

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, NOVEMBER 25, 2002

SESSION OF 2002 186TH OF THE GENERAL ASSEMBLY

No. 69

SENATE

MONDAY, November 25, 2002

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

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

PRAYER

The Chaplain, Reverend DONALD BRANTLEY, of Harris AME Zion Church, Harrisburg, offered the following prayer:

Let us pray.

Dear Lord, God of wisdom, we ask that You hear our prayer today, that You bless this House and all those who spend their precious time here. We thank You, Lord, for all that You have done, even in the time of our misfortunes.

Lord, I ask that You touch this Senate with Your grace and mercy, giving this body of men and women the strength to do what they were elected to do. We ask that You bless their families and keep them safe over the holidays as they travel from city to city. Let them know that whatever challenge may come in their lives, that there is still hope, there is Your love and Your peace that You always send to comfort us.

We thank You, Lord, in the name of Jesus Christ, our Savior of the world. Amen.

The PRESIDENT. The Chair thanks Reverend Brantley, who is the guest today of Senator Helfrick and Senator Piccola.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of November 21, 2002.

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

November 22, 2002

HB 1702 -- Committee on Game and Fisheries.

HB 2614 and 2969 -- Committee on Communications and High Technology.

HB 2772 -- Committee on Local Government.

GENERAL COMMUNICATION

ANNUAL REPORT ON THE WIRETAPPING AND ELECTRONIC SURVEILLANCE CONTROL ACT

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

COMMONWEALTH OF PENNSYLVANIA
SUPREME COURT
2800 Grant Building
Pittsburgh, Pennsylvania 15219

November 22, 2002

Mr. Mark R. Corrigan
Secretary/Parliamentarian of the Senate
Commonwealth of Pennsylvania
Suite 462, Main Capital
Harrisburg, PA 17120

Dear Mr. Corrigan:

In accordance with Section 5723(d) of the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §5723(d), I forward herewith the required annual report.

Very truly yours,

STEPHEN A. ZAPPALA
Chief Justice

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

BILL SIGNED

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

HB 2858.

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

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider Senate Bills No. 1325 and 1370, House Bill No. 2445, and certain nominations.

REPORTS FROM COMMITTEES

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

HB 2614 (Pr. No. 4364)

An Act prohibiting certain facsimiles, commercial electronic transmissions and the use of text, graphic or image messaging systems of wireless telephone systems to transmit unsolicited commercial messages; imposing penalties; authorizing the blocking of commercial electronic mail by interactive computer service; and providing for the powers of the Attorney General.

Senator LEMMOND, from the Committee on State Government, reported the following bills:

HB 1974 (Pr. No. 4685) (Amended)

An Act authorizing the release of Project 70 restrictions on certain lands owned by Northumberland County, in return for imposition of Project 70 restrictions on other lands owned by the Northumberland County Development Corporation.

HB 2163 (Pr. No. 2979)

An Act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for the creation of voluntary leave pools for employees of the Commonwealth; further providing for furnishing lists of employees to certain State officers; and providing for deputy secretaries in the Department of Transportation.

HB 2411 (Pr. No. 4509)

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, revising provisions relating to athlete agents.

HB 2898 (Pr. No. 4419)

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to grant and convey a 50-year easement of certain lands situate in Canaan Township, Wayne County, to Waymart Wind Farm L.P.

HB 2910 (Pr. No. 4461)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Leon Dwinga and Patricia Dwinga, his wife, certain land situate in the Township of Collier, Allegheny County.

HB 2923 (Pr. No. 4588)

An Act authorizing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc., certain land situate in West Bradford Township, Chester County.

HB 2924 (Pr. No. 4486)

An Act amending the act of December 11, 1986 (P.L.1508, No.163), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to

Emsworth Borough 7.5 acres of land, more or less, situate in Kilbuck Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the County of Chester 230.693 acres of land, more or less, situate in Newlin and West Bradford Townships, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to North Penn Comprehensive Health Services 8.7 acres of land, more or less, situate in the Borough of Blossburg, Tioga County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to Gilbert Collussy, Lena M. Collussy, James T. Dresher and Virginia M. Dresher, a tract of land situate in North Shenango Township, Crawford County, Pennsylvania, in exchange for a tract of land in the same township, and for other consideration; and authorizing and directing the Department of General Services, with the approval of the Governor and the Departments of Environmental Resources and Transportation, to convey to the Mid-State Regional Airport Authority a tract of land situate in Rush Township, Centre County, Pennsylvania," further providing for deed of conveyance; and providing for conveyance in West Bradford Township, Chester County, Pennsylvania.

HB 2963 (Pr. No. 4635)

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Latrobe Borough, Westmoreland County, to the Borough of Latrobe; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price determined through competitive bidding, certain lands situate in Scottdale Borough, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Blairsville Borough, Indiana County, to the Borough of Blairsville; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in Kutztown Borough, Berks County, to the Borough of Kutztown; and authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey a certain tract of land situate in the Borough of Media, Delaware County, to the Borough of Media; authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey an access road right-of-way over certain State land to Sanford J. and Doris M. Henry, Paul L. and Deborah K. Baker, Michael R. and Jeanne M. Henry, Lynn A. and Kimberly R. Henry, Leland W. Henry, Sr., and Leland W. Henry, Jr., all of Middlecreek Township, Somerset County, Pennsylvania, and their heirs and assigns; authorizing the release of Project 70 restrictions on certain land owned by the Lehighon Water Authority, Township of Penn Forest, Carbon County, to provide access right-of-way to John A. Wargo, et al. "Apollo Associates"; and making a repeal.

Senator GERLACH, from the Committee on Local Government, reported the following bills:

HB 2456 (Pr. No. 3493)

An Act amending the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, further providing for reimbursement to counties.

HB 2772 (Pr. No. 4630)

An Act amending the act of November 22, 1978 (P.L.1166, No.274), entitled "An act establishing the Pennsylvania Commission on

Crime and Delinquency, providing for its powers and duties establishing several advisory committees within the commission and providing for their powers and duties," establishing the Targeted Community Revitalization and Crime Prevention Advisory Committee and providing for its powers and duties.

HB 2971 (Pr. No. 4629)

An Act amending the act of May 17, 1949 (P.L.1406, No.419), entitled "An act providing for the payment of salaries to the president and members of the town council of incorporated towns, at the discretion of the town council, and for the collection and docketing of costs and fees by the president of town council acting as justice of the peace," further limiting salaries of president and members of town council; and making editorial changes.

Senator DENT, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

HB 1255 (Pr. No. 1458)

An Act reenacting and amending the act of December 21, 1988 (P.L.1860, No.178), entitled "An act providing for the disposal of unclaimed garments," providing for the disposal of unclaimed footwear and other items left with shoe repairers.

HB 2256 (Pr. No. 4587)

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for exemption from licensure requirements.

HB 2407 (Pr. No. 4362)

An Act regulating crematories; providing for licenses, for licensure requirements, for inspections and enforcement; and prescribing penalties.

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

HB 850 (Pr. No. 4678) (Amended) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages.

HB 851 (Pr. No. 4679) (Amended) (Rereported)

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for appointment of notaries, for eligibility, for applications to become a notary public, for application for reappointment, for resignation and for change of residence, for oath of office, bond and recording, for registration of notary's signature and fees, for notarial seal, for electronic notarization, for register and copier of records, for power to administer oaths, affirmations, certain writings relating to commerce, depositions, affidavits and certain writings relating to land, for fees of notaries public, for rejection of application and for surrender of seal; providing for revocation of commission for certain personal checks and for regulations; making repeals; and making editorial changes.

HB 1331 (Pr. No. 4680) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for furnishing lists of employees to certain State officers; and providing for membership of the Pennsylvania Public Utility Commission.

HB 2183 (Pr. No. 4638) (Rereported)

An Act specifically authorizing collective bargaining between first-level supervisors and their public employer; providing for arbitration in order to settle disputes rather than striking; and requiring compliance with collective bargaining agreements and findings of arbitrators.

HB 2190 (Pr. No. 4681) (Amended) (Rereported)

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further defining "municipality"; further providing for the recycling fee sunset provisions, for Recycling Fund and for awarding of grants; providing for the development of a recycling program plan; and making a repeal.

HB 2302 (Pr. No. 4697) (Amended) (Rereported)

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, codifying the act of May 20, 1993 (P.L.38, No.11), known as the Department of Environmental Resources Agricultural Advisory Board Act, further providing for establishment of the Agricultural Advisory Board; providing for water resources planning, administration and enforcement; making editorial changes; and making a repeal.

HB 2307 (Pr. No. 3770) (Rereported)

An Act amending the act of October 30, 1987 (P.L.375, No.75), entitled "An act providing for the designation of certain trees and land on the grounds of the State Capitol in Harrisburg as 'Soldiers' Grove' in honor of war veterans; imposing duties upon the Department of General Services; and making an appropriation," further providing for the duties of the Department of General Services.

HB 2424 (Pr. No.3440) (Rereported)

An Act amending the act of July 6, 1995 (P.L.255, No.34), known as the Dual Party Relay Service and Telecommunication Device Distribution Program Act, further defining "persons with a disability" or "people with disabilities."

HB 2729 (Pr. No. 4683) (Amended) (Rereported)

An Act providing for the establishment of the Pennsylvania Travel and Tourism Partnership and imposing powers and duties on the Department of Community and Economic Development related to tourism promotion.

HB 2860 (Pr. No. 4684) (Amended) (Rereported)

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for universal research enhancement definitions and for the Tobacco Settlement Investment Board; and extending eligibility for PACE and PACENET.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Brightbill requests a temporary Capitol leave for Senator Punt. Without objection, that leave will be granted.

