

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, JUNE 4, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY

No. 38

**SENATE**

TUESDAY, June 4, 2002

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

**PRAYER**

The Chaplain, Reverend JAMES BROWN, of Market Street Presbyterian Church, Harrisburg, offered the following prayer:

Let us bow in prayer.

Almighty God, we turn to You as the source of our lives and of all that is, and ask for Your guidance and blessing as once again we seek to reflect Your will in our deliberations. These are momentous times in which we find ourselves, with external and internal threats to the well-being of our State and nation. O God, may You guide and direct our thoughts and words and actions toward Your promised kingdom.

We pray, O God, that You will give us insight beyond our intellect and ability, that we might support those things that will build up and not tear down, that will bring reconciliation and not recrimination, that will enhance the common good and not selfish interests alone, and that will enable the citizens of our fair State to know that the spirit of justice and compassion is guiding those called to exercise leadership at this juncture in the history of Pennsylvania.

O God, help us now with our unfinished work. Help us to discover in our deliberations the way toward peace, with security for one and all. And never let us forget our sacred trust of protecting the legacy of government of the people, by the people, and for the people. This is our fervent prayer, O God. Amen.

The PRESIDENT. The Chair thanks Reverend Brown, who is the guest today of Senator Piccola.

**JOURNAL APPROVED**

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 3, 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 CONCURS IN SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to SB 769.

**HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION**

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

**Weekly adjournment.**

**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:

June 4, 2002

Senators STACK, KUKOVICH, MUSTO, COSTA, HELFRICK, LOGAN, O'PAKE, TARTAGLIONE, C. WILLIAMS, SCHWARTZ and RHOADES presented to the Chair **SB 1428**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for depositing of rubbish on State and municipal parks and State forests.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 4, 2002.

Senators GREENLEAF, CONTI, TOMLINSON, COSTA, KUKOVICH, KITCHEN, LEMMOND and ROBBINS presented to the Chair **SB 1452**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas.

Which was committed to the Committee on JUDICIARY, June 4, 2002.

Senator THOMPSON presented to the Chair **SB 1453**, 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 West Chester Area School District, certain lands in West Goshen Township, Chester County.

Which was committed to the Committee on STATE GOVERNMENT, June 4, 2002.

Senators KASUNIC and STOUT presented to the Chair **SB 1459**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Student Association, Inc., a certain tract of land situate in the Borough of California, Washington County, in exchange for a certain tract of land.

Which was committed to the Committee on STATE GOVERNMENT, June 4, 2002.

### RESOLUTION INTRODUCED AND REFERRED

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

June 4, 2002

Senators ROBBINS, BRIGHTBILL, EARLL, MOWERY, STOUT, LEMMOND, DENT, ORIE, TOMLINSON, WAGNER, D. WHITE, MUSTO, ERICKSON, KITCHEN, BOSCOLA, KUKOVICH, LOGAN, COSTA, RHOADES, O'PAKE, SCARNATI, STACK, CONTI and SCHWARTZ presented to the Chair **SR 243**, entitled:

A Resolution declaring the week of July 22 through 28, 2002, as "Slovak Heritage Week" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 4, 2002.

### BILL SIGNED

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

**SB 769.**

### SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Urban Affairs and Housing to meet during today's Session to consider House Bill No. 1952.

### REPORTS FROM COMMITTEES

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

**SB 763 (Pr. No. 1968) (Rereported)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the offense of driving under influence of alcohol or controlled substance.

**SB 893 (Pr. No. 2036) (Amended) (Rereported)**

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 definitions, for exempt securities and transactions, for exemption proceedings, for registration by coordination, for general registration provisions, for denial, suspension, revocation and conditioning of registrations, for federally covered securities, for exemptions and for registration and notice filing procedures; providing for prearranged trading programs; further providing for time limitations on rights of actions, for right of the Pennsylvania Securities Commission to bring actions, for investigations and subpoenas and for criminal penalties; providing for return of sales compensation; further providing for administration, for salaries of commissioners, for fees, for assessments, for administrative files, for miscellaneous powers of commission, for hearings and judicial review, for regulations and forms and orders; and providing for burden of proof.

**SB 1222 (Pr. No. 1938) (Rereported)**

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.

