

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, DECEMBER 3, 2001

SESSION OF 2001 185TH OF THE GENERAL ASSEMBLY

No. 59

SENATE

MONDAY, December 3, 2001

The Senate met at 2 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Rabbi ANDREW BUSCH, of Beth David Reform Synagogue, Gladwyne, offered the following prayer:

It is an honor to deliver this prayer.

M'kor Hachaim, O Source of Life, we come to each prayer with the detailed questions of the day, thinking of each new situation, each new decision. We come to each prayer filled with the hubris of the moment, focusing only on our own times, challenges and successes, failings and opportunities. We come to each prayer filled with self-serving intensity, knowing that we have the right proposal, the right compromise, the right language.

O dear God, aware of all that, may we come away from our prayer acknowledging that the daily details may be fresh, but our human dilemmas are as old as history itself.

May we learn to hear the words of the Prophet Micah and thus focus rightly.

(uma Adonai doreish mimecha

Ki im asot mishpat, veahavat chesed, vehatznei'lechet im Elohecha.)

What does God require of you?

Only to do justice, to love goodness, and to walk humbly with your God.

May ours be the generation, our leaders and all of us, who finally hear the words of our God. Amen.

The PRESIDENT. The Chair thanks Rabbi Busch, who is the guest today of Senator-elect Williams.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 20, 2001.

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

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 100 and SB 977.

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

November 21, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles M. Green, 7024 Marion Lane, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment 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 2005 and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 21, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Rev. Dr. Joseph D. Patterson, Sr., 6213 Walnut Street, Philadelphia 19139, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 21, 2001

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

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

Mark S. Schweiker
Governor

MEMBER OF THE MUNICIPAL POLICE
OFFICERS' EDUCATION AND
TRAINING COMMISSION

November 29, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elizabeth Schehr, 65 Suffolk Road, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until her successor is appointed and qualified, vice Thomas F. Rockenbach, Jr., Allegheny, who resigned.

Mark S. Schweiker
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

November 29, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michelle Grove, 1114 Quincy Circle, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, 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 David Girard-diCarlo, Villanova, resigned.

Mark S. Schweiker
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

November 29, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jennifer Hoover, 41 Evergreen Street, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, 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 Ellen McCormack Abom, Camp Hill, resigned.

Mark S. Schweiker
Governor

CORONER, BERKS COUNTY

November 30, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nicholas Bybel, M.D., 3701 Stoudt's Ferry Bridge Road, Reading 19605, Berks County, Eleventh Senatorial District, for appointment as Coroner, in and for the County of Berks, to serve until the first Monday of January 2002, vice William Fatora, resigned.

Mark S. Schweiker
Governor

TREASURER, BERKS COUNTY

November 30, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nelson H. Long, 43 Dorchester Drive, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as Treasurer, in and for the County of Berks, to serve until the first Monday of January 2002, vice Oscar Mogel, deceased.

Mark S. Schweiker
Governor

TREASURER, FRANKLIN COUNTY

November 30, 2001

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Chris A. Bender, 311 Pine Drive, Fayetteville 17222, Franklin County, Thirty-third Senatorial District, for appointment as Treasurer, in and for the County of Franklin, to serve until the first Monday of January 2002, vice Steven C. Minnich, resigned.

Mark S. Schweiker
Governor

CORRECTION TO NOMINATION REFERRED TO COMMITTEE

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

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

November 27, 2001

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

Please note the nomination dated November 21, 2001 for the appointment of Charles M. Greene, 7024 Marion Lane, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment 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 2005 and until his successor is appointed and qualified, should be corrected to read:

Charles M. Greene, 7024 Marion Lane, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment 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 2005 and until his successor is appointed and qualified.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 818**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE 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:

December 3, 2001

HB 300, 539, 754, 1290, 1436, 1439, 1591, 1830, 1883, 1918 and 2044 -- Committee on Environmental Resources and Energy.

