Appropriations and Judiciary Committees a statewide report specifying all prop-

erty forfeited under the Controlled Substances Forfeitures Act, the proceeds derived from the sale of forfeited property and the use made of unsold property. I am pleased to submit this year's report for your review.

This report contains information on state, county and local forfeiture activity. Information on state-level activity, which includes Pennsylvania State Police shared assets, is compiled by this Office, from our own records. Information on county and local activity is gathered from each county's audit of forfeited property and proceeds as submitted to the Office of Attorney General each year. Consistent with the limitations imposed upon this Office by statute, we do not have the authority to independently verify the county-supplied information.

In addition, this report provides insight into the varied uses of forfeited cash and property and how these uses enhance our efforts to enforce Pennsylvania's drug laws as well as train and educate the community in our fight against drugs throughout the Commonwealth.

Very truly yours,

MIKE FISHER  
Attorney General

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

#### REPORT OF THE INDEPENDENT COUNSEL

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

WILLIAM F. MANIFESTO, ESQUIRE  
*Independent Counsel*  
1550 Koppers Building  
436 Seventh Avenue  
Pittsburgh, Pennsylvania 15219-1818  
Telephone (412) 471-8893  
Fax (412) 471-6897

May 23, 2000

Mark R. Corrigan  
Secretary of the Senate  
Senate Post Office  
Harrisburg, Pennsylvania 17120

Ted Mazia, Chief Clerk  
Pennsylvania House of Representatives  
Room 129, Main Capital  
Harrisburg, Pennsylvania 17120-2020

*Re: Independent Counsel  
Statewide Investigating Grand Jury*

Gentlemen:

Please find enclosed Independent Counsel's Report to the General Assembly Filed Pursuant to 18 Pa.C.S.A. §9342. If you have any questions regarding this matter, please feel free to contact me.

Very truly yours,

WILLIAM F. MANIFESTO

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

#### PUBLIC SECONDARY SCHOOL DROPOUTS REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Education  
May 23, 2000

SUBJECT: 1998-99 Public Secondary School Dropouts

TO: Honorable Members of the General Assembly

FROM: EUGENE W. HICKOK  
Secretary of Education

Pursuant to Act 49 of 1987, as Secretary of Education, I forward this report to the members of the General Assembly on public school dropouts in Pennsylvania.

The purpose of this report is to document the actual number of students who drop out each year and to provide various characteristics about these students. The focus of this report is school year 1998-99. Specifically, it includes information on all students who dropped out during the 12-month period from October 1, 1998, to September 30, 1999. This report also provides details about the Successful Students' Partnership and its re-direction as the Education Mentoring Project for the 1998-99 school year.

If you would like additional copies of the report or more information, please call the Office of Government Relations at 787-7575.

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

#### PERFORMANCE AUDIT ON THE OVERSIGHT OF GROUP HOMES

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

May 8, 2000

The Honorable Thomas J. Ridge  
Governor  
Commonwealth of Pennsylvania  
Room 225 Capitol  
Harrisburg, Pennsylvania 17120

Dear Governor Ridge:

This report contains the results of the Department of the Auditor General's performance audit of the Commonwealth's oversight of group homes for persons with mental retardation. Specifically, the audit reviewed your Department of Public Welfare's (DPW) oversight of eight group homes in Western Pennsylvania for the period from July 1, 1994 through June 30, 1999. The audit was conducted pursuant to Section 402 of The Fiscal Code and in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States.

Group homes are currently the subject of intense public interest, especially in Western Pennsylvania with the closure of Western Center and the transfer of its residents to group homes in residential neighborhoods. It is important to note that this audit does not evaluate the closing of Western Center, rather, it was conducted to evaluate the state's oversight concerning issues that affect the health and safety of group home residents.

Our audit findings have raised a number of serious concerns. As a result, we have offered 47 recommendations to improve your administration's oversight of group homes and, ultimately, the quality of care provided to group home residents.

In Chapter One, we found that DPW had allowed staff with criminal backgrounds to care for group home residents, and that staff train-



ing requirements were woefully inadequate to ensure the health and safety of residents.

In Chapter Two, we found that DPW failed to promptly investigate allegations of abuse and unexpected deaths of group home residents.

In Chapter Three and Four, we found that DPW failed to ensure that services were provided in a way that enhanced the health and well-being of residents, and that not all eight group homes we sampled were clean and safe.

Your administration's Department of Public Welfare, while entirely professional and cooperative throughout this process, appeared in its management response to have difficulty acknowledging the deficiencies we identified. Specifically, in the introduction to its response, DPW makes the incorrect statement that our report "does not find that the health and safety of any individual in the homes selected was in jeopardy, nor did the report find fault with the quality of care provided to the individuals in the homes." To the contrary, our audit found serious deficiencies that threaten the health and safety of group home residents, including allegations of abuse and unexpected deaths that were not investigated promptly, direct care workers with criminal backgrounds, and inadequately trained caregivers.

Those examples and the tone of DPW's written response cause us added concern. Further, it is disingenuous for DPW to suggest in its response that we did not provide enough supporting "comprehensive detail" from our auditors' work papers in order for DPW to confirm or correct our conclusions, or that its "short response time" was prohibitive. Not only did we provide DPW with all the information it asked for, but we also allowed DPW to have the response time it requested.

DPW's response is incorporated in the report under the applicable sections; the response also appears in its entirety in the appendices. In addition, the contents of this audit report were discussed with DPW management.

DPW has the authority and responsibility to implement the recommendations in this report to protect the health and safety of group home residents. Those residents, their families, and taxpayers deserve nothing less.

Sincerely,

ROBERT P. CASEY, JR.,  
Auditor General

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

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bill No. 262, Senate Resolution No. 98, Senate Resolution No. 175, and certain executive nominations.

### REPORTS FROM COMMITTEES

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

#### SB 783 (Pr. No. 846) (Rereported)

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), entitled The Borough Code, providing for attendance at national or State lodge of policemen.

#### SB 1125 (Pr. No. 1656) (Rereported)

An Act relating to bloodborne pathogen standards governing exposure to certain persons.

#### HB 30 (Pr. No. 2687) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for halls of fame in veterans' homes.

#### HB 227 (Pr. No. 1697) (Rereported)

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

#### HB 1023 (Pr. No. 3629) (Amended) (Rereported)

An Act amending the act of May 22, 2000 (P.L.104, No.22), known as the Capital Budget Act of 2000-2001, increasing the capital budget debt authorizations and providing for the itemization of public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance projects, flood control projects, Keystone Recreation, Park and Conservation projects, Environmental Stewardship Fund projects and public highway projects; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects; stating the estimated useful life of the projects; making appropriations; and making repeals.

#### HB 1370 (Pr. No. 3118) (Rereported)

An Act amending the act of July 1, 1937 (P.L.2532, No.470), known as the Workers' Compensation Security Fund Act, further providing for contributions, for regulations and for custody and management of fund.

#### HB 1443 (Pr. No. 3630) (Amended) (Rereported)

An Act amending the act of July 9, 1959 (P.L.510, No.137), known as the Pennsylvania Public Lands Act, expanding the scope of the act, further providing for a short title, for definitions, for administration, for warrant and patent applications, for application procedure, for administrative procedure, for application for patents, for appraisals, for expenses, for abandonment of applications and for issuance of patents; making editorial changes; and making repeals.