LEAVE OF ABSENCE

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

CALENDAR

SB 1562 CALLED UP OUT OF ORDER

SB 1562 (Pr. No. 2334) -- Without objection, the bill was called up out of order, from page 4 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1562 (Pr. No. 2334) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to grant and convey certain vacant land situated at the southeast intersection of Arsenal Boulevard and North Cameron Street in the Seventh Ward of the City of Harrisburg, Dauphin County.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

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, followed by a meeting of the Committee on Rules and Executive Nominations.

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

Senator MELLOW. Mr. President, the Democrats will caucus also.

Can the Majority Leader give us an indication as to what time we can anticipate to return?

The PRESIDENT. I will ask him to pick a number, Senator.

Senator BRIGHTBILL. Mr. President, an hour and a half.

Senator MELLOW. Mr. President, right now, that would be as good as any.

The PRESIDENT. For purposes of Republican and Democratic caucuses in their respective caucus rooms, followed by a meeting of the Committee on Rules and Executive Nominations in the Rules room, 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

THIRD CONSIDERATION CALENDAR

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

HB 2196 (Pr. No. 4662) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for education for parents on what constitutes shaken baby syndrome and the physical impairments that can result from shaken baby syndrome; and establishing the Shaken Baby Syndrome Education and Prevention Program.

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?

LEGISLATIVE LEAVES

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

Senator BRIGHTBILL. Madam President, I ask for a legislative leave for Senator Jubelirer, and temporary Capitol leaves for Senator Orié and Senator Thompson.

The PRESIDING OFFICER. Senator Brightbill requests a legislative leave for Senator Jubelirer, and temporary Capitol leaves for Senator Orié and Senator Thompson. Without objection, the leaves will be granted.

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

Senator O'PAKE. Madam President, I request a temporary Capitol leave for Senator Stout.

The PRESIDING OFFICER. Senator O'Pake requests a temporary Capitol leave for Senator Stout. Without objection, the leave will be granted.

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

HB 204 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

SB 362, SB 374 and SB 451 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL AMENDED

SB 806 (Pr. No. 2415) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for consent of the senate required for certain gubernatorial appointments and for required information; making editorial changes; and making repeals.

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

Senator O'PAKE offered the following amendment No. A6270:

Amend Sec. 1 (Sec. 207.1), page 5, line 16, by striking out "THE" where it appears the first time and inserting: Except for vacancies in judicial offices, the

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

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

Senator BRIGHTBILL offered the following amendment No. A6266:

Amend Sec. 1 (Sec. 207.1), page 5, line 16, by striking out all of said line and inserting: The person nominated shall, as of the day preceding the date of the occurrence of the vacancy, be of the same political party as was the

Amend Sec. 1 (Sec. 207.1), page 5, line 17, by removing the period after "OFFICE" and inserting: on the date the person who vacated the office was administered the oath of office for the office vacated.

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.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 3**

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

HB 2860 (Pr. No. 4684) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for universal research enhancement definitions and for the Tobacco Settlement Investment Board; and extending eligibility for PACE and PACENET.

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

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

HB 930 and HB 967 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 974 (Pr. No. 2937) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 13, 1915 (P.L.286, No.177), known as the Child Labor Law, further providing for regulated employment; and providing for youth peddling.

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

| | | |
|-----------|--------|-------------|
| Fumo | Mellow | Stack |
| Gerlach | Mowery | Stout |
| Greenleaf | Murphy | 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.

BILLS OVER IN ORDER

HB 976, SB 1015, SB 1339, SB 1394 and SB 1395 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL AND AMENDMENT OVER IN ORDER TEMPORARILY

HB 1401 (Pr. No. 4558) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the contents of lists of Commonwealth employees; and exempting certain persons from Federal law relating to public assistance.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A6415:

Amend Title, page 1, lines 20 through 22, by striking out "further providing for" in line 20, all of lines 21 and 22
Amend Bill, page 2, lines 1 through 30; page 3, lines 1 through 8, by striking out all of said lines on said pages and inserting:
Section 1. Section 2301 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, amended July 13, 1957 (P.L.852, No.390), is amended to read:
Amend Sec. 3, page 3, line 28, by striking out all of said line and inserting:
Section 2. This act shall take effect July 1, 2003.

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. The Chair notes the presence on the floor of Senator Thompson. Accordingly, his temporary Capitol leave will be cancelled.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.
Senator BRIGHTBILL. Madam President, we are now considering amendment A6415 to House Bill No. 1401. If we could go over that temporarily and then we will return to that shortly.

The PRESIDING OFFICER. Without objection, the bill and amendment will go over temporarily.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1696 (Pr. No. 4583) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, further providing for transfer of funds for purposes of State forests.

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 listing names of senators in support of HB 1696, including Armstrong, Holl, Musto, Thompson, Bodack, Hughes, O'Pake, Tomlinson, etc.

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.

HB 1742 (Pr. No. 4632) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 27, 1974 (P.L.95, No.326), known as the Veterinary Medicine Practice Act, further providing for definitions, for board approval of certain schools and colleges, for additional duties of board, for biennial education requirements and for grounds for disciplinary proceedings; providing for records and inspection of records; and further providing for exemptions and exceptions.

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 listing names of senators in support of HB 1742, including Armstrong, Holl, Musto, Thompson, Bodack, Hughes, O'Pake, Tomlinson, etc.

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 OVER IN ORDER

HB 1804 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER TEMPORARILY

HB 2055 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 2070, HB 2131 and HB 2229 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2296 (Pr. No. 3724) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of the Mon/Fayette Expressway, State Route 43, as the Yohogania County Courthouse Highway; designating the Mon/Fayette Expressway interchange connecting to Commonwealth Avenue and State Route 837 in the City of Duquesne as the First Sergeant Leonard Funk, Jr., Interchange; designating the Mon/Fayette Expressway interchange with East Pittsburgh-McKeesport Boulevard in North Versailles as the Captain Michael John Estocin Interchange; designating an interchange of the Mon/Fayette Expressway with I-376 in Monroeville, Westmoreland County, as the Captain James A. Graham Interchange; designating the half interchange, including only the west-

bound Mon/Fayette Expressway to I-376 and eastbound I-376 to Mon/Fayette in the City of Pittsburgh as the Lance Corporal William R. Prom Interchange; designating the Mon/Fayette Expressway interchange with Sixth Street in Braddock as the Ensign Henry Clay Drexler Interchange; designating the half interchange of the Mon/Fayette Expressway, including only westbound off and eastbound on movements, with Second Avenue in the City of Pittsburgh as the Corporal Charles E. Kelly Interchange; designating the interchange with Business Route 22 in Wilkins Township, Allegheny County, as the Staff Sergeant John Minick Interchange; designating the half interchange with access road connecting to Thompson Run Road in Penn Hills Township as the Chief Warrant Officer Michael J. Novosel Interchange; designating the interchange with Second Avenue at the north end of Glenwood Bridge in the City of Pittsburgh as the Private First Class John "Jack" Kelly Interchange; designating the interchange connecting Camp Hollow Road in West Mifflin and Pittsburgh-McKeesport Boulevard (Richland Avenue) in Dravosburg as the Private Franklin J. Phillips Interchange; designating a section of State Route 1011 in Clearfield, Cameron and Elk Counties as the Quehanna Highway; and designating the interchange, Exit 44, at Route 136 and Dry Run Road in Washington County as the Staff Sergeant Karl Gorman Taylor, Sr.,

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

HB 2055 CALLED UP

HB 2055 (Pr. No. 4402) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

HB 2055 (Pr. No. 4402) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain elder care facilities to provide refunds and payments in certain circumstances; providing for inventory of personal property; authorizing the storage of personal property by elder care facilities; and imposing a penalty.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MURPHY offered the following amendment No. A6312:

Amend Title, page 1, line 4, by inserting after "facilities;": providing for applicability of other laws;

Amend Bill, page 5, by inserting between lines 11 and 12:

Section 6. Applicability of other law.

The remedies of this act shall be in addition to those provided under the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act. The requirements of Chapter 7 of the Older Adults Protective Services Act imposed on facilities which provide services to individuals with mental retardation in residences licensed by the Department of Public Welfare or funded through a county mental retardation program shall apply only to the consumers and older adults as that term is defined in the Older Adult Protective Services Act. The provisions of the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Mental Retardation Act of 1966, and all related regulations shall continue to be applicable to such facilities.

Amend Sec. 6, page 5, line 12, by striking out "6" and inserting: 7

Amend Sec. 7, page 5, line 18, by striking out "7" and inserting: 8

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 2444 (Pr. No. 3545) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the definition of "employee" to include local coordinators of emergency management as employees of municipalities.

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 | Holl | Musto | Thompson |
| Bodack | Hughes | O'Pake | Tomlinson |
| Boscola | Jubelirer | Orie | Wagner |
| Brightbill | Kasunic | Piccola | Waugh |
| Conti | Kitchen | Pileggi | Wenger |
| Corman | Kukovich | Punt | White, Donald |
| Costa | LaValle | Rhoades | White, Mary Jo |
| Dent | Lemmond | Robbins | Williams, Anthony H. |
| Earll | Logan | Scarnati | Williams, Constance |

| | | | |
|-----------|---------|-------------|---------|
| Erickson | Madigan | Schwartz | Wozniak |
| Fumo | Mellow | Stack | |
| Gerlach | Mowery | Stout | |
| Greenleaf | Murphy | 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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Orié is on the floor, and her temporary Capitol leave is hereby cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

HB 2593 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2595 (Pr. No. 4633) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for employees eligible for retirement allowances.

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

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

HB 2599 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER TEMPORARILY

HB 2644 -- Without objection, the bill was passed over in its order temporarily at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER

HB 2725 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2741 (Pr. No. 4624) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, itemizing additional local and State bridge projects.