HB 552 and 932 -- Committee on Education.
HB 974 -- Committee on Labor and Industry.
HB 993 -- Committee on Finance.
HB 1535 -- Committee on Transportation.
HB 1655 -- Committee on Public Health and Welfare.

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:

November 27, 2001

Senators STACK, MUSTO, LOGAN, ORIE, COSTA, BOSCOLA, SCARNATI and KASUNIC presented to the Chair **SB 1217**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of theft of controlled substances.

Which was committed to the Committee on JUDICIARY, November 27, 2001.

Senators STACK, MUSTO, LOGAN, ORIE, COSTA, BOSCOLA, SCARNATI and KASUNIC presented to the Chair **SB 1218**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for fraudulent practices relating to prescriptions and prescription drugs.

Which was committed to the Committee on JUDICIARY, November 27, 2001.

Senators GERLACH, KUKOVICH, LAVALLE, THOMPSON presented to the Chair **SB 1219**, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, defining "appraiser trainee"; providing for licensing appraiser trainees; and further providing for the powers and duties of the State Board of Certified Real Estate Appraisers, for applications, for renewals, for disciplinary measures and for surrender of registration.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, November 27, 2001.

December 3, 2001

Senators GREENLEAF, ERICKSON, BOSCOLA, HOLL, ORIE, SCHWARTZ, TARTAGLIONE and WAGNER presented to the Chair **SB 1220**, entitled:

An Act requiring containers for collecting glass and aluminum in public buildings and grounds.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, December 3, 2001.

Senators GREENLEAF, BOSCOLA, WOZNIAK, COSTA, ERICKSON, HOLL, LAVALLE, SCARNATI, STOUT and WAUGH presented to the Chair **SB 1221**, entitled:

An Act regulating the use of fax and e-mail for transmitting unsolicited advertisements.

Which was committed to the Committee on COMMUNICATIONS AND HIGH TECHNOLOGY, December 3, 2001.

Senators GREENLEAF, COSTA, MOWERY, SCHWARTZ, TARTAGLIONE, MELLOW, BOSCOLA, EARLL, ERICKSON, KUKOVICH, LAVALLE, LEMMOND, O'PAKE, STOUT, WAUGH, M. WHITE, THOMPSON and MURPHY presented to the Chair **SB 1222**, entitled:

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, relating to credit unions; making revisions, corrections and additions; providing for parity with Federal credit unions and for involuntary dissolution; and making editorial changes.

Which was committed to the Committee on BANKING AND INSURANCE, December 3, 2001.

Senators CORMAN, MADIGAN, STOUT, PICCOLA, DENT, EARLL, ORIE, KASUNIC, LEMMOND, MURPHY, MUSTO, SCARNATI, WAGNER, WAUGH, WENGER, D. WHITE and BOSCOLA presented to the Chair **SB 1225**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "vehicle"; defining "electric personal assistive mobility device" or "EPAMD"; and further providing for driving upon sidewalk.

Which was committed to the Committee on TRANSPORTATION, December 3, 2001.

Senators CORMAN, CONTI, RHOADES, SCHWARTZ, ERICKSON, MELLOW, MOWERY, LAVALLE, BOSCOLA, O'PAKE, STOUT, TARTAGLIONE, KASUNIC and STACK presented to the Chair **SB 1226**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a Small Class Size Grant Pilot Program.

Which was committed to the Committee on EDUCATION, December 3, 2001.

Senator BOSCOLA presented to the Chair **SB 1227**, entitled:

An Act regulating stockpiled tree stump and tree debris storage management; and providing for powers and duties of the Department of Environmental Protection.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, December 3, 2001.

Senators WAGNER, O'PAKE, MUSTO, HUGHES, PUNT, LAVALLE, RHOADES, ORIE, COSTA and KASUNIC presented to the Chair **SB 1228**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the sale of liquor to licensees.

Which was committed to the Committee on LAW AND JUSTICE, December 3, 2001.

Senator TOMLINSON presented to the Chair **SB 1229**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for "special mobile equipment."

Which was committed to the Committee on TRANSPORTATION, December 3, 2001.