#### HB 1635 (Pr. No. 3631) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, establishing certain fees to be charged by the Clerk of Quarter Sessions of Philadelphia; authorizing clerks of courts of common pleas to increase certain fees and to impose automation fees; and making a repeal.

#### HB 2092 (Pr. No. 2706) (Rereported)

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for expiration.

Senator RHOADES, from the Committee on Education, reported the following bills:

#### SB 1252 (Pr. No. 1995) (Amended)

An Act providing for grants to public schools to purchase automated external defibrillators; and making an appropriation.

**HB 2189 (Pr. No. 3462)**

An Act amending the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law, providing for a short title; further providing for definitions relating to professional standards and requirements, for the Professional Standards and Practices Commission, for its membership and qualifications, for its powers and duties, for its organization and meetings and for complaints; providing for the imposition of discipline against professional educators; further providing for confidentiality, for duties of local school board officials, for department action after investigation, for hearings, for decisions by hearing officers, for appeals, for reinstatement and for unauthorized release of information; providing for immunity from liability, further providing for commission proceedings and procedures; and providing for charter school staff members.

Senator RHOADES, from the Committee on Education, also reports Final Form Regulation No. 6-262, part 701, as approved.

**RESOLUTION REPORTED FROM COMMITTEE**

Senator RHOADES, from the Committee on Education, reported the following resolution:

**SR 180 (Pr. No. 1991)**

A Concurrent Resolution requesting the Pennsylvania Higher Education Assistance Agency to prepare a report on attaining college degrees within four years.

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

**LEGISLATIVE LEAVES**

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

Senator MELLOW. Mr. President, I request legislative leaves for Senator Belan and Senator Stapleton, and temporary Capitol leaves for Senator Stout and Senator Wozniak.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Stout and Senator Wozniak, and legislative leaves for Senator Belan and Senator Stapleton. Without objection, those leaves are granted.

**DISCHARGE RESOLUTION**

Senators KITCHEN, MELLOW, BODACK, BELAN, HUGHES, WAGNER, TARTAGLIONE, KUKOVICH, STOUT and FUMO offered **Discharge Resolution No. 2**, which was read as follows:

**A RESOLUTION**

Discharging Committee on Public Health and Welfare from further consideration of House Bill No. 1266, Printer's No. 2061.

RESOLVED, That House Bill No. 1266, Printer's No. 2061, entitled "An Act amending the act of June 13, 1967 (P.L. 31, No. 21), entitled, 'An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth,' further providing for the RESET Program and for program aspects of public assistance; and deleting provisions relating to food stamp program," having been referred to the Committee on Public Health and Welfare on June 18, 1999, and the

committee not having reported the same to the Senate for a period of over ten legislative days, the committee is discharged from further consideration thereof.

The PRESIDENT. The resolution will appear on the Calendar.

**SENATE CONCURRENT RESOLUTION****WEEKLY ADJOURNMENT**

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

In the Senate, June 5, 2000

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 12, 2000, 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, June 12, 2000, 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    | Tartaglione |
| 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    | Stapleton |             |
| Gerlach    | Madigan   | Stout     |             |

**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  
PORTRAITS OF THE HONORABLE  
ROBERT D. FLEMING AND THE HONORABLE  
MARTIN L. MURRAY UNVEILED**

The PRESIDENT. In a moment we will turn to the unveiling of the formal portraits of former Presidents pro tempore Robert D. Fleming and Martin L. Murray.

For this purpose, the Chair recognizes the current President pro tempore, the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, and the families of former Presidents pro tempore Robert D. Fleming and Martin L. Murray, I am so honored to be here today to have the opportunity to speak about these remarkable individuals. I had the privilege of hosting the Murray family in my office, and I invite the Fleming family to come over afterwards. Believe me, and I am sure Senator Mellow would agree with me, we are only temporarily there, and I look back on the history of the remarkable people who have been fortunate enough to serve in that office, and I certainly am awe-stricken by the people who have been there before me.

Mr. President, today with the ceremonial unveiling of the portraits, we honor the memories of two distinguished individuals who served this Chamber as Presidents pro tempore. For the visitors to the Capitol who for a period of time have had only Henry Hager's portrait to gaze at, we now offer some handsome alternatives, and I assure you they are.

Robert D. Fleming and Martin L. Murray were leaders in action and in respect, earned as well in the positions of responsibility they attained. While they came from opposite ends of the State and held different political philosophies, their careers had a number of similarities. Each served for many years in the State Legislature, first in the House and then for an extended period in the Senate. Their tenures were nearly concurrent. Each represented the old style of politics in the better sense of that phrase. They were adept at behind-the-scenes consensus building instead of the high profile confrontations more prevalent in modern politics. It was not as much political theater, rather it allowed things to get done.

Each conducted their own bar and grill, the late after-Session sessions where relationships were formed, disputes ironed out, alliances struck, and highlights replayed. Each, many times, put the interests of the institution ahead of partisan or personal considerations, meeting one of the fundamental tests of the true meaning of leadership. Each was extremely well connected in their community with many, many civic memberships and professional involvement in the insurance business. They did not just represent districts, they truly served those areas and remained a part of the community. Each had to help carry an administration through an extremely difficult period. Each eventually had to hand over power as political trends shifted, an unhappy reality they nonetheless handled with dignity and the respect of this body.

Robert Fleming served as President pro tempore for 4 years of the 24 he served in this Chamber. As one of the lieutenants for the legendary M. Harvey Taylor, Senator Fleming received the kind of political education reserved only for a few. One of his signature interests and concerns was for mass transit in Allegheny County. My first election came at the time his career ended, so I did not serve with him, but his reputation and experience were part of the handbook for successful legislating.

Martin Murray served as President pro tempore for 10 years out of the 24 years he served here. As is characteristic of those from the northeast, he was concerned with the welfare of the working families and working communities in that area. And I might add, Mr. President, he was one of the first people who took me into his office, took me under his wing, and advised me

as a young freshman in 1975, my first year here, and I have never forgotten his kindness, his generosity, and his offer, as he said many times, Senator Jubelirer, this door is open and you are welcome anytime. He was tough and determined, but also free to share wisdom and guidance with those who asked for it and sometimes with those who did not ask but very much needed it.

Mr. President, much of our discussion and debate in this Senate is about the future, but the Senate would not be the great institution in which we serve without the contributions and leadership and character provided over so many years by Senator Fleming and Senator Murray.

Mr. President, it is fitting that we honor these two illustrious individuals for their long and productive service to Pennsylvania. I can tell you firsthand, when I went into that office, the spirits of people like Martin Murray and Bob Fleming were everywhere, as were those of other Presidents pro tempore. It is an awesome responsibility. I have had the privilege and the deep honor of serving this body for nearly 15 years in that office, and I can tell you I never forgot the lessons I learned from Martin Murray, because I was not here when Bob Fleming was here or my predecessor, Stanley G. Stroup, who served in that office only briefly.

We are here only temporarily, and it is our responsibility to respect this institution, to protect this institution, and make sure this institution is as fine an institution and as respected an institution even more so when we leave than when we enter. It is because of people like Bob Fleming and Marty Murray that this institution continues to have the strength and the character and the integrity that they brought to the office that those of us who follow are able to follow their example. I hope, Mr. President, that when my tenure finally ends that I will leave the same kind of legacy that they left for me.