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

SECOND CONSIDERATION CALENDAR**BILL REREPORTED FROM COMMITTEE
AS AMENDED ON SECOND CONSIDERATION**

HB 1553 (Pr. No. 4661) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for judicial review, for classes of licenses, for learners' permits, for identification card, for notice of change of name or address for footrests and handhold on motorcycles and for required financial responsibility; providing for lighted lamp requirements for motorcycles; and further providing for periods for requiring lighted lamps and for scope and application of provisions relating to size, weight and load.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 339, HB 417, SB 591 and HB 796 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 1265 (Pr. No. 2384) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for health care declarations and health care powers of attorney; further providing for implementation of out-of-hospital nonresuscitation; and making conforming amendments.

Considered the second time and agreed to,

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

BILL REREFERRED

HB 1448 (Pr. No. 4586) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 13, 1970 (P.L.19, No.10), entitled "An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances," further providing for consent to treatment.

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 1525 and SB 1580 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

HB 2574 (Pr. No. 4664) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, amending and adding definitions; deleting certain bonding requirements; further providing for application of certain law to the Pennsylvania Liquor Control Board and Bureau of Liquor Control Enforcement of the Pennsylvania State Police, for wine marketing, for retail sales, for license applications, for licensee sales and restrictions, for secondary service area, for special occasion permits, for sacramental wine licenses, for liquor importers' licenses, for public venue license, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors' and importing distributors' and retail dispensers' licenses, for distributors' and importing distributors' restrictions, for retail dispensers' restrictions, for hearings and appeals, for license renewal, for license revocation and suspension, for local option and for exchange of certain licenses; providing for surrender of certain licenses; further providing for unlawful acts, for rights of municipalities, for unlawful advertising and for limited wineries; deleting provisions relating to distilleries; and further providing for business hours.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 2780 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

SENATE RESOLUTION No. 303, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 303**, entitled:

A Resolution designating the week of January 12 through 18, 2003, as "Snowmobile Safety Awareness Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

ANNOUNCEMENT BY MAJORITY LEADER

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

Senator BRIGHTBILL. Madam President, we have nothing more to run at this time on this Calendar. We have some additional Supplemental Calendars and we have some additional amendments that are being printed that will be offered. If there are some other things that can be done at this time, it would be appropriate to move ahead.

CONSIDERATION OF CALENDAR RESUMED**THIRD CONSIDERATION CALENDAR RESUMED****HB 1401 CALLED UP**

HB 1401 (Pr. No. 4558) -- Without objection, the bill, which previously went over in its order temporarily, with amendment No. A6414 under consideration, was called up, from page 3 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

HB 1401 (Pr. No. 4558) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the contents of lists of Commonwealth employees; and exempting certain persons from Federal law relating to public assistance.

The PRESIDING OFFICER. The Senate has before it amendment No. A6414 to House Bill No. 1401.

And the question recurring,
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.

HB 204 CALLED UP

HB 204 (Pr. No. 4560) -- 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

HB 204 (Pr. No. 4560) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a State Report Card and for the collection of data.

On the question,
Will the Senate agree to the bill on third consideration?
Senator SCHWARTZ offered the following amendment No. A5419:

Amend Title, page 1, line 11, by inserting after "THERETO,":
further providing for employment criminal background checks;

Amend Title, page 1, line 12, by removing the period after "DATA" and inserting: ; and further providing for health recommendations.

Amend Bill, page 12, lines 3 through 5, by striking out all of said lines and inserting:

Section 1. Section 111(c) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended December 19, 1990 (P.L.1362, No.211), is amended to read:

Section 111. Background Checks of Prospective Employees; Conviction of Employees of Certain Offenses.--* * *

(c) Where the applicant [is] has not been a resident of [the] this Commonwealth for at least two (2) years immediately preceding the date of application for employment, administrators shall require the applicant to submit with the application for employment a report of Federal criminal history record information pursuant to the Federal Bureau of Investigation appropriation of Title II of Public Law 92-544, 86 Stat. 1115, and the department shall be the intermediary for the purposes of this section.

* * *

Section 2. The act is amended by adding a section to read:

Amend Bill, page 13, by inserting between lines 25 and 26:

Section 3. Section 1406 of the act, added July 15, 1957 (P.L.937, No.404), is amended to read:

Section 1406. Recommendations.--(a) Recommendations as to medical, surgical or dental care shall be sent to each parent or guardian and to the family physician or family dentist on forms prepared or approved by the Secretary of Health with instructions to the parent or guardian to consult the family physician or family dentist and to notify the school authorities of the action taken with respect to the recommendations.

(b) School physicians or school nurses shall inform teachers of the health conditions of pupils which may affect behavior, appearance or scholastic performance.

(c) Notice of the existence of and eligibility for the program under Article XXIII of the act of May 17, 1921 (P.L.682, No.284), known as "The Insurance Company Law of 1921," shall be prepared by, paid for and provided to each school district in Pennsylvania by the Insurance Department annually, not later than the fifteenth day of August, in sufficient quantities to provide the parent or legal guardian of every school student enrolled in the district with such notice. The school district shall provide such notice to the parent or guardian of each student enrolled in the district during the school year. The Insurance Department shall provide sufficient copies of the notice to nonpublic schools upon request.

Amend Sec. 2, page 13, line 26, by striking out "2" and inserting:
4

Amend Sec. 3, page 14, line 4, by striking out "3" and inserting: 5

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.

HB 2644 CALLED UP

HB 2644 (Pr. No. 4604) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 6 of the Third Consideration Calendar, by Senator BRIGHTBILL.

BILL AMENDED

HB 2644 (Pr. No. 4604) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amending and adding provisions relating to the Thaddeus Stevens College of Technology; making a repeal; and making editorial changes.

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

Senator BRIGHTBILL offered the following amendment No. A6411:

Amend Title, page 1, line 15, by inserting after "THERETO,":
further providing for the board of control for distressed school districts; authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans; recognizing American Sign Language courses as satisfying foreign language requirements imposed for high school graduation; further providing for Pennsylvania Athletic Oversight Council, for the transportation of students attending charter schools and for the board of control for certain empowerment school districts;

Amend Title, page 1, line 16, by inserting after "TECHNOLOGY,":
further providing for placement of certain adjudicated students and for school performance incentives;

Amend Bill, page 11, lines 2 through 5, by striking out all of said lines and inserting:

Section 1. Section 692 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended January 14, 1970 (1969 P.L.468, No.192), is amended to read:

Section 692. Special Board of Control; Petition; Appointments.—Whenever on the basis of a proper investigation as herein provided for, the [Superintendent of Public Instruction] Secretary of Education has declared [any] a school district of the first class A, second class, third class or fourth class to be a distressed school district under section 691(a), he or his designated representative who shall be a person trained in public school administration, possessing the certification prerequisites demanded of a district or assistant superintendent, or holding in the Department of [Public Instruction] Education the rank of Deputy [Superintendent] Secretary, shall petition the court of common pleas of the county in which such district, or the largest part in area, is located to appoint two citizens who shall be qualified electors and taxpayers in the county in which the school district is located. School directors and employes of any such school district shall be ineligible for appointment by the court. The appointees, together with the [Superintendent of Public Instruction or his] designated representative of the Secretary of Education, shall constitute a special board of control[,] and shall serve for terms of five years. No member of the board may be removed from office during a term, except that the Secretary of Education may, upon clear and convincing evidence of malfeasance or misfeasance in office, remove a member prior to the expiration of the term. Before a member of the board is removed, that member must be provided with a written statement of the reasons for removal and an opportunity for a hearing in accordance with 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action). Vacancies occurring because of death, removal or resignation of [appointed] members of the board shall be filled [by the court.] within thirty (30) days of the creation of the vacancy in the manner in which that position was originally filled. A member of the board shall hold office until a successor is appointed and qualified. The special board of control shall assume control of the affairs of the district and operate it in the place of the school directors during the period necessary to reestablish a sound financial structure in the district. The costs of the court proceedings shall be paid by the Department of [Public Instruction] Education.

Section 2. The act is amended by adding a section to read:

Section 1524. Recognition of American Sign Language Courses.—(a) A student shall receive credit for completion of a course in American Sign Language at the high school level toward the satisfaction of the foreign language requirements included in a school district's strategic plan or requirements for graduation established pursuant to 22 Pa. Code Ch. 4 (relating to academic standards and assessment).

(b) The teaching of American Sign Language as a language alternative in the public schools of this Commonwealth shall be provided by a properly certificated person as required by Article XII.

(c) A properly certificated person shall hold a certificate to teach according to section 1201 and provide proof of the successful completion of a Department of Education-approved program in American Sign Language.

(d) For purposes of this section, "American Sign Language" means the complete and autonomous human language with its own unique grammar frequently used as a form of communication by the hearing-impaired communities.

Section 3. Section 1611 of the act is amended by adding a subsection to read:

Section 1611. Academic Degrees.—* * *

(c) A board of school directors may establish a program to be known as "Operation Recognition" which provides for granting a high school diploma to any honorably discharged veteran who served in the United States military in the Korean War between the twenty-seventh day of June, one thousand nine hundred fifty, and the thirty-first day of January, one thousand nine hundred fifty-five, who attended high school between one thousand nine hundred forty-seven and one thousand nine hundred fifty-five and who would have been a member of a graduation class during the years one thousand nine hundred fifty-one through one thousand nine hundred fifty-seven but did not graduate from high

school due to entry into military service. A board of school directors may award a diploma posthumously to an eligible veteran. An application for a diploma under this subsection must be made in the manner prescribed by the board of school directors.

Section 4. Sections 1603-A(f) and 1726-A, amended or added November 22, 2000 (P.L.672, No.91), are amended to read:

Section 1603-A. Pennsylvania Athletic Oversight Council.—* * *

(f) The duties and responsibilities of the council shall be as follows:

(1) To meet no less than four times a year at the call of the chair. All such meetings shall be conducted in accordance with the requirements of 65 Pa.C.S. Ch. 7 (relating to open meetings).

(2) To make recommendations concerning changes to the administration of interscholastic athletics to the association. The council shall make recommendations on issues, including, but not limited to:

(i) Appeals.