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:

December 3, 2001

Senators A. WILLIAMS, ERICKSON, STOUT, COSTA, BOSCOLA, WOZNIAK and LAVALLE presented to the Chair **SR 136**, entitled:

A Resolution urging the Governor to establish an Office of Public Security to develop a comprehensive Statewide strategy to secure Pennsylvania from acts of terrorism or terroristic threats.

Which was committed to the Committee on STATE GOVERNMENT, December 3, 2001.

Senators TARTAGLIONE, LAVALLE, EARLL, M. WHITE, STOUT, O'PAKE, KUKOVICH, BELL, MUSTO, MELLOW, COSTA, ERICKSON, BODACK, LEMMOND, FUMO, BOSCOLA, LOGAN, SCHWARTZ, ORIE, STACK and KASUNIC presented to the Chair **SR 138**, entitled:

A Resolution calling on the Joint State Government Commission to form a task force to investigate unemployment compensation call centers.

Which was committed to the Committee on LABOR AND INDUSTRY, December 3, 2001.

RESIGNATION OF MEMBERS FROM STANDING COMMITTEES OF THE SENATE

The PRESIDENT. The Chair wishes to announce the following members have resigned from Standing Committees of the Senate:

Senator Michael A. O'Pake from the Committee on Aging and Youth.

Senator Vincent J. Fumo from the Committee on Finance.

GENERAL COMMUNICATIONS

AUDITED FINANCIAL STATEMENTS OF THE PENNSYLVANIA STATE UNIVERSITY

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

THE PENNSYLVANIA STATE UNIVERSITY
408 Old Main
University Park, PA 16802

November 29, 2001

Mr. Mark R. Corrigan
Secretary
Senate of Pennsylvania
Senate Post Office
462 Main Capitol Building
Harrisburg, PA 17120

Dear Mr. Corrigan

Enclosed for your information is a copy of Penn State's Audited Financial Statements for fiscal year ended June 30, 2001.

Sincerely,

KENNETH S. BABE
Corporate Controller

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

2001-01 ANNUAL REPORT OF PENNVEST

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

Commonwealth of Pennsylvania
PENNVEST
Pennsylvania Infrastructure Investment Authority
22 South Third Street
Harrisburg, PA 17101

November 15, 2001

Dear Member of the General Assembly:

Enclosed is a copy of PENNVEST's Annual Report for Fiscal Year 2000-2001. This report details all of the projects that have been approved by the PENNVEST Board since its inception in 1988.

If you have any questions on this report, or would like to receive additional copies, please do not hesitate to call me at 783-4496. This report is also accessible on our website: www.pennvest.state.pa.us

Sincerely,

PAUL K. MARCHETTI
Executive Director

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

AUDITED FINANCIAL STATEMENTS OF TEMPLE UNIVERSITY

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

TEMPLE UNIVERSITY
Office of Financial Affairs
Philadelphia, Pennsylvania 19122

November 16, 2001

The Honorable Mark R. Corrigan
Senate Secretary/Parliamentarian
462 Main Capitol Building
Harrisburg, PA 17120

Dear Senator[sic] Corrigan:

In compliance with Act 37A of June 22, 2000, I submit to you herewith the audited financial statements of Temple University - Of The

Commonwealth System of Higher Education for the fiscal year 2000-2001. Upon completion, our annual Report of the Treasurer will follow.

Sincerely,

TIMOTHY C. O'ROURKE
Associate Vice President
and Controller

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

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

David Elliott Knox, M.D., as a Commonwealth Trustee of Lincoln University.

REPORTS FROM COMMITTEE

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

SB 369 (Pr. No. 1567) (Amended) (Rereported)

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing police officers to record certain oral communications; and further providing for windshield obstructions and wipers.

HB 454 (Pr. No. 2967) (Amended) (Rereported)

An Act requiring the Department of Health to establish bloodborne pathogen standards for public employees.

SB 462 (Pr. No. 1465) (Rereported)

An Act providing for the regulation of viatical settlements and for powers and duties of the Insurance Department.