Mr. President, it is a great honor for me today, it is an extraordinary honor to be here to unveil their portraits so that the people of Pennsylvania will recognize these two outstanding constitutional officers who served this great Commonwealth with everything they had, and exceptionally well, and deserve the admiration and respect and now the recognition that is long overdue.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks Senator Jubelirer, our current President pro tempore, and we now will turn to a former President pro tempore, the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, thank you for giving me the opportunity and the honor to say something about Senator Martin L. Murray and Senator Robert D. Fleming. I had the opportunity of serving with both Senator Murray and Senator Fleming. My experiences with both Senator Murray and Senator Fleming have enabled me to carry through my many years of service in the Pennsylvania Senate.

Mr. President, I guess the words "respect" and "power" are two words we can think about over and over when you reflect upon an individual who has the opportunity of serving as the President pro tempore of the Senate. Not many months ago we had the opportunity of unveiling the portrait of Senator Henry

Hager. Fortunately, Henry Hager had the opportunity of being with us that day and he was able to see the unveiling of his portrait. Unfortunately, Senator Fleming and Senator Murray are not here today, but they are represented by their families. And I am sure that both Marty and Bob are probably looking down on this Chamber this afternoon and they are probably asking, you know, what is the big hullabaloo all about? Why not just unveil the portraits and put us downstairs where people who are visiting the Capitol might be able to see the portraits?

But, Mr. President, I have a very distinct feeling about both of them. When I was very fortunate at a young age to run for the Senate in 1970, and was elected, my mentor in the Pennsylvania Senate then was Senator Martin L. Murray. There was also another very distinguished Member of the Senate at that time who then served as Lieutenant Governor, and I am going to refer to him as Senator Ernie Kline, because Senator Kline was a Member of the Senate when I first came here back in 1970. But my recollection of both of these individuals as a young man was that both tried to take me under their wing in their own way. Senator Murray would talk to me and say over and over, you must remember that every day is a new day, that everyone in this Chamber has the same first name and that if you allow things to bother you today and you allow them to bother you tomorrow, you will never get through what will take place the next day.

And I can recall with both Senator Murray and Senator Fleming the way they would both lead their respective Caucuses, Senator Fleming as the Republican floor leader and Senator Murray as the President pro tempore of the Senate. One of the areas which we found to be very useful and a problem we never had was that difficult debate never did take place on the floor of this Senate under the direction of Senator Murray or Senator Fleming. We had a tremendous amount of camaraderie. Many, many evenings we would all go out to dinner together, and regardless of what may have taken place on the floor of the Senate in some type of discussion, we would always be very respectful of one another and always be very professional, and it would immediately have been forgotten when we would go out that evening and enjoy ourselves and have some fun and kind of share a very light moment. Mr. President, those are days we can probably never recapture.

I can recall Senator Murray talking over and over about his two lovely daughters and about his grandchildren. And I can recall Senator Fleming talking over and over about his daughter and some of his very close friends who were Members of the House of Representatives. Mr. President, we can all learn a tremendous lesson from the determination and from the way these individuals handled their lives. If you reflect back on Senator Murray, it was, I believe, in 1964 when Senator Murray lost his seat, not because of an election but because of reapportionment, but he came back 2 years later and was able to recapture his seat in the Senate, and then in 1971, I think it was January 4 or 5, whatever the date of swearing-in, Senator Murray was sworn in as President pro tempore of the Senate, and the person he succeeded as President pro tempore of the Senate was Senator Bob Fleming.

And very similar to the way that I have tremendous respect for our current President pro tempore of the Senate, I think there is no question that Senator Murray and Senator Fleming had that type of respect for one another, because they worked in cooperation and not in disharmony. They worked for the betterment of the people of Pennsylvania at all times and they tried to put aside any political differences that they may have had, any differences that would have been reflected on election day. When it came to doing what was right for the 12 million people of Pennsylvania, they put those differences aside. They were truly public servants. They were truly individuals who dignified themselves as Members of this great body.

Senator Murray would always tell us that this is the greatest distinguished body that anyone could ever serve in, and he furthermore would tell us, you are now a Member of the Senate and you should always eat in a restaurant--and this might be a lesson that we all should listen to--that serves you with a tablecloth, and if they do not serve you with a tablecloth, then perhaps you should think about eating in another restaurant.

So, Mr. President, I have nothing but a tremendous feeling of strength and warmth when I think of both of these individuals, and as I said before, I am sure they are both looking down on us wondering what this whole thing is all about and why all the hullabaloo, because they are people who cherished their work, cherished their fellow individuals they worked with, and most importantly, they cherished and loved their families. And for both of them who have taught me a lesson, I want to say thank you very much, and I am looking forward to the unveiling of the portraits.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Mellow, for those kind reflections.

The Chair recognizes the Republican Leader, the gentleman from Delaware, Senator Loeper.

Senator LOEPER. Mr. President, today we honor the service of two former Senate leaders as we unveil the portraits of former Presidents pro tempore Senator Robert D. Fleming of Allegheny County and Senator Martin Murray of Luzerne County. Unlike Senator Mellow but like Senator Jubelirer, I had the pleasure of serving many years here with Senator Murray and had the opportunity to meet Senator Fleming in the early years that I had served here in the Senate of Pennsylvania, but I think, Mr. President, as I understand, it is particularly appropriate today that we honor both these men because, as has been mentioned in some of the remarks of the previous speakers, they were true friends of each other while serving in their various capacities here. Both Senator Fleming and Senator Murray were not only friends off the floor, but even on the floor they would try to resolve differences that may have come before them in order to try to make the process here work more smoothly.

I think that it is only appropriate also that their portraits will now grace the walls of the Capitol, a lasting reminder of their accomplishments on behalf of the Senate and all the people of the Commonwealth of Pennsylvania.

Senator Fleming, as many of you may recall, was born in 1903 in Sharpsburg, Allegheny County. He was a graduate of the University of Pittsburgh, as he embarked on a career as an insurance and real estate broker. In 1939, Senator Fleming sought and won a Republican seat in the Pennsylvania House of Representatives, and from that point on, he served Allegheny County voters for 11 years in the House and another 23 years in the Senate. In 1959, Senator Fleming was a member of the Pennsylvania Constitutional Revision Commission and a delegate to the 1960 Republican convention. He also served as President pro tempore of the Senate from 1967 through 1970.

He was succeeded by Senator Murray of Luzerne County. A man who regarded service to his local community as a civic responsibility, Senator Murray was also an active supporter of basic and higher education. Senator Murray was a director of the Ashley Board of Education for 24 years, a member of the Century Club of Kings College, and a member of advisory boards of the College Misericordia and Marywood College. Senator Murray was elected to the Pennsylvania House of Representatives in 1945 and to the Pennsylvania Senate in 1956. He served two terms in the upper house until the Senate was reapportioned, and as Senator Mellow alluded to, he was reelected to his seat in 1966 and then once again in 1970. And in 1971 he was elected President pro tempore of the Senate, a position he held through 1980.

