

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 18, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY

No. 44

SENATE

TUESDAY, June 18, 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 Dr. JOHN STEWART HARDY, of Trinity Evangelical Lutheran Church, Camp Hill, offered the following prayer:

Let us pray.

Almighty God, You have given us, the people, the freedom to elect these Senators, and You have bestowed upon them the mantle of leadership. Equip them with Your Holy Spirit, enrich them with Your gift of wisdom, and fill them with courage to represent their parties, their electorate, and the people of our great Commonwealth.

Give them patience when they are misunderstood, endurance when they are misrepresented, and perseverance when their views are resisted or neglected. And when in this hallowed Chamber the debate runs hot, as run hot it will, let the light of Your truth dispel the shades of deception. Let wrath yield to reason, and let chiding and demeaning tongues be bridled.

Forgive them their errors, their misconceptions, and their failures, for they, like all men and women, are imperfect, and keep us, the people, ever mindful of the protection they have given us and the great benefits they have bestowed upon us. Cause us to hold them in respect, grant them the honor due them for the sake of their office, and pray for them daily. Amen.

The PRESIDENT. The Chair thanks Dr. Hardy, who is the guest today of Senator Mowery.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of June 17, 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 BILLS

The Clerk of the House of Representatives returned to the Senate SB 1171, 1184, 1248 and 1383, with the information the House has passed the same without amendments.

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 1089.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 984 and 1035, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE BILL BY FURTHER AMENDING SAID AMENDMENTS

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 1109, by further amending said amendments, in which concurrence of the Senate is requested.

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

HOUSE 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.

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:

June 18, 2002

- HB 1553 -- Committee on Transportation.
- HB 1700 -- Committee on Finance.
- HB 2183 -- Committee on Labor and Industry.

BILL INTRODUCED AND REFERRED

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

June 18, 2002

Senator GERLACH presented to the Chair SB 1476, entitled: An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for jurisdiction.

Which was committed to the Committee on LOCAL GOVERNMENT, June 18, 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 18, 2002

Senators WAUGH, MOWERY, BOSCOLA, PUNT, THOMPSON, ROBBINS, O'PAKE, COSTA, ERICKSON, MUSTO, D. WHITE, DENT, SCARNATI, LEMMOND, TARTAGLIONE, TOMLINSON, WOZNIAK, ARMSTRONG, RHOADES, EARLL, M. WHITE, BRIGHTBILL, SCHWARTZ, GREENLEAF and C. WILLIAMS presented to the Chair SR 247, entitled:

A Resolution congratulating the Pennsylvania Landscape & Nursery Association on the 30th anniversary of the Penn Allied Nursery Trade Show and recognizing the week of July 21 through 27, 2002, as "Pennsylvania Landscape and Nursery Week."

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 18, 2002.

BILLS SIGNED

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

- SB 1089, SB 1171, SB 1184, SB 1248 and SB 1383.

LEGISLATIVE LEAVE

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

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

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

CALENDAR

SB 1459 CALLED UP OUT OF ORDER

SB 1459 (Pr. No. 2029) -- Without objection, the bill was called up out of order, from page 6 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1459 (Pr. No. 2029) -- 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 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.

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 present said bill to the House of Representatives for concurrence.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR LISA M.
BOSCOLA PRESENTED TO THE SENATE**

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

Senator BOSCOLA. Mr. President, I am proud to have a visitor from my district on the Senate floor today. Rebecca Schnader is here as a guest Page. She attends Nazareth Middle School, and I know her mom, Nancy, is in the gallery somewhere.

Also I have A.J. Rosetti, who is from East Hills Middle School. He completed sixth grade today, and as of tomorrow, he will be in the seventh grade. I ask them to please rise so the Senate can give them a warm welcome.

The PRESIDENT. Would the guests of Senator Boscola please rise so we may welcome you 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 Luzerne, Senator Musto.

Senator MUSTO. Mr. President, I request a Democratic caucus.

