

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, MARCH 20, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY

No. 18

**SENATE**

WEDNESDAY, March 20, 2002

The Senate met at 11 a.m., Eastern Standard Time.

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

**PRAYER**

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Let us pray.

Our common God and Father, we pause to ask that You would bless us this day with renewed enthusiasm for the work to which we have been called, and fix in our hearts the wisdom and vision to deal with the problems of today and the needs of tomorrow for the good of all the citizens of this Commonwealth. Amen.

**JOURNAL APPROVED**

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of March 19, 2002.

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

**HOUSE MESSAGES**

**HOUSE 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:

March 19, 2002

- HB 412 -- Committee on Banking and Insurance.
- HB 944, 1247 and 1773 -- Committee on Transportation.
- HB 1974 -- Committee on State Government.

**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:

March 20, 2002

Senators WAGNER, MELLOW, O'PAKE, MUSTO, FUMO, KASUNIC, STOUT, BODACK, BOSCOLA, COSTA, HUGHES, KITCHEN, KUKOVICH, LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, A. WILLIAMS, C. WILLIAMS and WOZNIAK presented to the Chair SB 1346, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, further providing for assessments.

Which was committed to the Committee on BANKING AND INSURANCE, March 20, 2002.

Senators MUSTO, MELLOW, O'PAKE, WAGNER, FUMO, KASUNIC, STOUT, BODACK, BOSCOLA, COSTA, HUGHES, KITCHEN, KUKOVICH, LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, A. WILLIAMS, C. WILLIAMS and WOZNIAK presented to the Chair SB 1347, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, further providing for sales and purchases.

Which was committed to the Committee on BANKING AND INSURANCE, March 20, 2002.

Senators MELLOW, O'PAKE, WAGNER, MUSTO, STOUT, KASUNIC, FUMO, BODACK, BOSCOLA, COSTA, HUGHES, KITCHEN, KUKOVICH, LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, A. WILLIAMS, C. WILLIAMS and WOZNIAK presented to the Chair SB 1348, entitled:

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for discipline.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 20, 2002.

Senators KUKOVICH, MELLOW, O'PAKE, WAGNER, MUSTO, STOUT, KASUNIC, FUMO, BODACK, BOSCOLA, COSTA, HUGHES, KITCHEN, LAVALLE, LOGAN, SCHWARTZ, STACK, TARTAGLIONE, A. WILLIAMS, C. WILLIAMS and WOZNIAK presented to the Chair SB 1349, entitled:

An Act amending the act of May 26, 1947 (P.L.318, No.140), known as the CPA Law, further providing for privileged

communications; and providing for obligation to report wrongdoing, for protection of certified public accountants and accountants, for enforcement and for penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 20, 2002.

Senators STACK, KITCHEN, MUSTO, KUKOVICH, COSTA, LOGAN, WAGNER, WAUGH, TARTAGLIONE, O'PAKE, SCHWARTZ, ERICKSON, BOSCOLA, GREENLEAF, ORIE and RHOADES presented to the Chair SB 1353, entitled:

An Act providing for bonus pay for certain persons involved in the War on Terrorism; and making an appropriation.

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, March 20, 2002.

Senator THOMPSON presented to the Chair SB 1361, entitled:

An Act providing for the capital budget for the fiscal year 2002-2003.

Which was committed to the Committee on APPROPRIATIONS, March 20, 2002.

Senators BOSCOLA, BELL, MUSTO, ERICKSON, COSTA, ORIE, MELLOW, WAGNER, LAVALLE, LOGAN, STACK, KITCHEN, TARTAGLIONE, STOUT, WOZNIAK, KUKOVICH, HUGHES and KASUNIC presented to the Chair SB 1362, entitled:

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

Which was committed to the Committee on JUDICIARY, March 20, 2002.

Senator WAGNER presented to the Chair SB 1363, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales on St. Patrick's Day.

Which was committed to the Committee on LAW AND JUSTICE, March 20, 2002.

Senator KUKOVICH presented to the Chair SB 1364, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land situate in the Township of Penn, Westmoreland County.

Which was committed to the Committee on STATE GOVERNMENT, March 20, 2002.

Senators CONTI, BODACK, THOMPSON and TARTAGLIONE presented to the Chair SB 1365, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, defining "arts council," "confectionery," "eligible entity" and "pecuniary interest"; and further providing for the definitions

of "eating place" and "restaurant," for salaries, for appointment of members, for bonds required of members and secretary, for board and enforcement bureau subject to State ethics and adverse interest acts, for restrictions on members of the board and on certain employees of the Commonwealth, for wine marketing, for sales by Pennsylvania liquor stores, for confectionery containing alcohol or liquor, for authority to issue liquor licenses to hotels, restaurants and clubs, for applications for hotel, restaurant and club liquor licenses, for issuance of hotel, restaurant and club liquor licenses, for sales by liquor licensees, for secondary service area, for special occasion permits, for sacramental wine licenses, for liquor importers' licenses, for interlocking business prohibited as to manufacturers, etc., for malt and brewed beverages (excluding manufacturers), for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibition against the grant of licenses, for retail dispensers' restrictions on purchases and sales, for interlocking business prohibited as to malt or brewed beverages, for hearings upon refusal of licenses, renewals or transfers, for renewal of licenses, for revocation and suspension of licenses, for local option, for exchange of certain licenses, for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to malt or brewed beverages and licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees, for unlawful advertising, for distilleries and for business hours.

Which was committed to the Committee on LAW AND JUSTICE, March 20, 2002.

## 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:

March 19, 2002

Senators STACK, MELLOW, O'PAKE, WAGNER, MUSTO, FUMO, KASUNIC, STOUT, BOSCOLA, BODACK, COSTA, HUGHES, KITCHEN, KUKOVICH, LAVALLE, LOGAN, SCHWARTZ, TARTAGLIONE, A. WILLIAMS, C. WILLIAMS and WOZNIAK presented to the Chair SR 175, entitled:

A Resolution urging Congress and the General Accounting Office to compel the Bush Administration to produce information pertaining to the National Energy Policy Development Group.