**SB 1370 (Pr. No. 2037) (Amended) (Rereported)**

An Act amending the act of June 29, 1996 (P.L.434, No.67), known as the Job Enhancement Act, further providing for definitions, for the Pollution Prevention Assistance Account and for eligibility and terms and conditions of loans; providing for job training; and further providing for the power and authority for the Pennsylvania Economic Development Financing Authority; and making a repeal.

**HB 590 (Pr. No. 3851) (Rereported)**

An Act amending the act of August 5, 1941 (P.L.752, No.286), known as the Civil Service Act, further providing for the commissioner's salary and meeting times; providing for delegation of authority to the director; further providing for residency and for recordkeeping requirements; eliminating the certification of payrolls; requiring the commissioners to submit an annual report; revising the records retention period; deleting citizenship and oath requirements; further providing for the filling of vacancies; requiring citizenship to be the deciding factor in a case of equal qualifications; eliminating certain requirements for promotion without examination; further providing for the distribution of public notice of examinations and requirements for maintaining eligibility lists and for the procedure for certain eligibles who waive consideration for a promotion, for procedures for filling a position, for the requirements of the probationary period; providing for the expansion of the authority of the director to approve temporary assignments; eliminating certain performance standards; requiring probationary performance evaluations and evaluation forms; further providing for a period of removal from eligibility lists; authorizing the commissioner to impose penalties; and providing copies and notices to the director.

Senator HOLL, from the Committee on Banking and Insurance, reported the following bills:

**SB 1416 (Pr. No. 2035) (Amended)**

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for application of act.

**HB 412 (Pr. No. 3294)**

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

Senator CORMAN, from the Committee on Communications and High Technology, reported the following bills:

**SB 1401 (Pr. No. 2033) (Amended)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the interception of wire, electronic or oral communications; and providing for offenses relating to computers.

**SB 1403 (Pr. No. 2034) (Amended)**

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

**SB 1409 (Pr. No. 1952)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, requiring Internet service providers to maintain confidentiality of certain information; and imposing a penalty.

**SB 1410 (Pr. No. 1953)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for deceptive or fraudulent business practices.

Senator MADIGAN, from the Committee on Transportation, reported the following bills:

**HB 2312 (Pr. No. 3676)**

An Act designating a portion of Pennsylvania State Route 33 in Northampton County as the General Anthony Clement McAuliffe 101st Airborne Memorial Highway.

**HB 2410 (Pr. No. 3944) (Amended)**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for sentences for offenses committed with a vehicle involved in accidents resulting in death or personal injury; further providing for definitions, for grounds for refusing registration and for renewal of registration; providing for motor carrier vehicles; further providing for operation following suspension of registration and for suspension of registration; providing for suspension of motor carrier vehicle registration; further providing for suspension of operating privilege, for schedule of convictions and points, for occupational limited license, for duty of driver in construction and maintenance areas, for special speed limitations and for speed timing devices; providing for accidents involving death or personal injury in work zone and for accidents involving certain vehicles; further providing for unlawful activities; providing for lighted head lamps in work zones; further providing for operation of vehicle without official certificate of inspection and for inspection by police or Commonwealth personnel; providing for designation of highway safety corridors; further providing for erection of traffic-control devices while working; and requiring a study by the Legislative Budget and Finance Committee.

Senator EARLL, from the Committee on Finance, reported the following bills:

**SB 832 (Pr. No. 937)**

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects.

**SB 1269 (Pr. No. 2031) (Amended)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for a limitation on credits.

**SB 1342 (Pr. No. 1773)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

**HB 165 (Pr. No. 142)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing certain provisions imposing sales and use tax on lawn care services.

**HB 170 (Pr. No. 3941) (Amended)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for special tax provisions for poverty.

**HB 1848 (Pr. No. 3406)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the time period of and limitation on research and development tax credits.

**LEGISLATIVE LEAVES**

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.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

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

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Bodack and Senator Tartaglione. Without objection, those leaves are granted.

**LEAVE OF ABSENCE**

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

**CALENDAR**

**SB 1383 CALLED UP OUT OF ORDER**

**SB 1383 (Pr. No. 1880)** -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1383 (Pr. No. 1880)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the City of Warren, Warren County, to sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act.

