

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MARCH 3, 2003

SESSION OF 2003 187TH OF THE GENERAL ASSEMBLY

No. 15

**SENATE**

MONDAY, March 3, 2003

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

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the Chair.

**PRAYER**

The Chaplain, Reverend Monsignor FRANCIS KUMONTIS, of the Diocese of Harrisburg, offered the following prayer:

We bow our heads in prayer.

Today we gather as a thankful people for all the Lord has given to us - this great nation, our people, and our life here in the Commonwealth of Pennsylvania. We thank You, Lord, for our bountiful harvest, our glorious hills and mountains, our lakes, rivers, forests. We thank You for all the blessings of this life. May we sing forever to the Lord for his goodness. May the heavens declare the glory of God. All times obey his laws, for he is mighty and strong and loving, ever to be proclaimed as Lord.

We turn to You, O God, today as the source and center of our life. We look to You for guidance and ask You to look mercifully upon us. Let Your light shine upon us and give us hope.

Lord, grant us the gifts of Your Spirit. Grant us understanding, that we may better serve the needs of others in the Commonwealth. Grant us counsel, that we may be directed by Your will. Grant us fortitude, that we may be courageous in doing what is right. Grant us knowledge, that we may be more effective stewards of Your goodness. Grant us piety, that we may place You always at the center of our lives. Grant us a fear of the Lord, that we may always be cognizant of Your awesome dominion.

Bless now this Session of the Senate, on this the third day of March, in this the 2003rd year of the Lord. Grant these blessings under the guidance of our loving Lord and Father of all, God the Almighty, who lives and reigns forever and ever. Amen.

The PRESIDENT. The Chair thanks Monsignor Kumontis, who is the guest today of Senator Piccola.

**JOURNAL APPROVED**

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of February 26, 2003.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator BRIGHTBILL, and agreed

to by voice vote, further reading was dispensed with and the Journal was approved.

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

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

February 26, 2003

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, Pedro Ramos, 968 N. Randolph Street, Philadelphia, PA 19123, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Economic Development Financing Authority, to serve until March 19, 2006, and until his successor is appointed and qualified, vice Robert G. Smith, Jr., Allentown, deceased.

EDWARD G. RENDELL  
Governor

**REGISTER OF WILLS, ALLEGHENY COUNTY**

February 27, 2003

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, Bonnie Brimmeier, 5001 Essex Court, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as Register of Wills, in and for the County of Allegheny, to serve until the first Monday of January 2004, vice David Wecht, resigned.

EDWARD G. RENDELL  
Governor

**CORRECTION TO NOMINATION  
REFERRED TO COMMITTEE**

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

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

February 28, 2003

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

Please note the nomination dated February 11, 2003, for the appointment of Larry Frolick, 4345 Schenley Farms Terrace, Pittsburgh 15213, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until August 8, 2005, and until his successor is appointed and qualified, vice Sarah F. Philyaw, Philadelphia, whose term expired, should be corrected to read:

Larry Frolick, 4345 Schenley Farms Terrace, Pittsburgh 15213, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until August 8, 2005, and until his successor is appointed and qualified, vice Sarah F. Philyaw, Philadelphia, whose term expired.

**GENERAL COMMUNICATION**

**REPORT ON FLOOD INSURANCE  
CONSUMER EDUCATION PLAN**

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

COMMONWEALTH OF PENNSYLVANIA  
Insurance Department  
1326 Strawberry Square  
Harrisburg, PA 17120

February 25, 2003

Mark Corrigan, Secretary  
Senate of Pennsylvania  
462 Main Capitol  
Harrisburg, PA 17120

Dear Mr. Corrigan:

The enclosed report on the Insurance Department's Flood Insurance Consumer Education Plan is being submitted to the General Assembly pursuant to Act 10 of Special Session Number 2 of 1996.

The Act requires that the Commissioner, no later than March 1 of each year, detail the progress being made by the Department to encourage Pennsylvania residents to purchase and maintain flood insurance. The Commissioner is also required to present recommendations for further promotion of flood insurance, which are contained in the report.

The Department is committed to continue its efforts to increase the purchase of flood insurance policies and to continue to pursue consumer education efforts in compliance with Act 10. If you have any questions about the report of the Department's Flood Insurance Consumer Education Plan, please feel free to contact Ronald Gallagher, Deputy Insurance Commissioner, Office of Consumer and Producer Services at 717-787-6174.

Thank you for your courtesy in distributing this report on our behalf.

Sincerely,

M. DIANE KOKEN  
Insurance Commissioner

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

**APPOINTMENT BY THE  
PRESIDENT PRO TEMPORE**

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

Senator Tomlinson as a member of the Advisory Council for the Delaware Valley Veterans' Home.

**LEGISLATIVE LEAVES**

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

Senator BRIGHTBILL. Madam President, I ask for a legislative leave for Senator Greenleaf.

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

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

Senator O'PAKE. Madam President, I request a legislative leave for Senator Anthony Williams.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Anthony Williams. 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.

**SENATE CONCURRENT RESOLUTIONS**

**WEEKLY ADJOURNMENT**

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

In the Senate, March 3, 2003

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, March 10, 2003, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, March 10, 2003, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

YEA-48

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

Ferlo	Mellow	Schwartz	Williams, Constance
Fumo	Mowery	Stack	Wonderling
Greenleaf	Musto	Stout	Wozniak

**NAY-0**

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

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

**JOINT SESSION**

Senator BRIGHTBILL offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, March 3, 2003

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session, Tuesday, March 4, 2003, at 11:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Edward G. Rendell; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee, on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

**RECESS**

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

Senator BRIGHTBILL. Madam President, at this time I ask for a recess of the Senate for the purpose of a Republican caucus, which will begin immediately in the caucus room downstairs.

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

Senator O'PAKE. Madam President, likewise, I ask the Democrats to report immediately to the caucus room in the rear of the Chamber.