I think, Mr. President, it is important to note that even though it is from a perspective of different political parties and different parts of the State, these two men played a pivotal role in leading the Senate for more than 20 years, and I think that each one left their mark on this institution, and it is with great pride and a privilege that we dedicate their portraits today.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the Majority Leader, Senator Loeper, and recognizes the gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Mr. President, it was almost 10 years to the day that Senator Martin L. Murray passed away, and 18 years since he retired from this Senate that he loved so much. I am one of a handful of Senators here today who had the privilege of serving with Marty, and I am very happy to see the Senate finally recognize his distinguished stewardship of this Chamber. Senator Murray was known to everyone in Harrisburg and in his district as Marty. He was a Senator's Senator. He served a total of 24 years in this body, and 10 of those years were as President pro tempore. No Democrat in the history of Pennsylvania served longer in that position. Marty was a professional politician in the best sense of the word who loved the people he served so well. He never betrayed their trust.

As President pro tempore, his door was open to all Senators, regardless of party affiliation. If you had a problem, you went to see Marty, and the problem was usually resolved. His word was his bond, and you knew he would never go back on it. Through his friendly persuasive logic, or whatever you want to call it, he could convince the most recalcitrant Senators to vote for a bill or a nominee. The media, unfortunately, had the habit of always referring to Marty's Bar and Grill, implying something sinister with the after-Session get-togethers in his office. As I said previ-

ously on this floor, I preferred to view it as a rectory or confessional, where father confessor Marty would hear our problems, seek reconciliation, give us guidance, and sometimes forgiveness.

His political acumen was legendary. Marty Murray never needed a pollster to tell him what his constituents thought or what was best for Pennsylvania. He knew instinctively what course of action needed to be taken. It was an instinct that was honed from his years of service to his people.

In 1972, Tropical Storm Agnes devastated his county and region. While other political leaders tried to commandeer the TV and airwaves, Marty Murray quietly but effectively got things done. We passed emergency bonds that provided the relief that was so desperately and immediately needed. He persuaded Governor Shapp to prioritize State assistance to that area. The results of those efforts can be seen today in the revitalized cities and towns of Luzerne County and the Wyoming Valley.

Marty, I think, would like to be remembered most of all as a family man. He was devoted to his beautiful wife, Catherine. For many years she made the weekly trip to Harrisburg with Marty. She was his partner and companion both at home and here in Harrisburg. Their two daughters and three grandchildren can be proud and grateful for what Marty and Catherine did for them.

Traditionally, during the last few days of a two-year Session, we set aside a few hours on the floor to say farewell to our departing Members. In 1982, Marty did not come to Harrisburg that week because he did not want a fuss to be made on this floor over his retirement. Today as we unveil his official portrait, along with that of his predecessor and good friend, Senator Fleming, with whom I did not have the privilege of serving, we can finally give proper recognition to this remarkable man.

My memories of Marty Murray will always be special to me. To his family and his friends who are here with us today, I say we are all better people for having known and served with him. By placing his portrait in the Capitol, we will remind all Pennsylvanians for all time of his many contributions to the people of this Commonwealth.

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

Senator MUSTO. Mr. President, life has been very good to me over the years. I have succeeded three outstanding individuals who devoted their whole lives to public service. In 1971, I succeeded Representative James Musto, my dad, and served in the House of Representatives. In 1980, I succeeded Congressman Dan Flood and served in the United States Congress. And in 1982, I succeeded Senator Martin Murray to serve the 14th district in the Pennsylvania Senate. And after 18 years, here I am. It was a challenge to succeed three great men, but to follow Senator Murray because of his numerous accomplishments in Harrisburg, including his leadership in the Senate, serving as pro tempore for a decade, was very difficult. In fact, my first order of business as a State Representative was to protect and serve and help the constituents in my district who were devastated by that great Agnes flood of 1972.

Under the leadership of Senator Murray, many things have happened in the Wyoming Valley, and many people will never know how much he has helped us. Marty could get things done, and he had a unique style that brought people together. He was very religious and had compassion for everyone. Senator Murray leaves a legacy of distinction, but knowing Senator Murray, I know he would consider his family his greatest achievement, and I hope his contributions will always be remembered.

Mr. President, at this time would you please recognize, on behalf of the Murray family, Mr. Kevin O'Connor.

The PRESIDENT. Thank you, Senator Musto.

Kevin, would you please come to the microphone. Before Kevin provides a response, and we are happy that he is here to provide that response, please recognize Senator Murray's daughters, Brigid and Katie. Would you please stand so we may recognize you.

(Applause.)

And we will take a moment and recognize the presence of the grandchildren, Martin, Michael, and Cathy. Would you please stand so the Senate may welcome you.

(Applause.)

Thank you, Senator Musto, for those important reflections, and now, Kevin, the microphone is yours.

Mr. O'CONNOR. Good afternoon. Thank you, Mr. President.

On behalf of the Murray family, I would like to introduce one final person. Being a son-in-law and a brother-in-law, I know how it is to not be recognized at some points in time. I would like to recognize my brother-in-law, Ben DeAngelis, husband of Katie.

(Applause.)

Remembrance of things past. Sitting over here as we are today, I can remember on several occasions the election of my father-in-law as the President pro tempore and the swearing-in ceremonies as the Senator of Luzerne County. This is generally where we sat as a family, with the O'Connors and the DeAngelis's, and it was a very emotional time, as it is today. And we used to sit there and say, Republicans and Democrats, 50 Senators in a room, coming together to create laws and revise laws, and those kinds of things, and my father-in-law always used to say, it is a great institution, Kevin, an institution that I love, that I hold very dearly, as I am sure the Fleming family knows how the Senator felt on that side of the aisle.

It was an emotional time. Anybody who knew my father-in-law knew that he was a very emotional person. He loved this institution. It is one of the reasons why he did not return the last day of the Senate to hear the accolades accorded to him, because he was a very emotional person who understood how his fellow Senators felt about him and how much he loved the Senators who served with him.

But I would like to share another side of Martin L. Murray: the side of a husband, the side of a father, the side of a father-in-law, the side of a grandfather. You did not know that side of him. We were lucky to have known him for 10 years in a very special way, as Pop-pop, as Dad, and as a husband to my mother-in-law, Catherine Murray. They were good times and they were bad times, but the good times we will always remem-

ber, especially the times that we came to Harrisburg and were able to share dinners with Senators from both sides of the aisle over at the Maverick Restaurant. Good times. We used to love to sit there and chat about educational issues and political issues with my father-in-law and with his colleagues, no matter who they were.

Before I go on, I have to recognize one other special person who was here in Harrisburg with my father-in-law all those years and served him well, and she is up in the gallery. Mary Cockler, would you please stand.

(Applause.)

My father-in-law loved her in a very special way. She served him well for over 10 years. And I can always remember dialing 787-7105 and hearing Mary's voice, "Senator Murray's office, can I help you?" And for that, Mary, the Murray family is very grateful because you were a very special person, not only in his life but also in ours.

In remembering things of the past, I can remember coming down with Katie and Ben and Brigid--Marty was not around at that point in time, Marty was named after my father-in-law--and the good times that we had coming to this Chamber, being allowed to sit in the seats, going to my father-in-law's office, sitting around a conference table, always asking, where is that bar and grill, Pop? Where is it? A little table over in the corner, a couple of bottles of liquor in it, maybe beer, and always soda for us. But it was not what people back home thought. They thought he had a bartender, they thought he had lots to drink down here, and that this was one of the old bar and grills from back home, when in reality it was just a place to gather in his conference room, share a drink and a good laugh after a hard day. And I could never understand how he could be congenial or even friendly to those people who would take him on in the Senate Chamber, but as the Senator said before, it was a different time, a different era, and that is how it was with my father-in-law, Martin L. Murray.