SB 1093 (Pr. No. 1524) (Rereported)

An Act amending the act of April 8, 1868 (P.L.73, No.37), entitled, "An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers," further providing for the recording of final discharges and reports of separation and similar forms.

SB 1106 (Pr. No. 1568) (Amended) (Rereported)

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

SB 1213 (Pr. No. 1569) (Amended) (Rereported)

An Act providing for the capital budget for the fiscal year 2001-2002, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, Pennsylvania Fish and Boat Commission projects, Motor License Fund projects and Manufacturer's Fund projects to be constructed or acquired

or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Pennsylvania Fish and Boat Commission and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; stating the estimated useful life of the projects; making appropriations; and making repeals.

LEGISLATIVE LEAVE

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

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

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

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

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

In the Senate, December 3, 2001

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, December 10, 2001, 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, December 10, 2001, 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 BRIGHTBILL and were as follows, viz:

YEA-48

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

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
GUESTS 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 am very pleased and proud to welcome as guests of the Senate today the Middletown Area High School Blue Raiders Boys' Soccer Team. This team has won the 2001 PIAA Class AA Boys' State Championship for boys' soccer. In addition, they were the District 3 champions and the Mid-Penn Commonwealth division champions, compiling an overall record of 26-1 during the last season. They are accompanied today by their head coach, Robert Stitt, and their assistant coaches, Larry Hoover and Dave Vandegrift. I would appreciate if the Senate would give them a very warm welcome in recognition of their accomplishments.

The PRESIDENT. Would the guests of Senator Piccola kindly rise so we may welcome you to the Senate of Pennsylvania. (Applause.)

**GUESTS OF SENATOR ROBERT M.
TOMLINSON PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson, who has special guests on the floor today.

Senator TOMLINSON. Mr. President, I rise to introduce a friend of mine, a constituent who lives in Levittown. Leona Gutherman and her husband, George, are with us today. On September 30, 2001, Lee was named Miss Wheelchair PA for 2002 at the Ramada Inn, Harmony, in the Poconos. The Miss Wheelchair America program is a competition to select the most accomplished and articulate spokesperson for other people with disabilities in the U.S. Contestants were judged on their accomplishments, poise, and self-perception. She is a graduate of Bucks County Community College and Trenton State, and is currently working on her master's degree. She works as a business analyst for the Triversity Company, which is a maker of point-of-sale software. She also donates her time to training dogs that help people who are wheelchair-bound, and she has spoken at conferences around the country on disabilities for Americans. She is a very talented person and is the mother of four wonderful children whom I know - Kaitlin 7, George 5, Austin 4, and Christopher 2.

I would like to introduce Lee to the Senate of Pennsylvania, a very talented woman of outstanding accomplishment and a woman of uncommon courage and a dear friend of mine. Actually, she grew up in Bensalem, even though she is a resident of Levittown now, so I would like to present her with a citation from the Senate of Pennsylvania and ask the Senate to welcome her to Harrisburg today.

The PRESIDENT. Will the Members of the Senate kindly welcome our guests to the Commonwealth of Pennsylvania.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SWEARING-IN OF NEW MEMBER**

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

Senator BRIGHTBILL. Mr. President, as a Special Order of Business, I ask that the Senate proceed to receive the returns of election for the special election held in the 17th Senatorial District on the 6th day of November, 2001, and that the oath of office be administered to Senator-elect Constance H. Williams.

The PRESIDENT. At the request of Senator Brightbill, and without objection, as a Special Order of Business, the Senate will now proceed to the administration of the oath of office to Senator-elect Williams.

ELECTION RETURNS PRESENTED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary of the Commonwealth, the Honorable Kim Pizzingrilli.

The PRESIDENT. The Chair recognizes the Secretary of the Commonwealth.

Secretary PIZZINGRILLI. Mr. President, I am pleased to report the returns of the special election held November 6, 2001, in the 17th Senatorial District.

The PRESIDENT. The Chair thanks Secretary Pizzingrilli.