Which was committed to the Committee on INTERGOVERNMENTAL AFFAIRS, March 19, 2002.

Senators TOMLINSON, THOMPSON, LAVALLE, TARTAGLIONE, KUKOVICH, EARLL, MUSTO, BOSCOLA, KASUNIC, PICCOLA, HOLL, LOGAN, COSTA, DENT, WAGNER, BELL, C. WILLIAMS, SCHWARTZ, STOUT, O'PAKE, MOWERY, ARMSTRONG, PUNT, MURPHY, ERICKSON, CONTI, SCARNATI, LEMMOND, WENGER, M. WHITE, GREENLEAF, ROBBINS, GERLACH, RHOADES, BRIGHTBILL and STACK presented to the Chair SR 178, entitled:

A Resolution congratulating the Marine Corps League on its 65th anniversary.

Which was committed to the Committee on MILITARY AND VETERANS AFFAIRS, March 19, 2002.

**LEGISLATIVE LEAVES**

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

Senator BRIGHTBILL. Mr. President, I ask for legislative leaves for Senator Armstrong, Senator Helfrick, and Senator Robbins, and temporary Capitol leaves for Senator Mowery and Senator Piccola.

The PRESIDENT. Senator Brightbill requests legislative leaves for Senator Armstrong, Senator Helfrick, and Senator Robbins, and temporary Capitol leaves for Senator Mowery and Senator Piccola. Without objection, the leaves are granted.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Mr. President, I request legislative leaves for Senator Bodack and Senator Fumo.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Bodack and Senator Fumo. Without objection, the leaves will be granted.

**CALENDAR****SENATE RESOLUTION No. 172  
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 8 of the Calendar, as a Special Order of Business, Senate Resolution No. 172, entitled:

A Resolution designating April 6, 2002, as "Tartan Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

**YEA-50**

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

**NAY-0**

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

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

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

Senator RHOADES. Mr. President, I would like to introduce a very special group of young men and women who are members of The Harrisburg Internship Semester, the acronym, T.H.I.S. It is an internship program offered to juniors and seniors in each of the 14 State System of Higher Education universities. An intern class is taken in the fall and the spring of each academic year. To be a candidate, one must possess a minimum of a 3.0 Q.P.A., be of good academic standing, submit a writing sample, present a completed resume, and provide two letters of recommendation. The candidates are then reviewed before a panel of judges at the students' university, and the selection is made based upon the above requirements.

I would like to introduce the students and their advisor who are here with us today: the advisor is Dr. Mary Jo Campbell, who is the resident faculty director, and there are 11 of 15 students: Heather Camp, Lock Haven University, political science honors major, who has interned with Senator Costa; Rosalind Deets, Clarion University, elementary and special education major, interned with the Department of Education; Desiree Fahlbush, Indiana University of Pennsylvania, political science/pre-law honors major, interned with Senator Logan; Gayle Funt, Millersville University, government and political affairs major, interned with the policy office of the Department of Health; Brandon Ketchum, Edinboro University, criminal justice honors major, interned with the Pennsylvania Rural Development Council; Kendra Mohr, Millersville University, government and political affairs major, interned with the Bureau of Professional and Occupational Affairs, Prosecution Office; Tiffany Panetta, Bloomsburg University, criminal justice major, interned with the Pennsylvania Commission on Crime and Delinquency; Andrew Paris, Shippensburg University, public administration major, interned with the Office of the Attorney General, Bureau of Consumer Protection; Joel Seelye, California University, psychology major, interned with the Office of the Attorney General, Bureau of Consumer Protection; Stephen Shukaitis, East Stroudsburg University, sociology and English major, interned with the Center for Rural Pennsylvania; and Franslee Thomany, East Stroudsburg University, speech communication major, interned with the Governor's Advisory Committee on Latino Affairs.

Mr. President if the Senate would show its usual warm welcome, I would appreciate it.

The PRESIDENT. Would all the guests, and I see they are already standing, we want to welcome you to the Senate of Pennsylvania. Thank you for being here.

(Applause.)

**GUESTS OF SENATOR ROBERT J.  
THOMPSON PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Thompson.

Senator THOMPSON. Mr. President, it is my privilege to recognize three guests who are sitting in the gallery today observing today's Session. They are: Iryna Lun, a Rotary International exchange student from the Ukraine. She is a junior at West Chester East High School, where she plays on the volleyball team and is a violinist in the orchestra. She will be leaving the United States on April 6 to go back to the Ukraine to

take her admission tests for the university there, where she hopes to study linguistics. And based on my conversations with her this morning, I think that is going to be a slam-dunk deal for her, given the English that she speaks. She is accompanied by her father, Uri, who is making his second visit to the United States, and also Mrs. Barbara Spellman, who, with Dr. John Spellman of Westtown Township, Chester County, has been the host for Iryna during this school year, so I ask that the Senate give our guests its usual warm welcome.

The PRESIDENT. Would the guests of Senator Thompson kindly rise so we may welcome you to the Senate of Pennsylvania.

(Applause.)

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. The Chair notes the presence on the floor of Senator Piccola, and his temporary Capitol leave is hereby cancelled.

### SPECIAL ORDER OF BUSINESS CEREMONY IN CELEBRATION OF ST. PATRICK'S DAY

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

Senator BRIGHTBILL. Mr. President, as is the tradition in the Senate, we celebrate St. Patrick's Day, and it is believed that it would be appropriate this year in honor of Senator Holl, who has provided entertainment for many years, and of course, we all miss the gentleman from Allegheny, Senator Scanlon, so it is appropriate this year that we then honor them with a video depicting past celebrations.

Thank you.

The PRESIDENT. For the purpose of a very special St. Patrick's Day event, even though it might be a few days after St. Patrick's Day, the Senate will now be treated to I think some wonderful memories of Senator Gene Scanlon and Senator Ed Holl, who performed on this floor many, many times. For those of you who have not seen them, I think you are in for a treat. For those of us who have, we are in for quite a trip down memory lane as well.