On behalf of the Murray family today, I would like to thank this institution, the institution that he so much loved and that he could never return to after he left office, for honoring him with this portrait and putting it in the North Wing as we celebrate his memory, but not only his memory, his life as not only the Senator but as the President pro tempore and a father-in-law and dad to us all.

Thank you very much.

(Applause.)

The PRESIDENT. Thank you for those reflections, Kevin.

And to Senator Fleming's daughter, Jean, would you kindly provide a response.

Ms. FLEMING. Thank you so much for this wonderful honor. It is great that my father is being honored in this way. I know he was very dedicated to his constituents, as well as to the Senate body, so it is very nice it is being given back to him in the form of a portrait. As I look around, like some of the remarks that Senator Murray's son-in-law made, it brings back a flood of memories. As a child I was able to work as a Page. I think they just let me sit there, and it was fun. I literally had the run of the Capitol, and just meeting people and hearing different comments, I think some folks around here remember me, too.

Some of those memories are a little different, I suppose. I think I really was-- I just enjoyed running around here and enjoyed the people, and I feel like it has come full circle.

I thank you so much and want to make a special thank you to Mr. Cessar, as well as Mr. Corrigan and everybody else who has had a part in organizing this.

Thank you so much.

(Applause.)

The PRESIDENT. Thank you, Jean, and I am sure the Members did give a second thought to your use of present tense as far as Senator Fleming's constituents here in the year 2000, years after his service. It says something about his passion and belief in serving the people of Pennsylvania and always being constituents. Thank you so much for those reflections.

Before we move to the unveiling, I think it only appropriate that the Chair recognize a former Member of this Senate and a former Lieutenant Governor, Ernie Kline. Ernie, would you stand for a moment?

(Applause.)

The PRESIDENT. The moment we have all been waiting for. Jean, would you please step to the portrait, and I am going to ask Brigid and Katie, and the grandkids can help there, too. And you can unveil these wonderful portraits, both Senator Fleming's and Senator Murray's.

(Whereupon, the portraits were unveiled.)

(Applause.)

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

Senator MELLOW. Mr. President, I would also like to acknowledge Senator Franklin L. Kury, who is with us, and also State Representative Tom Tigie. Senator Kury served with Senator Murray here in the Senate, and Representative Tom Tigie comes from Luzerne County and knew Senator Murray very well.

The PRESIDENT. It is certainly fitting, Senator Mellow. Thank you so much. The Chair would acknowledge the presence of Senator Kury and Representative Tigie.

(Applause.)

The PRESIDENT. The Chair would beg your indulgence one more moment as we give way to Senator Loeper and the need for caucus and then we can take a moment and gaze at the portraits.

### RECESS

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

Senator LOEPER. Mr. President, immediately upon the conclusion of the announcement of the recess, I request all Republican Members to please report to the first floor caucus room for a brief but important caucus.

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

Senator MELLOW. Mr. President, upon the recess, I request all Democratic Members to report to our caucus room.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately following this announce-

ment and the opportunity for guests and Members to enjoy the portraits, the Senate stands in recess.

### AFTER RECESS

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

### CALENDAR

#### SENATE RESOLUTION No. 156 CALLED UP OUT OF ORDER, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 7 of the Calendar, as a Special Order of Business, Senate Resolution No. 156, entitled:

A Resolution urging the President and the Congress of the United States to work together to reform the financial structure of the Coal Act to ensure that retired coal miners continue to receive the health care benefits they were promised and rightly deserve.

On the question,

Will the Senate adopt the resolution?

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

#### YEA-49

|            |           |           |             |
|------------|-----------|-----------|-------------|
| Armstrong  | Greenleaf | Mellow    | Tartaglione |
| 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       | La Valle  | Salvatore | Wozniak     |
| Earll      | Lemmond   | Schwartz  |             |
| Fumo       | Loeper    | Stapleton |             |
| Gerlach    | Madigan   | Stout     |             |

#### NAY-0

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

### LEGISLATIVE LEAVE

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

Senator BRIGHTBILL. Mr. President, I request a temporary Capitol leave for Senator Salvatore.

The PRESIDENT. Without objection, that leave will be granted.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair recognizes the presence on the floor of Senator Stout, and his temporary Capitol leave is cancelled.



**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR****NONPREFERRED APPROPRIATION BILLS  
REREPORTED FROM COMMITTEE AS AMENDED  
OVER IN ORDER**

**HB 2400, HB 2401 and HB 2403** -- Without objection, the bills were passed over in their order at the request of Senator MELLOW.

**BILL LAID ON THE TABLE**

**HB 28 (Pr. No. 2769)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for harassment and stalking; providing for reimbursement to Commonwealth for business relocation; further providing for drug trafficking sentencing and penalties; and providing for split sentences.

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 516 (Pr. No. 1869)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for determination of paternity.

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 gentleman from Berks, Senator O'Pake.

Senator O'PAKE. Mr. President, very briefly, this bill, as amended, would permit courts to order DNA or blood testing to determine the paternity of a child born during a marriage up until the child's first birthday. Before a blood test could be ordered, however, a court also would need to consider whether a test under the given circumstances would protect the child's best interests.

Under a concept developed in the common law, and by court decisions that predated the founding of Pennsylvania, our present law presumes a husband to be the father of any child born to his wife during the marriage, unless he can prove he was impotent, sterile, or that it was physically impossible for the couple to be together at the time of conception. In a 1998 ruling, by a 3 to 3 vote, a divided Pennsylvania Supreme Court ruled those

cases, in the absence of statutory law to the contrary, preclude the use of DNA or blood testing to disprove a husband's paternity. This bill would allow the courts of Pennsylvania to do what more than 40 other States already allow: DNA testing when the husband suspects a child born during the marriage is not his.

Pennsylvania has the most restrictive prohibition of any State against testing of children born to married women. Present law permits the real father to escape the consequences of his act and to place the expense of a lengthy obligation for support, with the added possibility of criminal sanctions for contempt, on a man whose only tie to the child may be his trust in a betrayed marriage.

We must allow Pennsylvania courts to recognize the advances of science and medicine that can help the judicial system uncover the truth. Frankly, I do not know how justice can be based on anything else, and I urge support.

And the question recurring,  
Shall the bill pass finally?

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

**YEA-48**

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

**NAY-1**

Kitchen

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

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

**BILLS OVER IN ORDER**

**HB 538, HB 599 and HB 728** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL LAID ON THE TABLE**

**SB 1223 (Pr. No. 1653)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, Real Estate Tax Sale Law, further providing for discharge of tax claims and for date of sale.



On the question,  
Will the Senate agree to the bill on third consideration?

AMENDMENT A0927 OFFERED

Senator DENT offered the following amendment No. A0927:

Amend Title, page 1, line 29, by striking out all of said line and inserting: ; and prohibiting certain individuals from purchasing property at a tax sale.