The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Seventeenth Senatorial District, as the same has been certified to and filed with my office by the Delaware and Montgomery County Boards of Elections. Connie Williams, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of my office at the city of Harrisburg, this third day of December in the year of our Lord two thousand one and of the Commonwealth the two hundred and twenty-sixth.

KIM PIZZINGRILLI
Secretary of the Commonwealth

**SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
17TH SENATORIAL DISTRICT**

COUNTIES OF DELAWARE AND MONTGOMERY
NOVEMBER 6, 2001

OFFICIAL RESULTS

VOTE TOTALS

Republican -	Lita Indzel Cohen	27,289
Democratic -	Connie Williams	29,556

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Secretary of the Commonwealth has also certified that Senator-elect Williams has filed the accounts and affidavits as required by Section 1632(b) of the Pennsylvania Election Code.

**SPECIAL ORDER OF BUSINESS
DISTINGUISHED GUESTS
PRESENTED TO THE SENATE**

The PRESIDENT. Before proceeding to the administration of the oath of office, without objection, the Chair would like to introduce some special guests and members of the Senator-elect's family who are with us today. I hope I get this all right. It is a big family. Her husband, Sankey, please stand. Her daughters, Betsy and Jenny, and her mother, Norma Hess. Her brother, sister, and in-laws, John Hess, Marlene Hess, Jim Zirin, Ed Sullivan, and Clare Sullivan, and finally her cousins, Wayne and Lisa Wilentz, and Ellen and Larry Rifkin. Have I gotten them all right? Give the family and all of these wonderful people a welcome.

(Applause.)

The Chair would like to introduce some dignitaries sitting over here who are here recognizing the induction of Senator-elect Williams. An old friend, Congressman Bob Brady of the great city of Philadelphia, is here. Congressman Brady, welcome.

(Applause.)

Former Senator Bob Rovner.

(Applause.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair would now take this opportunity to politely remind all of our guests that taking still pictures or videotaping in the Senate Chamber is not permitted under our rules. So I ask that during the administration of the oath of office no pictures be taken or video be taped. At the end of the oath, however, the Senate will be recessing. Senator-elect Williams will remain at the bar of the Senate, and frankly, you can take as many pictures as you all want.

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT. It is an honor and a privilege to have with us today someone I have known for some time and someone for whom I have great respect who is here as a member of the judiciary, the Honorable Jane Cutler Greenspan, judge of the Court of Common Pleas of Philadelphia. She has kindly consented to be with us today to administer the oath of office to Senator-elect Williams in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present herself, along with her Bible, at the bar of the Senate.

Members and guests, please rise.

Judge Greenspan will now administer the oath of office. Your Honor.

Judge GREENSPAN. Raise your right hand, left hand on the Bible. Repeat after me:

I, Constance Williams, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations, Senator.

Senator C. WILLIAMS. Thank you.

(Applause.)

The PRESIDENT. Well done.

RECESS

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

Senator BRIGHTBILL. Mr. President, at this time I ask for a recess of the Senate for the purpose of a Republican caucus, which will begin immediately in the Majority Caucus Room.

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

Senator MELLOW. Mr. President, we would also like to have the Democratic Members report to our caucus room, but can the Chair give us some idea about a time of returning to the floor?

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

Senator BRIGHTBILL. Mr. President, my judgment is I would say not before 4:30 p.m.

The PRESIDENT. For purposes of Republican and Democratic caucuses in their respective caucus rooms, and certainly for an opportunity for Members and friends and family to take pictures of the newly-induced Senator, without objection, the Senate will stand in recess.

AFTER RECESS

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

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

The SECRETARY. Consent has been given for the Committee on Appropriations to meet during today's Session to consider House Bill No. 1633.

CALENDAR

THIRD CONSIDERATION CALENDAR

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

SB 1000 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 212, SB 238, HB 437 and HB 846 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 984 (Pr. No. 1195) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Kittingtinny Historical Society, Inc., certain lands situate in the Borough of Chambersburg, Franklin County, Pennsylvania.