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

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

BILL OVER IN ORDER TEMPORARILY

SB 955 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 391 (Pr. No. 2068) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact for the Supervision of Adult Offenders; providing for the form of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the Compact Administrator; and making a repeal.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 391?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 391.

On the question,

Will the Senate agree to the motion?

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 | Oric | 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 inform the House of Representatives accordingly.

SB 955 CALLED UP

SB 955 (Pr. No. 2102) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Calendar, by Senator BRIGHTBILL.

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 955 (Pr. No. 2102) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for vaccination against meningococcal disease for students at institutions of higher education.

On the question,

Will the Senate concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 955?

Senator BRIGHTBILL. Mr. President, I move that the Senate do concur in the amendments made by the House, as amended by the Senate, to Senate Bill No. 955.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator D. White.

Senator D. WHITE. Mr. President, once again I come to the Senate and ask for its support. We originally passed Senate Bill No. 955 back in December, and it is in regard to the meningitis vaccination. There have been some questions raised on it, but overall I think it is good. If nothing else, it is a wonderful public awareness bill, and if it saves one or two lives, not to mention the number of people who are crippled by this disease every year, I think it is worth our attention. And so far the State system schools or independent schools have all signed off on it. The Department of Health has signed off on it. They are happy with the language. We removed the amendment that had to do with every other disease known to man, and it specifically talks about meningitis. So I strongly urge your support and would appreciate your support for Senate Bill No. 955.

Thank you.

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-46

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

NAY-4

| | | | |
|------|-------|------|----------------|
| Bell | Earll | Punt | White, Mary Jo |
|------|-------|------|----------------|

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

PREFERRED APPROPRIATION BILL ON
THIRD CONSIDERATION AND FINAL PASSAGE

HB 2530 (Pr. No. 4047) -- 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 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 170, SB 559, HB 590, HB 751 and HB 754 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL AMENDED

SB 857 (Pr. No. 2061) -- 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 being nominated to fill a vacancy or 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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A3280:

Amend Title, page 1, line 5, by striking out "and before assuming office as a" and inserting: , also known as justice of the peace, or a

Amend Sec. 1, page 1, lines 11 and 12, by striking out "and the section be amended by adding a subsection"

Amend Sec. 1 (Sec. 12), page 1, line 16, by striking out the bracket before "Judges"

Amend Sec. 1 (Sec. 12), page 1, line 17, by striking out "] Justices

Amend Sec. 1 (Sec. 12), page 2, lines 5 through 10, by striking out all of said lines

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

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

Senator MELLOW. Mr. President, would Senator Brightbill permit himself to be briefly interrogated?

The PRESIDENT. He will.

Senator MELLOW. Mr. President, could Senator Brightbill explain to us exactly what this amendment is going to accomplish?

Senator BRIGHTBILL. Yes, I would be happy to, Mr. President. The Joint Resolution proposing an amendment to the Constitution of the Commonwealth is intended to require that for an individual to become a district justice, he must first pass a precertification examination to be a candidate, so that the individual is certified to be qualified to do the job. The problem has occurred, both in elections as well as in appointments, that people have been appointed or elected to these positions and then do not pass the test and the qualifications, in which case there is an immediate vacancy, which causes a problem.

What the amendment does is makes the same requirement for the Philadelphia traffic court candidates and nominees.

Senator MELLOW. Mr. President, one of the concerns that I have is, and I would hope that maybe the gentleman can address the issue, what happens in the case where there is no election and there is a vacancy based on either death or resignation? Would the Governor then be compelled only to appoint an individual to either the traffic court, if this amendment carries, and/or as a member of the lower judiciary, the magisterial court, if that person has passed the exam? And it is my understanding that the exam is only given twice a year based on the program, and therefore, unless you are a lawyer and you are learned in law, you would not have the ability to be appointed to a vacancy by the Governor, unless in some previous year you went to magisterial school, is that correct, Mr. President?

Senator BRIGHTBILL. Mr. President, assuming for purposes of my answer that the facts set forth relative to how often they give these tests are in fact correct, the answer is yes. I would add though, Mr. President, that if this constitutional provision were adopted by the people, it would seem then that the court system would necessarily be more responsible if they responded by providing a mechanism where people could take these exams and pass this, if it were for appointments. So I think that is more of a mechanical problem than a problem relating to what should be part of our Constitution.