(Whereupon, a videotape of St. Patrick's Day celebrations was presented.)

(Applause.)

The PRESIDENT. The Chair wishes to thank the leprechaun who provided all this, the one who was playing the trumpet, Senator Ed Holl, and I think he deserves another great round of applause.

(Applause.)

The PRESIDENT. Thank you, Ed. It was wonderful. It really was, and pretty good timing, I would say.

### RECESS

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

Senator BRIGHTBILL. Mr. President, I ask for a brief recess for the purpose of a caucus to be held in the Rules room. We

need to just talk about one issue, and I expect we will be back in maybe 15 minutes.

The PRESIDENT. I suspect you are referring to the Republican Members of the Senate?

Senator BRIGHTBILL. Yes, Mr. President.

The PRESIDENT. Senator Mellow, the Republicans wish to caucus in the Rules room very briefly. Do you have any interest?

Senator MELLOW. Mr. President, I would ask that our Members report very briefly to our caucus room.

The PRESIDENT. For Republican and Democratic caucuses to take place in the Rules room and the Minority Caucus Room respectively, without objection, the Senate will stand in recess.

### AFTER RECESS

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

### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR

#### BILL REREPORTED FROM COMMITTEE AS AMENDED, AMENDED

SB 1325 (Pr. No. 1797) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for animal exhibition sanitation; and imposing penalties.

On the question,

Will the Senate agree to the bill on third consideration?

#### WAUGH AMENDMENT A0967

Senator WAUGH offered the following amendment No. A0967:

Amend Sec. 1 (Sec. 2501), page 3, lines 12 through 30; page 4, lines 1 through 20 by striking out all of said lines on said pages and inserting:

(1) The term shall include:

(i) an agricultural fair;

(ii) a petting zoo;

(iii) an event where animals are displayed on animal exhibition grounds for view and physical contact with humans, if the operator advertises the event;

(iv) an event where animals are displayed on animal exhibition grounds for view and physical contact with humans, if the operator charges an admission fee for access to the animals; or

(v) an event where animals are displayed on animal exhibition grounds for view and physical contact with humans, if there is a retail food establishment on the grounds.

(2) The term shall not include:

(i) an event, other than an agricultural fair, sponsored by an agricultural organization and held for not more than two days per year;

(ii) an event authorized by a farmer to permit individuals to view or have contact with animals the farmer is raising or keeping in the course of "normal agricultural operation" as defined in the act of June 10, 1982 (P.L.454, No.133), entitled, "An act protecting agricultural operations from nuisance suits

and ordinances under certain circumstances," which is not held on animal exhibition grounds where there is a retail food establishment;

(iii) an event performed or authorized in the normal course of operation of an equine boarding, riding or training enterprise by the person that operates the enterprise;

(iv) an event performed or authorized on the premises of a pet store by the person that operates the store; or

(v) an event excluded by regulation of the department.

On the question,

Will the Senate agree to the amendment?

**C. WILLIAMS AMENDMENT A1041  
OFFERED TO A0967**

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

Senator C. WILLIAMS offered the following amendment No. A1041 to A0967:

Amend Amendments, page 1, lines 19 through 22, by striking out all of lines 19 through 21 and "(ii)" in line 22 and inserting: (i)

Amend Amendments, page 1, line 31, by striking out "(iii)" and inserting: (ii)

Amend Amendments, page 1, line 35, by striking out "(iv)" and inserting: (iii)

Amend Amendments, page 1, line 38, by striking out "(v)" and inserting: (iv)

On the question,

Will the Senate agree to amendment A1041 to amendment A0967?

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

Senator WAUGH. Mr. President, on amendment A1041, as I read it, essentially what it would do is attempt to remove a provision in the proposal that I have offered. I have included a provision in the bill that would give a 2-day per year exemption to agricultural organizations such as our local 4-H youth and our FFA students, and, quite frankly, the Farm Bureau and other agriculture-based or agriculture-affiliated organizations that have a very limited amount of time for exhibitions, in this case no more than 2 days per year.

Essentially, the reason I have included that provision is because we have an awful lot of 4-H groups and FFA organizations around the State that from time to time have educational opportunities. In addition to that, a lot of our 4-H and FFA groups allow students from schools and other organizations to come onto farms. Often it is an offer by a local farmer to help educate young people about the importance of good, viable agriculture in our State. I believe that we have to really give our farmers, our 4-H youth, our 4-H leaders, and the FFA students and teachers around this State a little bit of credit when it comes to exposing these limited numbers and limited amounts of groups to agriculture animals and livestock animals in a controlled environment like we are talking about.

What the amendment that is being offered would do is strip away that 2-day exemption and the ability, really, for these local 4-H organizations to come out and do limited events on farms

and at agricultural sites across the State, and I do not think that is right. I believe that we should give young people the opportunity to view these types of events and we should give our farmers and 4-H leaders a little bit of credit for doing the right thing when it comes to sanitation and providing the appropriate protections in these types of limited circumstances. So I would oppose amendment A1041 on those grounds.

Thank you, Mr. President.

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

Senator C. WILLIAMS. Mr. President, the amendment to the bill does not deal with visits of school groups to farms. This is not what taking away this exemption would do. In fact, I think we should keep the exemption in for 4-H. What the speaker has been talking about, being able to educate children on raising animals, understanding how you run a farm, and E.coli and some of the other zoonotic diseases do not exempt themselves from 2-day farm shows. The thing that is important to remember is that we need to teach our children and parents, teach people about proper hygiene, what to do, so that they do not have the terrible situation that happened to Erin and her family.

**LEGISLATIVE LEAVE**

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

Senator O'PAKE. Mr. President, before the roll call, I request a legislative leave for Senator Stout.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Stout. Without objection, that leave will be granted.

And the question recurring,

Will the Senate agree to amendment A1041 to amendment A0967?

