

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

SATURDAY, JULY 3, 2004

SESSION OF 2004 188TH OF THE GENERAL ASSEMBLY

No. 47

SENATE

SATURDAY, July 3, 2004

The Senate met at 8:35 p.m., Eastern Daylight Saving Time.

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

PRAYER

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

Let us pray.

Eternal and everliving God, our source of all love, strength, and mercy, pour down Your spirit upon the Members and staff of this Senate of Pennsylvania. Bless us with clear, open, and discerning minds to properly address the many budgetary issues confronting us this evening. May what is decided and enacted be in accordance with Your will and a credit to Your kingdom in this world. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled.)

LEGISLATIVE LEAVE

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

Senator BOSCOLA. Madam President, I request a legislative leave for Senator Tartaglione.

The PRESIDENT. Senator Boscola requests a legislative leave for Senator Tartaglione. Without objection, the leave will be granted.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of July 2, 2004.

The Clerk proceeded to read the Journal of the preceding Session.

Senator BRIGHTBILL. Madam President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

COMMUNICATIONS FROM THE GOVERNOR

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 STATE BOARD
OF DENTISTRY**

July 3, 2004

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 Ayes, D.D.S., 16 Llanberris Road, Bala Cynwyd 19004, Montgomery County, Seventeenth 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 Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATION
LAID ON THE TABLE**

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 laid on the table:

**MEMBER OF THE STATE BOARD
OF DENTISTRY**

July 3, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 1, 2004, for the appointment of Michael Ayes, D.D.S., 16 Llanberris Road, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, 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 Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 689**, **SB 979**, **SB 1039**, **SB 1052** and **SB 1102** 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 1996**, in which concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 679**, **SB 1092**, **SB 1095**, **SB 1100** and **SB 1184** with the information the House has passed the same without amendments.

**HOUSE INSISTS UPON ITS NONCONCURRENCE
IN SENATE AMENDMENTS TO HB 564, AND
APPOINTS COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists on its nonconcurrence in the amendments made by the Senate to **HB 564**, and has appointed Messrs. S. SMITH, STAIRS and D. EVANS as a Committee of Conference to confer with a similar committee of the Senate, if the Senate shall appoint such committee, to consider the differences existing between the two Houses in relation to said bill.

**HOUSE INSISTS UPON ITS NONCONCURRENCE
IN SENATE AMENDMENTS TO HB 2579, AND
APPOINTS COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists on its nonconcurrence in the amendments made by the Senate to **HB 2579**, and has appointed Messrs. S. SMITH, ARGALL and D. EVANS as a Committee of Conference to confer with a similar committee of the Senate, if the Senate shall appoint such committee, to consider the differences existing between the two Houses in relation to said bill.

SENATE RESOLUTION ADOPTED

Senators BOSCOLA, LaVALLE, STOUT, C. WILLIAMS, RAFFERTY, MELLOW, O'PAKE, MUSTO, WOZNIAK, FERLO and KUKOVICH, by unanimous consent, offered Senate Resolution No. 293, entitled:

A Resolution commending the Chiropractic Fellowship of Pennsylvania for its educational efforts, and recognizing the week of September 12 through 18, 2004, as "Vertebral Subluxation Awareness Week" in Pennsylvania.

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

RECESS

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

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

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

Senator BOSCOLA. Madam President, the Democrats would like to caucus immediately.

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

AFTER RECESS

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF MAJORITY LEADER
PRESENTED TO THE SENATE**

The PRESIDENT. The first thing I am going to do is introduce Adam Brightbill. There you are, Adam, look. He wants to see himself on screen. Say hello to everyone. And this is Christian Brightbill.

(Applause.)

CALENDAR

**SENATE RESOLUTION No. 205 CALLED
UP OUT OF ORDER, AMENDED AND ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, as a Special Order of Business, Senate Resolution No. 205, entitled:

A Resolution urging the Governor, the Pennsylvania Historical and Museum Commission, the Judiciary and all other agencies and authorities in this Commonwealth to exercise their power and authorities accordingly to preserve the historic site known as Camp Security, located in Springettsbury Township, York County.

On the question,
Will the Senate adopt the resolution?