Senator MELLOW. Mr. President, finally, the amendment, however, that is being offered by Senator Brightbill, only on this point, deals with the Philadelphia traffic court, is that correct?

Senator BRIGHTBILL. Mr. President, the bill already deals with district justices, which would be the rest of the State, and this amendment is to bring in the Philadelphia traffic court to make it consistent statewide. My understanding is that the responsibilities in the Philadelphia traffic court are very similar to the responsibilities of a district justice.

Senator MELLOW. Mr. President, I thank the gentleman.

Mr. President, it was explained to us by the Members of our Caucus from Philadelphia that the Philadelphia traffic court deals

only with traffic-related problems, especially with tickets, and therefore it does not go to the same extent that is dealt with in the magisterial court. Because of that, they did not feel that it was important that the individual must sit and pass a test prior to an election or prior to an appointment by the Governor. For that reason, Mr. President, with regard to the traffic court and this amendment, I ask for a negative vote.

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

Senator BRIGHTBILL. Mr. President, I would just respond, not being personally familiar with the Philadelphia traffic court, having never had an encounter with them, happily, it would seem to me that it is the responsibility of the court to develop a test, and if that test would be different for the Philadelphia traffic court, that would be within the court's prerogative. Nevertheless, whatever test exists for the Philadelphia traffic court would have to be passed in order for someone to become either a nominee or an appointee to that position. It just seems like this is good, efficient government statewide. This problem has persisted over a number of years. This is not a knee-jerk reaction.

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

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

YEA-30

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

NAY-20

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

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

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

BILL OVER IN ORDER

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

BILL AMENDED

SB 1187 (Pr. No. 1492) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tolentine Community Center and Development Corporation certain lands and building situate in the City of Philadelphia, Philadelphia County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW, on behalf of Senator FUMO, offered the following amendment No. A3577:

Amend Sec. 8, page 4, line 16, by inserting after "that": , within one year of the effective date of this act,

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 1210 and SB 1222 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1243 (Pr. No. 1600) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the allocation of revenues within the Game Fund.

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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 1258 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS AMENDED

SB 1364 (Pr. No. 1820) -- 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 Township of Penn, Westmoreland County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW, on behalf of Senator KUKOVICH, offered the following amendment No. A3574:

Amend Sec. 1, page 1, line 11, by inserting after "authorized": and directed

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 1368 (Pr. No. 1828) -- 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 acquire by settlement agreement three tracts of land in Foster Township, Luzerne County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MELLOW, on behalf of Senator MUSTO, offered the following amendment No. A3575:

Amend Sec. 1, page 1, line 11, by inserting after "authorized": and directed

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 1401 and SB 1403 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1406 (Pr. No. 1995) -- 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 unlawful transmission of electronic mail; and imposing a penalty.

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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 1448 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL AMENDED

SB 1453 (Pr. No. 2028) -- 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 West Chester Area School District, certain lands in West Goshen Township, Chester County.

On the question,
Will the Senate agree to the bill on third consideration?
Senator THOMPSON offered the following amendment No. A3578:

Amend Sec. 1, page 5, line 9, by striking out "the replacement of"

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 1458 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL AMENDED

HB 2125 (Pr. No. 3768) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the powers and duties of enforcement officers and deputy game commission officers; authorizing licensed hunters to remove deer over baited areas in certain areas pursuant to Pennsylvania Game Commission regulations; and increasing the penalty for safety zone violations.

On the question,
Will the Senate agree to the bill on third consideration?
Senator HELFRICK offered the following amendment No. A3375:

Amend Sec. 1 (Sec. 2308), page 6, lines 15 through 17, by striking out all of said lines and inserting: class, while hunting on private property and using a bow and arrow or crossbow, using bait to attract deer for removal as provided by commission regulations.

(iii) Any licensed hunter in special regulation areas, other than counties of the second class, using bait to attract deer for removal as provided by commission regulations.