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

Senator WAUGH. Mr. President, just as a follow-up comment on this amendment before we vote, I think it is important to note that in fact by removing this 2-day limited exemption, we would be affecting, I think most importantly be affecting the young people, the students who may not be a school group, but certainly it could include a school group, if in fact a 4-H organization is part of a school visit. And again, the gentlewoman from Montgomery mentioned that we have to educate people and we have to rely on parents to be responsible. I could not agree with her more, and I believe the bottom line on this issue is that it is a part of this proposal to help educate and inform people. But by removing this exemption, I can tell you in the last couple of days as we have worked through this proposal, and specifically this discussion of whether or not there should be a limited 2-day exemption for agriculture organizations, there have been an awful lot of people, in fact, last night I had a meeting with the 4-H Cooperative Extension in York County and we had a nice discussion on this, and I can tell you, there are a lot of those organizations that take pride in the annual farm-city days and the annual animal educational exhibitions that they have, and they will tell you, if you talk to them about it, they will tell you by

removing this exemption they are going to be hard-pressed to really be able to see fit and appropriate to move forward with these types of events in the future, and I think that is a shame.

I can also tell you that I have talked with the Pennsylvania Farm Bureau, the Grange, and some of the other leading agricultural organizations across this State who represent each and every one of us who have rural communities, and they are opposed to this removal, they are opposed to taking out this exemption. And again, I would simply close by saying, let us give our farmers, let us give our 4-H kids and leaders, let us give our FFA students and teachers the benefit of the doubt here and recognize them for being professionals who are interested in safe visits. The removal of this exemption is not the right thing to do, and I strongly oppose it.

Thank you.

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

Senator SCHWARTZ. Mr. President, I really rise to make an inquiry, if I may, and I really would like to ask the person who might speak in opposition, if I may, to answer the question.

The PRESIDENT. Senator Waugh, would you agree to be interrogated?

Senator WAUGH. Yes, Mr. President.

Senator SCHWARTZ. Mr. President, this may help in my better understanding of the situation here. Certainly, I have no interest in preventing 1- or 2-day kinds of events, such as the Senator was speaking about. I think they are beneficial and they are interesting. We also know that young children, actually all ages, really enjoy seeing animals and certainly petting them and in some cases feeding them. But as the sponsor of the amendment pointed out, the diseases that one might get from encounters with animals are not exempt from a certain time period. It does not take 4 days to get these diseases, it might just be a single encounter. Certainly none of us want to stand here and say because we did not allow for a standard across the whole community, that children are at risk. Parents, I think, should have the right to expect both sanitary conditions and proper standards of practice, I guess I would call it, in this case.

So my question is, is it a common standard at a 1-day show that might be put on by a particular farm community or farmer or 4-H Club or agricultural club, to at least post signs to inform parents that their children should wash their hands after petting animals, that they should watch that their children do not put their fingers in their mouths right after petting an animal?

Secondly, is it a common practice or is it the standard in the community to make available some kind of hand-washing facility? It might not be running water; it might be some sort of sanitation wash, or something like that. Is that the standard practice? And if we exempt any show for 2 days, would we be putting children at risk, or in fact is the standard of practice such that we should be doing hand washing and notification to parents? And if they do not, would there be some concern about liability, potentially? I am just really questioning the standard of practice and whether in fact we are putting children at risk by not providing that kind of information, let alone the sanitary facilities necessary to help protect children.

Senator WAUGH. Mr. President, I would be happy to answer that, and it is a good question and certainly relevant in regard to

this amendment and the bill. The fact of the matter is, the short answer, I should say, is it is standard practice for not only FFA and 4-H organizations to practice good sanitation standards, but also is a part of their mission to educate not just young people but the general public about precautions that need to be taken when dealing with or being around livestock, especially in a situation where you have livestock interaction and food or other types of ice cream bars, ice cream stands, snowballs, you name it, whatever you find.

I would like to say just a couple of quick points, and they are relevant to this bill as a whole. The incident that generated interest in this in the first place was a year 2000 incident that occurred in Montgomery County. In response to that incident, quite frankly, the State was very proactive, and I have to commend our Department of Health and our State Department of Agriculture, because in reaction to this very unfortunate incident in Montgomery County in the year 2000, last year's fair season and exhibition season was highlighted by voluntary efforts on the part of our fairs and our local 4-H and FFA organizations around the State. It was not required, it was not mandated, it was not something that we did here in the General Assembly. There was an effort by the Secretary of Agriculture and the Fair Direction Agency in the Department of Agriculture, and I am sure many of us took the time last summer to visit our local fairs and events and the Farm Show here and other 4-H exhibits. I believe if you visited those events you saw, in fact, I am going to say in 100 percent of the cases of the events that I attended, and there were a lot, not only in York and Harrisburg, but I was out, for example, in Indiana County and visited the fair out there last year and some others around the State, and in each and every one of the examples, and especially at events where 4-H and FFA organizations were not only showing animals but educating people, they provided antibacterial devices for people to use, they provided posters and other signage and literature talking about the importance of practicing good hygiene when you are in these livestock areas.

So, that is the long answer, Senator. The short answer is, yes, it is common practice. And again, let us give our farmers and our agricultural students and educators the benefit of the doubt here. They are not interested in contaminating people. In fact, they have healthy animals for the most part, but occasionally we have to remind folks that you need to be cautious when you are around them. That is the attempt.

Thank you.

Senator SCHWARTZ. Mr. President, I thank the gentleman very much. I do appreciate that answer. I do want to say that if that is the standard of practice, I would also say for those who are less informed who might be visiting and potentially participating in a less than 2-day event, they do need that information. So, yes, for the very well-informed, they may not need this information, but certainly if it is a standard of practice, I would hope if this amendment does not go forward, that in fact there is an increased awareness on the part of those to whom this is obvious, that they need to make that very clear, whether it is posting of signs, encouraging visitors of the necessary sanitation, particularly youngsters, and anything we can do from the Department of Agriculture, for example, to be able to make that clear to communities throughout the State, that we want to

encourage the interaction again with animals, but we want it to be safe and we want our children to be safe and we want parents to be informed about what that means and how easily they could, in fact, protect their children.