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	Oric	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	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	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.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR JANE C. ORIE  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Mr. President, I am pleased today to introduce Miss Alice Yu from my district, who is the daughter of Bing Yu, and she is here today in the gallery. She is an eighth grade student at Pine-Richland Middle School and lives in Gibsonia.

Each year in my district I sponsor an essay competition entitled, "There Ought to be a Law." Alice has been selected as this year's winner for her essay on witness protection. This competition is designed to stimulate interest in State government. Students submit ideas for new laws in Pennsylvania, and a panel of judges from all walks of life determine the merit of the

proposal and select a winner. She won out of 5,000 applicants. Alice's proposal deals with witness protection, further providing for the safety and well-being of crime witnesses, and these are tremendous steps, and her research with the safety and security of the community was at heart in this legislation.

Today I am proud to introduce this legislation and also congratulate her on such tremendous input, and ask you to join me in welcoming Alice and her family up in the gallery.

Thank you very much.

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

(Applause.)

**GUEST OF SENATOR CONSTANCE H.  
WILLIAMS PRESENTED TO THE SENATE**

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

Senator C. WILLIAMS. Mr. President, today I have the pleasure of introducing my guest, Lauren Wolf, who is in the gallery. She is a student at the University of Pennsylvania and is working in my King of Prussia office as an intern for the summer. She is here to see what it is like up here in Harrisburg, so I am happy to introduce you to Lauren Wolf. Lauren.

The PRESIDENT. Would the guest of Senator C. Williams kindly rise. Thank you and welcome to the Senate of Pennsylvania.

(Applause.)

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

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

Senator WENGER. Mr. President, we have in the gallery today a constituent of mine, and his name is Matthew Martin. He is a small businessman involved in residential building from Denver in Lancaster County, and he is visiting the Capitol today to observe State government in action. I am pleased to see his interest in what we are doing here at the State Capitol in Harrisburg, so please join me in extending our usual warm welcome to Mr. Martin.

The PRESIDENT. Would the guest of Senator Wenger kindly rise so that we may welcome you as well 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.

Senator TOMLINSON. Mr. President, I would like to introduce three guests to the Senate today, three members of the Christian Life Church who are visiting me today to see this beautiful Capitol and observe the workings of the legislature. They are Mark Wireman from Philadelphia, who is Senator Stack's constituent, and two constituents of mine, Jerry Beaty and David Beaty, both from Bensalem. I ask the Senate to give them a warm welcome.

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

**GUEST OF SENATOR MICHAEL A. O'PAKE PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, also in the gallery is a guest of mine, the president of the student government association at Saint Joseph's University, who is interning with me this summer. He is Mr. Jordan Hitchens, and I ask the Senate to extend its warm welcome to him.

The PRESIDENT. Would the guest of Senator O'Pake please rise so we may welcome you as well to the Senate of Pennsylvania.  
(Applause.)

**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.

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

Senator O'PAKE. Mr. President, we, likewise, will prepare to caucus. Does the Chair have any idea what time we are expected to come back?

The PRESIDENT. Senator Brightbill, Senator O'Pake is looking for some guidance on the time.

Senator BRIGHTBILL. Mr. President, I am going to judge an hour.

The PRESIDENT. The judgment is an hour, Senator O'Pake.

Senator O'PAKE. Mr. President, an hour, and we will caucus also.

The PRESIDENT. For purposes of Republican and Democratic caucuses to begin immediately in their respective caucus rooms, without objection, the Senate will stand in recess.

**AFTER RECESS**

**The PRESIDING OFFICER (Senator Mary Jo White) in the Chair.**

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

**CONSIDERATION OF CALENDAR RESUMED**

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 1017 (Pr. No. 1867) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, further defining "volunteer license"; further providing for volunteer status, for regulations and for exemptions; and providing for indemnity and defense for active practitioners and for optional liability coverage.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 1017?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1017.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Thompson.

Senator THOMPSON. Madam President, if we concur with minor House amendments which were made earlier this year to Senate Bill No. 1017, it would be a great help to the free clinics which are operating throughout Pennsylvania providing free dental and medical coverage to many needy adults and children throughout the Commonwealth of Pennsylvania.