Senator BRIGHTBILL offered the following amendment No. A3473:

Amend Title, page 1, line 2, by striking out ", the Judiciary"
Amend Resolve Clause, page 2, line 21, by striking out ", the Judiciary"

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

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

**COMMITTEE OF CONFERENCE
APPOINTED ON HB 564**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators BRIGHTBILL, RHOADES and MELLOW as a Committee of Conference on the part of the Senate to confer with a similar committee of the House already appointed to consider the differences existing between the two Houses in relation to House Bill No. 564.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**COMMITTEE OF CONFERENCE
APPOINTED ON HB 2579**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators

BRIGHTBILL, THOMPSON and FUMO as a Committee of Conference on the part of the Senate to confer with a similar committee of the House already appointed to consider the differences existing between the two Houses in relation to House Bill No. 2579.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

CONSIDERATION OF CALENDAR RESUMED

**BILL ON CONCURRENCE IN
HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 769 (Pr. No. 1654) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for immunization against the influenza virus and pneumococcal disease for elderly persons.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 769?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 769.

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

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL LAID ON THE TABLE

SB 1096 (Pr. No. 1701) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for nonforfeiture law for individual deferred annuities.

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

BILL AMENDED

HB 1117 (Pr. No. 4247) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for railroad protection, railroad vandalism and interference with transportation facilities and for penalties; and providing for railroad civil immunity.

On the question,

Will the Senate agree to the bill on third consideration?

Senator O'PAKE, on behalf of Senator MELLOW, offered the following amendment No. A3439:

Amend Sec. 2 (Sec. 8339.1), page 5, lines 2 and 3, by striking out all of said lines and inserting: or activity thereon. Except as set forth in subsection (b), a

Amend Sec. 2 (Sec. 8339.1), page 5, line 16, by striking out "(C)" and inserting: (b)

Amend Sec. 2 (Sec. 8339.1), page 5, line 16, by striking out "SUBSECTION" and inserting: section

Amend Sec. 2 (Sec. 8339.1), page 5, line 18, by striking out "MALICIOUS" and inserting: wanton

Amend Sec. 2 (Sec. 8339.1), page 5, line 20, by striking out "(D)" and inserting: (c)

Amend Sec. 2 (Sec. 8339.1), page 5, lines 23 through 25, by striking out "PROPERTY THE PERSON" in line 23, all of lines 24 and 25 and inserting: railroad property without any right, lawful authority or the express consent of the railroad.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

SB 1140 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1149 (Pr. No. 1675) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 22, 2000 (P.L.394, No.54), known as the Tobacco Settlement Agreement Act, further providing for requirements.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-50

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

BILL OVER IN ORDER

SB 1158 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1190 (Pr. No. 1769) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, extending the employment incentive tax credit.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-50

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

SB 1192 (Pr. No. 1770) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment of moneys of the Commonwealth; and making a related repeal.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

BILL OVER IN ORDER

HB 1487 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1912 (Pr. No. 4143) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the person with disability plate and placard, for physical examinations, for reports on mental or physical disabilities or disorders and for determination of incompetency.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson
Brightbill	Kasunic	Pileggi	Wagner
Conti	Kitchen	Pippy	Waugh
Corman	Kukovich	Punt	Wenger
Costa	LaValle	Rafferty	White, Donald
Dent	Lemmond	Rhoades	White, Mary Jo
Earll	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Schwartz	Wonderling
Fumo	Mowery	Stack	Wozniak
Gordner	Musto	Stout	
Greenleaf	O'Pake	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 2105 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2230 (Pr. No. 3040) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for support of emergency medical services.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson
Brightbill	Kasunic	Pileggi	Wagner
Conti	Kitchen	Pippy	Waugh
Corman	Kukovich	Punt	Wenger
Costa	LaValle	Rafferty	White, Donald
Dent	Lemmond	Rhoades	White, Mary Jo
Earll	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Schwartz	Wonderling
Fumo	Mowery	Stack	Wozniak
Gordner	Musto	Stout	
Greenleaf	O'Pake	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 2405 (Pr. No. 4284) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a certain bridge carrying SR 248 over Aquashicola Creek in Palmerton Borough, Carbon County, as the Colonel John Craig Memorial Bridge; designating a bridge over Chester Creek in Westtown Township, Chester County, as the L. Charles Scipione Bridge; designating a certain bridge on Pennsylvania Route 45 in Northumberland and Union Counties as the Judge Herbert W. Cummings-Judge Harold M. McClure Memorial Bridge; designating the bridge on which Main Street crosses Trout Creek in the Borough of Slatington, Lehigh County, as the General Thomas R. Morgan USMC Bridge; redesignating the bridge over the Monongahela River known as the Clairton-Glassport Bridge, Department of Transportation No. 02-2038-0010-0140, which connects the City of Clairton to the Borough of Glassport in Allegheny County, as the Senator Edward P. Zemprelli Bridge; designating a truck inspection station at 4242 Aramingo Avenue, City of Philadelphia, Philadelphia County, as the Sgt. Jeffrey T. Ziernicki Truck Inspection Station; and designating a truck inspection station at 9200 Bartram Avenue, City of Philadelphia, Philadelphia County, as the Sgt. Jeffrey T. Ziernicki Truck Inspection Station; and making a related repeal.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