So, I would just ask that that be communicated to these interest groups and actually to the department, and if there needs to be some more attention paid in some way in making this information known to them, that would be I think appreciated not by me so much as by all Pennsylvanians and others who may even be coming from out of State who want to take advantage of the wonderful farms that we have and the kinds of shows that exist, but making sure that the information, the education, and the proper procedures are in place, whatever the length of a farm show is or the interaction is with animals, it is absolutely important to both parents and our children and the safety of our children. Certainly, Erin Jacobs and her parents would very much want to say that the experience that they went through, which was so difficult, would benefit others and not have it happen in the future to any other child.

Thank you, Mr. President.

#### AMENDMENT A1041 WITHDRAWN

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

Senator C. WILLIAMS. Mr. President, it is reassuring the speaker has been able to educate us on the concern and important response of the Department of Health and the Department of Agriculture on this issue. I think that right now with photographs and Erin's situation on everybody's mind, of course, last summer everybody was very aware of it. Going forward, I would hope that we do not forget about this. We have headlines and photographs in the newspapers about this child and about the implications that E.coli and other kinds of diseases that are prevalent in our animals, in farm animals, in zoo animals.

I will, at this point, withdraw my amendment, Mr. President, but I think that it is something that I would hope the 4-H clubs, the organizations that are doing 2-day events would certainly have notices posted, would educate their members that this is a very serious situation. Just for the record, and to clarify, it does not just take out the water washing facility, it also takes out the posting requirements for those 2 days. But with good faith in the Department of Agriculture and the Department of Health's initiatives on this in a voluntary way with organizations, I will withdraw this amendment.

The PRESIDENT. Senator C. Williams withdraws the amendment to the amendment.

And the question recurring,  
Will the Senate agree to amendment A0967?

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

Senator WAUGH. Mr. President, first, I would like to thank the gentlewoman from Montgomery for consideration on this, and I would like to, just for the record, follow up on the line of questioning that was just offered. The fact of the matter is, as I had indicated, the Department of Agriculture and the Department

of Health were very aggressive in response to this 2000 incident, and last year during the 2001 fair season, as best we can find, and we have done quite a bit of research through the Department of Health, the CDC, and the Department of Agriculture, there were no reported cases in our State last year of E.coli or other zoonotic disease transmissions through animal-human interaction. There were some reported cases by foods in the eating of meats and that sort of thing. Very unfortunate also, of course, but the issue we are dealing with here today, the issue of animal-human interaction, we have no reported cases, and I think that is an indication of how successful the approach that was taken last year really was, and certainly it is something that is on the mind of everyone. I think once we have worked through these amendments and get this bill passed, you will find that not only in the case of E.coli but all of the 60-some zoonotics, our public will be much better informed and will have a much more aggressive approach by the Department of Health and the Department of Agriculture here in the State.

Thank you, Mr. President.

And the question recurring,  
Will the Senate agree to amendment A0967?  
It was agreed to.

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

#### C. WILLIAMS AMENDMENT A1033

Senator C. WILLIAMS offered the following amendment No. A1033:

Amend Sec. 2, page 6, line 29, by striking out "2004" and inserting: 2003

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

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

Senator C. WILLIAMS. Mr. President, this amendment strikes out the effective date of 2004 and inserts the effective date of 2003. This is an agreed-to amendment.

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

Senator WAUGH. Mr. President, this amendment certainly is reasonable, and I would support it.

And the question recurring,  
Will the Senate agree to the amendment?  
It was agreed to.

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

## C. WILLIAMS AMENDMENT A1030

Senator C. WILLIAMS offered the following amendment No. A1030:

Amend Bill, page 2, by inserting between lines 3 and 4:  
The General Assembly finds and declares as follows:

(1) Erin Jacobs, a three-year old child who resides in this Commonwealth, contracted an E. coli infection within two days of visiting a petting zoo in Montgomery County on October 23, 2000, where she came into contact with animals.

(2) The E. coli infection developed into severe medical problems for Erin and she was diagnosed with Hemolytic Uremic Syndrome (HUS), a potentially fatal condition.

(3) Erin continues to suffer from HUS and faces, among other things, catheters, dialysis and continued hospitalization for that condition.

(4) Many parents and other members of the public are unaware of the risk of contracting zoonotic diseases from petting zoos and other places where children come into direct contact with animals.

(5) Public notification should be provided at these places in order to inform parents and other persons of the risk of exposure to zoonotic diseases.

(6) Sanitation standards are necessary at these places in order to reduce the risk of contracting zoonotic diseases and the devastating illnesses that may follow from such exposure, as demonstrated by Erin Jacobs' case.

(7) Sanitation standards at these places are an important health issue and should be imposed by law in this Commonwealth.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentlewoman from Delaware, Senator C. Williams.

Senator C. WILLIAMS. Mr. President, I am offering this amendment to make this Erin's Law. Erin Jacobs is a little girl who was the subject of contracting E.coli. She has suffered an immeasurable amount of pain and illness. She received her father's kidney for this. We would like this preamble which talks about Erin's situation--as the years go on, we want to remind people of what can happen if they are not careful--to honor her courage and strength in fighting her disease. I think that we keep passing laws, and so many times laws do not have a human face to it. This law certainly has a very human face of a little girl who did not ask to get sick, did not ask to lose her kidney, did not ask to be at death's door. I commend Senator Waugh with the speed which this legislation is moving through to protect the children and the families of the Commonwealth, and I ask for your vote to insert this amendment.

Thank you.

## LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Mowery and Senator Armstrong are both on the floor, and their leaves will be cancelled.

And the question recurring,

Will the Senate agree to the amendment?