(ii) Athletic eligibility.

(iii) Transfers of students.

(iv) Expansion of PIAA sanctioned athletic competitions or sports, including the addition of other athletic associations into PIAA sponsored championships.

(3) To review and monitor the efforts of the association to meet the criteria listed in section 1604-A(a) and (b).

(4) To hold public hearings, subject to the requirements of 65 Pa.C.S. Ch. 7, on any issue concerning interscholastic athletics. These issues shall include, but not be limited to:

(i) Appeals.

(ii) Athletic eligibility.

(iii) Transfers of students.

(iv) Expansion of PIAA sanctioned athletic competitions or sports, including the addition of other athletic associations into PIAA sponsored championships.

(5) To have access to all books, papers, documents and records of the association in order to complete the annual report required under clause (6).

(6) To issue an annual report to the chairman and minority chairman of the Education Committee of the Senate, the chairman and minority chairman of the Education Committee of the House of Representatives and the president of the association summarizing:

(i) The council's meetings, public hearings and other action taken by the council.

(ii) The recommendations of the council made during the year and the association's response to each recommendation.

(iii) The efforts of the association to meet the criteria listed in section 1604-A(a) and (b).

(7) To issue a final report [two (2)] three (3) years after the Governor has made the final appointments to the council to the chairman and minority chairman of the Education Committee of the Senate and the chairman and minority chairman of the Education Committee of the House of Representatives and the president of the association summarizing all of the council's actions and recommendations over the previous [two (2)] three (3) years [and], the association's response to each and the final determination of the council under subsection (g).

(8) To elect a chairman and a vice chairman.

(9) To, at the council's discretion, request the committee to perform an audit on any phase of the association's compliance with the criteria listed in section 1604-A(a) or (b), as necessary for the purposes of completing its annual or final report.

* * *

Section 1726-A. Transportation.—(a) Students who [reside in the school district in which the charter school is located or who are residents of a school district which is part of a regional charter school shall be provided transportation to the charter school on the same terms and conditions as transportation is provided to students attending the schools of the district.] attend a charter school located in their school district of residence, a regional charter school of which the school district is a part or a charter school located outside district boundaries at a distance not exceeding ten (10) miles by the nearest public highway shall be provided free transportation to the charter school by their school district of residence. School districts of the first class shall also provide transportation to the students if they are the same age or are enrolled in the same grade, grades or their grade equivalents as any

students of the district for whom transportation is provided under any program or policy to the schools of the district. [Such] Notwithstanding any provision of law to the contrary, transportation shall be provided to charter school students [each school day] by their school district of residence on such dates and periods that the charter school is in regular session whether or not transportation is provided [during the same school day] on such dates and periods to students attending schools of the district. [Nonresident students shall be provided transportation under section 1361.] Districts providing transportation to a charter school outside the district shall be eligible for payments under section 2509.3 for each public school student transported.

(b) In the event that the Secretary of Education determines that a school district [of the first class] is not providing the required transportation to students to the charter school, the Department of Education shall pay directly to the charter school funds for costs incurred in the transportation of its students. Payments to a charter school shall be determined in the following manner: for each eligible student transported, the charter school shall receive a payment equal to the total expenditures for transportation of the school district divided by the total number of school students transported by the school district under any program or policy.

(c) The department shall deduct the amount paid to the charter school under subsection (b) from any and all payments made to the district.

(d) A school district of the first class shall submit a copy of its current transportation policy to the department no later than August 1 of each year.

Section 5. Section 1705-B(h) of the act, amended June 22, 2001 (P.L.530, No.35) and June 29, 2002 (P.L.524, No.88), is amended to read:

Section 1705-B. Education Empowerment Districts.—* * *

(h) (1) [A board of control established under section 692 shall be abolished upon certification of the school district as an education empowerment district. The school district shall be operated by a board of control established under subsection (a). The secretary may appoint the same individuals serving on the board of control under section 692 to the board of control under subsection (b).] A school district under a declaration of distress pursuant to section 691(a) and certified as an education empowerment district shall be operated by a special board of control established under section 692. A board of control established under this section shall be abolished upon the appointment of a special board of control under section 692.

(2) [Sections 691 and 692 shall not apply to a school district certified as an education empowerment district.] For a school district under a declaration of distress pursuant to section 691(a) and certified as an education empowerment district, the special board of control established under section 692 shall have the powers and duties of a special board of control under section 692 and the powers and duties contained in section 1706-B.

(3) For a school district with a history of low test performance that is certified as distressed for a minimum period of two (2) years under sections 691 and 692, the department shall waive the inclusion of the school district on the education empowerment list under section 1703-B(a) and immediately certify the school district as an education empowerment district.

(4) The department may utilize up to \$2,000,000 of undistributed funds not expended, encumbered or committed from appropriations for grants and subsidies made to the department to assist school districts certified as an education empowerment district under paragraph (3). There is hereby established a restricted account from which payments under this paragraph shall be paid. Funds shall be transferred by the Secretary of the Budget to the restricted account to the extent necessary to make payments under this paragraph. Funds in the restricted account are hereby appropriated to carry out the purposes of this paragraph. The subsidy payment from this account shall be utilized to supplement the operational budget of the eligible school districts. This paragraph shall apply to fiscal years 2000-2001, 2001-2002 and 2002-2003 and shall expire June 30, 2003.

Section 6. Article XIX-B heading and sections 1901-B, 1902-B and 1903-B of the act, added December 19, 1990 (P.L.1362, No.211), are amended to read:

Amend Sec. 2, page 11, line 30, by striking out "2" and inserting:

7 Amend Sec. 3, page 12, line 5, by striking out "3" and inserting: 8
Amend Sec. 4, page 13, line 12, by striking out "4" and inserting:

9 Amend Sec. 5, page 15, line 21, by striking out "5" and inserting:

10 Amend Sec. 6, page 21, line 12, by striking out "6" and inserting:

11 Amend Bill, page 25, by inserting between lines 5 and 6:
Section 12. Section 2134 of the act, added June 29, 2002 (P.L.524, No.88), is amended to read:

Section 2134. Placement of Certain Adjudicated Students.—(a) No student returning from placement [or who is on probation] as a result of being adjudicated delinquent under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) or who has been adjudged to have committed a crime under an adult criminal proceeding shall be returned directly to the regular classroom.

(b) Prior to returning such student to the regular classroom, the school district shall:

(1) Place the student in a transition center operated by the school district for a period not to exceed four (4) weeks.

(2) Develop a transition plan for the student that includes academic goals, identifies school and community services appropriate to the needs of the student and establishes terms and conditions the student must meet prior to returning to the regular classroom.

(3) Place the student in an alternative education program as defined in Article XIX-C, in a private alternative education institution as defined in Article XIX-E, in a general education development program or in a program operating after the traditional school day as provided for in the transition plan developed pursuant to clause (2).]

(c) The transition plan developed under subsection (b)(2) may provide for the student's direct return to a regular classroom where the underlying offense did not involve any of the following:

(i) Possession of a weapon.

(ii) Possession, use or sale of controlled substances as defined in the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

(iii) Possession, use or sale of alcohol or tobacco by any person on school property.

(iv) An act of violence as defined in section 1310-A(h).

(d) In the case of a student whose transition plan does not include immediate return to the regular classroom the student shall be placed in one of the following as provided for in the student's transition plan:

(1) An alternative education program as defined in Article XIX-C.

(2) A private alternative education institution as defined in Article XIX-E.

(3) A general education development program.

(4) A program operating after the traditional school day.

(e) (1) Prior to the release of a student subject to this section from a residential or day treatment placement as a result of being adjudicated delinquent under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) or returning from incarceration as a result of having been adjudged to have committed a crime under an adult criminal proceeding, the court shall provide to the person designated in charge of the school district's transition center the information required in the school notification provision under 42 Pa.C.S. § 6341(b.1) (relating to adjudication).

(2) The information shall be updated by the court with information pertaining to treatment reports and supervision plans or any other information deemed necessary by the transition plan and assure appropriate placement of the student.

Section 13. Section 2595(f.2) of the act, added June 29, 2002 (P.L.524, No.88), is amended to read:

Section 2595. School Performance Incentives.—* * *

(f.2) Pursuant to guidelines issued by the Department of Education, up to ten percent (10%) of the allocation for school performance funding under this section may be used by the department to establish an incentive program to reward school entities that show improved academic performance as evidenced by [a decline in the percentage of students who score below the basic level of proficiency as defined by 22 Pa. Code Ch. 4 (relating to academic standards and assessment)] an increase in the percentage of students who score at or above the level of

proficiency set by the State Board of Education to meet the requirements of section 2603-B(d)(10)(i) and who are in disaggregated groups, including the following:

- (1) Economically disadvantaged students.
- (2) Students from major racial and ethnic groups.
- (3) Students with disabilities.
- (4) Students with limited English proficiency.

* * *

Section 14. Although the current provisions of Article XVII-A of the act require school districts to provide for the transportation of students enrolled in charter schools, the purpose of the amendment of section 1726-A of the act is to clarify the current provisions of Article XVII-A of the act regarding the transportation of such students.

Amend Sec. 7, page 25, line 6, by striking out "7" and inserting: 15

Amend Sec. 8, page 25, line 10, by striking out all of said line and inserting:

Section 16. This act shall take effect as follows:

- (1) The amendment or addition of section 1524 and Article XIX-B of the act shall take effect July 1, 2003.
- (2) Section 15 of this act shall take effect July 1, 2003.
- (3) The remainder of this act shall take effect immediately.

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.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL REREPORTED FROM COMMITTEE AS AMENDED, AMENDED

HB 2302 (Pr. No. 4682) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, codifying the act of May 20, 1993 (P.L.38, No.11), known as the Department of Environmental Resources Agricultural Advisory Board Act, further providing for establishment of the Agricultural Advisory Board; providing for water resources planning, administration and enforcement; making editorial changes; and making a repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A6435:

Amend Sec. 2 (Sec. 3118), page 42, line 9, by striking out "SHALL" and inserting: may

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 ask for a brief recess of the Senate for the purpose of a meeting of the Commit-

tee on Rules and Executive Nominations, which will begin immediately.