Under Senate Bill No. 1017, a physician with an active practice will no longer be required to hold additional medical malpractice coverage to provide volunteer services that would be covered under his or her existing coverage. The bill also removes a major stumbling block that keeps retired physicians from volunteering at these free clinics. Currently, State law requires that retired physicians either carry medical malpractice coverage or give up their professional license if they want to volunteer in a clinic. These physicians face an unreasonable choice, and that means that clinics and families end up losing out. Senate Bill No. 1017 eliminates that requirement and allows doctors to help their communities by sharing their time and experience. I ask for a favorable vote.

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

The yeas and nays were required by Senator BRIGHTBILL 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
Earl	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	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 inform the House of Representatives accordingly.

### THIRD CONSIDERATION CALENDAR

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 96 (Pr. No. 3930)** -- 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 advance directives for health care, for definitions and for emergency medical services; and providing for out-of-hospital nonresuscitation.

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 PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Madam President, I was not going to speak, but I noticed this bill, House Bill No. 96, Representative Fleagle's proposal, and this proposal has been around now for several years, as a matter of fact since I was over in the House of Representatives, and it was one that I really have a difficult time understanding why it has not passed before. I would like to just point out to the Members the importance of the proposal.

This bill provides for advance directives authorization for emergency medical service personnel. Today if an EMT, paramedic, first responder responds to a medical emergency in the field, really, legally they are required, unless it is very obvious that the victim has expired or is deceased, their training requires that they perform lifesaving maneuvers - CPR, emergency breathing, what have you. And unfortunately, there are many instances where first responders have to go through the really heartbreaking and difficult procedure of initiating and performing CPR, sometimes for extended amounts of time, even though deep down inside they know that it is probably most likely a futile effort. Likewise, and I think more importantly so, it is also sort of heartbreaking for family members who have to witness these types of maneuvers being performed on a loved one who they also know has expired or is deceased.

Now, today in hospitals we have something known as an advance directive or living will directive for doctors and medical providers who are in a clinical setting, so that if a patient so chooses and if a patient preauthorizes a do-not-resuscitate order, in the hospital doctors can abide by that, and when the patient expires and stops breathing and the heart stops beating, they simply allow that to occur. In the field it is not that way today, and this proposal would for the first time authorize, by way of the victim, prior to a death, authorize a do-not-resuscitate order that emergency medical people in the field could simply review and

therefore withhold lifesaving measures because that individual is either terminal, or for whatever reason chooses not to be resuscitated. It really makes it a lot easier on our emergency service providers when they encounter a terminal patient. Also, as I said earlier, it makes it a lot easier on family members who have to witness these types of events.

So I would encourage all Members to take a real close look at this proposal and support it so we can get it over to the Governor's Office for signature, or whatever route it has to take, but it is a good bill and I think it is high time that we pass it here in the Senate.

Thank you, Madam 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
Earl	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	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 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.

#### BILL AMENDED

**HB 481 (Pr. No. 2853)** -- 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 rescue volunteers.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A3035:

Amend Title, page 1, line 7, by inserting after "for": workers' compensation premiums for

Amend Sec. 2, page 5, line 8, by striking out "in 30 days" and inserting: January 1, 2003

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 ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 529 (Pr. No. 572)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 5, 1913 (P.L.419, No.276), entitled "An act to authorize the display of the State, county, city, borough, or other municipal flags on public buildings in the Commonwealth," providing for display of the Pennsylvania flag over memorials, caskets and at funerals of certain persons.

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	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

**BILL OVER IN ORDER**

**SB 1164** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**BILL LAID ON THE TABLE**

**SB 1225 (Pr. No. 1955)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles not requiring certificate of title and for vehicles exempt from registration; providing for electric personal assistive mobility devices; and further providing for driving upon sidewalk.

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

**SB 1225 TAKEN FROM THE TABLE**

Senator BRIGHTBILL. Madam President, I move that Senate Bill No. 1225, Printer's No. 1955, be taken from the table and placed on the Calendar.

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

The PRESIDING OFFICER. The bill will be placed on the Calendar.

**BILL OVER IN ORDER TEMPORARILY**

**SB 1324** -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1402 (Pr. No. 1944)** -- The Senate proceeded to consideration of the bill, entitled:

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

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	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	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**

**SB 1406 and HB 1458** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1546 (Pr. No. 3866) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for identity theft; and providing for the statute of limitations for the civil cause of action for identity theft and for damages in actions for identity theft.