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 2398 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

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

HB 497 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**NONPREFERRED APPROPRIATION BILLS ON
SECOND CONSIDERATION AND RECOMMITTED**

HB 2490 (Pr. No. 4011) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

HB 2491 (Pr. No. 4008) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

HB 2492 (Pr. No. 3963) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University-Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

HB 2493 (Pr. No. 3964) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

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

HB 2494 (Pr. No. 3573) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

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

HB 2495 (Pr. No. 3574) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

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

HB 2496 (Pr. No. 3575) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the MCP Hahnemann University and for continuation of pediatric services.

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

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

HB 2497 (Pr. No. 3576) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

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

HB 2498 (Pr. No. 3577) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

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

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

HB 2499 (Pr. No. 3578) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

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

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

HB 2501 (Pr. No. 3579) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

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

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

HB 2502 (Pr. No. 3580) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses and for payment of debt service.

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

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

HB 2503 (Pr. No. 3581) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

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

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

HB 2504 (Pr. No. 3582) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

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

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

HB 2505 (Pr. No. 3583) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

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

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

HB 2506 (Pr. No. 3584) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for research.

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

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

HB 2507 (Pr. No. 3585) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Central Penn Oncology Group.

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

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

HB 2508 (Pr. No. 3586) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to St. Francis Hospital, Pittsburgh, for cardiovascular studies.

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

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

HB 2509 (Pr. No. 3587) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lancaster Cleft Palate for outpatient-inpatient treatment.

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

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

HB 2510 (Pr. No. 3588) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pittsburgh Cleft Palate for outpatient-inpatient treatment.

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

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

HB 2511 (Pr. No. 3589) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Burn Foundation, Philadelphia for outpatient and inpatient treatment.

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

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

HB 2512 (Pr. No. 3590) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Children's Institute, Pittsburgh for treatment and rehabilitation of certain persons with disabling diseases.

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

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

HB 2513 (Pr. No. 3591) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

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

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

HB 2514 (Pr. No. 3592) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

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

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

HB 2515 (Pr. No. 3593) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Arsenal Family and Children's Center.

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

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

HB 2516 (Pr. No. 3594) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

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

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

HB 2517 (Pr. No. 3595) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

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

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

HB 2518 (Pr. No. 3596) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

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

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

HB 2519 (Pr. No. 3597) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

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

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

HB 2520 (Pr. No. 3598) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

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

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

HB 2521 (Pr. No. 3599) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

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

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

HB 2522 (Pr. No. 3600) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

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

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

BILL REREFERRED

HB 286 (Pr. No. 1068) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for functions of the Commissioner of Professional and Occupational Affairs; and further providing for anesthesia.

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 449 and SB 451 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 582 (Pr. No. 3061) -- 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 criminal mischief and for institutional vandalism.

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

BILL OVER IN ORDER

SB 615 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 767 (Pr. No. 4003) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for definitions and for resale of returned motor vehicle.

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

BILLS OVER IN ORDER

SB 856, HB 878 and SB 1242 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 1272 (Pr. No. 1475) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, further providing for applications for licensure and for student barbers.

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

BILLS OVER IN ORDER

SB 1372, SB 1374 and SB 1393 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1396 (Pr. No. 1914) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for length of vehicles.

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

BILLS OVER IN ORDER

SB 1409 and **SB 1410** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1419 (Pr. No. 1960) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permit for movement of waste coal and beneficial combustion ash.

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

BILLS OVER IN ORDER

SB 1423, **SB 1424** and **SB 1433** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS REREFERRED

SB 1462 (Pr. No. 2057) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for visual signals on emergency vehicles.

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

SB 1463 (Pr. No. 2075) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for size, weight and load scope and application; and abrogating regulations.

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

BILL OVER IN ORDER

HB 1478 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 1670 (Pr. No. 4016) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a certain bridge on SR 0054 over the North Branch of the Susquehanna River connecting Riverside, Northumberland County and Danville and Mahoning Townships, Montour County, as the Danville-Riverside Bridge.