The PRESIDENT. Senator Brightbill has requested a recess for a Republican caucus and Senator O'Pake for a Democratic caucus to take place immediately. Without objection, the Senate will stand in recess.

**AFTER RECESS**

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

**RESOLUTIONS INTRODUCED AND REFERRED**

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

March 3, 2003

Senators THOMPSON and BRIGHTBILL presented to the Chair SR 35, entitled:

A Resolution adopting a temporary rule of the senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2003, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 3, 2003.

Senators ROBBINS, D. WHITE, KASUNIC, DENT, LEMMOND, PUNT, TOMLINSON, STACK, WAGNER, KITCHEN, JUBELIRER, BRIGHTBILL, PICCOLA, THOMPSON, MELLOW, O'PAKE, MUSTO, WENGER, M. WHITE, CONTI, STOUT, ARMSTRONG, PILEGGI, SCARNATI, LAVALLE, TARTAGLIONE, RHOADES, WAUGH, RAFFERTY, KUKOVICH, WOZNIAK, EARLL, GREENLEAF, ERICKSON, SCHWARTZ, LOGAN, MADIGAN, MOWERY, BOSCOLA, CORMAN, ORIE, WONDERLING, HELFRICK and COSTA presented to the Chair SR 36, entitled:

A Resolution declaring July 27, 2003, as "Korean War Veterans Armistice Day" in Pennsylvania and urging all government agencies and citizens to fly the American flag at half-staff on July 27, 2003, in honor of those Americans who fought and died in service to the United States in the Korean War.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 3, 2003.

Senators WONDERLING, MOWERY, M. WHITE, KUKOVICH, WAGNER, EARLL, LOGAN, CONTI, STOUT, BRIGHTBILL, ROBBINS, LEMMOND, THOMPSON, TARTAGLIONE, LAVALLE, COSTA, WOZNIAK, HUGHES, DENT, KASUNIC, ERICKSON, STACK, ORIE, C. WILLIAMS, WAUGH, D. WHITE, GREENLEAF, RAFFERTY, KITCHEN, MUSTO, O'PAKE, RHOADES, SCHWARTZ and TOMLINSON presented to the Chair SR 37, entitled:

A Resolution designating March 6, 2003, as "Lymphedema D-Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 3, 2003.

**CALENDAR****SENATE RESOLUTION No. 33  
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 2 of the Calendar, as a Special Order of Business, Senate Resolution No. 33, entitled:

A Resolution designating the week of March 2 through 8, 2003, as "Pennsylvania One Call System Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

**YEA-48**

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

**NAY-0**

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

**RECESS**

The PRESIDENT. 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 Committee on Rules and Executive Nominations, which will begin immediately. For the information of the Members, we will be back on the floor right after the meeting of the Committee on Rules and Executive Nominations to finish up today's business. There will be votes.

The PRESIDENT. Senator Brightbill requests a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, and states that we will be back on the floor within a few minutes. Without objection, the Senate will stand in recess.

**AFTER RECESS**

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

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 72 (Pr. No. 68)** -- 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 aggravated assault.

On the question,

Will the Senate agree to the bill on third consideration?

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Madam President, I rise to urge my colleagues to support Senate Bill No. 72, which would provide greater protection to Pennsylvania public utility employees. The bill would add utility workers to the list of those 35 categories of public officials and employees protected under the aggravated assault law. This list currently includes police officers, firefighters, liquor control agents, Corrections officers, judges, County Children and Youth employees, school employees, teachers, and other law enforcement and emergency response employees. The bill is needed because public utility workers are sometimes threatened on the job. This usually occurs when the utility employee is disconnecting a service due to nonpayment or when workers are responding to emergency situations late at night in unsafe neighborhoods and locations. In November 2001 House committee hearings on similar legislation introduced, last Session, utility representatives submitted case files documenting incidents where employees were shot or threatened by property owners who deliberately unleashed dogs. In one case, an employee was bitten by a consumer who tested positive for hepatitis C. Senate Bill No. 72 would make it a felony to harass or assault a utility worker. In the case of serious bodily injury, such assault would be considered a first-degree felony. Assaults involving less serious injuries or simple threats of physical injury would be considered a second-degree felony.

Madam President, I think this is important legislation to help protect public utility employees who are asked to go into neighborhoods and are placed in dangerous situations. I ask my colleagues' positive support on this.

Thank you.

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

Senator M.J. WHITE. Madam President, I rise to ask for a "no" vote on this legislation. I recognize that my colleague is attempting to meet what he perceives as a threat to dedicated workers, but this law began its life to deal with a specific situation. The situation was one where firefighters and police went into communities to deal with an emergency and had rocks and bottles thrown at them, were threatened, and were afraid to perform their duties. Obviously, everyone in that community was endangered by that if fire protection and police protection was not coming into their community. It was then expanded to include the local court system, where a judge or a district attorney was threatened and the court system was threatened, thereby hurting everyone who needed access to that court. It has now evolved so that we have 36 categories of special victims, everyone from meter maids, and I cannot remember who all is in it, but to us, to legislators, we are in there.

Now let us make it clear what we are talking about. If you shoot or assault or injure someone, chances are that is already an aggravated assault. An assault is an unprivileged touching. It can be a push, a threat, or putting someone in fear of an assault. We are taking what would be a simple assault and making it a felony for certain classes of victims, and we now have 35-36 classes of victims, and the latest one to be added is the public utility worker.