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

Senator SCHWARTZ. Mr. President, I would just like to rise in support of this amendment. We have, on numerous occasions

on the floor of this legislature, referred to what I think the previous speaker said very eloquently, the human face that often moves us to stand up, particularly on behalf of children and families. We have, of course, the better-known Megan's Law, we have done Jen and Dave's Law, and I think the President pro tempore was very interested in something that was known as Ashley's Law. By and large we do that because we are moved by a particular situation that received a great deal of attention, this one, of course, young Erin Jacobs, the strength of her family, the ability of her family to not only deal with her illness and the consequences, but to then stand up and say I do not want this to happen to another child. Other parents should be better informed and better protected, children should be better protected. It is what we rely on State government to do, to step up to the plate and to respond to these situations. So in the bill to be able to reference Erin Jacobs' name and her situation as being one of the reasons that we were spurred to action right now is something that I think does her credit and credits the family, and as I said, in being able to take what was a very difficult situation, to put it mildly, and take it one step further in helping to protect children in this Commonwealth. I think it would do her credit and her family, and I hope we would add these words to the preamble language of this legislation.

Thank you, Mr. President.

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

Senator WAUGH. Mr. President, I could not agree more with a lot of what was just said in regard to the very unfortunate, very tragic situation that occurred in Montgomery County a couple of years past. A young lady and her father have both been through a lot since that time. I had an opportunity to meet with Mr. Jacobs and talk with him about this experience and about what he has gone through and what his family has gone through, and most importantly, what his daughter has gone through since that time, and it is almost indescribable. Certainly, anyone and everyone with whom I have dealt the last couple of months in researching this issue has expressed great sympathy for them.

It is not inappropriate for us to mention these types of things here in the Senate Chamber, and it is actually something that we do quite frequently. It is also not unusual for those of us who deal in public policy and write the bills and work with the families to identify a bill or a project that we are involved in and identify it with the name of the individual in order to honor them. I had a situation in York County about 2 years ago where a young lady was tragically killed in an automobile accident. As I dealt with the issue of vehicular homicide in some amendments that I proposed, that bill became known as "Alicia's Justice." The reality is in the end, and in the bill which ultimately moved through the Chamber here that dealt with that issue, even though we referred to it as "Alicia's Justice," even though we referred to some other pieces of legislation over the years such as Megan's Law, which a lot of people out there in the community I am sure recognize, the fact is it is very rare. In fact, I am not sure that I would be able to identify any cases where we have codified or written into statute these types of provisions.

So, with all due sympathy and respect to the Jacobs family, and I mean that seriously and sincerely, the fact of the matter is good public policy does not tell us that we should be writing laws



with specific names in, and it is for that reason that I would respectfully oppose this amendment.

Thank you.

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

Senator O'PAKE. Mr. President, I would urge my colleagues to take a look at the language that is being suggested by this amendment. It is very simple, it is fairly innocuous, and all Senator Williams proposes to do is to add this preamble:

The General Assembly finds and declares as follows:

(1) Erin Jacobs, a 3-year-old child who resides in this Commonwealth, contracted an E.coli infection within 2 days of visiting a petting zoo in Montgomery County on October 23, 2000, where she came into contact with animals.

(2) The E.coli infection developed into severe medical problems for Erin, and she was diagnosed with Hemolytic Uremic Syndrome, HUS, a potentially fatal condition.

(3) Erin continues to suffer from HUS and faces, among other things, catheters, dialysis and continued hospitalization for that condition.

(4) Many parents and other members of the public are unaware of the risk of contracting zoonotic diseases from petting zoos and other places where children come into direct contact with animals.

(5) Public notification should be provided at these places in order to inform parents and other persons of the risk of exposure to zoonotic diseases.

(6) Sanitation standards are necessary at these places in order to reduce the risk of contracting zoonotic diseases and the devastating illnesses that may follow from such exposure, as demonstrated by Erin Jacobs' case.

(7) Sanitation standards at these places are an important health issue and should be imposed by law in this Commonwealth.

That is exactly what this is all about. We know what this is all about, and I see no harm in making it very clear in the preamble of this legislation, and therefore I urge support for Senator Williams' amendment.

And the question recurring, Will the Senate agree to the amendment?

The yeas and nays were required by Senator C. WILLIAMS and were as follows, viz:

YEA-21

Bodack	Kitchen	O'Pake	Williams, Anthony H.
Boscola	Kukovich	Schwartz	Williams, Constance
Costa	LaValle	Stack	Wozniak
Fumo	Logan	Stout	
Hughes	Mellow	Tartaglione	
Kasunic	Musto	Wagner	

NAY-29

Armstrong	Gerlach	Murphy	Tomlinson
Bell	Greenleaf	Orie	Waugh
Brightbill	Helfrick	Piccola	Wenger
Conti	Holl	Punt	White, Donald
Corman	Jubelirer	Rhoades	White, Mary Jo
Dent	Lemmond	Robbins	
Earl	Madigan	Scarnati	
Erickson	Mowery	Thompson	

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

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

BILLS OVER IN ORDER

SB 462, SB 785, SB 1013, SB 1029, SB 1156 and SB 1157 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1179 (Pr. No. 1485) -- 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, and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land situate in the Borough of Ambridge, Beaver 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-50

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

SB 1184 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS AMENDED

SB 1192 (Pr. No. 1776) -- 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

Pennsylvania American Water Company, certain lands situate in East Vincent Township, Chester County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GERLACH offered the following amendment No. A1029:

Amend Sec. 1, page 2, line 26, by striking out "Citizens Utilities Home" and inserting: Pennsylvania American

Amend Sec. 1, page 3, line 26, by striking out "Citizens Utilities Water Company of Pennsylvania" and inserting: Pennsylvania American Water Company

Amend Sec. 1, page 4, line 15, by striking out all of said line and inserting: Pennsylvania American Water Company;

Amend Sec. 1, page 5, lines 3 and 4, by striking out "Citizens Utilities Water Company of Pennsylvania" and inserting: Pennsylvania American Water Company

Amend Sec. 1, page 5, lines 7 and 8, by striking out "Citizens Utilities Water Company of Pennsylvania" and inserting: Pennsylvania American Water Company

Amend Sec. 1, page 5, lines 11 and 12, by striking out "Citizens Utilities Water Company of Pennsylvania" and inserting: Pennsylvania American Water Company

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.