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

BILLS OVER IN ORDER

HB 1804 and **HB 1952** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 2020 (Pr. No. 3287) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for the definition of "School of Cosmetology," for practice of cosmetology without license prohibited, requirements to practice, eligibility requirements for examination, for management of cosmetology shops, for requirements of a school of cosmetology, for exceptions to examination requirements, for shared shops, for regulations by the board, for examinations and issuance of licenses, for temporary licenses, for sanitary rules, for fees and for penalties.

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

BILL OVER IN ORDER

HB 2223 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 2445 (Pr. No. 3888) -- 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 cruelty to animals.

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

BILL OVER IN ORDER

HB 2529 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**SENATE RESOLUTION No. 171,
AMENDED AND ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 15 of the Calendar, **Senate Resolution No. 171**, entitled:

A Resolution urging the Department of Health to develop a task force to investigate the health effects of toxic mold.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate adopt the resolution?

Senator GREENLEAF offered the following amendment No. A3305:

Amend Fourth Resolve Clause, page 2, line 30, by striking out "must"

Amend Fourth Resolve Clause, page 3, line 1, by striking out "BY NOVEMBER 30, 2002" and inserting: within one year of the task force being established

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

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

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.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING**

May 20, 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, Evelyn M. Wermuth, 635 Willow Valley Square, Apartment 207, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2003, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
CLARION 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, Robert Lee James, 114 West Second Street, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Clarion 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 GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

June 6, 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, Brandon W. Danz, 53 Shenks Lane, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Amy M. Yozviak, Nanticoke, graduated.

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, Frances Cohen-Knoerdel, 111 Horizon Drive, Venetia 15367, Washington County, Thirty-seventh 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 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, Curtis D. Copeland, 618 Bluff Street, Bridgeville 15017, Allegheny County, Thirty-seventh 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 his successor is appointed and qualified.

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, Virginia M. Hester, 2242 Clairmont Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2007 and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF MEDICINE**

April 23, 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, Ollice Bates, Jr., M.D., 309 Jade Avenue, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS**

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, Raymond T. Book, 4534 West Barlind Drive, Pittsburgh 15227, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board

of Certified Real Estate Appraisers, 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.

Mark S. Schweiker
Governor

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

April 5, 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, Domingo Quintero-Martinez, 1911 Mary Lane, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve until April 24, 2005 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Janis M. Horn, Harrisburg, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

April 22, 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, Edwin K. Galbreath, Jr., R.D. 3 Box 146, Kingswood Road, New Castle 16105, Lawrence County, Twenty-first Senatorial District, for reappointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, 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.

Mark S. Schweiker
Governor

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

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, Reverend Barry R. Galley, 3000 Daniel Drive, Sinking Spring 19608, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2005 and until his successor is appointed and qualified, vice Andrew T. Porzio, Jr., Lancaster, resigned.

Mark S. Schweiker
Governor

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

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, Edward D. Ottinger, PO Box 216, Conestoga 17516, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2007 and until his successor is appointed and qualified, vice Warren Lamm, Sinking Spring, deceased.

Mark S. Schweiker Governor

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

May 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, Stephen B. McCully, (Republican), 531 East Sheridan Drive, DuBois 15801, Clearfield County, Twenty-fifth Senatorial District, for appointment as a member of the Clearfield County Board of Assistance, to serve until December 31, 2003, and until his successor is appointed and qualified, vice Frances L. Selvage, Clearfield, whose term expired.

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-50

Table with 4 columns of names: Armstrong, Bell, Bodack, Boscola, Brightbill, Conti, Corman, Costa, Dent, Earll, Erickson, Fumo, Gerlach, Greenleaf, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Logan, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Orié, 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 Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1187. (Pr. No. 2108) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tolentine Community Center and Development Corporation certain lands and building situate in the City of Philadelphia, Philadelphia County.