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

NAY-0

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

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

BILL OVER IN ORDER

SB 985 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1035 (Pr. No. 1292) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to

Kittochtinny Historical Society, Inc., certain lands situate in Antrim Township, Franklin County.

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

NAY-0

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

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

SB 1160 (Pr. No. 1451) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1999 (P.L.205, No.27), entitled, as amended, "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township," further providing for reversion of property.

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

NAY-0

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

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

BILL AMENDED

SB 1169 (Pr. No. 1460) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Indiana County, certain lands situate in the Borough of Indiana, Indiana County.

On the question,
Will the Senate agree to the bill on third consideration?
Senator D. WHITE offered the following amendment No. A4107:

Amend Sec. 1, page 1, line 9, by inserting after "convey": to
Amend Sec. 1, page 1, line 10, by striking out "buildings" and inserting: a building

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1171 (Pr. No. 1476) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the City of Harrisburg tracts of land and a building situate in the City of Harrisburg, Dauphin County.

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

NAY-0

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

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

SB 1180 (Pr. No. 1511) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1992 (P.L.818, No.133), known as the Port of Pittsburgh Commission Act, further defining "port district."

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 Indiana, Senator D. White.

Senator D. WHITE. Mr. President, I rise today to call on my colleagues to support Senate Bill No. 1180. Under this bill, Indiana County would join the 10 other counties currently supported by the Port of Pittsburgh Commission. This bill has the support of the Port of Pittsburgh Commission, the board, and the commission's director, J.D. Fogarty.

Joining the Port of Pittsburgh Commission is another major step in the renaissance of Indiana County. This is an area that has been hard hit by the economic problems of the 1970s and 1980s and is just now rebounding. The decline of every industry in our great Commonwealth and the subsequent downturn in mining operations has obviously taken a heavy toll. Over the past few years we have seen the positive results of partnerships between Federal, State, county, and local officials to revitalize Indiana County. With an aggressive transportation improvement program and a concentrated effort to promote economic development through efforts such as our newly-designed Keystone

Opportunity Zones, we are rebuilding the county as a great place to live, work, and do business.

Joining the Port of Pittsburgh Commission gives Indiana County the chance to take the next logical step and become a player in the regional economy of southwestern Pennsylvania. By joining the commission, Indiana County companies can receive financing packages, and the county's economic development efforts will benefit from the increased exposure through the commission's marketing efforts and activities.

Mr. President, pending the approval of Senate Bill No. 1180, the specialized financing offered through the Port of Pittsburgh Commission, along with the opportunity of grant money and a KOZ designation, will be key factors in the decision by a Wyoming-based technical school to take over the facility of a longtime local technical school and eventually build a new facility in Indiana County's corporate campus. Wyo-Tech's main campus has more than 2,000 students, and the school is aiming for a student population of up to 1,200 people here in Pennsylvania. So you can imagine the excitement the news has created in the community.

Today, we can help Indiana County's renaissance continue. Therefore, I ask my colleagues for an affirmative vote on Senate Bill No. 1180. Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 1219, HB 1408 and HB 1546 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

RECESS

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

Senator BRIGHTBILL. Mr. President, at this time, I request a brief recess of the Senate for the purpose of a meeting of the Committee on Appropriations, which will be held in the Rules room. The meeting should take approximately 5 minutes, at which time we will reconvene.

The PRESIDENT. Senator Brightbill has requested a recess of the Senate for the purpose of a meeting of the Committee on Appropriations immediately in the Rules room at the rear of the Senate floor. For that purpose, without objection, we will stand in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 415 (Pr. No. 1534) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extending the period of limitation in certain offenses when deoxyribonucleic acid (DNA) evidence establishes the identity of a defendant.

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

BILLS OVER IN ORDER

SB 460, HB 476, SB 587 and SB 804 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 978 (Pr. No. 1174) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for the alternative collection of taxes.