SB 1248 (Pr. No. 1606) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to the Heritage Conservancy Inc., certain lands in the Borough of Doylestown, Bucks County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CONTI offered the following amendment No. A1036:

Amend Sec. 1, page 1, line 14, by striking out "describe" and inserting: described

Amend Sec. 1, page 2, line 4, by striking out "describes" and inserting: described

Amend Sec. 1, page 4, line 15, by striking out "Other" and inserting: Alternate

Amend Sec. 1, page 4, line 16, by striking out "in accordance with the Agreement of Sale" and inserting: within 120 months of the effective date of this section

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.

SB 1252 (Pr. No. 1636) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for airport violence and

for entry by false pretense to secure area of airport; and further providing for the offenses of falsely impersonating persons privately employed and for carrying explosives on conveyances.

On the question,

Will the Senate agree to the bill on third consideration?

Senator O'PAKE, on behalf of Senator WAGNER, offered the following amendment No. A1007:

Amend Sec. 1 (Sec. 3504), page 2, lines 11 and 12, by striking out "an area, access to which is restricted by an airport" in line 11, all of line 12 and inserting: any area of an airport, access to which by members of the general public is prohibited.

Amend Sec. 2 (Sec. 4115), page 2, lines 28 and 29, by striking out "an area, access to which is restricted by an airport" in line 28, all of line 29 and inserting: any area of an airport, access to which by members of the general public is prohibited.

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.

BILL OVER IN ORDER

HB 1469 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1483 (Pr. No. 1802) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Protection, to sell and convey to the Edinboro Regional Community Services, Inc., a certain tract of land situate in Washington Township, Erie 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-50

Armstrong	Greenleaf	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tomlinson
Boscola	Hughes	O'Pake	Wagner
Brightbill	Jubelirer	Orie	Waugh
Conti	Kasunic	Piccola	Wenger
Corman	Kitchen	Punt	White, Donald
Costa	Kukovich	Rhoades	White, Mary Jo
Dent	LaValle	Robbins	Williams, Anthony H.
Earll	Lemmond	Scarnati	Williams, Constance
Erickson	Logan	Schwartz	Wozniak
Fumo	Madigan	Stack	
Gerlach	Mellow	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 1536 and HB 1546 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1923 (Pr. No. 3463) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 8, 1982 (P.L.310, No.87), referred to as the Recorder of Deeds Fee Law, further providing for a fee for recording a document in counties of the second A, third, fourth, fifth, sixth, seventh and eighth classes and home rule charter counties of these classes.

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

YEA-50

Armstrong	Greenleaf	Mowery	Tartaglione
Bell	Helfrick	Murphy	Thompson
Bodack	Holl	Musto	Tomlinson
Boscola	Hughes	O'Pake	Wagner
Brightbill	Jubelirer	Orie	Waugh
Conti	Kasunic	Piccola	Wenger
Corman	Kitchen	Punt	White, Donald
Costa	Kukovich	Rhoades	White, Mary Jo
Dent	LaValle	Robbins	Williams, Anthony H.
Earll	Lemmond	Scarnati	Williams, Constance
Erickson	Logan	Schwartz	Wozniak
Fumo	Madigan	Stack	
Gerlach	Mellow	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 2129 and HB 2203 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

HB 247 (Pr. No. 3459) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a community services block grant program; and further providing for powers and duties of the Department of Community and Economic Development.

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

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 1354 (Pr. No. 1790) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

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

SB 1355 (Pr. No. 1791) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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

SB 1356 (Pr. No. 1792) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

SB 1357 (Pr. No. 1793) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2002, to June 30, 2003,

and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

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

**SB 1358 (Pr. No. 1794)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

**SB 1359 (Pr. No. 1795)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2002, to June 30, 2003, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

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

**SB 1360 (Pr. No. 1796)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2002, to June 30, 2003, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2002.

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

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

**BILL REREPORTED FROM COMMITTEE  
AS AMENDED ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1325 (Pr. No. 1822)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for animal exhibition sanitation; and imposing penalties.

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 York, Senator Waugh.

Senator WAUGH. Mr. President, this is final passage on the bill that we had discussed earlier regarding animal health safety and sanitation requirements. In the last several years across our State, more and more venues have been made available for people to view and interact with livestock animals, and it is a good thing. It is a way to promote agriculture, our State's number one industry, and it is a way to educate young people, many who today, unfortunately, do not have a father or grandfather, or in many cases a great-grandfather, who had a background in agriculture, and it is really an interesting and rewarding way for people to spend a day and learn about our history and our past, but something that still today is a premier economic driver across our State. These interactive experiences, however, are certainly not without some risk. Farm animals, no matter how well kept, are naturally dirty, quite frankly. From time to time they will harbor various bacterial or viral diseases known as zoonotic diseases. These are diseases that are transmissible from animals, particularly livestock animals, to human beings.

The bill that I have introduced is an attempt to recognize the fact that today as these venues become more and more prevalent and more and more people take advantage of them, that we have to educate people, that it is not just a matter of what animals do in our economy or for agriculture, but there is also some potential for illness that is associated with being in these environments. Such was the case of the Jacobs incident in Montgomery County in the year 2000, and we talked about that just a bit earlier, but I would like to again offer my personal sympathies and the sympathies, I think I can speak for the entire Membership of the Senate today in saying that we are so sorry for that event, but the upshot to it is that it brought about the change that we are about to deal with here today. This tragic event broadened our attention as a State and really has brought zoonotic diseases, including E.coli, to the forefront in terms of public health and public safety matters.

The proposal that I have offered is a broad proposal. It does not only deal with E.coli 175, but it deals with a whole host, actually 60-some diseases, just to name a few like anthrax and plague and others that can be transmitted, and certainly they are things that we should be mindful of as we attend these venues.