HB 2654 (Pr. No. 4249) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, reenacting and amending provisions relating to parking authorities and relating to taxicabs and limousines in cities of the first class; further providing for parking authority purposes and powers and special provisions in cities of the first class; providing for restrictions on parking authorities in cities of the first class; further providing for contract bids for parking authorities; further defining "limousine service"; making legislative findings as to taxicabs in cities of the first class; further providing, as to taxicabs in cities of the first class, for rates, for contested complaints, for driver certification, for budgets and fees, for certificates and medallions, for contested complaints, for wages, for regulations and for budget and fees; further providing, as to limousines in cities of the first class, for certificates of public convenience and for regulations; and making repeals related to allocation assessments against public utilities for regulatory expenses, to certificates of public convenience for taxicabs and to taxicabs in cities of the first class.

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-31

Armstrong	Greenleaf	Pippy	Tomlinson
Brightbill	Jubelirer	Punt	Waugh
Conti	Lemmond	Rafferty	Wenger
Corman	Madigan	Rhoades	White, Donald
Dent	Mowery	Robbins	White, Mary Jo
Earl	Orie	Scarnati	Williams, Anthony H.
Erickson	Piccola	Stout	Wonderling
Gordner	Pileggi	Thompson	

NAY-19

Boscola	Kasunic	Mellow	Tartaglione
Costa	Kitchen	Musto	Wagner
Ferlo	Kukovich	O'Pake	Williams, Constance
Fumo	LaValle	Schwartz	Wozniak
Hughes	Logan	Stack	

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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 946, SB 1027, SB 1161 and SB 1189 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Without objection, Senator Punt will be on temporary Capitol leave. The Chair hears no objection.

RECONSIDERATION OF HB 2654

BILL ON FINAL PASSAGE

HB 2654 (Pr. No. 4249) -- Senator O'PAKE. Madam President, I move that the Senate do now reconsider the vote by which House Bill No. 2654, Printer's No. 4249, just passed finally.

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

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-30

Armstrong	Greenleaf	Pippy	Waugh
Brightbill	Jubelirer	Punt	Wenger
Conti	Lemmond	Rafferty	White, Donald
Corman	Madigan	Rhoades	White, Mary Jo
Dent	Mowery	Robbins	Williams, Anthony H.
Earl	Orie	Scarnati	Wonderling
Erickson	Piccola	Thompson	
Gordner	Pileggi	Tomlinson	

NAY-20

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

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.

RECESS

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

Senator BRIGHTBILL. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations, which will begin immediately in the Rules room.

The PRESIDENT. Senator Brightbill requests a recess for the purpose of a meeting of the Committee on Appropriations. Without objection, the Senate will stand in recess.

AFTER RECESS

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

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

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet imminently in the Rules room to consider Senate Bills No. 508, 979, 1039, 1139, House Bill No. 1130, House Bill No. 1996, and certain nominations.

RECESS

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

Senator BRIGHTBILL. Madam President, I ask for a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, which will begin immediately in the Rules room.

The PRESIDENT. Senator Brightbill requests a recess of the Senate for a meeting of the Committee on Rules and Executive Nominations to begin immediately. Without objection, the Senate stands in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES

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

SB 508 (Pr. No. 1727) (Rereported) (Concurrence)

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for the definition of "charges, expenses and fees"; and further providing for redemption of property and for challenging foreclosure sales.

SB 979 (Pr. No. 1779) (Rereported) (Concurrence)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for declaration of policy; defining "contemporaneous alternative method"; repealing provisions relating to videotaped depositions by a child victim or child material witness; further providing for recorded testimony, for testimony by contemporaneous alternative methods, for admissibility of certain statements, for hearsay, for use of dolls, for child victims of sexual or physical abuse and for comparative negligence.

SB 1039 (Pr. No. 1791) (Rereported) (Concurrence)

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, clarifying the definition of "agency."

SB 1139 (Pr. No. 1784) (Rereported) (Concurrence)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions, for application of act, for adoption of regulations, for administration and enforcement, for changes in Uniform Construction Code and for exemptions.