Well, a lot of people work in dangerous situations. What about the pizza delivery person who goes into dangerous neighborhoods? That will probably be the next one. What about

the taxi driver? What about people who go to work through dangerous neighborhoods where they have no choice but to go there to get to their place of employment? I had originally prepared an amendment that would delete all of these special categories and take it back down to police, firemen, and the courts, as it was originally intended, but I have decided not to try to do that today because there was not sufficient time to work through exactly what categories we need. But let us face it, special classes of victims are bad public policy. An assault is an assault. An aggravated assault is an aggravated assault. Anyone who shoots or threatens with a gun a person who is out there performing any service, whether it is a public utility service or otherwise, is already guilty of aggravated assault. What we are doing is taking simple assaults and elevating them to the aggravated assault level for classes of victims. I think that is bad public policy, Madam President, and I ask for a "no" vote.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Madam President, would the maker of the bill please stand for brief interrogation.

The PRESIDENT. He indicates he will.

Senator WOZNIAK. Madam President, just for clarification, we have authorities out there that work for public utilities and individuals and we have private firms that manage utilities. Would the people who work for a private firm, let us use a water company, for example, a management company that works for the water authority, these people are hired by the management firm to turn water off, to turn water on, and to do things that you brought up earlier, would they be considered as people who would fit under your legislation also?

Senator TOMLINSON. Madam President, it is my belief that they would. It is my intention that they would. I think anybody who works for a private contractor or an authority that might not be considered a public utility, anybody in the job description of doing that work would be considered a public utility employee, even if by a municipality or by a private contractor.

Senator WOZNIAK. Madam President, thank you. I think the language was vague, and I wanted to get it on the record that those types of people would be covered.

On the bill itself or the language itself. I am probably not going to not support this, but I just want to make a point. I do not think the people who are out there who are going to harass somebody from the gas company who comes and turns their gas off or somebody from the electric company who comes and turns their electric off or wants to read their meter, knowing full well they have been cheating the system, these people are not going to care what level of punishment they will receive. Be that as it may, we are trying to expand the number of individuals who are going to get higher rates of punishment. But the truth of the matter is, in the real, wide world out there, these people do not care. If they are going to sit there and chase somebody with a bat, if they are going to manhandle somebody, they are going to do it anyhow, and I do not think they care what the level of the law is going to be, and I just want to make that point. Sometimes in trying to do something that is right, we are trying to reach a type of personality who does not give a rat's butt about what their actions are.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Madam President, in respect to the point of view of my colleague, many of these public utility workers are asked to go into neighborhoods and it is not voluntary. It is not like they have any choice. We had a case where a cable company employee was in his truck, got caught in the middle of an armed robbery, and ended up being shot in the face right through the windshield of the vehicle. I think the criminal will learn, once we move this crime to a felony of the first or second degree, I think that this message not only will get out, but these people will get their just dues, according to the degree of crime that we put out there. So I strongly urge your support on this, because I think we should increase the penalties for these crimes against the people who are out there doing public utility work.

Thank you.

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

Senator BOSCOLA. Madam President, I do not condone anyone assaulting another person for whatever reason. We have laws in the Crimes Code that deal with cases of assault. Instead of adding more people to some special list of protected classes, why do we not just enforce the laws that are already on the books, laws that we have now to protect people from assault, and punish the people who break the law and assault people for whatever reason? Are these people who we are protecting here, these special classes, these 37 special classes, are they supposed to feel somewhat safer now? Do you think they will be carrying around a sign that says, do not assault me, I am special? Let us stop dealing with illusions here. If we want to put an end to people punching out some guy from the gas company who comes to read the meter, then we should start putting some of these people in jail. Enforce the laws that are on the books. By creating a special class of people who absolutely, positively should not be assaulted, we are saying that it is okay if someone slugs somebody else, a regular, average, law-abiding citizen, because they are not special or they do not have a job that protects them specially.

You know, whether someone assaults me as a Senator on the street or assaults my mother on the street or assaults a meter reader in front of their house, I think someone should go to jail. Why should the law treat me better than it treats my mother or my brother or someone who is reading the gas meter? Now they are going to be protected, but not my mother or my brother? Let us just enforce the laws we have on the books. That is the point. Adding these special considerations to certain special classes of individuals dilutes the intent of the law, and that is to protect all Pennsylvanians from being assaulted.

Thank you, Madam President.

And the question recurring,

Will the Senate agree to the bill on third consideration?

It was 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-34

Brightbill	Kitchen	O'Pake	Stout
Conti	Kukovich	Orie	Tartaglione
Costa	LaValle	Pileggi	Tomlinson
Dent	Lemmond	Punt	Wagner
Erickson	Logan	Rafferty	Williams, Anthony H.
Greenleaf	Madigan	Rhoades	Williams, Constance
Hughes	Mellow	Scarnati	Wozniak
Jubelirer	Mowery	Schwartz	
Kasunic	Musto	Stack	

## NAY-14

Armstrong	Ferlo	Thompson	White, Mary Jo
Boscola	Fumo	Waugh	Wonderling
Corman	Piccola	Wenger	
Earll	Robbins	White, Donald	

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

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

## BILLS OVER IN ORDER

**SB 92 and SB 152** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

## SECOND CONSIDERATION CALENDAR

## BILLS ON SECOND CONSIDERATION

**SB 97 (Pr. No. 96)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the limited right of jurors to take notes.

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

**SB 153 (Pr. No. 158)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for qualifications of directors.

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

**SB 164 (Pr. No. 169)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal victim aid good Samaritan civil immunity.

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

**SB 296 (Pr. No. 311)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for court orders relating to adoption records.

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

## RECONSIDERATION OF VOTE

## BILL ON FINAL PASSAGE

**SB 72 (Pr. No. 68)** -- Senator BRIGHTBILL. Madam President, I move that the Senate do now reconsider the vote by which Senate Bill No. 72, Printer's No. 68, was passed finally.