The PRESIDING OFFICER. Senator Brightbill requests a recess of the Senate for a meeting of the Committee on Rules and Executive Nominations to begin immediately in the Rules room.

For that reason, without objection, the Senate will stand in recess.

AFTER RECESS

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

REPORTS FROM COMMITTEES

Senator BRIGHTBILL, from the Committee on Rules and Executive Nominations, reported the following bills:

SB 1325 (Pr. No. 1990) (Rereported) (Concurrence)

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

SB 1370 (Pr. No. 2428) (Amended) (Rereported) (Concurrence)

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; further providing for the power and authority for the Pennsylvania Economic Development Financing Authority; recodifying the Machinery and Equipment Loan Fund Act; further providing for tax-exempt bond allocation and for loan eligibility; and making repeals.

HB 2445 (Pr. No. 4698) (Amended) (Rereported)

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

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator PICCOLA submitted the Report of Committee of Conference on **HB 590**.

The PRESIDING OFFICER. This bill will appear on the Calendar.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

November 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, Giorgio E. Fico, CPA, 220 Leon Avenue, Norwood 19074, Delaware County, Eighth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Christine Suran, Camp Hill, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

November 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, William J. Park, 3 Rebecca's Lane, Thornton 19373, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas J. Baumgartner, Bethlehem, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING**

November 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, Helen-Ann Comstock, 2 Independence Place, #202, 233 South Sixth Street, Philadelphia 19106, Philadelphia County, First Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until August 8, 2005, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

November 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, R. Anthony Brubaker, 492 Musser Road, Mt. Joy 17552, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, 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 ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

November 12, 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 B. Williams, 2400 Fulling Mill Road, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, 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 COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

October 30, 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, Marian Barford, 20 Oak Drive, Doylestown 18901, Bucks County, Tenth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2003, and until her successor is appointed and qualified, vice Susan Kemenyffy, McKean, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

November 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, Elizabeth J. Gleason, 552 Elknud Lane, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2005, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

November 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, Ellen Lee, 1056 Mt. Pleasant Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District,

for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2005, and until her successor is appointed and qualified, vice Paul W. Ware, Lancaster, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS**

October 30, 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, Clyde M. McGeary, 248 Willow Avenue, Camp Hill, 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2005, and until his successor is appointed and qualified, vice Lee C. Swartz, Esquire, Harrisburg, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF BARBER EXAMINERS**

November 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, Gayle D. Mills (Public Member), 808 Derby Avenue, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marilyn L. Painter, Pittsburgh, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF BARBER EXAMINERS**

November 14, 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, Evan Semoff, 410 Candlewyck Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Cheryl A. McDermott, McKees Rocks, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA CANCER
CONTROL, PREVENTION AND RESEARCH
ADVISORY BOARD**

November 7, 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, Joel S. Noumoff, M.D., 238 Lloyd Lane, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified, vice Christine E. Szarka, M.D., Pennlyn, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE CHARTER
SCHOOL APPEAL BOARD**

November 4, 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, Dennis A. Giorno, 930 North Sixth Street, Apartment #1, Harrisburg, 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Charter School Appeal Board, to serve until June 14, 2003, or until his successor is appointed and qualified, vice Darryl F. Williams, Verona, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE CHARTER
SCHOOL APPEAL BOARD**

November 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, Stephanie M. Salinger, 6031 Cannon Hill Road, Fort Washington 19034, Montgomery County, Twenty-fourth Senatorial District, as a member of the State Charter School Appeal Board, to serve until June 14, 2006, or until her successor is appointed and qualified, vice Paulette Aliota, Erie, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE CIVIL
SERVICE COMMISSION**

November 14, 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, Katherine Holtzinger-Conner, Esquire, 1772 Kendall Drive, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2006, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Norma J. Gotwalt, Camp Hill, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE CIVIL
SERVICE COMMISSION**

November 14, 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 W. Martin, 2497 South 5th Street, Steelton 17113, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Katherine Holtzinger-Conner, Esquire, Mechanicsburg, resigned.

Mark S. Schweiker
Governor

MEMBER OF THE BOARD OF CLAIMS

October 29, 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, Ronald L. Soder, P.E., 9 Amherst Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Claims, to serve until November 15, 2006, and until his successor is appointed and qualified, vice Louis G. O'Brien, Camp Hill, whose term expired.

Mark S. Schweiker
Governor

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

October 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, Richard W. Kooman, II, 205 Woodland Road, Shippensburg 16254, Clarion County, Twenty-first Senatorial District, for appointment 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, vice Sheryle L. Long, Renfrew, resigned.

Mark S. Schweiker
Governor

CORONER, LAWRENCE COUNTY

November 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, Roger M. DeCarbo, Jr., 303 Hearstone Drive, New Castle 16105, Lawrence County, Forty-seventh Senatorial District, for appointment as Coroner, in and for the County of Lawrence, to serve until the first Monday of January 2004, vice John Russell Noga, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE CORONERS'
EDUCATION BOARD**

November 12, 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, Michael L. Norris, 405 Fairway Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE CORONERS'
EDUCATION BOARD**

November 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, Rodger F. Rothenberger, M.D., 137 Kimberbrae Drive, PO Box 400, Kimberton 19442, Chester County, Nineteenth Senatorial District, for appointment as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified, vice Barry D. Walp, D.O., Lancaster, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF DENTISTRY**

November 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, Douglas P. Marinak, DDS, 1010 Baythorne Drive, Mechanicsburg, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of

Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Norbert Gannon, DDS, Pittsburgh, whose term expired.

Mark S. Schweiker
Governor

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

November 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, Keldeen Stambaugh, 15 North Paxtang Avenue, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve until February 8, 2003, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Paul J. Killion, Lemoyne, resigned.

Mark S. Schweiker
Governor

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

November 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, George F. Komelasky, 42 Larch Circle, Holland 18966, Bucks County, Tenth Senatorial District, for appointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified, vice John E. Noone, Mechanicsburg, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF EDUCATION**

October 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, Wallace H. Nunn, 1030 Mason Avenue, Drexel Hill 19026, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2008, or until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF EDUCATION**

October 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, Colleen A. Sheehan, 805 Brower Road, Wayne 19087, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2007, or until her successor is appointed and qualified, vice Edward Donley, Allentown, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE ENVIRONMENTAL
HEARING BOARD**

October 29, 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, Michelle A. Coleman, Esquire, 5087 Sue Ann Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Environmental Hearing Board, to serve for a term of six years or until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

November 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, Ronald L. Strickler, Jr., 221 Lynbrook Drive, North, York 17402, York 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 Angela M. Ambrose, Gibsonia, graduated.

Mark S. Schweiker
Governor

**MEMBER OF THE BOARD OF DIRECTORS OF
THE PENNSYLVANIA HIGHER EDUCATION
ASSISTANCE AGENCY**

November 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, The Honorable Roy Reinard, 87 Crescent Drive, Holland 18966, Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 2007, and until his successor is appointed and qualified, vice Edna B. McKenzie, Ph.D., Verona, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE HORSE
RACING COMMISSION**

November 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, Richard D. Abbott, PO Box 226, Friendship Church Road, Cochranville 19330, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY**

November 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, Victoria P. Page-Wooten, 802 Vauclain Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2003, and until her successor is appointed and qualified, vice Kenneth L. Rall, Butler, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY**

November 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, Tim M. Pulte, 7 Hickory Drive, Glen Mills 19342, Delaware County, Ninth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2004, and until his successor is appointed and qualified, vice The Honorable Robert L. Pitts, Wilkinsburg, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY**

November 7, 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, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for reappointment as a member of the Pennsylvania Indus-

trial Development Authority, to serve until July 24, 2009, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 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, Joseph Deklinski, 406 North Front Street, Wormleysburg 17043, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice The Honorable Guido M. Pichini, Wyomissing Hills, resigned.

Mark S. Schweiker
Governor

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

November 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, The Honorable Guido M. Pichini, 24 Upland Road, Wyomissing Hills 19609, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Brian W. Clements, Wyomissing, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS**

November 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, Lisa K. Holman (Public Member), 1411 Yorktowne Road, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice GERALYN M. BARBATO, West Chester, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF LINCOLN UNIVERSITY**

November 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, Sherman F. Wooden, RD #4, Box 279, Montrose 18801, Susquehanna County, Twentieth Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University, to serve until August 31, 2004, and until his successor is appointed and qualified, vice Regina L. Warren, Esquire, Philadelphia, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

November 12, 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, Chief Richard J. Herron, 1032 Vauclain Avenue, Woodlyn 19094, Delaware County, Ninth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF NURSING**

November 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, Joanne L. Sorensen, RN, 57 Valley View Drive, Russell 16345, Warren County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE**

November 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, Arthur T. McVitty, (Public Member), 1106 Brynhill Court, Ambler 19002, Montgomery County, Twelfth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years or until his successor is appointed and qualified, but not

longer than six months beyond that period, vice John F. Yaninek, Esquire, Harrisburg, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF OPTOMETRY**

October 29, 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 E. Grove, O.D., 502-C North Baltimore Avenue, Mt. Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Optometry, 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
THE PENNSYLVANIA STATE UNIVERSITY**

November 7, 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 Cynthia A. Baldwin, 2009 McClintock Road, White Oak 15131, Allegheny County, Forty-fifth 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 her successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 12, 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, Walter Conti, Heritage Towers 200 Veterans' Lane, Doylestown 18901, Bucks County, Tenth Senatorial District, for reappointment as a member of the Board of Trustees of Pennsylvania State University, to serve until July 1, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 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, Robert A. Fortinsky, 312 Stanley Drive, Kingston 18704, Luzerne County, Twentieth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