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-49

Table with 4 columns of names: Armstrong, Bell, Bodack, Boscola, Brightbill, Conti, Corman, Costa, Dent, Earl, Erickson, Fumo, Gerlach, Greenleaf, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Logan, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Ori, Piccola, Punt, Rhoades, Robbins, Scarnati, Schwartz, Stack, Stout, Tartaglione, Thompson, Tomlinson, Wagner, Waugh, Wenger, White, Donald, White, Mary Jo, Williams, Anthony H., Williams, Constance, Wozniak

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 2005 and HB 2164 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

HB 754, HB 1356 and SB 1366 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 330, HB 641, HB 751 and SB 856 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS ON SECOND CONSIDERATION

SB 857 (Pr. No. 1991) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, requiring an individual to pass a certification examination before filing a nominating petition to become a district justice and before assuming office as a judge of the traffic court in the City of Philadelphia.

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

SB 1257 (Pr. No. 2002) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 1478 and HB 2125 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

SENATE RESOLUTION No. 206, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 6 of the Calendar, Senate Resolution No. 206, entitled:

A Resolution memorializing Congress to amend the Fair Credit Reporting Act to permit victims of identity theft to bring suit any time within two years of discovery of the fraud.

On the question, Will the Senate adopt the resolution? A voice vote having been taken, the question was determined in the affirmative.

COMMUNICATION FROM THE GOVERNOR TAKEN FROM THE TABLE

Senator ROBBINS, from the Committee on Rules and Executive Nominations, called from the table a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:



JUDGE, SUPERIOR COURT OF PENNSYLVANIA

May 31, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 4, 2002, for the appointment of Robert A. Graci, Esquire, 506 Deubler Road, Camp Hill, 17011, Cumberland County, Thirty-first Senatorial District, as Judge of the Superior Court, to serve until the first Monday of January 2004, vice The Honorable J. Michael Eakin, resigned.

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

Mark S. Schweiker  
Governor

**NOMINATION RETURNED TO THE GOVERNOR**

Senator ROBBINS. Madam President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDING OFFICER. The nomination will be returned to the Governor.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATION TAKEN FROM TABLE**

Senator ROBBINS. Madam President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

**MEMBER OF THE PENNSYLVANIA  
LIQUOR CONTROL BOARD**

May 3, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jonathan H. Newman, 1079 Baron Drive, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday in May, 2006, and until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

On the question,

Will the Senate advise and consent to the nomination?

The yeas and nays were required by Senator ROBBINS 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	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	Tartaglione	

**NAY-0**

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

Ordered, That the Governor be informed accordingly.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator ROBBINS. Madam President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD  
OF CHIROPRACTIC**

March 19, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John K. Slavek, D.C., 95 Barndt Road, Telford 18969, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD**

April 1, 2002

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, Patricia M. Bricklin, Ph.D., 470 General Washington Road, Wayne 19087, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the

Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE ENVIRONMENTAL  
HEARING BOARD**

March 15, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas W. Renwand, Esquire, 426 Cadberry Court, Upper St. Clair 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Environmental Hearing Board, to serve for a term of six years or until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF HARRISBURG STATE HOSPITAL**

April 18, 2002

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, Fredrick C. Powell, 690 Moores Mountain Road, Mechanicsburg 17055, York County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified, vice Blake Maria Yohe, York, resigned.

Mark S. Schweiker  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF HARRISBURG STATE HOSPITAL**

April 18, 2002

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, Barry S. Ramper, II, 3001 Rose Hill Road, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Albert E. Myers, Harrisburg, resigned.

Mark S. Schweiker  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

May 1, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Glassman, 749 Dicks Dam Road, New Oxford 17350, Adams County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified, vice Elizabeth C. Umstatt, Villanova, whose term expired.

Mark S. Schweiker  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF MAYVIEW STATE HOSPITAL**

May 2, 2002

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, Claudia M. Dezwick, 274 Jean Drive, Pittsburgh 15236, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2005 and until her successor is appointed and qualified.