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

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-35

Brightbill	Kitchen	O'Pake	Stack
Conti	Kukovich	Orie	Stout
Costa	LaValle	Pileggi	Tartaglione
Dent	Lemmond	Punt	Tomlinson
Erickson	Logan	Rafferty	Wagner
Greenleaf	Madigan	Rhoades	Williams, Anthony H.
Hughes	Mellow	Robbins	Williams, Constance
Jubelirer	Mowery	Scarnati	Wozniak
Kasunic	Musto	Schwartz	

## NAY-13

Armstrong	Ferlo	Thompson	White, Donald
Boscola	Fumo	Waugh	White, Mary Jo
Corman	Piccola	Wenger	Wonderling
Earll			

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.

RESOLUTIONS REPORTED FROM  
COMMITTEE

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

**SR 35 (Pr. No. 381)**

A Resolution adopting a temporary rule of the senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2003, including any amendments offered to or for supplemental appropriations for prior fiscal years.

**SR 37 (Pr. No. 383)**

A Resolution designating March 6, 2003, as "Lymphedema D-Day" in Pennsylvania.

The PRESIDENT. The resolutions will be placed on the Calendar.

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

**SENATE RESOLUTION No. 35, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 1 of Supplemental Calendar No. 1, Senate Resolution No. 35, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2003, including any amendments offered to or for supplemental appropriations for prior fiscal years.

On the question,  
Will the Senate adopt the resolution?

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

**YEA-48**

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

**NAY-0**

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

**REPORT FROM COMMITTEE ON  
RULES AND EXECUTIVE NOMINATIONS**

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

**SECRETARY OF REVENUE**

January 21, 2003

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 Gregory C. Fajt, 451 South Meadowcroft Avenue, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as Secretary of Revenue, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice The Honorable Larry P. Williams, Bethlehem, resigned.

EDWARD G. RENDELL  
Governor

**NOMINATION LAID ON THE TABLE**

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

The PRESIDENT. The nomination will be laid on the table.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator ROBBINS, that the Senate do now resolve itself into Executive Session for the purpose of considering a certain nomination made by the Governor.

Which was agreed to by voice vote.

**NOMINATION TAKEN FROM TABLE**

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

The Clerk read the nomination as follows:

**SECRETARY OF REVENUE**

January 21, 2003

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 Gregory C. Fajt, 451 South Meadowcroft Avenue, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as Secretary of Revenue, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice The Honorable Larry P. Williams, Bethlehem, resigned.

EDWARD G. RENDELL  
Governor

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

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Wagner.

Senator WAGNER. Madam President, I rise in support of Mr. Gregory C. Fajt as Secretary of the Pennsylvania Department of Revenue. Madam President, he is uniquely qualified for this cabinet post for the following reasons: Mr. Fajt is a well-regarded former State legislator here in the General Assembly, a tax attorney, and a Certified Public Accountant. Being a former State lawmaker and Member of the House Committee on Finance, he devoted a great deal of his time in the General Assembly on tax policy and a variety of economic development issues and human services issues. Mr. Fajt, Madam President, will work hard to assure that the taxes are collected efficiently and aggressively, but he will also see to it that the Revenue Department treats the taxpayers of Pennsylvania fairly. As a past lawmaker, he is also keenly aware of the critical needs associated with the Lottery Fund in terms of making it solvent and to protect PACE benefits, the Pharmaceutical Assistance Contract for the Elderly, for Pennsylvania senior citizens. As someone liked and respected on both sides of the aisle, Mr. Fajt will help facilitate bipartisanship in the General Assembly.

Madam President, in summary, Governor Rendell made an excellent choice in Mr. Gregory Fajt as Secretary of the Department of Revenue.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Madam President, I rise to support Secretary-designee Gregory Fajt. I am uniquely qualified because I had the opportunity to serve with him in the General Assembly. I think there is nobody who has more integrity and more understanding of the financial world. His education as a lawyer and as a CPA give him a very unique position that very few Secretaries bring to the table. Having had the opportunity to serve in the General Assembly, he also understands our institutions and how we think, and I think many times that is very important for cabinet-level officials, because they do not always have the opportunity to understand. They understand their Governor and their boss, but they do not always understand what makes us operate, and I think that is extremely important in a Secretary who is going to have the responsibility of billions and billions and billions of dollars of State money.

In addition, he brings something unique to the table in the fact that being a lawyer and being a CPA, he knows where the loopholes are, and I hope he understands that you pay the State what you owe and not a penny more, and vice versa, the State pays you back what they owe you, and not a penny more. I think we have an asset in Greg Fajt to help us through what is going to be a very challenging fiscal year and to help us get on a footing with accurate information as to what our real budget balances are and accurate information as to what the different taxes derive for us when we make our decisions. So I hope that all the rest of my colleagues can unanimously support his nomination.

Thank you, Madam President.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

#### YEA-48

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

#### NAY-0

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

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

#### SENATE RESOLUTIONS ADOPTED

Senators SCHWARTZ, ORIE, BOSCOLA, TARTAGLIONE, KITCHEN, EARLL, M.J. WHITE, C. WILLIAMS, MELLOW, KUKOVICH, THOMPSON, WOZNIAK, RAFFERTY, ARMSTRONG, STACK, KASUNIC, DENT, WAUGH, CORMAN, WENGER, ROBBINS, MUSTO, ERICKSON, O'PAKE, STOUT, COSTA, WAGNER, LOGAN, WONDERLING, RHOADES, GREENLEAF, LEMMOND and CONTI, by unanimous consent, offered Senate Resolution No. 38, entitled:

A Resolution designating March 2003 as "Women's History Month" in Pennsylvania.

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

Senators SCHWARTZ, C. WILLIAMS, EARLL, KITCHEN, TARTAGLIONE, ORIE, BOSCOLA, DENT, ARMSTRONG, KASUNIC, KUKOVICH, LOGAN, WAGNER, COSTA, O'PAKE, MUSTO, CORMAN, CONTI, STACK, STOUT, GREENLEAF, THOMPSON and WOZNIAK, by unanimous consent, offered Senate Resolution No. 39, entitled:

A Resolution designating the month of March 2003 as "Endometriosis Awareness Month" in Pennsylvania.