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

November 14, 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 K. Poprik, 3769 Newbolt Court, Doylestown 18901, Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2005, and until her successor is appointed and qualified, vice Joseph Harenza, Reading, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

November 12, 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, Dale J. Cordial, P.T., 13 Sassafras Lane, Greensburg, PA 15601, Westmoreland County, Thirty-ninth Senatorial District, for reappointment 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.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

November 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, Deborah Piper (public), 350 Barnstable Road, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

November 12, 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, Marla J. Wasson (public), 706 Pleasant View Road, Lewisberry 17339, York County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker
Governor

**COMMONWEALTH TRUSTEE OF THE UNIVERSITY
OF PITTSBURGH OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION**

November 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, Thomas G. Bigley, 15 Old Timber Trail, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh of the Commonwealth System of Higher Education, to serve until October 5, 2006, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF PODIATRY**

November 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, Aji M. Abraham, 5825 Tyler Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael A. Cibik, Esquire, Philadelphia, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER**

October 30, 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, Jennifer Estes Schneider, 122 Cowell Avenue, Oil City 16301, Venango County, Twenty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Alvin Kessler, Oil City, resigned.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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 E. Ames, 129 Second Street, Coaldale 18218, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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 B. Cormany, Ed.D., 1883 Douglas Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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, Denise E. Darrah, Ed.D., 6735 Boyertown Pike, Douglassville 19518, Berks County, Forty-fourth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2003, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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, George Dull, Ph.D., 1716 Fox Chapel Road, Pittsburgh 15238, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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, Gilbert Griffiths, 4 Downing Drive, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified, vice Richard D. Hupper, York, whose term expired.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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, David J. Krauser, Ed.D., 115 Ponder Lane, Scotrun 18355, Monroe County, Fourteenth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION

November 14, 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, Linda G. Michel, 1 Carriage Lane, Ephrata 17522, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2005, and until her successor is appointed and qualified, vice Susan Genesi, Phillipsburg, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION**

November 14, 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, Nancy H. Stankus, Ed.D., 171 Carriage Lane, York 17402, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2004, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE PROFESSIONAL STANDARDS
AND PRACTICES COMMISSION**

November 14, 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, Myron E. Yoder, 136 West Elm Street, Emmaus 18049, Lehigh County, Forty-fourth Senatorial District, for reappointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2005, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE BOARD
OF PSYCHOLOGY**

November 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, Kendra A. Pfautz (Public Member), 706 Colonial Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Psychology, 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, vice Anthony J. Fubio, Altoona, resigned.

Mark S. Schweiker
Governor

**MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION**

November 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, Jay Richard Aronson, 1804 Jennings Street, Bethlehem 18017, Northampton County, Eighteenth Senatorial

District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2008.

Mark S. Schweiker
Governor

**MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION**

November 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, The Honorable A. Carville Foster, 7728 Yellow Church Road, Seven Valleys 17360, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2004.

Mark S. Schweiker
Governor

**MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION**

November 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, Paul D. Halliwell, 60 Country Club Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2007.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION**

November 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, C. Chris Exarchos, 901 Pike Street, PO Box 1027, Lemont 16851, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2008, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Marian U. Fredman, State College, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION**

October 30, 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, Christine Marie Mueseler, 304 Casa Vita Drive, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2006, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Hugh Dempsey, Greensburg, whose term expired.

Mark S. Schweiker
Governor

**MEMBER OF THE SCRANTON
STATE SCHOOL FOR THE DEAF**

November 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, Carole C. Wright, 620 Glenburn Road, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Scranton State School for the Deaf, to serve until the third Tuesday of January 2005, and until her 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**

November 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, John K. Thornburgh, 2538 Lindenwood Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment 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, vice Michael E. Wolf, Lemoyne, whose term expired.

Mark S. Schweiker
Governor

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

November 12, 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 W. Hoover, 205 House Avenue, PO Box 8872, Camp Hill 17001, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until his succes-

sor is appointed and qualified, but not longer than six months beyond that period.

Mark S. Schweiker
Governor

**MEMBER OF THE STATE EMPLOYEES'
RETIREMENT BOARD**

November 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, Michael J. Acker, 2255 Forest Hills Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified, vice James E. Nevels, West Chester, resigned.

Mark S. Schweiker
Governor

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

November 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, Donna L. Kreiser, 800 Chestnut Street, Columbia 17512, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Donald R. Elliott, Lancaster, resigned.

Mark S. Schweiker
Governor

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

October 30, 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, Kamal V. Gella, 926 Windan Lane, Johnstown 15905, Cambria County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2003, and until his successor is appointed and qualified, vice Velma C. Noonan, Carnegie, resigned.

Mark S. Schweiker
Governor

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

November 12, 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 M. Burd (public), 380 Freeport Street, Saxonburg 16056, Butler County, Twenty-first Senatorial District, for appointment 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, vice Wesley R. Reohr, Mechanicsburg, whose term expired.

Mark S. Schweiker
Governor

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

October 29, 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 W. Cloninger, VMD, 169 Dennis Alan Circle, PO Box 490, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Veterinary Medicine, 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 WARREN STATE HOSPITAL**

October 30, 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, Kathy L. Glarner, 167 Follett Run Road, North Warren 16365, Warren County, Twenty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Warren 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 WARREN STATE HOSPITAL**

October 30, 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, Joann G. Zartman, 583 Treasure Lake, DuBois 15801, Clearfield County, Twenty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Warren 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 BEDFORD COUNTY
BOARD OF ASSISTANCE**

October 29, 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, Mary L. Stiffler-Bowser, (Democrat), 148 Arandale Street, Bedford 15522, Bedford County, Thirtieth Senatorial District, for appointment as a member of the Bedford County Board of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE CUMBERLAND COUNTY
BOARD OF ASSISTANCE**

October 29, 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, Harold E. Frantz, (Republican), 100 Mount Allen Messiah, Mechanicsburg 17055, Cumberland County, Thirty-third Senatorial District, for appointment as a member of the Cumberland County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE CUMBERLAND COUNTY
BOARD OF ASSISTANCE**

October 29, 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, Jeff Logan, (Republican), 514 Woodcrest Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Cumberland County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

**MEMBER OF THE FOREST COUNTY
BOARD OF ASSISTANCE**

October 30, 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 Anette V. Gerber, (Democrat), P.O. Box 79, Tionesta 16353, Forest County, Twenty-fifth Senatorial District, for appointment as a member of the Forest County Board

of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

October 31, 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, William L. Moore, (Democrat), 11 South Fourth Street, Bradford 16701, McKean County, Twenty-fifth Senatorial District, for reappointment as a member of the McKean County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE MONTOUR COUNTY
BOARD OF ASSISTANCE

October 31, 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, Brian E. Cope, (Independent), 1601 Sunbury Road, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Montour County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

October 29, 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 J. Bozynski, (Republican), P.O. Box 125, Raven Run, Lost Creek 17946, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

October 29, 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 J. Corrigan, (Republican), 566 Fernwood Avenue, St. Clair 17970, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

October 29, 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, Christy L. Hylan, (Democrat), 217 West Mahanoy Street, Mahanoy City 17948, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

October 29, 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, Michael T. Tobin, III, (Democrat), 300-302 Broad Street, St. Clair 17970, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE SNYDER COUNTY
BOARD OF ASSISTANCE

October 30, 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, Nancy L. Aurand, (Republican), 15 Jonna Dive *[sic]*, Beavertown 17813, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Snyder County Board of Assistance, to serve until December 31, 2004, and until her successor is appointed and qualified.

Mark S. Schweiker
Governor

MEMBER OF THE TIOGA COUNTY
BOARD OF ASSISTANCE

October 29, 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 R. McCarthy, (Republican), 3811 West Roosevelt Highway, Mansfield 16933, Tioga County, Twenty-third Senatorial District, for appointment as a member of the Tioga County Board of Assistance, to serve until December 31, 2004, and until his successor is appointed and qualified.

Mark S. Schweiker
Governor

DISTRICT JUSTICE

November 14, 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, Geoffrey G. Wright, Esquire, 138 Vernon Drive, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, as District Justice in and for the County of Allegheny, Magisterial District 05-2-19, to serve until the first Monday of January 2004, vice William J. Ivill, resigned.

Mark S. Schweiker
Governor

DISTRICT JUSTICE

November 12, 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, Mitchell J. Laabs, R.R. 2, Box 28, Hawley 18428, Wayne County, Twentieth Senatorial District, as District Justice in and for the County of Wayne, Magisterial District 22-3-01, to serve until the first Monday of January 2004, vice Dorothy C. Laabs, resigned.

Mark S. Schweiker
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Madam President, I request that the nominations just read by the Clerk be laid on the table.

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 5**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 2644 (Pr. No. 4690) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the board of control for distressed school districts; authorizing boards of school directors to establish a program to provide high school diplomas to certain veterans; recognizing American Sign Language courses as satisfying foreign language requirements imposed for high school graduation; further providing for Pennsylvania Athletic Oversight Council, for the transportation of students attending charter schools and for the board of control for certain empowerment school districts; amending and adding provisions relating to the Thaddeus Stevens College of Technology; further providing for placement of certain adjudicated students and for school performance incentives; making a repeal; and making editorial changes.

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

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

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

**BILLS REREPORTED FROM COMMITTEE
AS AMENDED ON SECOND CONSIDERATION**

HB 850 (Pr. No. 4678) -- 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 purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages.

Considered the second time and agreed to,

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

HB 851 (Pr. No. 4679) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for appointment of notaries, for eligibility, for applications to become a notary public, for application for reappointment, for resignation and for change of residence, for oath of office, bond and recording, for registration of notary's signature and fees, for notarial seal, for electronic notarization, for register and copier of records, for power to administer oaths, affirmations, certain writings relating to commerce, depositions, affidavits and certain writings relating to land, for fees of notaries public, for rejection of application and for surrender of seal; providing for revocation of commission for certain personal checks and for regulations; making repeals; and making editorial changes.