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

Table with 4 columns of names: Armstrong, Bell, Bodack, Boscola, Brightbill, Conti, Corman, Costa, Dent, Earll, Erickson, Fumo, Gerlach, Greenleaf, Helfrick, Holl, Hughes, Jubelirer, Kasunic, Kitchen, Kukovich, LaValle, Lemmond, Logan, Madigan, Mellow, Mowery, Murphy, Musto, O'Pake, Orié, 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 present said bill to the House of Representatives for concurrence.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1453 (Pr. No. 2110) -- 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 West Chester Area School District, certain lands in West Goshen Township, Chester County.

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 present said bill to the House of Representatives for concurrence.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1364 (Pr. No. 2111) -- 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 Township of Penn, Westmoreland County.

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 present said bill to the House of Representatives for concurrence.

SB 1368 (Pr. No. 2112) -- 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 acquire by settlement agreement three tracts of land in Foster Township, Luzerne County.

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 present said bill to the House of Representatives for concurrence.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators RHOADES, ORIE, BELL, MADIGAN, EARLL, PUNT, HELFRICK, ARMSTRONG, WAUGH, MOWERY, MURPHY, M. WHITE, PICCOLA, BRIGHTBILL, WENGER, JUBELIRER, ROBBINS, CONTI, DENT, THOMPSON, ERICKSON, SCARNATI, TOMLINSON, D. WHITE and GREENLEAF, by unanimous consent, offered **Senate Resolution No. 248**, entitled:

A Resolution designating October 6, 2002, as "Unity Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator RHOADES. Mr. President, I ask that the resolution be left open for anyone who wants to sign on this resolution, to please do so.

The best way I can summarize this is that every year we propose this resolution and designate a day as Unity Day in Pennsylvania. What we are looking for is to recognize the purpose of eliminating racism and fostering relations based upon community respect, harmony, and justice in this Commonwealth. It is a result from within our home community when we had the KKK come in to demonstrate, our community came together, and when I say our community, our whole county, and from that we have asked that every year we designate a day and present that, and this year October 6 is Unity Day. I ask that this resolution be approved by the Senate.

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

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

Senators LOGAN, TARTAGLIONE, STOUT, KUKOVICH, MURPHY, MUSTO, WAGNER, LAVALLE, MELLOW, COSTA, O'PAKE, BODACK, A. WILLIAMS, TOMLINSON, WOZNAK, A. WILLIAMS, EARLL, SCHWARTZ, KITCHEN and HUGHES, by unanimous consent, offered **Senate Resolution No. 249**, entitled:

A Resolution declaring the week of June 30 through July 6, 2002, as "Parents Without Partners Week" in Pennsylvania.

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

Senators MELLOW, MUSTO and LEMMOND, by unanimous consent, offered **Senate Resolution No. 250**, entitled:

A Resolution expressing condolences on the passing of Gino J. Merli.

On the question,
Will the Senate adopt the resolution?

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

Senator MELLOW. Mr. President, last Tuesday a gentleman who graced this body on more than one occasion in various types of celebrations passed away. His name was Gino J. Merli, and his obituary appeared yesterday in the New York Times. Mr. Merli was buried on Saturday of this past week. And I want to read just a few of the accomplishments of Gino Merli, because he was a recipient of the Congressional Medal of Honor during World War II at the age of 19.

He was awarded the Medal of Honor during World War II for operating a machine gun that blocked a German advance against the United States Army at an outpost in Belgium. Mr. President, the description of what took place that evening is rather astronomical when you consider what the American soldiers were going through and what a young man did at the age of 19, who had to quit high school for the purpose of trying to enlist in the military, and I am going to read some of the things that I believe are very important, and I think the Members of the body who are with us right now and those who might be listening will find it to be equally important for a true American hero.

Mr. President, Mr. Merli fought with the First Infantry Division in two epic battles. On June 6, 1944, he took part in the D-Day invasion of Normandy, going ashore at Omaha Beach. In December 1944, Mr. Merli was in the Battle of the Bulge. In both battles, Mr. President, Mr. Merli fought as an American soldier and was not injured. But it was the firefight outside of a Belgium town, midway between the two campaigns, that brought him the nation's highest award for valor.