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

BILLS OVER IN ORDER

SB 1011 and SB 1012 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1014 (Pr. No. 1431) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for situs of inter vivos trust, for rules of succession, for power of decedent, for equitable apportionment of Federal estate tax, for definitions and for termination of custodianship; providing for delay in transfer of custodial property after minor attains age 21 and for individuals presumed dead from the September 11, 2001, terrorist attack; further providing for effect of disclaimer; providing for power of trustee to resign; extensively revising provisions on principal and income; and making conforming amendments.

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

BILLS OVER IN ORDER

SB 1017 and SB 1074 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1100 (Pr. No. 1381) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for governing body of municipal authorities.

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

BILLS OVER IN ORDER

SB 1177 and SB 1204 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1215 (Pr. No. 1548) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for parking authority purposes and powers, bonds and facility transfers and for municipal authority definitions, method of incorporation, school district projects, purposes and powers, bonds, bondholders, governing bodies, contracting, property, termination and conveyances; and providing for continuation in office.

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

BILL OVER IN ORDER

HB 1806 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**UNFINISHED BUSINESS
REPORT FROM COMMITTEE**

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

HB 1633 (Pr. No. 2981) (Amended) (Rereported)

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

SENATE RESOLUTIONS ADOPTED

Senators GREENLEAF and HOLL, by unanimous consent, offered **Senate Resolution No. 139**, entitled:

A Resolution recognizing December 4, 2001, as "National Day of Reconciliation" in Pennsylvania.

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

Senator BOSCOLA, by unanimous consent, offered **Senate Resolution No. 140**, entitled:

A Resolution designating the week of December 3 through 7, 2001, as "Dream Come True Week" in Pennsylvania.

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

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 Cory J. Erhard by Senator Armstrong.

Congratulations of the Senate were extended to Debra Harris and to James Love by Senator Boscola.

Congratulations of the Senate were extended to Raymond C. Hertzler by Senator Corman.

Congratulations of the Senate were extended to Ryan Houck, Stephen A. Brown and to Sean M. Meseroll by Senator Dent.

Congratulations of the Senate were extended to Yong Hwan Kim, Michael P. Venezia, Daniel Hoerr and to Robert Angeline by Senator Holl.

Congratulations of the Senate were extended to Robert P. Ging, Jr., by Senators Kasunic and Scarnati.

Congratulations of the Senate were extended to Mandy Dubich by Senator Kukovich.

Congratulations of the Senate were extended to Christopher Ries by Senator Lemmond.

Congratulations of the Senate were extended to the Gateway High School Girls' Cross Country Team of Monroeville by Senator Logan.

Congratulations of the Senate were extended to Ryan Daniel Bell by Senator Madigan.

Congratulations of the Senate were extended to Anna Jupin by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Harris, George Rademacher, Sarah Morgan, Michael Handza, Robert C. Howard, Joseph N. Morrison, Jr., Steve Sciullo, Eric Brader, North Allegheny High School Ninth Grade Girls' Basketball Team of Pittsburgh and to Pine-Richland High School Girls' Volleyball Team of Gibsonia by Senator Orie.

Congratulations of the Senate were extended to Craig David Kalinowski by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Jim Smathers by Senator M. J. White.

Congratulations of the Senate were extended to Bishop James McNeal, Jr., by Senator A. Williams.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Ervin Ransom Urquhart by Senator A. Williams.

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, it is very gratifying during this Christmas season to see as many American flags out there on people's homes as you see colorful lights and wreaths and ribbons. To me those flags show Americans are truly united in support of our troops and our President. To me it is also a very good sign. It shows that even as we go about our lives stringing up the lights and decorating the tree, that we really know in our hearts what is important in all of our lives right now. So we proudly display the American flag even in the month of December without any hesitation because we are proud. We live in America.