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

HB 2729 (Pr. No. 4683) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of the Pennsylvania Travel and Tourism Partnership and imposing powers and duties on the Department of Community and Economic Development related to tourism promotion.

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

BILLS ON SECOND CONSIDERATION

HB 2307 (Pr. No. 3770) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 30, 1987 (P.L.375, No.75), entitled "An act providing for the designation of certain trees and land on the grounds of the State Capitol in Harrisburg as 'Soldiers' Grove' in honor of war veterans; imposing duties upon the Department of General Services; and making an appropriation," further providing for the duties of the Department of General Services.

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

HB 2424 (Pr. No. 3440) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1995 (P.L.255, No.34), known as the Dual Party Relay Service and Telecommunication Device Distribution Program Act, further defining "persons with a disability" or "people with disabilities."

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 6**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 806 (Pr. No. 2425) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for consent of the senate required for certain gubernatorial appointments and for required information; making editorial changes; and making repeals.

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-48

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

NAY-1

Costa

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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Stout has returned, and his temporary Capitol leave is cancelled.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 8**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 204 (Pr. No. 4696) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for employment criminal background checks; providing for a State Report Card and for the collection of data; and further providing for health recommendations.

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

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

RECONSIDERATION OF VOTE ON SB 806

BILL ON FINAL PASSAGE

SB 806 (Pr. No. 2425) -- The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Logan.

Senator LOGAN. Madam President, I move to reconsider the vote by which Senate Bill No. 806 passed finally.

The motion was agreed to by voice vote.

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-47

| | | | |
|------------|-----------|---------|-------------|
| Armstrong | Holl | Musto | Tartaglione |
| Bodack | Hughes | O'Pake | Thompson |
| Boscola | Jubelirer | Orie | Tomlinson |
| Brightbill | Kasunic | Piccola | Wagner |

| | | | |
|-----------|----------|----------|----------------------|
| Conti | Kitchen | Pileggi | Waugh |
| Corman | Kukovich | Punt | Wenger |
| Dent | LaValle | Rhoades | White, Donald |
| Earll | Lemmond | Robbins | White, Mary Jo |
| Erickson | Madigan | Scarnati | Williams, Anthony H. |
| Fumo | Mellow | Schwartz | Williams, Constance |
| Gerlach | Mowery | Stack | Wozniak |
| Greenleaf | Murphy | Stout | |

NAY-2

| | |
|-------|-------|
| Costa | Logan |
|-------|-------|

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.

The PRESIDING OFFICER (Senator Noah A. Wenger) in the Chair.

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 7

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

HB 2302 (Pr. No. 4697) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, codifying the act of May 20, 1993 (P.L.38, No.11), known as the Department of Environmental Resources Agricultural Advisory Board Act, further providing for establishment of the Agricultural Advisory Board; providing for water resources planning, administration and enforcement; making editorial changes; and making a repeal.

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

MOTION TO REVERT TO PRIOR
PRINTER'S NUMBER

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, I move to revert to Prior Printer's No. 4585 on House Bill No. 2302.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Schwartz.

Senator SCHWARTZ. Mr. President, just briefly, I move to revert to Prior Printer's No. 4585, which is actually the original language of this legislation and is not all the language that has been amended and worked on in the last few hours on our Water Resources Planning Act but rather the original language of House Bill No. 2302, which really speaks to the Agricultural Advisory Board.

So basically what my motion does is takes out all of the language about the Water Resources Planning Act. And the reason I am doing this is in some ways with some reluctance, because I understand that a great deal of work has gone into—I was going to say this amendment—this legislation, and in fact it has been amended several times in just the last couple of hours. But to me, Mr. President, what that says is that we are not ready to actually do what I understand has been talked about for 20 years in Pennsylvania, which is to get a better handle on the management of our water resources.

Mr. President, let me just say that I know there were a couple of other Members who were hoping to offer amendments this evening and they are not ready yet from the Legislative Reference Bureau, and that can happen as we get late in the Session like this. But again, that speaks to the fact that there are still fairly significant concerns about this legislation.

And while I know it will be said that we cannot let a bill that a lot of work has gone into be stopped because it may not be perfect, but the idea, Mr. President, is not to be perfect. I have been around long enough to know that it is rare that we actually get a piece of legislation that most of us would consider absolutely perfect, but in fact, Mr. President, almost every major environmental group in the State is opposed to this legislation. And it may not be that they are opposed to every paragraph and every piece of it, but they feel pretty strongly that this does not move us forward in the way we hoped to in being able to get the information about our water resources and to being able to manage water resources in the State. It does take some important steps forward, but in fact leaves out too much.

So when I see groups like Clean Water Action, the Sierra Club, the Chesapeake Bay Foundation, 10,000 Friends, the Citizens Advisory Council to the Department of Environmental Resources, the Pennsylvania Federation of Sportsmen's Clubs, and PennFuture all come together as just a few of the organizations that have said we did not get it right, I say to you, we should not pass this legislation tonight. We can come back in January, do a better job and be able to move forward in a way that really protects the environment that we all have come to appreciate and understand. And certainly, I think we understand how important it has been for us in State government to be able to be sure that we respect and build on the treasures of the resources we have in the State, not to take them for granted. But the beautiful Commonwealth of Pennsylvania will not continue to be as beautiful if we do not manage our water resources right. Having a variety of players be able to participate in a way that guarantees an adequate water supply, a clean water supply, a healthy water supply for ourselves and for our children is no small matter, and it does not have to be done this evening. It could be done, Mr. President, correctly and well so that we could really be proud of it. I do not think we are there yet, and I offer this motion to revert to the prior printer's number so we can get it right not just for today but for the many tomorrows that our families and our Commonwealth are relying on us to get right.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Venango, Senator M.J. White.

Senator M.J. WHITE. Mr. President, I rise to oppose the motion to revert to the prior printer's number. It is essentially a death

sentence for the water planning bill if we were to do this at this point. I am here to tell you that indeed the lady has it correct, this has been the product of 2 years of very hard work and hard negotiation. It is the product of much negotiation, collaboration, and compromise. There are some groups, Mr. President, that simply do not understand that compromise is not falling on your sword on every single issue. Not everyone loves this bill, and not everyone got everything he or she wanted, but it does what a good compromise must do, it moves this enterprise forward. We have not had a water planning bill for the past 20 years. Our water planning bill has not been revised. We do not have a good water inventory. We do not even have a starting point for moving the water resource issue forward. This is the starting point. It has taken us 2 years to get here.

At a press conference that Senator Musto and I had when we introduced the bill a week or so ago, Senator Jeanette Reibman, a former Member of this body, was there begging us to take this step forward, to move this enterprise. I am here to tell you that we have a critical mass at this point, and if it does not move forward now, I predict it will be another 20 years before we begin the first step for water planning, so I respectfully ask for a negative vote.

LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Jubelirer has returned to the floor, and his legislative leave will be cancelled.

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

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

YEA-9

| | | | |
|-----------|----------|---------|---------------------|
| Costa | Kitchen | LaValle | Schwartz |
| Greenleaf | Kukovich | Logan | Williams, Constance |
| Hughes | | | |

NAY-40

| | | | |
|------------|-----------|----------|----------------------|
| Armstrong | Gerlach | O'Pake | Tartaglione |
| Bodack | Holl | Orie | Thompson |
| Boscola | Jubelirer | Piccola | Tomlinson |
| Brightbill | Kasunic | Pileggi | Wagner |
| Conti | Lemmond | Punt | Waugh |
| Corman | Madigan | Rhoades | Wenger |
| Dent | Mellow | Robbins | White, Donald |
| Earll | Mowery | Scarnati | White, Mary Jo |
| Erickson | Murphy | Stack | Williams, Anthony H. |
| Fumo | Musto | Stout | Wozniak |

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

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

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

Senator GERLACH. Mr. President, I rise to inquire as to whether the gentlewoman who is the maker of the amendment which has been amended into House Bill No. 2302 would stand for interrogation.

Senator M.J. WHITE. Yes, Mr. President.

The PRESIDING OFFICER. The gentlewoman indicates she will.

Senator GERLACH. Mr. President, on page 51, beginning on line 21 of that page, is language that says, "Accordingly, no political subdivision shall have any power to allocate water resources or to regulate the location, amount, timing, terms or conditions of any water withdrawal by any person."

Currently, under regulations by the Delaware River Basin Commission that are in effect for municipalities in eastern Pennsylvania which have areas called special protected areas, a municipality now has the ability to make application to the Delaware River Basin Commission and seek water withdrawal limit authority under those regulations.

The question I would like to pose to the gentlewoman is whether this language on page 51, beginning on line 21 going through line 24, is inconsistent or would in any way limit, through the legislative intent of the maker of this language, the ability of municipalities in those areas to continue to access the authority allowed by current regulation by the Delaware River Basin Commission.

Senator M.J. WHITE. Mr. President, I thank the gentleman for his very thorough reading of this bill and the suggestions he has made to improve it. I want to assure the gentleman that in drafting this bill, we were very cognizant of the role that the compact basin commissions perform in Pennsylvania in those areas that are covered by those areas, and there is absolutely no intention in this bill to supersede any of the authority of that commission, either legislative or regulatory, and those municipalities that currently are exercising water prerogatives under the authority of that commission are encouraged and enabled to continue to exercise that authority.

Senator GERLACH. Mr. President, and likewise on page 52 of the bill, beginning on line 10, going through line 16, which says, "Nothing in this chapter shall be construed to supersede or abrogate any provisions of the act..." which creates the Delaware River Basin Commission or the Susquehanna River Basin Commission, is likewise the legislative intent that the regulations that have been promulgated under those acts likewise should not be superseded or abrogated by the language of this legislation?