Mark S. Schweiker  
Governor

**MEMBER OF THE STATE BOARD  
OF MEDICINE**

May 2, 2002

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, Kishor S. Mehta, 2103 Chablis Court, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker  
Governor

**MEMBER OF THE NAVIGATION COMMISSION  
FOR THE DELAWARE RIVER AND ITS  
NAVIGABLE TRIBUTARIES**

May 2, 2002

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, Joseph F. Bradley, 30 Stone Ridge Road, Thornton 19373, Delaware County, Ninth Senatorial District, for reappointment as a member of the Navigation Commission for the Delaware River and Its Navigable Tributaries, to serve for a term of four years and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

April 9, 2002

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, Alvin H. Clemens, 907 Exeter Crest, Villanova 19085, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2003, and until his successor is appointed and qualified.

Mark S. Schweiker  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

May 13, 2002

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, Nicole W. Lobaugh, 1125 Summitt Street, White Oak 15131, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to commence from July 1, 2002 to serve until July 1, 2005, and until her successor is appointed and qualified, vice Geoffrey G. Grivner, State College, whose term expired.

Mark S. Schweiker  
Governor

MEMBER OF THE STATE BOARD  
OF PHYSICAL THERAPY

April 15, 2002

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, James L. Clahane, 1830 Willow Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Christine L. Giesecke, Downingtown, deceased.

Mark S. Schweiker  
Governor

MEMBER OF THE ADVISORY COMMITTEE  
ON PROBATION

April 26, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Donna D. Gority,

1120 Sixth Avenue, Altoona 16602, Blair County, Thirtieth Senatorial District, for reappointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period.

Mark S. Schweiker  
Governor

MEMBER OF THE PUBLIC SCHOOL  
EMPLOYEES' RETIREMENT BOARD

April 1, 2002

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, James H. Shacklett, III, 1109 Sweetbriar Circle, Gwynedd Valley 19437, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 2003 and until his successor is appointed and qualified, vice Frederick C. Tecce, Esquire, Gladwyne, resigned.

Mark S. Schweiker  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

April 19, 2002

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, Terry A. Bergman, 268 West Main Street, Reinholds 17569, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Scotland School for Veterans' Children, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified, vice John C. Whitehead, Bethlehem, deceased.

Mark S. Schweiker  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 8, 2002

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, Kenneth B. Blair, 113 Iron Bridge Road, Sarver 16055, Butler County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock 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  
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 8, 2002

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, Orvan B. Peterson, D.Ed., 216 Center Avenue, Butler 16001, Butler County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Slippery Rock 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 BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER

April 18, 2002

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Richard A. Wiscott, Ph.D., 128 Cumberland Avenue, Shippensburg 17257, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Cora I. Grove, Greencastle, resigned.

Mark S. Schweiker  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator ROBBINS 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	Logan	Schwartz	Wozniak
Erickson	Madigan	Stack	
Fumo	Mellow	Stout	
Gerlach	Mowery	Tartaglione	

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Madam President, I move that the Executive Session do now rise.  
The motion was agreed to by voice vote.

THIRD CONSIDERATION CALENDAR RESUMED

SB 1324 CALLED UP

SB 1324 (Pr. No. 1985) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

SB 1324 (Pr. No. 1985) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Public Welfare to enter into interstate compacts relating to adoption assistance; and providing for terms and implementation of the interstate compacts.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator BRIGHTBILL offered the following amendment No. A3044:

Amend Title, page 1, line 4, by removing the period after "compacts" and inserting: , for medical assistance benefits and for false claims.

Amend Sec. 2, page 1, line 14, by inserting after "state" where it appears the second time: other than the Commonwealth of Pennsylvania

Amend Sec. 3, page 2, line 13, by striking out "an"

Amend Sec. 3, page 2, line 13, by striking out "compact" and inserting: compacts

Amend Sec. 4, page 2, line 23, by striking out "parties" and inserting: other party states

Amend Sec. 4, page 3, line 2, by inserting after "assistance": to be provided

Amend Sec. 5, page 4, line 12, by striking out "a compact" and inserting: compacts

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.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Madam President, I request a brief recess for an off-the-floor meeting of the Committee on Urban Affairs and Housing.

The PRESIDING OFFICER. Senator Brightbill requests a recess for an off-the-floor meeting of the Committee on Urban Affairs and Housing to be held immediately. Without objection, the Senate stands in recess.