Amend Sec. 2 (Sec. 601), page 5, lines 15 and 16, by striking out "as determined by local ordinance." and inserting: in a municipality pursuant to its ordinance

Amend Sec. 2 (Sec. 601), page 5, lines 16 and 17, by striking out "THE COUNTY IN WHICH THE LOCAL" and inserting: such

Amend Sec. 2 (Sec. 601), page 5, line 17, by striking out "IS LOCATED"

Amend Sec. 2 (Sec. 601), page 5, line 17, by striking out "section" and inserting: act

Amend Sec. 2 (Sec. 601), page 5, line 19, by striking out "section" and inserting: act

Amend Sec. 2 (Sec. 601), page 5, line 22, by striking out "the local" and inserting: a

Amend Sec. 2 (Sec. 601), page 5, lines 22 and 23, by striking out "THE LOCAL" and inserting: such

Amend Sec. 2 (Sec. 601), page 5, line 23, by striking out "of" and inserting: in advance of

Amend Sec. 2 (Sec. 601), page 5, line 25, by striking out "as determined by local" and inserting: pursuant to municipal

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

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

Senator MELLOW. Mr. President, would the sponsor of the amendment explain the amendment to the body, please?

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

Senator DENT. Mr. President, essentially what this amendment does is says that if a landlord has his license revoked in a municipality, say, for example, the city of Allentown, which has an ordinance that does license landlords, that individual would not be able to purchase property at a tax sale in that municipality, in this case Allentown, where his landlord license has been revoked. That is all the amendment really does.

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

Senator MELLOW. Mr. President, we did have an opportunity to discuss the amendment very briefly in our caucus and there seems to be some concern in our Caucus as to exactly what the amendment would accomplish and in fact whether it is something that should be in this proposal. If the amendment is going to be voted on, Mr. President, I am going to ask for a negative vote. If the gentleman would like to withdraw the amendment to give us a further opportunity to look at it, perhaps the vote may be different on this side of the aisle, but as of now we are not satisfied with the amendment and the way the amendment fits into the overall bill.

So, Mr. President, with that in mind, I would ask for a negative vote based on what we understand today.

Senator DENT. Mr. President, if the gentleman would like to go over the amendment, I would be happy to do that and talk to some Members on the other side of the aisle to work that out, but I think it is pretty straightforward.

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

Senator BRIGHTBILL. Mr. President, could we stand at ease, please?

The PRESIDENT. At the request of Senator Brightbill, the Senate stands at ease.

(The Senate was at ease.)

AMENDMENT WITHDRAWN

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

Senator DENT. Mr. President, at this time I will withdraw the amendment.

The PRESIDENT. Senator Dent withdraws the amendment.

Senator BRIGHTBILL. Mr. President, I move that Senate Bill No. 1223 be laid on the table.

On the question,  
Will the Senate agree to the motion?  
A voice vote having been taken, the question was determined in the affirmative.

BILL LAID ON THE TABLE

**SB 1265 (Pr. No. 1877)** – The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 21, 1953 (P.L.1323, No.373), entitled The Notary Public Law, further providing for limitations on powers and for fees.

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

BILLS OVER IN ORDER

**SB 1271, SB 1284 and SB 1285** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 1409 (Pr. No. 1842)** – 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 assessors.

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

|            |           |           |             |
|------------|-----------|-----------|-------------|
| Armstrong  | Greenleaf | Mellow    | Tartaglione |
| 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    | Stapleton |             |
| Gerlach    | Madigan   | Stout     |             |

## NAY-0

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

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

## BILL OVER IN ORDER

**HB 1601** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

## BILL LAID ON THE TABLE

**HB 1856 (Pr. No. 2287)** -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating the sale of unused property; requiring unused property merchants to maintain certain receipts; and prescribing penalties.

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

## BILL REREFERRED

**HB 1962 (Pr. No. 3206)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 30, 1811 (P.L.145, No.99), entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies, and for other purposes," authorizing voluntary early severance plans for certain employees.

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

## BILL OVER IN ORDER

**HB 2094** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

## SECOND CONSIDERATION CALENDAR

## BILL REREFERRED

**HB 398 (Pr. No. 3148)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for powers and duties of the board; and providing for impaired professionals.

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

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**HB 445 (Pr. No. 3571)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain tobacco product manufacturers to place certain moneys into an escrow fund; conferring powers and duties upon the Attorney General and the Department of Revenue; and imposing penalties.

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

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

## BILL REREFERRED

**SB 474 (Pr. No. 494)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

## BILLS OVER IN ORDER

**SB 553 and HB 609** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

## BILL REREFERRED

**HB 777 (Pr. No. 3326)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for capital projects for the fiscal year 1999-2000, itemizing public highway projects to be constructed by the Department of Transportation, together with the estimated financial costs; authoriz-

ing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

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

#### BILL LAID ON THE TABLE

**SB 935 (Pr. No. 1870)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### BILL ON SECOND CONSIDERATION

**SB 972 (Pr. No. 1911)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), entitled Vital Statistics Law of 1953, providing for Department of Health transfer of funds; and further providing for local registrars' fees, for reports to county registration commissions and for issuance of certificates of death.

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

#### BILL REREFERRED

**HB 1140 (Pr. No. 2557)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for authority to sell or lease real property.

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

#### BILL OVER IN ORDER

**HB 1141** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

#### BILL LAID ON THE TABLE

**HB 1142 (Pr. No. 3337)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing Neighborhood Improvement Districts; conferring powers and duties on municipal corporations and neighborhood improvement districts; providing for annual audits; and making repeals.

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

#### BILL REREFERRED

**SB 1403 (Pr. No. 1968)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for interscholastic athletic accountability; establishing the Pennsylvania Athletic Oversight Council; providing for powers and duties of the State Board of Education; establishing eligibility appeal boards; and making a repeal.

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

#### BILLS OVER IN ORDER

**SB 1407, HB 1604 and HB 2220** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

#### LEGISLATIVE LEAVES CANCELLED

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

Senator MELLOW. Mr. President, Senator Wozniak has joined us on the floor, and I ask that his temporary Capitol leave be cancelled.

The PRESIDENT. That leave will be cancelled.

Senator Salvatore has returned, and his temporary Capitol leave will be cancelled.

#### **SB 935, SB 1223, SB 1265, HB 28, HB 1142, HB 1423, HB 1424 AND HB 1856 TAKEN FROM THE TABLE**

Senator BRIGHTBILL. Mr. President, I move that Senate Bill No. 935 (Printer's No. 1870), Senate Bill No. 1223 (Printer's No. 1653), Senate Bill No. 1265 (Printer's No. 1877), House Bill No. 28 (Printer's No. 2769), House Bill No. 1142 (Printer's No. 3337), House Bill No. 1423 (Printer's No. 1677), House Bill No. 1424 (Printer's No. 2863), and House Bill No. 1856 (Printer's No. 2287) be taken from the table and placed on the Calendar.

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 bills will be placed on the Calendar.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR MICHAEL A. O'PAKE  
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, in the gallery are some visitors from Slovakia, and I ask the Senate to extend its usual warm welcome to Mr. Vladimir Farkasovsky and his wife, Katarina. He is an architect in Slovakia and his wife is a nurse. They are visiting with Mr. and Mrs. James Bench. James is a retired professor at Indiana University of Pennsylvania, and his wife, Kay, is a retired nurse administrator. They are here to celebrate the graduation of their son, Martin Farkasovsky, who just graduated from Van Wert, Ohio, High School, with honors. They are in the gallery, and I ask the Senate to recognize them and welcome them to the Senate of Pennsylvania.

The PRESIDENT. Would the Senate please welcome our guests.

(Applause.)