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

Senators SCHWARTZ, MELLOW, KUKOVICH, THOMPSON, KITCHEN, WAGNER, GREENLEAF, ERICKSON, C. WILLIAMS, WENGER, CORMAN, TARTAGLIONE, CONTI, EARLL, LOGAN, MUSTO, COSTA, DENT, O'PAKE, RHOADES, M.J. WHITE, STACK, BRIGHTBILL, KASUNIC and RAFFERTY, by unanimous consent, offered Senate Resolution No. 40, entitled:



A Resolution recognizing the month of March 2003 as "Professional Social Work Month" in Pennsylvania.

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

Senators KUKOVICH, COSTA, ORIE, ARMSTRONG, BOSCOLA, BRIGHTBILL, CONTI, CORMAN, DENT, EARLL, ERICKSON, FERLO, FUMO, GREENLEAF, HELFRICK, HUGHES, JUBELIRER, KASUNIC, KITCHEN, LAVALLE, LEMMOND, LOGAN, MADIGAN, MELLOW, MOWERY, MUSTO, O'PAKE, PICCOLA, PILEGGI, PUNT, RAFFERTY, RHOADES, ROBBINS, SCARNATI, SCHWARTZ, STACK, STOUT, TARTAGLIONE, THOMPSON, TOMLINSON, WAGNER, WAUGH, WENGER, D. WHITE, M.J. WHITE, A. WILLIAMS, C. WILLIAMS, WONDERLING, WOZNAK, by unanimous consent, offered **Senate Resolution No. 41**, entitled:

A Resolution expressing condolences on the passing of Mister Fred Rogers.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland, Senator Kukovich.

Senator KUKOVICH. Madam President, to me this is something more than simply a recognition or condolence resolution. Since Mr. Rogers passed away on February 27, we have all read articles in many newspapers, not just locally but all over the United States. We have seen a number of programs that have been on television, so I am not going to go into all of that, but I would like to share with this Chamber what I think was the very unique genuineness of this man. I saw him in an amusement park spend hours with children, not just for the little photo opportunities. Sometimes he would turn around with his own camera and take pictures of parents and their kids. I saw him once in the library with my daughter while he was surrounded by people clamoring for his attention, spending minutes and minutes with her explaining what happened to his fish when he was not on TV and who took care of his fish. I saw him leaving a restaurant in Squirrel Hill when other people with his group were in a hurry and had to go somewhere else, and he stopped in the doorway of that restaurant to talk to a mother and her young son with Down's syndrome, and just made him feel good, for 10 minutes.

He was a celebrity who was probably more approachable than just about anyone else, and I am sure he told many people the story about his time at Latrobe High School. He was more into music than sports, he was rather overweight back then, and was not exactly in with the "in" crowd. There was a very popular football player in his school who was injured, and the teacher had Fred Rogers take him his homework and to some extent tutor him for a number of weeks. And whenever that football player was healthy and back to school, whenever Fred was ignored, he explained to them what a great guy he was, and it changed Fred Rogers' life because of the action of one individual. I think to some extent he took the rest of his life to also help others. He had often said that none of us can rise up and be more than what we

are without the help of others. He often, at different functions and whenever he was receiving awards, would ask everybody there to have a moment of silence and to think about those who helped them individually. In his honor and his memory, I ask that we observe 30 seconds of silence and not to think about Mr. Rogers, but to think about somebody in your life who helped you become who you are today.

(Whereupon, a moment of silence was observed.)

Senator KUKOVICH. Madam President, I would just like to close by saying that it would be easy to feel sad today, but I am convinced, when I look at the strength and love of his wife, Joanne, and the strength of his longtime friend and director, Bill Isler, I am convinced that they will carry on his message and maintain his legacy, and I think we should all feel good about that.

I want to thank Senator Costa and Senator Orie, who also had resolutions, and all 48 of us who signed this resolution honoring and recognizing this very unique and strong man.

Thank you.

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

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

## 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 Mr. and Mrs. Richard H. Antoine, Sr., by Senator Corman.

Congratulations of the Senate were extended to Reverend William Seaman and Mrs. Jeanette Seaman and to Benjamin Charles Hammel by Senator Dent.

Congratulations of the Senate were extended to Timothy English by Senator Erickson.

Congratulations of the Senate were extended to Dorothy Collins by Senator Mowery.

Congratulations of the Senate were extended to Daniel John Williams, Eric Michael Auchter, Elaine Schuster and to Thomas Mook by Senator Robbins.

Congratulations of the Senate were extended to James D. Guelfi by Senator Scarnati.

Congratulations of the Senate were extended to Donna M. Coughy, Michael G. O'Neill, Transportation Management Association of Chester County, Catering Inc./Café 55 and to Adolor Corporation by Senator Thompson.

## CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Luther Lewis by Senator Piccola.

**PETITIONS AND REMONSTRANCES**

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Madam President, when it comes to achievement in scholastic sports, few States can match Pennsylvania's accomplishments. In fact, some of the best talent in other States was imported from our Commonwealth. An example is Mike Rhoades, the men's basketball head coach at Randolph-Macon College in Virginia. He is a native of Pennsylvania and a 1995 graduate of Lebanon Valley College, where he was a standout on the basketball court as a two-time all-American and MVP of the National Championship. He has, for the third straight year, been named the Old Dominion Athletic Conference Coach of the Year. He previously was the National Association of Basketball Coaches South District Coach of the Year and the Virginia Sports Information Directors State Coach of the Year.