On September 4, 1944, Mr. Merli was a machine gunner with the First Infantry Division's 18th Infantry when 14 men from his company set up a roadblock near the village of Sars la Bruyere, a few miles from the French border. At least 100 German soldiers came down a cobblestone road and their fire knocked out one of the American's two machine gun positions. Private Merli and his assistant gunner killed several members of the German patrol from the surviving machine gun position, but then, Mr. President, Private Merli's assistant machine gunner was killed by return fire. The remaining members of his unit either retreated or were killed, wounded, or captured. Refusing to abandon his position, Private Merli was alone in his foxhole at midnight, and he held off several more German attacks, expending about 2,000 rounds of ammunition himself.

Once, when continuing to fire would have given Private Merli's position away, a group of Germans approached his foxhole and saw what appeared to be two dead soldiers inside, the body of Private Merli and his assistant. Private Merli was laying underneath the assistant gunner, and he was lying below, pretending to be dead. The Germans prodded Private Merli's body in the buttocks with their bayonets, inflicting four wounds, but he did not cry out. Satisfied that he was dead, the German soldiers departed. Then Private Merli once again began to fire.

At daybreak, the remnants of the German patrol surrendered after American troops opened a counterassault. Private Merli then jumped from his gun pit, having survived with a finger wound and four bayonet wounds to the buttocks. He was wounded on two other occasions, Mr. President, in October 1944, when he was caught in a shelling near Aachen, Germany,

and in the Battle of the Bulge, where he suffered leg and wrist wounds.

On June 15, 1945, Private Merli, at the age of 19, received the highest award, the Medal of Honor, from President Harry Truman. The citation noted the losses and confusion that Private Merli inflicted on the enemy and the toll of the aftermath of his long night at the machine gun position at Sars la Bruyere. On the battlefield lay 52 enemy dead, 19 of them who were directly in front of his gun.

Private Merli was the son of a coal miner.

Recounting the events of September 1944 in an interview with Tom Brokaw—Mr. Merli, incidentally, appears in the book, "The Greatest Generation Speaks"—but recounting the events of the 1944 event in an interview with Mr. Brokaw, Mr. Merli said, "...I can vividly remember now every move, every second from eight that evening to nine the next morning." He also recalled in that book that after this had taken place, the next day he had asked for and received permission after his ordeal had ended to go to the town church. "I asked Sergeant Patinski if he wouldn't mind if I went and prayed for the dead—our dead and their dead. No matter how bitter you were against the enemy, you still had the heart to pray for him. Because he was in the same boat as you and I."

Mr. President, Mr. Merli died on Tuesday of last week, after suffering for several years with Parkinson's. He was buried on Saturday, June 15, 2002, which was 57 years from the day that he received the Medal of Honor from President Harry S. Truman at the age of 19. He is survived by his wife, Mary, and he has a brother Joe, a sister, Emma, and he had a brother Chet, who preceded him in death. He also has a son Gino, who is a medical doctor, a son Philip, a daughter, Maria, and six grandchildren. Mr. President, I knew Gino Merli. He lived in the same town that I have lived in all of my life. Here was a man who never once profited on anything that he did. He was a true American hero and a man who will be missed. And as I said, in yesterday's New York Times they have an article that appears about Jack Montgomery, who died at the age of 84, and Gino Merli, who died at the age of 78, two Medal of Honor recipients who both died on the same day, last Tuesday, and I thought it was important that we take the opportunity to thank and congratulate and pay tribute to a true American hero who has been on the floor of this Senate with us, but more importantly, he was prepared, ultimately, to pay the price so that we can enjoy the freedoms that we have today. He was just a wonderful person, a man who really cannot be replaced, and I think it is important that the record today here in the Senate of Pennsylvania reflect the accomplishments of an outstanding American and a true American hero.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks Senator Mellow for those most appropriate remarks for a most remarkable individual.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators CORMAN, WAUGH, WENGER, MADIGAN, ARMSTRONG, ERICKSON, BOSCOLA, BRIGHTBILL,

COSTA, EARLL, HELFRICK, CONTI, KITCHEN, KUKOVICH, LEMMOND, LOGAN, MOWERY, MUSTO, O'PAKE, PUNT, SCHWARTZ, RHOADES, STOUT, ROBBINS, TARTAGLIONE, SCARNATI, THOMPSON, C. WILLIAMS, TOMLINSON, WAGNER and M. WHITE, by unanimous consent, offered **Senate Resolution No. 251**, entitled:

A Resolution recognizing August 20 through 22, 2002, as "Ag Progress Days" in Pennsylvania.