But I recently received a short note from a 75-year-old man who said: I wish I lived in Canada, because the cost of prescription drugs is cheaper there. This man went on to tell me that he is a veteran of World War II, yet he wishes he could leave the country he fought for during World War II so that he could live in Canada where drugs are cheaper. I wish this man did not feel that way, Mr. President. I wish I could tell him that we have been working hard here in the Senate to lower the cost of Prilosec so he does not have to pay \$110 each month for the rest of his life. But actions speak louder than words, Mr. President, and we are no closer today to passing a bill to lower prescription drugs than we were a year ago or even 2 years ago. The Lottery is going bankrupt, and the Majority does not want to save it. Seniors are dying without their medicine, and the Majority does not act to help them.

You know, I received another note from John, in Allentown, and he writes: I am with you, Senator Boscola, on restoring or helping the senior citizens to restore the program for middle-class people on prescription drugs and higher prescription drug costs.

And then there is a note from Phillip, who lives in Easton: I am currently taking 15 pills a day, and my wife is on tamoxifen due to breast cancer. We would like to see a reduction in the price of these medications.

Mr. President, the drug companies are making a fortune, and our seniors are losing their own small fortunes month by month, dipping into their savings to afford their medications. No one wants to raise taxes in this Chamber. That is why FAIRx makes so much sense. It does not cost taxpayers one dime. It helps preserve the Lottery Fund. And in case anyone has forgotten, these funds belong to our seniors just like Social Security. It is our seniors who are being taxed because of their failing health, and the highest tax they can pay is with their very lives. No more studies, no more hearings, no more excuses, it is time to help our seniors, Mr. President. Let us help them now.

Thank you.

RESIGNATION OF MEMBER FROM STANDING COMMITTEE OF THE SENATE

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

SENATE OF PENNSYLVANIA
P.O. Box 203007
The State Capitol
Harrisburg, PA 17120-3007

November 30, 2001

Hon. Robert Jubilerer[*sic*]
Main Capitol Room 292

Dear Senator Jubilerer[*sic*]:

It has been my pleasure to serve as Chair of the Senate Communications and High Technology Committee. At this time however, it is necessary for me to resign as Chair and member of the Committee.

Please accept my resignation from the Communications and High Technology committee, effective Monday, December 3, 2001.

Sincerely,

VINCENT HUGHES

APPOINTMENT OF MEMBER TO STANDING COMMITTEES OF THE SENATE

The PRESIDENT. The Chair wishes to announce that the President pro tempore has made the following appointment to Standing Committees of the Senate:

Senator Constance Williams as a member of the Committees on Aging and Youth, Finance, and as Minority chairman of the Committee on Communications and High Technology.

BILL SIGNED

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

HB 829.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, DECEMBER 4, 2001

8:30 A.M.	PUBLIC HEALTH AND WELFARE (joint meeting with the House Health and Human Services Committee for a briefing on Academic Medical Centers)	House Majority Caucus Rm.
9:30 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on property flipping)	Room 8E-A East Wing
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1115; and House Bill No. 1830)	Room 8E-B East Wing
10:00 A.M.	STATE GOVERNMENT (to consider the nomination of Kelly Powell Logan as Secretary of the Department of General Services; and Senate Bills No. 965 and 1200)	Rules Cmte. Conf. Rm.
10:30 A.M.	COMMUNICATIONS AND HIGH TECHNOLOGY (to consider Senate Bills No. 656 and 1001)	Room 461 Main Capitol
10:30 A.M.	MILITARY AND VETERANS AFFAIRS (public hearing and committee meeting to consider the nominations of Col. Stanley J. Jaworski and Col. Ronald L. Shultz to Brigadier General, PA National Guard)	Room 8E-B East Wing
11:30 A.M.	JUDICIARY (to consider Senate Bill No. 1075 and House Bill No. 1333)	Room 8E-B East Wing

WEDNESDAY, DECEMBER 5, 2001

9:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on mental health issues; and a committee meeting to consider Senate Bill No. 955)	Room 8E-A East Wing
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MONDAY, DECEMBER 10, 2001

10:00 A.M.	JUDICIARY (public hearing to receive testimony relating to Senate Bill No. 1084, Divorce)	Room 8E-B East Wing
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ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, December 4, 2001, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 5:17 p.m., Eastern Standard Time.