HB 1130 (Pr. No. 4139) (Rereported) (Concurrence)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits, for drivers of emergency vehicles, for the Child Passenger Restraint Fund, for oral hazard warnings and for civil immunity for lenders of child passenger restraint systems.

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

HB 2472 (Pr. No. 4320) (Amended) (Rereported)

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, adding and amending definitions; and further providing for borrowing limitations, for bond terms and conditions, for the Capital Debt Fund, for registration of bonds, for appropriation for and limitation on redevelopment assistance capital projects and for funding and administration of redevelopment assistance capital projects.

HB 2529 (Pr. No. 4318) (Amended) (Rereported)

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

HB 2531 (Pr. No. 4298) (Amended) (Rereported)

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

HB 2532 (Pr. No. 4299) (Amended) (Rereported)

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

HB 2533 (Pr. No. 4300) (Amended) (Rereported)

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

HB 2534 (Pr. No. 4301) (Amended) (Rereported)

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

HB 2535 (Pr. No. 4302) (Amended) (Rereported)

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

HB 2536 (Pr. No. 4303) (Amended) (Rereported)

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

HB 2537 (Pr. No. 4304) (Amended) (Rereported)

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

HB 2538 (Pr. No. 4305) (Amended) (Rereported)

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

HB 2539 (Pr. No. 4306) (Amended) (Rereported)

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

HB 2540 (Pr. No. 4307) (Amended) (Rereported)

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

HB 2541 (Pr. No. 4308) (Amended) (Rereported)

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

HB 2542 (Pr. No. 4309) (Amended) (Rereported)

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

HB 2543 (Pr. No. 4310) (Amended) (Rereported)

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

HB 2544 (Pr. No. 3686) (Rereported)

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

HB 2545 (Pr. No. 3687) (Rereported)

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

HB 2546 (Pr. No. 3688) (Rereported)

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

HB 2547 (Pr. No. 3689) (Rereported)

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

HB 2548 (Pr. No. 3690) (Rereported)

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

HB 2549 (Pr. No. 3691) (Rereported)

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

HB 2550 (Pr. No. 4311) (Amended) (Rereported)

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

HB 2551 (Pr. No. 3693) (Rereported)

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

HB 2552 (Pr. No. 3694) (Rereported)

An Act making an appropriation to the Beacon Lodge Camp.

HB 2553 (Pr. No. 4312) (Amended) (Rereported)

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

HB 2554 (Pr. No. 4313) (Amended) (Rereported)

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

HB 2555 (Pr. No. 4314) (Amended) (Rereported)

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

HB 2556 (Pr. No. 4322) (Amended) (Rereported)

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

HB 2557 (Pr. No. 3699) (Rereported)

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

HB 2558 (Pr. No. 4315) (Amended) (Rereported)

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

HB 2559 (Pr. No. 4316) (Amended) (Rereported)

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

HB 2590 (Pr. No. 4317) (Amended) (Rereported)

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

HB 2726 (Pr. No. 4321) (Amended) (Rereported)

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, providing for fiscal year waiver of standards and for State aid for 2004-2005.

HB 2758 (Pr. No. 4224) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for fire company reduction and closure provisions for cities of the first class.

COMMUNICATION FROM THE GOVERNOR TAKEN FROM THE TABLE

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

MEMBER OF THE STATE BOARD OF DENTISTRY

July 3, 2004

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 1, 2004, for the appointment of Michael Ayes, D.D.S., 16 Llanberris Road, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, 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 Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

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

EDWARD G. RENDELL
Governor

NOMINATION RETURNED TO THE GOVERNOR

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

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

The PRESIDENT. The nomination will be returned to the Governor.

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:

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

June 18, 2004

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 A. Tonrey, 239 Mallard Drive East, North Wales 19454, Montgomery County, Twelfth Senatorial District, for appointment 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 her successor is appointed and qualified, but not longer than six months beyond that period, vice J. Michael Wilkins, New Castle, whose term expired.

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 NOMINATION**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 THE TABLE

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

The Clerk read the nomination as follows:

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

June 18, 2004

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 A. Tonrey, 239 Mallard Drive East, North Wales 19454, Montgomery County, Twelfth Senatorial District, for appointment 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 her successor is appointed and qualified, but not longer than six months beyond that period, vice J. Michael Wilkins, New Castle, whose term expired.