Last year, Mike Rhoades led Randolph-Macon College to a number one national ranking for 2 straight weeks, the Old Dominion Athletic Conference regular season championship, and the NCAA Division III tournament "Sweet Sixteen." Last week his team again attained the number one ranking in Division III. He is known as an energetic young coach who has established a recruiting network throughout the east coast. At the time of his graduation, he was Lebanon Valley College's all-time leading scorer, and is still the school's career assists leader. He is also the record holder for 3-point field goals made in a career, season, and game. His jersey, number 5, was retired at the end of his senior year. As we know, he is also the son of one of our colleagues, the Senator from Schuylkill County, Jim Rhoades. Today Mike Rhoades runs a first-class college basketball program at Randolph-Macon College, molding gentlemen both on and off the court. His dad, who is a staunch supporter of school athletics, is no doubt proud, and all the fans of Pennsylvania scholastic sports can be proud, too.

Thank you.

The PRESIDENT. Thank you, Senator Robbins, for your comments on Mike Rhoades, son of Senator Rhoades.

**BILLS INTRODUCED AND REFERRED**

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

March 3, 2003

Senators CORMAN, JUBELIRER, WAUGH, MADIGAN, WENGER, HELFRICK, BRIGHTBILL, O'PAKE, DENT, MUSTO, SCARNATI, KITCHEN, ERICKSON, KUKOVICH, ROBBINS, EARLL, CONTI, COSTA, GREENLEAF, MOWERY, RAFFERTY, TOMLINSON, WOZNIAK, WONDERLING, SCHWARTZ, RHOADES and THOMPSON presented to the Chair **SB 340**, entitled:

An Act designating the new Livestock Meat Animal Evaluation Center at Pennsylvania State University as the Samuel E. Hayes, Jr., Livestock Meat Animal Evaluation Center.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 3, 2003.

Senators LEMMOND, KUKOVICH, MUSTO, STOUT, EARLL, GREENLEAF, PUNT, ROBBINS, RAFFERTY, C. WILLIAMS, COSTA, TARTAGLIONE and WONDERLING presented to the Chair **SB 346**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for filing fees.

Which was committed to the Committee on STATE GOVERNMENT, March 3, 2003.

Senators CORMAN, RAFFERTY, TARTAGLIONE, ORIE, SCARNATI, WOZNIAK and RHOADES presented to the Chair **SB 347**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the imposition of the personal income tax and authorizing the offsetting of gains and losses among the various classes of income.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators WAGNER, LOGAN, MUSTO, COSTA and RAFFERTY presented to the Chair **SB 348**, 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 powers and duties of the Pennsylvania State Police.

Which was committed to the Committee on LAW AND JUSTICE, March 3, 2003.

Senators WAGNER, LOGAN, LAVALLE, COSTA, O'PAKE, MUSTO, DENT, PUNT, ORIE, KASUNIC, D. WHITE, STOUT, RAFFERTY, M. WHITE and RHOADES presented to the Chair **SB 350**, entitled:

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

Which was committed to the Committee on LAW AND JUSTICE, March 3, 2003.

Senators WAUGH, RAFFERTY, MOWERY and WOZNIAK presented to the Chair **SB 351**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "financial responsibility."

Which was committed to the Committee on BANKING AND INSURANCE, March 3, 2003.

Senators WAUGH, HELFRICK, ARMSTRONG, MADIGAN, ORIE, RAFFERTY, CORMAN, WENGER, MOWERY, PUNT, WONDERLING, PICCOLA and THOMPSON presented to the Chair **SB 353**, entitled:

An Act amending the act of August 15, 1961 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage Act, excluding political subdivisions from the act; authorizing optional prevailing wage ordinances; and making repeals.

Which was committed to the Committee on LABOR AND INDUSTRY, March 3, 2003.

Senator KUKOVICH presented to the Chair SB 355, entitled: An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for special police.

Which was committed to the Committee on LOCAL GOVERNMENT, March 3, 2003.

Senators DENT, O'PAKE, ORIE, CORMAN, MUSTO, COSTA, KITCHEN, HELFRICK, TARTAGLIONE, HUGHES, KUKOVICH, SCHWARTZ and RHOADES presented to the Chair SB 357, entitled:

An Act providing for the strengthening and enrichment of children and families by promoting safe, healthy and nurturing home environments, for the educational and supportive services of home visiting programs in this Commonwealth, for the Ounce of Prevention grant program and for integrated community-based delivery of services; specifying program requirements; establishing the Ounce of Prevention Board; providing for responsibilities of the board and the Department of Health; specifying criteria for community program grant funding; requiring training and an independent evaluation process; providing for quality assurance; and making an appropriation.

Which was committed to the Committee on AGING AND YOUTH, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, WAUGH, MUSTO, BOSCOLA, KUKOVICH, WAGNER, KASUNIC, LAVALLE, COSTA, RAFFERTY, O'PAKE, ORIE and TARTAGLIONE presented to the Chair SB 358, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentences for offenses against elderly persons.

Which was committed to the Committee on JUDICIARY, March 3, 2003.

Senators STACK, MELLOW, KITCHEN, STOUT, LOGAN, MUSTO, C. WILLIAMS, BOSCOLA, KUKOVICH, KASUNIC, LAVALLE, COSTA, ORIE and TARTAGLIONE presented to the Chair SB 359, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for retirement eligibility.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, MELLOW, MUSTO, C. WILLIAMS, BOSCOLA, KUKOVICH, KASUNIC, LAVALLE, COSTA, ORIE, SCHWARTZ and TARTAGLIONE presented to the Chair SB 360, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for supplemental annuities commencing 2004.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, M. WHITE, MUSTO, C. WILLIAMS, BOSCOLA, KUKOVICH, WAGNER, KASUNIC, COSTA, O'PAKE, TOMLINSON, ORIE, SCHWARTZ, PUNT, RHOADES and TARTAGLIONE presented to the Chair SB 361, entitled:

An Act providing for Commonwealth support for an Alcohol and Drug Addiction Counselor Loan Forgiveness Program for Commonwealth residents who graduate from institutions of higher education and apply their education to careers as alcohol and other drug addiction counselors in this Commonwealth.

Which was committed to the Committee on EDUCATION, March 3, 2003.