**AFTER RECESS**

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

**UNFINISHED BUSINESS  
REPORTS FROM COMMITTEES**

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

**SB 1210 (Pr. No. 2039) (Amended)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege and for offenses relating to homicide by vehicle and aggravated assault by vehicle.

**SB 1452 (Pr. No. 2040) (Amended)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges of the courts of common pleas.

**HB 582 (Pr. No. 3061)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief and for institutional vandalism.

**HB 2445 (Pr. No. 3888)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for cruelty to animals.

Senator DENT, from the Committee on Urban Affairs and Housing, reported the following bill:

**HB 1952 (Pr. No. 3947) (Amended)**

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, further providing for provisions of the redevelopment contract and for blighted property removal; and making a repeal.

**DISCHARGE PETITION**

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

June 4, 2002

A PETITION

To place before the Senate the nomination of John K. Slavek, D.C., as a member of the Chiropractic State Board.

TO: The President Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of John K. Slavek, D.C., as a member of the Chiropractic State Board, before the entire Senate body

for a vote, the nomination not having been voted upon within 15 legislative days:

- Raphael J. Musto
- Robert J. Mellow
- Michael A. O'Pake
- Jack Wagner
- Richard A. Kasunic
- J. Barry Stout
- Vincent J. Fumo

The PRESIDING OFFICER. The communication will be laid on the table.

**CONGRATULATORY RESOLUTIONS**

The PRESIDING OFFICER laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Mr. and Mrs. J. Paul Stokes and to Mr. and Mrs. Phillip Ritter by Senator Armstrong.

Congratulations of the Senate were extended to Galen G. Weaber by Senator Brightbill.

Congratulations of the Senate were extended to Francis Frederick Felten by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence L. Bitner by Senators Jubelirer and Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. George F. Roan, Mr. and Mrs. Samuel Orłowski, Mr. and Mrs. Donald Brion, Mr. and Mrs. Willis Jones, Daniel Romeyn Allis and to Kevin T. Elwell by Senator Madigan.

Congratulations of the Senate were extended to Michael Myers by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Swiontek by Senator Musto.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Marko, Amanda McCreary, Robert L. Walter, Bradley Wahal, Thomas Joyce, Lexa Mayo Poulakos and to Theresa Klein by Senator Orie.

Congratulations of the Senate were extended to the Reverend Monsignor Leon Peck by Senator Rhoades

Congratulations of the Senate were extended to Smith Bros. Garage, Inc., of Shrewsbury, by Senator Waugh.

Congratulations of the Senate were extended to Sean Christopher Weaver, Samuel Lyle Alden, Carl Michael Reagle, John Thomas Reagle and to Benjamin Emmet Wygant by Senator M.J. White.

Congratulations of the Senate were extended to Ed Cernic, Jr., by Senator Wozniak.

**BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to by voice vote.

The bills were as follows:

- SB 832, SB 1210, SB 1269, SB 1342, SB 1401, SB 1403, SB 1409, SB 1410, SB 1416, SB 1452, HB 165, HB 170, HB 412, HB 582, HB 1848, HB 1952, HB 2312, HB 2410 and HB 2445.**

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

### COMMUNICATIONS FROM THE GOVERNOR

#### RECALL COMMUNICATIONS REFERRED TO COMMITTEE

The PRESIDING OFFICER 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 BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

June 4, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 2, 2002, for the appointment of Dale M. Miller, 1099 Lafayette Street, Bridgeville 15017, Allegheny County, Thirty-seventh Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified.

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

Mark S. Schweiker  
Governor

#### MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

June 4, 2002

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 8, 2002, for the appointment of Christine C. Brubaker, 22 Leaf Park, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2007 and until her successor is appointed and qualified.

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

Mark S. Schweiker  
Governor

### ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, JUNE 10, 2002

1:45 P.M.

STATE GOVERNMENT (to consider Rules Cmte.  
Senate Bills No. 1187, 1364, 1368, 1448, Conf. Rm.  
1453 and 1459; and House Bill No. 878)

### ADJOURNMENT

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Madam President, I move that the Senate do now adjourn until Wednesday, June 5, 2002, at 10:30 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate adjourned at 3:30 p.m., Eastern Daylight Saving Time.