EDWARD G. RENDELL
Governor

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

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

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

NONPREFERRED APPROPRIATION BILLS
REREPORTED FROM COMMITTEE AS AMENDED
ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2529 (Pr. No. 4318) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2531 (Pr. No. 4298) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2532 (Pr. No. 4299) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson
Brightbill	Kasunic	Pileggi	Wagner
Conti	Kitchen	Pippy	Waugh

Corman	Kukovich	Punt	Wenger
Costa	LaValle	Rafferty	White, Donald
Dent	Lemmond	Rhoades	White, Mary Jo
Earl	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Schwartz	Wonderling
Fumo	Mowery	Stack	Wozniak
Gordner	Musto	Stout	
Greenleaf	O'Pake	Tartaglione	

NAY-0

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

Ordered, That the 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 2533 (Pr. No. 4300) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2534 (Pr. No. 4301) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2535 (Pr. No. 4302) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson
Brightbill	Kasunic	Pileggi	Wagner
Conti	Kitchen	Pippy	Waugh
Corman	Kukovich	Punt	Wenger
Costa	LaValle	Rafferty	White, Donald
Dent	Lemmond	Rhoades	White, Mary Jo
Earl	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Schwartz	Wonderling

Fumo	Mowery	Stack	Wozniak
Gordner	Musto	Stout	
Greenleaf	O'Pake	Tartaglione	

NAY-0

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

Ordered, That the 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 2536 (Pr. No. 4303) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2537 (Pr. No. 4304) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2538 (Pr. No. 4305) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2539 (Pr. No. 4306) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2540 (Pr. No. 4307) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2541 (Pr. No. 4308) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2542 (Pr. No. 4309) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2543 (Pr. No. 4310) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson
Brightbill	Kasunic	Pileggi	Wagner
Conti	Kitchen	Pippy	Waugh

Corman	Kukovich	Punt	Wenger
Costa	LaValle	Rafferty	White, Donald
Dent	Lemmond	Rhoades	White, Mary Jo
Earll	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Schwartz	Wonderling
Fumo	Mowery	Stack	Wozniak
Gordner	Musto	Stout	
Greenleaf	O'Pake	Tartaglione	

NAY-0

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

Ordered, That the 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 2550 (Pr. No. 4311) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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 2553 (Pr. No. 4312) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

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

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2554 (Pr. No. 4313) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

Armstrong	Jubelirer	Orie	Tartaglione
Brightbill	Kasunic	Piccola	Thompson
Conti	Kitchen	Pileggi	Tomlinson
Costa	Kukovich	Pippy	Wagner
Dent	LaValle	Punt	Waugh

Earll	Lemmond	Rafferty	Wenger
Erickson	Logan	Rhoades	White, Donald
Ferlo	Madigan	Robbins	Williams, Anthony H.
Fumo	Mellow	Scarnati	Williams, Constance
Gordner	Mowery	Schwartz	Wonderling
Greenleaf	Musto	Stack	
Hughes	O'Pake	Stout	

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2555 (Pr. No. 4314) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

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

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2558 (Pr. No. 4315) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

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

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2559 (Pr. No. 4316) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

Armstrong	Jubelirer	Orie	Tartaglione
Brightbill	Kasunic	Piccola	Thompson
Conti	Kitchen	Pileggi	Tomlinson
Costa	Kukovich	Pippy	Wagner
Dent	LaValle	Punt	Waugh
Earll	Lemmond	Rafferty	Wenger

Erickson	Logan	Rhoades	White, Donald
Ferlo	Madigan	Robbins	Williams, Anthony H.
Fumo	Mellow	Scarnati	Williams, Constance
Gordner	Mowery	Schwartz	Wonderling
Greenleaf	Musto	Stack	
Hughes	O'Pake	Stout	

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2590 (Pr. No. 4317) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the 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.

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2544 (Pr. No. 3686) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2545 (Pr. No. 3687) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2546 (Pr. No. 3688) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2547 (Pr. No. 3689) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Hughes	Orie	Thompson
Boscola	Jubelirer	Piccola	Tomlinson

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2548 (Pr. No. 3690) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2549 (Pr. No. 3691) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2551 (Pr. No. 3693) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2552 (Pr. No. 3694) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 2556 (Pr. No. 4322) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

Armstrong	Jubelirer	Orie	Tartaglione
Brightbill	Kasunic	Piccola	Thompson
Conti	Kitchen	Pileggi	Tomlinson
Costa	Kukovich	Pippy	Wagner

Dent	LaValle	Punt	Waugh
Earll	Lemmond	Rafferty	Wenger
Erickson	Logan	Rhoades	White, Donald
Ferlo	Madigan	Robbins	Williams, Anthony H.
Fumo	Mellow	Scarnati	Williams, Constance
Gordner	Mowery	Schwartz	Wonderling
Greenleaf	Musto	Stack	
Hughes	O'Pake	Stout	

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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 2557 (Pr. No. 3699) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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-46

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

NAY-4

Boscola	Corman	White, Mary Jo	Wozniak
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A constitutional two-thirds 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.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1117 (Pr. No. 4319) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for railroad protection, railroad vandalism and interference with transportation facilities and for penalties; and providing for railroad civil immunity.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator LaValle.