**SENATE RESOLUTIONS ADOPTED**

Senator RHOADES, by unanimous consent, offered **Senate Resolution No. 182**, entitled:

A Resolution designating September 23, 2000, as "Unity Day" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators JUBELIRER and MELLOW, by unanimous consent, offered **Senate Resolution No. 183**, entitled:

A Resolution recognizing the week of July 15 through 22, 2000, as "Big 33 Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Mr. President, I ask unanimous consent to offer a resolution and move for its immediate adoption. Assuming there is no objection, for anyone who would want to cosponsor this, it will be left at the desk.

Mr. President, this resolution designates July 15 to July 22 as Big 33 Week in Pennsylvania. Of course, the Big 33 football game is held every year in Hershey, Pennsylvania, and it commemorates this game as one of the most outstanding high school football games in the United States. For anyone who wishes to join in cosponsorship, the resolution is up at the desk. Mr. President, I ask that the resolution be considered immediately.

Thank you, Mr. President.

The PRESIDENT. That resolution is available for additional signatures by Members of the Senate.

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

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

Senators CORMAN, JUBELIRER, MADIGAN, WENGER, STAPLETON, ARMSTRONG, BELAN, BRIGHTBILL, CONTI, COSTA, DENT, EARLL, GERLACH, GREENLEAF, HELFRICK, KASUNIC, LEMMOND, BOSCOLA, MELLOW, MUSTO, WHITE, O'PAKE, PICCOLA, PUNT, ROBBINS, SALVATORE, STOUT, THOMPSON, TILGHMAN, TOMLINSON and HART, by unanimous consent, offered **Senate Resolution No. 184**, entitled:

A Resolution recognizing June 2000 as "Dairy Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators MURPHY, WAGNER, THOMPSON, STOUT, TOMLINSON, DENT, WENGER, PUNT, COSTA, BELAN, CORMAN and LEMMOND, by unanimous consent, offered **Senate Resolution No. 185**, entitled:

A Resolution recognizing Columbia Gas of Pennsylvania as an outstanding corporate citizen in Pennsylvania.

Which was read, considered, and adopted by voice vote.

**RECESS**

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

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

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, this Senate stands in recess.

**AFTER RECESS**

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

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

Senator SALVATORE, by unanimous consent, from the Committee on Rules and Executive Nominations, 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 CIVIL  
SERVICE COMMISSION**

May 26, 2000

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 3, 2000 for the appointment of Michelle M. Grove, 220 Umberto Street, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the State Civil Service Commission, to serve until April 9, 2004 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ethel S. Barnett, Philadelphia, 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

May 18, 2000

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 6, 2000 for the appointment of Fritz Bittenbender (District 3), 4400 Colonial Road, Dover 17315, York County, Twenty-eighth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice George M. Miller, Brockway, 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 ADVISORY COMMITTEE  
ON PROBATION

May 26, 2000

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 15, 2000 for the appointment of Fritz Bittenbender, 4400 Colonial Road, Dover 17315, York County, Twenty-eighth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice The Honorable Kenneth G. Biehn, Doylestown, 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 REGISTRATION  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND GEOLOGISTS

May 26, 2000

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 3, 2000 for the appointment of Edward A. Dobson, 2808 Union Avenue, Altoona 16601, Blair County, Thirtieth 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 Ronald L. Schrock, Somerset, 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 VETERINARY MEDICINE

May 18, 2000

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 30, 2000 for the appointment of Valerie Smith, 7723 Farmdale Avenue, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, as a member of the State Board of Veterinary Medicine, to serve until for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Paul J. Suorsa, V.M.D., Slippery Rock, 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.

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

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

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

Senator SALVATORE, by unanimous consent, 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 STATE BOARD  
OF ACCOUNTANCY

February 14, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert J. Ciaruffoli, Jr., 104 Thackeray Close, Moosic 18507, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the State Board of Accountancy, 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 Anthony P. Emmi, Scranton, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE CHILDREN'S  
TRUST FUND BOARD**

March 23, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Reverend Kenneth R. Arthur, 5120 Simpson Ferry Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Children's Trust Fund Board, to serve for a term of three years and until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF EBENSBURG CENTER**

May 16, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gloria C. Eberhart, 1427 Third Street, Cresson 16630, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2001, and until her successor is appointed and qualified, vice Earl F. Glock, Johnstown, whose term expired.

THOMAS J. RIDGE  
Governor

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

March 27, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John E. Horan, 4117 Trask Avenue, Erie 16508, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2001, and until his successor is appointed and qualified, vice William C. Schultz, Cambridge Springs, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald J. Murphy (Public Member), 348 N. 24th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory K. Jordan, Harrisburg, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE HARNESS  
RACING COMMISSION**

April 14, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George F. Patterson, 455 Fairway Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

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

May 5, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald E. Abrey, R.R. 2, Box 291, Wyalusing 18853, Bradford County, Twenty-third Senatorial District, for appointment as a member of the Council of Trustees of Mansfield 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, vice Cynthia M. Vennie, Selinsgrove, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

March 27, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sara A. Sargent, 315 Graystone Lane, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until November 13, 2000 or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jay H. Shah, Esquire, Philadelphia, resigned.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

May 8, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sister Anastasia Valimont, 654 East 28th Street, Erie 16504, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

May 17, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara F. Zsigovits (Public Member), 3423 Limestone Drive, Whitehall 18052, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY**

May 19, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Geoffrey G. Grivner, 1755 Hallman Drive, Blue Bell 19422, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Board of Trustees of The Pennsylvania State University, to serve until July 1, 2002 and until his successor is appointed and qualified, vice Robert L. Myers, Lansdale, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER**

May 16, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mitzi C. Smith, 4 Park Street, Box 158, Mont Alto 17237, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified, vice Mildred W. Benner, Gettysburg, deceased.

THOMAS J. RIDGE  
Governor

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

May 18, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward F. Sickel, M.D., 666 St. John's Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kwan H. Won, M.D., Mechanicsburg, whose term expired.

THOMAS J. RIDGE  
Governor

**MEMBER OF THE CLEARFIELD COUNTY  
BOARD OF ASSISTANCE**

April 26, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charlotte L. Kanour (Republican), 706 West Locust Street, Clearfield 16830, Clearfield County, Thirty-fifth Senatorial District, for appointment as a member of the Clearfield County Board of Assistance, to serve until December 31, 2000, and until her successor is appointed and qualified, vice William L. Hollen, 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  
GUEST OF SENATOR JEFFREY E.  
PICCOLA PRESENTED TO THE SENATE**

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

Senator PICCOLA. Mr. President, I would like to introduce a guest on the floor of the Senate today, a young man who has been serving today as our guest Page, Dustin Portzline. He is the son of Larry Portzline, who is an employee of our Senate Communications office, and he and his family live in Lower Paxton Township here in Dauphin County. He is 13 years old and in seventh grade at Central Dauphin East Junior High School. As I understand it, he ran track this year and has an interest in model rocketry, which is very fascinating. Although he is still young, he has an interest in pursuing a career in engineering. As I said, he served us today as a guest Page, and I would like to introduce him to the Senate so we may give him a warm welcome.

The PRESIDENT. Dustin, would you rise so the Senate may welcome you and acknowledge your work.

(Applause.)

**UNFINISHED BUSINESS  
RESOLUTIONS REPORTED FROM  
COMMITTEE**

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

**SR 98 (Pr. No. 1967) (Rereported) (Concurrence)**

A Concurrent Resolution amending Senate Resolution No. 8, adopted June 16, 1999, entitled "A concurrent resolution directing the Joint State Government Commission to create a bipartisan task force to study the feasibility of changing the date of general primary elections and municipal primary elections to September," further providing for the date of the report to the General Assembly.