There is another part of this discussion that is really probably not as important as the human interaction part of it and the visiting part and the agricultural part of it, but the reality is that today probably more than ever before, not only here in our State but across the country, there is a very real threat of bioterrorist activity. Many of the same diseases that we are referring to in this proposal, and many of the same awareness and educational components that I am trying to deal with in this proposal plays into, quite frankly, our role as good citizens in being alert to terroristic acts or terroristic threats. Now, I do not in any way want to diminish the importance of the Jacobs situation in this, and I give all credit to their unfortunate circumstance for bringing this all to light, but the reality is that since September 11 there is another component that is a part of this bill, and in my

mind and in my view is the reason to broaden the scope of this bill to deal with not only E.coli but also the other diseases that are identified under the broad heading of zoonotic disease. We developed a broad approach in a way that I believe is reasonable and is acceptable to the agricultural community, to the exhibitors of our State, and it also will provide the necessary educational, health, and safety benefits that we have tried to come up with in order to address today's needs.

So, I ask all the Members to support this proposal in its final version. It is my hope that we will be able to move this bill rather quickly from here over to the House and to the Governor's Office, where I feel sure it will receive his quick attention. Quite frankly, in order to provide the type of safety standards that we are discussing here, we should have this done before the fair season begins so we can enjoy the year 2002 at our State and county fairs across the Commonwealth.

Thank you, Mr. President.

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

Senator C. WILLIAMS. Mr. President, I rise in support of Erin's Law. I appreciate and thank Senator Waugh for moving this legislation. I also want to stress, I think, the appreciation of all of us to the Jacobs family and their great concern about the situation that their daughter was in and that they still were concerned about the other children of the Commonwealth. I am delighted that this bill has moved as swiftly as it has. Hopefully, it will move. I hope you all will vote for it through the Senate and it will go back to the House. And, you know, I think that Senator Waugh had a very good point when he spoke of the broader implications since September 11, and we are going to be doing a lot in the budget on homeland security, and I think that what we are doing in this instance should certainly qualify as one of the homeland security initiatives.

Thank you.

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-50

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

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

HB 235 and HB 754 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 813 (Pr. No. 931) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the discount rate on workers' compensation insurance policies.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 893, SB 1030, SB 1055, SB 1060, SB 1086 and SB 1231 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 1289 (Pr. No. 3461) -- The Senate proceeded to consideration of the bill, 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 notification of pesticide treatments at schools.

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 1318, SB 1319, HB 1584 and HB 1731 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

UNFINISHED BUSINESS  
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 Major Harris, Frank Washington and to Patrick A. Palmer by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Merton O. Koch, Dale Achenbach and to Timothy C. Lloyd by Senator Boscola.

Congratulations of the Senate were extended to Boy Scout Troop 412 of Lebanon by Senator Brightbill.

Congratulations of the Senate were extended to the Reverend Robert F. Berger by Senators Brightbill and Helfrick.

Congratulations of the Senate were extended to Craig Robert Zelley by Senator Gerlach.

Congratulations of the Senate were extended to Annie Jane Boland by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Wendelin Robert Frantz and to Alex Richard Frew by Senator Helfrick.

Congratulations of the Senate were extended to Peter Cogan and to the Hatfield Chamber of Commerce by Senator Holl.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony D. Conte by Senator Jubelirer.

Congratulations of the Senate were extended to Melanie Crockard by Senator Kasunic.

Congratulations of the Senate were extended to the Reverend Anthony Floyd by Senator Kitchen.

Congratulations of the Senate were extended to the Community College of Beaver County by Senator LaValle.

Congratulations of the Senate were extended to Nicholas Peter Malishchak, Florence Bedosky, Walter Nitterauer III, Matthew Charles Haley and to Kyle Patrick Calabro by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Bud Dieffenbach and to Mr. and Mrs. Alfred W. Russell by Senator Madigan.

Congratulations of the Senate were extended to Lisa, Willie, Becky, and Heidi Gray, Carol Berklich, Louise J. Bevington, Dr. Neal J. Fanelli, Donald P. Fusilli, Jr., Edward L. Symons, Jr., Christine Heisler, Nancy Green, Joleyne B. Colby, Pittsburgh Technical Institute and to Citizen Care, Inc., of McKees Rocks by Senator Murphy.

Congratulations of the Senate were extended to James Williamson, Victoria Gioagnoli and to Joseph Paul Costantino by Senator Musto.

Congratulations of the Senate were extended to Allan P. Kirby, Jr., by Senators Musto, Lemmond, and Mellow.

Congratulations of the Senate were extended to Albert M. Shuman and to Jeremy Walsh by Senator O'Pake.

Congratulations of the Senate were extended to Dominic D. DiFrancesco and to Charles M. Bechtel by Senator Piccola.

Congratulations of the Senate were extended to the Mercersburg Lions Club by Senator Punt.

Congratulations of the Senate were extended to Ryan Krisch by Senator Rhoades.

Congratulations of the Senate were extended to Chestnuthill Township by Senators Rhoades and Dent.

Congratulations of the Senate were extended to Tyler M. Kope by Senator Robbins.

Congratulations of the Senate were extended to the Keystone State Boychoir by Senator Stack.

Congratulations of the Senate were extended to Matthew Vinciguerra and to Margaret B. Leister by Senator Thompson.

Congratulations of the Senate were extended to Gene Beeman by Senators Thompson and Piccola.

Congratulations of the Senate were extended to Joe Makara by Senator D. White.

Congratulations of the Senate were extended to Steven Berg by Senator M.J. White.

Congratulations of the Senate were extended to Charles Kelly by Senator C. Williams.

Congratulations of the Senate were extended to Benjamin Root, Mary Borkow and to Frank Cunsolo by Senator Wozniak.

### POSTHUMOUS CITATION

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

A posthumous citation honoring the late Wayne G. Wolfe was extended to the family by Senator Wozniak.

### 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 Monday, March 25, 2002, at 2 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 2:28 p.m., Eastern Standard Time.