Senator LaVALLE. Madam President, I just have a few remarks regarding railroads and why I will ask the Senate to vote "no" on House Bill No. 1117. This bill is being disguised as a homeland security bill. Madam President, the reality is that it, in part, provides for further civil immunity for railroads. In my 30 years in government at almost all levels, the railroads have been the least cooperative of any organization I have dealt with, and many of the concerns have revolved around safety issues. Their answer to safety concerns has almost always been no answer or do not bother us.

Let me share a story that all too often has happened in my district. I live in Rochester, Pennsylvania. We have a railroad and a river. Between the railroad and the Ohio River there is a park that kids play in, and a flag park. Last year I was at that park with my granddaughter, and sitting on the track was a Norfolk Southern engine and train. There was nobody on the train, and kids are fascinated by trains, so we kept looking for people on the train. The train was parked, the engine was running. An hour later a Yellow Cab pulls up, two guys get out with their gear and get on the train. That happens all too often, unattended vehicles on railroad tracks, and the railroad now is looking for civil immunity or further civil immunity. I think that is a disaster waiting to happen, and if this is a terrorist or a homeland security bill, if my granddaughter and I had had a bomb, we could have gotten on the train, taken it to Conway Yards, and blown the whole yard up and nobody would have known the difference. I think it is a bad bill, and I think before we do anything to help railroads, they need to do something or at least be encouraged to be a little more responsive to people who have complaints about safety.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Stout.

Senator STOUT. Madam President, I would like to respond to my colleague, Senator LaValle, about his concerns about some improprieties created by the railroads and their operation. This legislation has come before us at the request of Homeland Security here at the State level. They needed that because since 9/11 this environment has changed seriously and the railroads need to be able to take action to prevent trespassers and so forth from coming on their property who possibly could be doing some damage to the trains or to railroad equipment, and so forth.

Now, this legislation is reasonable legislation, and the railroads still have liability for people who have a legitimate purpose to be on the railroad. This is for people who do not come on

railroads without the consent of the railroad, people come onto their property, set up camps, and operate vehicles, and so forth, on their property, so this is needed legislation on behalf of the railroad industry and homeland security in Pennsylvania. We need to improve House Bill No. 1117 and move forward.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Allegheny Senator Ferlo.

Senator FERLO. Madam President, with all due respect to my colleague, this bill has nothing whatsoever to do with homeland security, and I am very disappointed this is being dealt with very late in the evening with all the other urgencies like the State budget and all the other agenda items that have been so critical to the Senate over the last couple days. There are a couple of other bills that are going to fly through tonight.

I want to thank the Majority Leadership for not wistfully putting through a previous bill that would have dealt with stripping and wiping away the rights of utility consumers across the Commonwealth of Pennsylvania, and, in their wisdom and in their good judgment, I want to thank them for not dealing with that bill tonight and holding it appropriately for public hearings. But, here comes another one of these late-night lobbyists, the slippery folks down the hallway, to shoot through a bill that really we should give a lot more thought to.

Again, this bill has nothing to do with homeland security. It even criminalizes an activity which I am not necessarily going to condone, but the fact of the matter is a lot of young people play at or near the railroad yards. This would actually criminalize somebody who happens to ride the rail or somehow interacts with a piece of equipment along the railroad right-of-way to the extent that there could be a 1-year sentence or third-degree misdemeanor with a \$25,000 fine. There are a lot of communities now that have urban parks and public rights-of-way, walking areas and garden areas that are at or near or adjacent to railroads, and I can think of a number of them in my own Senate district. Again, this gives undue consideration to the railroad interests, and I think my colleague, my friend and dear colleague, Senator LaValle, is right in speaking about this industry. I have many folks here who have been local public officials, and certainly those among the consuming public who have ever tried to call or phone or deal with the likes of railroad managers and owners. I am thinking back to the many times in the city of Pittsburgh where the mayor and city council, at the request of community groups, had all kinds of public safety issues, only to get the phone hung up on them by the railroad interests, not even the courtesy of a sit-down meeting. They basically hide behind their Federal laws and preemptions and do not even have the courtesy to return calls to deal with critical railroad issues going through the urban core communities, traffic issues, speed issues, safety issues. They just do not give a damn, to be quite honest with you, Madam President. That is a shame, and I do not see why we are bending over backwards to protect the narrow self-interest of a bunch of railroad company executives who do not want to take the time to appreciate the concerns and criticisms of those who rightfully raise issues in a cooperative spirit with the railroad interests.