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

Senators CORMAN, D. WHITE, MURPHY, ROBBINS, C. WILLIAMS, ERICKSON, WOZNAK, BRIGHTBILL, COSTA, DENT, HUGHES, EARLL, KITCHEN, LEMMOND, MUSTO, MOWERY, O'PAKE, SCARNATI, SCHWARTZ, THOMPSON, STOUT, TOMLINSON, WAGNER, WENGER, KUKOVICH and CONTI, by unanimous consent, offered **Senate Resolution No. 252**, entitled:

A Resolution honoring the Pennsylvania Telephone Association on its 100th anniversary.

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Karlton A. Kieffer by Senator Erickson.

Congratulations of the Senate were extended to Americhoice of Pennsylvania by Senator Kitchen.

Congratulations of the Senate were extended to Mr. and Mrs. William Geary, Sr., and to Mr. and Mrs. Walter Brower by Senator Lemmond.

Congratulations of the Senate were extended to Henry J. Stutz by Senator Madigan.

Congratulations of the Senate were extended to Ellen A. Sims and to John DeFazio III by Senator Murphy.

Congratulations of the Senate were extended to the Kutztown Area Senior High School Lady Cougars Softball Team by Senator O'Pake.

Congratulations of the Senate were extended to Michael J. Gamalier, Sr., Chuck Kobert, Sam Bair, Shaler Area Middle School of Glenshaw, North Allegheny High School of Wexford and to Pine-Richland High School of Gibsonia by Senator Orie.

Congratulations of the Senate were extended to Robert Jay McCloskey and to David B. Colestock by Senator Piccola.

Congratulations of the Senate were extended to the Reverend Donald C. Nolder by Senator Punt.

Congratulations of the Senate were extended to Matthew Russell by Senator Scarnati.

Congratulations of the Senate were extended to Geraldine Conover, Barbara Jackson, Eloise Goldenberg, Patricia Harless, James Siegler and to Dennis Barnebey by Senator Schwartz.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Sargeant Hodgson by Senator Thompson.

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

Congratulations of the Senate were extended to La-Kie-a Lowry, Charles King and to Rachel Cammisa-Cantz by Senator A.H. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas A. Novitski. Jr., Lily Pagano, Anthony Kraft and to Donald Griffin by Senator C. Williams.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Gino J. Merli by Senator Mellow.

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 1179, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILL INTRODUCED AND REFERRED

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

June 18, 2002

Senators MELLOW, LEMMOND, MUSTO, DENT, THOMPSON and BODACK presented to the Chair SB 1485, entitled:

An Act redesignating the Northeast Veterans Center as the Gino J. Merli Northeast Veterans Center.

Which was committed to the Committee on STATE GOVERNMENT, June 18, 2002.

BILL SIGNED

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

SB 391.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 19, 2002

| | | |
|------------|---|--------------------------|
| 10:00 A.M. | STATE GOVERNMENT (public hearing and committee meeting to consider the nominations of Katherine E. Holtzinger Conner, Esq. to the State Civil Service Commission, and C. Michael Weaver as Secretary of the Commonwealth; and Senate Bill No. 1485) | Rules Cmte. Conf. Rm. |
| 10:00 A.M. | TRANSPORTATION (to consider the nominations of Mitchell Rubin and Pasquale Deon, Sr. to the PA Turnpike Commission) | Room 461 Main Capitol |

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 Wednesday, June 19, 2002, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate adjourned at 4:57 p.m., Eastern Daylight Saving Time.