Senator M.J. WHITE. Mr. President, I assure the gentleman that it was the intent of the drafters to include not only the laws but the regulations promulgated thereunder.

Senator GERLACH. I thank the gentlewoman, Mr. President. That is all the questions I have.

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

Senator C. WILLIAMS. Mr. President, I would like to ask the gentlewoman who sponsored this amendment to stand for interrogation.

The PRESIDING OFFICER. Will the gentlewoman from Venango, Senator M.J. White, stand for interrogation?

Senator M.J. WHITE. Yes, Mr. President.

The PRESIDING OFFICER. The gentlewoman indicates that she will. The gentlewoman may proceed.

Senator C. WILLIAMS. Mr. President, it is late in the day and it is late in the year, and we are really wading, I am concerned, into muddy waters. This has been a great concern of many people who treasure our waters and our water supply about the provision that is mentioned on page 42, line 9, section (2), on the waiver restriction. I would like the gentlewoman to explain what she sees as the impact of that paragraph.

Senator M.J. WHITE. Mr. President, I mentioned before that this bill was the product of much compromise. In the original decisions as to who should have to report their water usage, there were many versions of what the gallonage should be and where this should kick in. The decision was made to take the lowest threshold, the 10,000 gallon per day threshold, with the understanding that if it later became obvious that this was too low a threshold, that there were certain relatively low volume users who over time felt that their reporting was not contributing greatly to the type of knowledge that we needed, that there would be a process for relieving them of the burdens of the reporting requirement. I should point out what it actually states is that, "The regulations shall...provide for the adjustment...or variations in registration, recordkeeping or periodic reporting requirements for identified classification of user or volume of withdrawal if," and this is the "if," "such requirements are not necessary to obtain information required to adequately assess water uses, monitor demands and otherwise prepare accurate and complete regional and state water plans...."

It also requires that in order to exempt any category of users from the 10,000 gallon threshold, the department would be required to do this through the regulatory process. So, in other words, it would go through the full public comment period and probably take at least a year. I do not know of too many regulatory packages that have moved any faster than that. It would require the approval of IRRC, and it would have with it all of the regulatory safeguards we have in place before such an exemption could be granted.

Senator C. WILLIAMS. Mr. President, could the gentlewoman give me an example of who would use 10,000 gallons of water a day, what that would be like? What category of user would use 10,000 gallons? Do we know?

Senator M.J. WHITE. Mr. President, it would be a relatively low-volume user. I am sorry that I cannot think of specific examples of who would use 10,000 gallons a day, but that is the base threshold. I believe it is also the base that the river basin commissions use.

Senator C. WILLIAMS. Mr. President, and the decision of what would be necessary?

Senator M.J. WHITE. Mr. President, I am sorry. I was told that a large dairy farm with about 125 head of cattle could conceivably use 10,000 gallons of water per day.

Senator C. WILLIAMS. Mr. President, and when the gentlewoman said the people who would decide if it was necessary, would that be the regulatory commissions who would decide if it was necessary, or DEP?

Senator M.J. WHITE. Mr. President, I believe that authority was given to DEP under the bill.

Senator C. WILLIAMS. Mr. President, I thank the gentleman.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was 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 Luzerne, Senator Musto.

Senator MUSTO. Mr. President, I would like to say that I appreciate working with Senator Mary Jo White, Richard Fox, and Pat Henderson on this very important piece of legislation, and as many of you know, I have worked on this issue for many years. I can remember co-chairing hearings with Senator Brightbill on the Senate Committee on Environmental Resources and Energy when that committee discussed water resource management legislation in the early 1990s. And when I served as chairman of the Joint Legislative Conservation Committee, I chaired hearings and conferences on the water resources issue, and I am pleased to see the Senate finally voting on water resources management legislation.

This is not a new idea, Mr. President, and I do not believe we are rushing anything through the Senate. This bill we are working on tonight is the product of many years of work. A lot of effort went into this bill, and I know there were many compromises. As is usual with complex pieces of legislation, it is not perfect, nor does it have what everyone wants. But it is a start for Pennsylvania to properly manage a resource that is so important to us. It is important to remember that this is a water planning bill, not a regulatory bill. The bill does not require any permits or approvals for water withdrawal. It does not regulate private water wells, and it does not affect DEP's ability to enforce water quality laws. As the recent droughts have shown us, Pennsylvania needs good information on its water resources and water conservation efforts, and I believe this bill starts that process. The State and regional plans that will be developed with the help of DEP, industry, agriculture, and, yes, the environmental and conservation community, will be a sound basis for a new State water plan. We have gone over 30 years without good information on our water resources, and that is far too long. I urge all Members of the Senate to support this bill.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator White.

Senator M.J. WHITE. Mr. President, I would like to thank Senator Musto and his staff, particularly Richard Fox, and Patrick Henderson of my staff, who did the heavy lifting on this bill over the summer. There were so many groups involved in this collaborative process that I will not bother naming them because I would probably leave someone out. But they were diverse, and they were aggressive in bringing their concerns to the table.

Today I received a letter from the Ohio River Basin Commission, and I want to read a portion of that into the record. What I

had not realized is that nearly a third of our State is in the Ohio River Basin, which is principally the western part of our State. I received this letter from the Ohio River Basin Commission which states in part: *(Reading)*

This historic and comprehensive legislation will put the Commonwealth at the forefront of state water resources planning.

The legislation is unique in that it involves all segments of the water resources community. It is a collaborative process that allows local and regional interests to incorporate their concerns into an overall statewide plan that will provide an accurate assessment of the Commonwealth's water resources.

The plan is not static, but one that looks to the future and recognizes the need to provide updates every five years. It also recognizes that water needs to be managed on a watershed basis without regard to political boundaries. This is bold, forward thinking legislation that will further establish Pennsylvania as a leader in water resources management.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-43

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

NAY-6

| | | | |
|-----------|----------|----------|---------------------|
| Costa | Hughes | Schwartz | Williams, Constance |
| Greenleaf | Kukovich | | |

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.

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

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 4

BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

HB 1331 and HB 2190 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Aaron Thomas Cruikshank by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. William Slonaker by Senator Dent.

Congratulations of the Senate were extended to Stephen J. Long and to Craig K. Goodwin by Senator Gerlach.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel Noey and to the Southern Alleghenies Museum of Art of Ligonier by Senator Jubelirer.

Congratulations of the Senate were extended to the Honorable John G. Brosky and to the Honorable John P. Hester by Senators Jubelirer and Murphy.

Congratulations of the Senate were extended to the Honorable William Franklin Cercone by Senators Jubelirer and Orié.

Congratulations of the Senate were extended to Bradley L. Mallory by Senators Madigan, Stout, and Mowery.

Congratulations of the Senate were extended to Justin Scott Staniszewski, Joshua A. Tucky, Norman William Beers, Jr., Donald Jeffrey Thompson, Brandon L. Trygar, David Rupert Shoener, Steven P. Warner and to Ben D. Estes by Senator Mellow.

Congratulations of the Senate were extended to Judy Ingram, Carol Forrester Staz, Amanda Aby and to Hampden Township by Senator Mowery.

Congratulations of the Senate were extended to Timothy M. Wagner by Senator Murphy.

Congratulations of the Senate were extended to Robert S. Semanchik and to Joseph Calig by Senator Orié.

Congratulations of the Senate were extended to Albert A. Kostival by Senator Piccola.

Congratulations of the Senate were extended to Marie Ischinger and to Michael A. Dwyer, Jr., by Senator Stack.

Congratulations of the Senate were extended to Marta Track Constructors, Inc., of Washington, by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Merl Collins, Russell W. States and to Earl Libengood by Senator D. White.

Congratulations of the Senate were extended to the Reverend Dr. Christian Oravec by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

Senator ORIE. Mr. 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:

HB 1255, HB 1974, HB 2163, HB 2256, HB 2407, HB 2411, HB 2456, HB 2614, HB 2772, HB 2898, HB 2910, HB 2923, HB 2924, HB 2963 and HB 2971.

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

BILLS REREFERRED

Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the following bills just considered were rereferred to the Committee on Appropriations:

HB 2163, HB 2411, HB 2456, HB 2772 and HB 2971.

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 460, 813, 1242, 1416, 1448 and 1465**, 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 BY AMENDING SAID AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate, by amending said amendments, to **HB 235**, 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.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, NOVEMBER 26, 2002

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| 11:30 A.M. | JUDICIARY (public hearing and committee meeting to consider the nominations of: Lori A. Dumas, Esq., Judge, Court of Common Pleas, Philadelphia County; Jeffrey P. Minehart, Esq., Judge, Court of Common Pleas, Philadelphia County; Bradley K. Moss, Esq., Judge, Court of Common Pleas, Philadelphia County; Jill E. Rangos, Esq., Judge, Court of Common Pleas, Allegheny County; Christine A. Ward, Esq., Judge, Court of Common Pleas, Allegheny County; and David N. Wecht, Esq., Judge, Court of Common Pleas, Allegheny County) | Room 8E-B East Wing |
| 11:30 A.M. | LAW AND JUSTICE (public hearing and committee meeting to consider the nomination of David Sanko to the Liquor Control Board) | Rules Cmte. Conf. Rm. |

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| 12:00 Noon | APPROPRIATIONS (to consider House Bills No. 401, 591, 731, 878, 1043, 1700, 1900, 1945, 1947, 2163, 2350, 2378, 2402, 2411, 2456, 2674, 2772, 2778, 2842, 2863, 2892 and 2971) | Rules Cmte. Conf. Rm. |
| 12:50 P.M. | RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 460, 813, 818, 824, 1100, 1179, 1242, 1416, 1453 and 1448; House Bills No. 235, 1944 and 2223; and certain executive nominations) | Rules Cmte. Conf. Rm. |

ADJOURNMENT

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

Senator BRIGHTBILL. Mr. President, I move that the Senate do now adjourn until Tuesday, November 26, 2002, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 10:05 p.m., Eastern Standard Time.