Again, this is an overreaching bill that is not necessary, has nothing to do with homeland security, and even criminalizes

folks who might be on a snowmobile and travel over a railroad right-of-way. It is a bad bill and should go back through a public hearing process and come back again.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Washington County, Senator Stout.

Senator STOUT. Madam President, the railroads are a vital part of our State's transportation network. It is very important that we have a vibrant railroad system for the economy of Pennsylvania, and we need to have security included in this legislation. No pun intended, vote "yes" for House Bill No. 1117, do not let it become derailed. Do not derail House Bill No. 1117, vote "yes."

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

Senator LOGAN. Madam President, will somebody on the Majority side stand for interrogation?

Senator BRIGHTBILL. Madam President, I will be glad to.

The PRESIDENT. The Majority Leader says he will. You may continue.

Senator LOGAN. Madam President, can the Majority Leader define the term "civil immunity" in this bill?

Senator BRIGHTBILL. Madam President, no.

Senator LOGAN. Madam President, can somebody on the Majority side define "civil immunity" and what it means in this bill?

Senator BRIGHTBILL. Madam President, we are consulting here now, and we will be happy to give the gentleman a definition if he does not mind waiting a minute.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Senator BRIGHTBILL. Madam President, if the gentleman looks at section 8339.1, I think that while that is the general rule for railroad civil immunity, it really constitutes a definition of what that is, and I think that by reading that section, one would understand what civil immunity would be as applied to a railroad.

Senator LOGAN. Madam President, can the Majority Leader explain if we had any hearings here in the Senate or the House on this?

The PRESIDENT. Senator Brightbill, did we have any hearings here in the Senate or the House?

Senator BRIGHTBILL. Madam President, I am informed by Senator Madigan, who is chairman of the Committee on Transportation, that this bill and the contents of this bill parallel a similar bill introduced by Senator Stout which passed the Senate and was sent to the House. My understanding is that for some reason they did not pass Senator Stout's bill but instead sent this over as a bill, House Bill No. 1117, sponsored by Representative Maher. While we did not have a hearing on it, we did have a process, we did have a meeting, it did come to the floor, it did go through 3 days. We have had a process on this issue before, we just did not have it in this bill form. I would be curious to know what the roll-call vote was. I would not be surprised if the people who are opposing it now probably-- I see one over there indicating that he voted "no." Well, I will bet he was the only one.

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

Senator MELLOW. Madam President, may we go at ease so that we can verify exactly what that roll-call vote was so we can satisfy the very distinguished Majority Leader of the Senate?

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

Senator BRIGHTBILL. I would enjoy that, Madam President, because it is something I certainly want to know. I am sure, though, that Senator Ferlo's recollection is very good.

MOTION TO TABLE HB 1117

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

Senator LOGAN. Madam President, I am not too concerned about the roll-call vote because things happen in the Senate. I have only been here a little over 3 years and things get pushed through at different hours, so I am not really concerned about the roll-call vote. I would just be concerned if we are providing an industry like the railroad industry civil immunity. I would hope that we could have some public hearings on this to get different organizations' feedback on it.

So with that, I move to table House Bill No. 1117 for the purpose of public hearings.

The PRESIDENT. Senator Logan moves that House Bill No. 1117 be tabled.

On the question,

Will the Senate agree to the motion?

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

Senator BRIGHTBILL. Madam President, I ask for a negative vote on Senator Logan's motion to table.

LEGISLATIVE LEAVE

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

Senator MELLOW. Madam President, I request a temporary Capitol leave for Senator Fumo.

The PRESIDENT. Without objection, the leave will be granted.

And the question recurring,

Will the Senate agree to the motion?