**SR 175 (Pr. No. 1994)**

A Resolution recognizing the week of October 1 through 8, 2000, as "Saint Katharine Drexel Week" in Pennsylvania.

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

**REPORT FROM COMMITTEE**

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

**SB 262 (Pr. No. 1945) (Rereported) (Concurrence)**

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

**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 Mr. and Mrs. Elmer Ulearey, Mr. and Mrs. Dante Scattolini and to Mr. and Mrs. Richard Hoffman by Senator Bell.

Congratulations of the Senate were extended to Mr. and Mrs. James Celender and to Mr. and Mrs. Victor S. Cserer by Senator Bodack.

Congratulations of the Senate were extended to Dr. Lynn G. Guiser by Senator Corman.

Congratulations of the Senate were extended to Jeanne Kaczorowski by Senator Costa.

Congratulations of the Senate were extended to Matthew Scott MacArthur, Arthur C. Diehl, Jr., and to Harold Block by Senator Dent.

Congratulations of the Senate were extended to Frederick J. Donatucci by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Earl H. Shankweiler by Senator Gerlach.

Congratulations of the Senate were extended to Edward Harkins by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Leo Lournaitis and to Anna Longo by Senator Helfrick.

Congratulations of the Senate were extended to Catholic Social Services of Philadelphia by Senators Kitchen and Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. John R. Hodgson and to The Reverend Eugene DeMarco by Senator LaValle.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Augustinski, Mr. and Mrs. Wayne Cragle, Reverend Dr. James A. Baker and to Dr. Stuart Heydt by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Lynn Hardy, Mr. and Mrs. Archie B. Young, Mr. and Mrs. Louis L. Adams, Mr. and Mrs. Paul L. Blair, Mr. and Mrs. Lester E. Horn, Mr. and Mrs. Clarence Stevens, Andrew L. Benjamin and to the Korean War Veterans of Lycoming County by Senator Madigan.

Congratulations of the Senate were extended to James D. Gallagher by Senator Mellow.

Congratulations of the Senate were extended to Aaron M. Garman by Senator Mowery.

Congratulations of the Senate were extended to Charles Edward Flory, Thomas F. Armstrong and to Brian Christopher Trueblood by Senator Murphy.

Congratulations of the Senate were extended to John Stanky and the Coal Miners Polka Band by Senators Musto and Lemmond.

Congratulations of the Senate were extended to Philip J. Fromuth by Senator O'Pake.

Congratulations of the Senate were extended to the Schuylkill Area Community Foundation by Senator Rhoades.

Congratulations of the Senate were extended to Andrew T. Maxeiner by Senator Robbins.



Congratulations of the Senate were extended to Mr. and Mrs. William Beal by Senator Salvatore.

Congratulations of the Senate were extended to Albert Singleton by Senator Tartaglione.

Congratulations of the Senate were extended to Dr. Edgar R. Lawrence by Senator Thompson.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

**SB 1252 and HB 2189.**

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

### COMMUNICATIONS FROM THE GOVERNOR

#### NOMINATIONS REFERRED TO COMMITTEE

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

#### MEMBER OF THE STATE BOARD OF EDUCATION

June 5, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Frederick J. Hartwigsen, 6 Devonshire Square, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2004 or until his successor is appointed and qualified, vice Earl H. Horton, Landisville, whose term expired.

THOMAS J. RIDGE  
Governor

#### MEMBER OF THE STATE BOARD OF EDUCATION

June 5, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Samuel E. Hayes, Jr., Box 120, Warriors Mark 16877, Huntingdon County, Thirtieth Senatorial District, for reappointment as a member of the State Board

of Education, to serve until October 1, 2004 or until his successor is appointed and qualified.

THOMAS J. RIDGE  
Governor

#### MEMBER OF THE COUNCIL OF TRUSTEES OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

June 5, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald E. Houser, P.O. Box 45, 331 West Main Street, Lock Haven 17745, Clinton County, Thirty-fourth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice R. Edward Nestlerode, Jr., Lock Haven, resigned.

THOMAS J. RIDGE  
Governor

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

June 5, 2000

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard A. Watson, Jr., 2412 Raleigh Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Stephen J. Brody, Lititz, deceased.

THOMAS J. RIDGE  
Governor

#### RECALL COMMUNICATION LAID ON THE TABLE

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 laid on the table:

#### MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

June 5, 2000

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 7, 2000 for the appointment of Mark Hanna (Democrat), 2406 Broadlawn Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, as a member of the Allegheny County Board of Assistance, to serve until December 31, 2000, and until his successor is appointed and qualified, vice Rosemary Palmer Phelps, Pittsburgh, resigned.

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

THOMAS J. RIDGE  
Governor

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### TUESDAY, JUNE 6, 2000

|            |   |                          |
|------------|---|--------------------------|
| 9:00 A.M.  | MILITARY AND VETERANS AFFAIRS (public hearing to consider the nominations of Col. Wesley E. Craig, Jr., as Brig. Gen. and Brig. Gen. John E. Stevens as Maj. Gen. in the PA National Guard; a committee meeting to consider Senate Resolution No. 178; and any other business that may come before the Committee)   | Room 8E-A<br>East Wing   |
| 9:30 A.M.  | COMMUNITY AND ECONOMIC DEVELOPMENT (to consider Senate Bills No. 1292 and 1445; and House Bills No. 2083 and 2149)  | Room 8E-B<br>East Wing   |
| 9:30 A.M.  | ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Resolution No. 181)  | Room 60<br>East Wing     |
| 10:00 A.M. | STATE GOVERNMENT (to consider Senate Bill No. 1440; and House Bills No. 2262 and 2463)  | Rules Cmte.<br>Conf. Rm. |
| 10:00 A.M. | URBAN AFFAIRS AND HOUSING (to consider House Bill No. 1131)   | Room 8E-A<br>East Wing   |
| 11:30 A.M. | JUDICIARY (public hearing on the nominations of Bruce F. Bratton, Esq., as Judge, Court of Common Pleas, Dauphin County, and Kevin F. Kelly, Esq., as Judge, Court of Common Pleas, Delaware County; and a committee meeting to consider the nominations of Mr. Bratton and Mr. Kelly and Senate Bills No. 618, 637, 1098, 1299, 1338, 1346 and House Bills No. 951, 1450 and 2287) | Room 8E-B<br>East Wing   |
| 12:30 P.M. | APPROPRIATIONS (to consider Senate Bill No. 1403; and House Bill No. 445)   | Rules Cmte.<br>Conf. Rm. |

#### THURSDAY, JUNE 15, 2000

|           |   |  |
|-----------|---|--|
| 9:30 A.M. | AGING AND YOUTH (public hearing on mental illness and community violence) | Gold Room<br>Allegheny<br>County<br>Courthouse |
| 9:30 A.M. | MILITARY AND VETERANS AFFAIRS (public hearing to receive                  | Biddle<br>Armory                               |

testimony from State and Federal officials and representatives of State and local veteran organizations regarding programs that are available to Pennsylvania's veterans) 2700 Southampton Rd. Philadelphia

### ADJOURNMENT

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, June 6, 2000, at 1 p.m. Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate adjourned at 5:53 p.m., Eastern Daylight Saving Time.