Senators STACK, KITCHEN, KASUNIC, LOGAN, BOSCOLA, RAFFERTY, COSTA, ORIE and TARTAGLIONE presented to the Chair SB 362, entitled:

An Act providing for the electronic monitoring of controlled substances dispensed by a pharmacist and for penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, C. WILLIAMS, BOSCOLA, KASUNIC, COSTA, ORIE and TARTAGLIONE presented to the Chair SB 363, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of theft of prescriptions or prescription order forms.

Which was committed to the Committee on JUDICIARY, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, C. WILLIAMS, BOSCOLA, KASUNIC, COSTA, ORIE and TARTAGLIONE presented to the Chair SB 364, entitled:

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

Which was committed to the Committee on JUDICIARY, March 3, 2003.

Senators STACK, KITCHEN, STOUT, LOGAN, C. WILLIAMS, BOSCOLA, KASUNIC, COSTA, ORIE and TARTAGLIONE presented to the Chair SB 365, entitled:

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

Which was committed to the Committee on JUDICIARY, March 3, 2003.

Senators STACK, KITCHEN, LOGAN, WAUGH, MUSTO, BOSCOLA, KUKOVICH, WAGNER, MOWERY, LAVALLE, COSTA, O'PAKE, ORIE, SCHWARTZ and TARTAGLIONE presented to the Chair SB 366, entitled:

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

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 3, 2003.

Senators D. WHITE, ORIE, KUKOVICH, LAVALLE, LOGAN, PILEGGI, STOUT, ERICKSON, TARTAGLIONE, WOZNIAK and RHOADES presented to the Chair SB 367, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service; and making a repeal.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators LEMMOND, TOMLINSON, PILEGGI, M. WHITE, MUSTO, KUKOVICH, WENGER, EARLL, COSTA, ERICKSON, TARTAGLIONE, SCHWARTZ and WAUGH presented to the Chair SB 370, entitled:

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

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators O'PAKE, KUKOVICH, MUSTO, COSTA, WOZNIAK, MOWERY, KITCHEN, LOGAN, THOMPSON and STOUT presented to the Chair SB 371, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for award of contracts.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, March 3, 2003.

Senators O'PAKE, KASUNIC, RHOADES, C. WILLIAMS and BOSCOLA presented to the Chair SB 373, entitled:

An Act establishing a landfill impact fee and fund to compensate owners of residential property near a landfill for loss in property value and to provide grants to certain political subdivisions for traffic improvement and safety projects.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 3, 2003.

Senators O'PAKE, COSTA, KUKOVICH, WAGNER, KASUNIC, SCHWARTZ, RHOADES, TARTAGLIONE and BOSCOLA presented to the Chair SB 374, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Office of Environmental Advocate.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 3, 2003.

Senators WAUGH, ORIE, MUSTO, COSTA, ERICKSON, SCHWARTZ, M. WHITE, RAFFERTY, WOZNIAK,

ROBBINS and RHOADES presented to the Chair SB 376, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, exempting equipment used for recycling from sales and use tax.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators WAUGH, MOWERY, ERICKSON, M. WHITE, TARTAGLIONE, WOZNIAK and RHOADES presented to the Chair SB 377, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "vendor"; and further providing for collection of tax for purposes of the sales and use tax.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators WAUGH, ERICKSON, RAFFERTY, COSTA, PILEGGI, STOUT, FUMO, M. WHITE, TARTAGLIONE, KITCHEN, WONDERLING, MOWERY, ROBBINS, THOMPSON and RHOADES presented to the Chair SB 379, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers in funeral processions.

Which was committed to the Committee on TRANSPORTATION, March 3, 2003.

Senators WAUGH, RAFFERTY, M. WHITE, EARLL, WONDERLING and PUNT presented to the Chair SB 380, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for rescission of contracts.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 3, 2003.

Senators WAUGH, COSTA, SCHWARTZ, ORIE, M. WHITE, KITCHEN, THOMPSON, RHOADES and KASUNIC presented to the Chair SB 381, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

Which was committed to the Committee on TRANSPORTATION, March 3, 2003.

Senators ORIE, LAVALLE, WOZNIAK, KUKOVICH, ERICKSON, RAFFERTY, TARTAGLIONE, KITCHEN, CORMAN and KASUNIC presented to the Chair SB 383, 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 high school certificates.

Which was committed to the Committee on EDUCATION, March 3, 2003.

Senators JUBELIRER, TOMLINSON, HELFRICK, DENT, ORIE, WENGER, WAUGH, EARLL, PICCOLA, GREENLEAF, M. WHITE, LOGAN, CORMAN, WOZNAK, PILEGGI, LEMMOND, COSTA and WONDERLING presented to the Chair **SB 384**, 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 home education programs.

Which was committed to the Committee on EDUCATION, March 3, 2003.

Senators DENT, ORIE, TOMLINSON, SCARNATI, KITCHEN, COSTA, LAVALLE, STOUT, WOZNAK and STACK presented to the Chair **SB 385**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for declaration of policy and for when parent deceased; providing for notice to grandparent; further providing for exception for adopted children; and making repeals.

Which was committed to the Committee on JUDICIARY, March 3, 2003.

Senators M. WHITE, CORMAN, TOMLINSON, RAFFERTY, KUKOVICH, WAGNER, LOGAN, EARLL, LAVALLE, MUSTO, ERICKSON, PUNT, ORIE, ROBBINS, COSTA, LEMMOND, TARTAGLIONE, WOZNAK, KITCHEN and RHOADES presented to the Chair **SB 386**, entitled:

An Act prohibiting price gouging; and imposing penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 3, 2003.