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

YEA-21

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

NAY-29

Armstrong	Greenleaf	Pippy	Waugh
Brightbill	Jubelirer	Punt	Wenger
Conti	Lemmond	Rafferty	White, Donald
Corman	Madigan	Robbins	White, Mary Jo
Dent	Mowery	Scarnati	Wonderling
Earll	Orie	Stout	
Erickson	Piccola	Thompson	
Gordner	Pileggi	Tomlinson	

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

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-42

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

NAY-8

Costa	Kasunic	LaValle	Stack
Ferlo	Kukovich	Logan	Williams, Constance

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.

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. Isaac S. Metzler, Mr. and Mrs. John J. Evans, Mr. and Mrs. John Reynolds, Mr. and Mrs. Curtis Akers, Mr. and Mrs. John C. Boyer, Sr., Reverend and Mrs. Carl Frederick, Mr. and Mrs. Robert Hensel, Mr. and Mrs. Clifford Arndt, Mr. and Mrs. Robert Sweringen, Mr. and Mrs. Paul Kaseman and to Mr. and Mrs. William C. Axe by Senator Armstrong.

Congratulations of the Senate were extended to St. Nicholas Orthodox Church of Olyphant by Senator Mellow.

Congratulations of the Senate were extended to Jeannette A. Ketterer by Senator Piccola.

Congratulations of the Senate were extended to Jonathan E. Hullman by Senator Rafferty.

Congratulations of the Senate were extended to Christopher Sicuranza, Evan Groff and to Matthew Sicuranza by Senator Waugh.

Congratulations of the Senate were extended to Wayne C. Gorell by Senator D. White.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the presence of the Senate signed the following bills:

SB 679, SB 769, SB 1092, SB 1095, SB 1100 and SB 1184.

SENATE RESOLUTIONS ADOPTED

Senators STACK, LOGAN, KUKOVICH, ERICKSON, SCHWARTZ, BRIGHTBILL, STOUT O'PAKE, GREENLEAF, CONTI, PIPPY, RAFFERTY, ARMSTRONG and THOMPSON by unanimous consent, offered **Senate Resolution No. 294**, entitled:

A Resolution designating September 27, 2004, as "Family Day" in Pennsylvania.

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

Senators STACK, LOGAN, KUKOVICH, ERICKSON, SCHWARTZ, BRIGHTBILL, GREENLEAF, CONTI, PIPPY, ARMSTRONG and THOMPSON, by unanimous consent, offered **Senate Resolution No. 295**, entitled:

A Resolution designating September 16, 2004, as "Stepfamily Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I have remarks for both resolutions that I would like to submit for the record. However, I reserve the right to come back later, Madam President.

The PRESIDENT. The Chair thanks Senator Stack. The remarks will be submitted for the record.

(The following prepared statement was made a part of the record at the request of the gentleman from Philadelphia, Senator STACK:)

Family Day in Pennsylvania

Madam President, I am not going to talk about the statistics I presented last year when I introduced this same resolution. You may recall it simply stated the obvious, that teenagers who eat dinner with their parents frequently are more likely to stay out of trouble, and are less likely to do drugs. We do not need statistics or any more studies to prove that. We know this, families know this, the people of Pennsylvania know this but, Madam President, sometimes in this day and age of work, work, work, run here, run there, a cell phone always in our ear, we forget to slow down and remember what is really important.

That is why I am proud to introduce this resolution. If this resolution passes and as a result a son gets to tell his dad about that fly ball he caught, or a working mom gets to hear her little girl explain why she got

a star at school, Madam President, that will make me happier than passing the budget on time.

Madam President, 2 years ago, the National Center on Addiction and Substance Abuse, otherwise known as CASA, at Columbia University launched Family Day as an annual event to take place on the fourth Monday of each September. As I said, this effort was launched because of the results of research that CASA conducted showing how teenagers who spend dinner time with their parents are less likely to do drugs or get into trouble. I ask you, Madam President, is there a better gift to give to our children than our time?

I therefore proudly offer this resolution declaring the fourth Monday of September, September 27, 2004, as Family Day in Pennsylvania. Thank you.

Stepfamily Day

Madam President, approximately half of all Americans are currently involved in some form of stepfamily relationship. Given that, I believe that it is common sense that the more we support the stepfamily, the stronger we make the fabric of American families and society. Many Pennsylvanians and many of us in this Chamber have seen firsthand the love and stability provided by stepfamilies.

Madam President, stepfamilies are a fact of life. They deserve to be recognized. They deserve our support. Please join me in designating September 16, 2004, as Stepfamily Day in Pennsylvania.

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

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

ADJOURNMENT

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now adjourn until Sunday, July 4, 2004, at 1:48 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate adjourned at 11:59 a.m., Eastern Daylight Saving Time.