Senators M. WHITE, MOWERY, WENGER, KUKOVICH, PILEGGI, DENT, LAVALLE, MUSTO, ERICKSON, PUNT, CORMAN, SCHWARTZ, GREENLEAF, RAFFERTY, ORIE, KASUNIC, PICCOLA, TARTAGLIONE, MADIGAN, STACK, WONDERLING, WOZNAK, RHOADES and THOMPSON presented to the Chair **SB 387**, entitled:

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, repealing the expiration date of the act.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 3, 2003.

Senators PICCOLA, ERICKSON, PUNT, COSTA, LOGAN, WOZNAK, O'PAKE, ORIE, TARTAGLIONE, WONDERLING, GREENLEAF, CORMAN, WAUGH, ROBBINS, THOMPSON, RHOADES and STACK presented to the Chair **SB 388**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service and for creditable work experience.

Which was committed to the Committee on FINANCE, March 3, 2003.

Senators GREENLEAF, SCHWARTZ and WOZNAK presented to the Chair **SB 390**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing audiovisual coverage of court proceedings.

Which was committed to the Committee on JUDICIARY, March 3, 2003.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 4, 2003

10:30 A.M.	JUDICIARY (to consider Senate Bills No. 8, 41, 57, 188, 304 and 319)	Room 8E-B East Wing
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, MARCH 5, 2003

9:00 A.M.	BANKING AND INSURANCE (public hearing on medical malpractice insurance)	Room 8E-A East Wing
9:30 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider the nomination of Dennis C. Wolff for Secretary of Agriculture)	Room 461 Main Capitol
10:00 A.M.	LABOR AND INDUSTRY (to consider the nomination of Stephen M. Schmerin, Esq., as Secretary of Labor and Industry)	Room 8E-B East Wing
10:45 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 277 and any other business that may come before the committee)	Room 461 Main Capitol
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Public Utility Commission)	Majority Caucus Rm.

TUESDAY, MARCH 11, 2003

8:30 A.M.	SENATE PUBLIC HEALTH AND WELFARE and HOUSE HEALTH AND HUMAN SERVICES (to consider Joint Medical Education Briefing)	Room 8E-A East Wing
9:30 A.M.	BANKING AND INSURANCE (for a hearing on medical malpractice insurance)	Room 461 Main Capitol
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider the nomination of Michael F. DiBerandinis as Secretary of Conservation and Natural Resources)	Room 8E-B East Wing

WEDNESDAY, MARCH 12, 2003

10:00 A.M.	LAW AND JUSTICE (to consider the nomination of Major Jeffrey B. Miller as Commissioner of the PA State Police)	Room 8E-A East Wing
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1:30 P.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider the nomination of Kathleen A. McGinty as Secretary of Environmental Protection)	Room 8E-B East Wing	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Attorney General, including Office of Consumer Advocate)	Majority Caucus Rm.
	<u>WEDNESDAY, MARCH 19, 2003</u>		2:30 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Community and Economic Development, including Small Business Advocate)	Majority Caucus Rm.
10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (public hearing on PMMB "pooling" regulations)	Toffrees Resort and Conference Center State College		<u>MONDAY, APRIL 7, 2003</u>	
	<u>TUESDAY, MARCH 25, 2003</u>		9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of State)	Majority Caucus Rm.
10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider the nomination of General William B. Lynch as Adjutant General of the Dept. of Military and Veterans Affairs)	Room 8E-B East Wing	10:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Agriculture)	Majority Caucus Rm.
	<u>MONDAY, MARCH 31, 2003</u>		1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Education)	Majority Caucus Rm.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of General Services)	Majority Caucus Rm.		<u>TUESDAY, APRIL 8, 2003</u>	
10:30 A.M.	APPROPRIATIONS (Budget Hearing - Health Care Cost Containment Council)	Majority Caucus Rm.	9:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Transportation)	Majority Caucus Rm.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Liquor Control Board)	Majority Caucus Rm.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Public Welfare)	Majority Caucus Rm.
2:30 P.M.	APPROPRIATIONS (Budget Hearing - State System of Higher Education)	Majority Caucus Rm.		<u>WEDNESDAY, APRIL 9, 2003</u>	
	<u>TUESDAY, APRIL 1, 2003</u>		9:00 A.M.	APPROPRIATIONS (Budget Hearing - Treasury)	Majority Caucus Rm.
9:00 A.M.	APPROPRIATIONS (Budget Hearing - Community Colleges)	Majority Caucus Rm.	10:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Aging)	Majority Caucus Rm.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Labor and Industry)	Majority Caucus Rm.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Revenue)	Majority Caucus Rm.
2:30 P.M.	APPROPRIATIONS (Budget Hearing - State Related Universities)	Majority Caucus Rm.	2:30 P.M.	APPROPRIATIONS (Budget Hearing - Budget Secretary)	Majority Caucus Rm.
	<u>WEDNESDAY, APRIL 2, 2003</u>			<u>THURSDAY, APRIL 10, 2003</u>	
9:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Conservation and Natural Resources)	Majority Caucus Rm.	9:00 A.M.	APPROPRIATIONS (Budget Hearing - Auditor General)	Majority Caucus Rm.
10:30 A.M.	APPROPRIATIONS (Budget Hearing - Insurance Department)	Majority Caucus Rm.	10:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Environmental Protection)	Majority Caucus Rm.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Corrections)	Majority Caucus Rm.		<b>ADJOURNMENT</b>	
2:30 P.M.	APPROPRIATIONS (Budget Hearing - Homeland Security, State Police and PEMA)	Majority Caucus Rm.		The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.	
	<u>THURSDAY, APRIL 3, 2003</u>			Senator BRIGHTBILL. Madam President, I move that the Senate do now adjourn until Tuesday, March 4, 2003, at 11 a.m., Eastern Standard Time.	
9:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Military and Veterans Affairs)	Majority Caucus Rm.		The motion was agreed to by voice vote.	
10:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Health)	Majority Caucus Rm.		The Senate adjourned at 5: 25 p.m., Eastern Standard Time.	