

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, FEBRUARY 1, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 6

SENATE

TUESDAY, February 1, 2005

The Senate met at 1 p.m., Eastern Standard Time.

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

PRAYER

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

Let us pray.

Heavenly Father, we ask that You bless this Senate, that these men and women who have been elected for the work of the Commonwealth will be protected by Your heavenly grace. In their times of tribulation, comfort and guide them. Lord, be that divine protector that You promised. We ask that You strengthen them in every challenge, stand with them in their time of need. Give them the courage to finish what they started. When they stand, let it be for a good purpose. Let them know that all things work together for the good.

We thank You, Lord, for all You have done, and we ask that You hear our prayer. Teach us, Lord, to come together and be as one body so we can bring peace to this world. Amen.

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

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of January 31, 2005.

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

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTIONS**

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

Change of Joint Session.
Weekly Recess.

BILLS INTRODUCED AND REFERRED

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

February 1, 2005

Senators LOGAN, KASUNIC, COSTA, LAVALLE, RAFFERTY, STOUT, KITCHEN, ORIE, TARTAGLIONE and BOSCOLA presented to the Chair **SB 118**, entitled:

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

Which was committed to the Committee on FINANCE, February 1, 2005.

Senators LEMMOND, PICCOLA, JUBELIRER, STOUT, KITCHEN, PILEGGI, ORIE, WONDERLING, THOMPSON, WOZNIAK, TARTAGLIONE, MUSTO, KASUNIC, COSTA, GORDNER, MADIGAN, ROBBINS, WAUGH, RAFFERTY, BOSCOLA, LOGAN and MELLOW presented to the Chair **SB 119**, entitled:

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for definitions, for the board, for licensure, for applications, for examinations, for fees, for waivers, for enforcement and for injunction; and making editorial changes.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 1, 2005.

Senators O'PAKE, MUSTO, KITCHEN, LAVALLE, STOUT, PILEGGI, RHOADES, TARTAGLIONE, WOZNIAK, KASUNIC, LOGAN, COSTA, ORIE, BOSCOLA, STACK, MELLOW, WAUGH, GORDNER and C. WILLIAMS presented to the Chair **SB 120**, entitled:

An Act mandating health insurance coverage for cancer prevention and early detection programs; and providing for powers and duties of the Department of Health.

Which was committed to the Committee on BANKING AND INSURANCE, February 1, 2005.

Senators O'PAKE, MUSTO, KITCHEN, LAVALLE, STOUT, PILEGGI, RHOADES, WOZNIAK, KASUNIC, LOGAN, COSTA, ORIE, BOSCOLA, MELLOW, STACK, WAUGH, GORDNER and C. WILLIAMS presented to the Chair **SB 121**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for health insurance reimbursement for prostate specific antigen examinations.

Which was committed to the Committee on BANKING AND INSURANCE, February 1, 2005.

Senators O'PAKE, MUSTO, KITCHEN, LAVALLE, STOUT, PILEGGI, RHOADES, TARTAGLIONE, WOZNIAK, KASUNIC, LOGAN, COSTA, ORIE, BOSCOLA, MELLOW, STACK, WAUGH, GORDNER and C. WILLIAMS presented to the Chair **SB 122**, entitled:

An Act providing for State assistance for certain cancer screening; conferring powers and duties on the Department of Health; establishing the Cancer Screening Fund; and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 1, 2005.

Senators O'PAKE, MUSTO, KITCHEN, LAVALLE, WOZNIAK, PILEGGI, RHOADES, TARTAGLIONE, KASUNIC, LOGAN, COSTA, ORIE, BOSCOLA and C. WILLIAMS presented to the Chair **SB 123**, entitled:

An Act providing for insurance coverage for routine patient care costs when an insured, enrollee or subscriber participates in approved cancer clinical trials; establishing the Pennsylvania Cancer Clinical Trial Review Board to adjudicate disputes involving third-party reimbursement for routine patient care costs incurred in association with approved cancer clinical trials; and providing for hearings and appeals.

Which was committed to the Committee on BANKING AND INSURANCE, February 1, 2005.

Senator GREENLEAF presented to the Chair **SB 124**, entitled:

An Act providing for applicability of certain provisions relating to equitable division of marital property in divorce actions; and making a related repeal.

Which was committed to the Committee on JUDICIARY, February 1, 2005.

Senators BRIGHTBILL, VANCE, MADIGAN, LEMMOND, RAFFERTY, THOMPSON, PILEGGI, D. WHITE, RHOADES, WOZNIAK, EARLL, COSTA, ORIE, O'PAKE, ROBBINS, M. WHITE, WONDERLING, ERICKSON, BOSCOLA and REGOLA presented to the Chair **SB 125**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for loss of property rights to the Commonwealth.

Which was committed to the Committee on LOCAL GOVERNMENT, February 1, 2005.

Senators WENGER, ARMSTRONG and BRIGHTBILL presented to the Chair **SB 126**, entitled:

An Act designating a certain bridge carrying State Route 322 over Conestoga River in Earl Township, Lancaster County as the Representative Leroy M. Zimmerman Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, February 1, 2005.

Senators MUSTO, COSTA, KITCHEN, LEMMOND, LOGAN and O'PAKE presented to the Chair **SB 127**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Commission on Health Care for the Aging within the Department of Aging; and providing for the powers and duties of the commission.

Which was committed to the Committee on AGING AND YOUTH, February 1, 2005.

Senators MUSTO, COSTA, KITCHEN, LEMMOND, LOGAN, O'PAKE and WOZNIAK presented to the Chair **SB 128**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the availability of food service employees to administer cardiopulmonary resuscitation.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators MUSTO, KITCHEN, COSTA, STOUT, O'PAKE, LEMMOND, D. WHITE, WOZNIAK and BOSCOLA presented to the Chair **SB 129**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the unauthorized taking of newspapers from municipal recycling containers placed for collection; and prescribing a penalty.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 2005.

Senators MELLOW, COSTA, LAVALLE, KASUNIC, STOUT, MUSTO, BOSCOLA, TARTAGLIONE, KITCHEN, STACK, WOZNIAK, FERLO, ORIE, D. WHITE, LOGAN and O'PAKE presented to the Chair **SB 130**, entitled:

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

Which was committed to the Committee on FINANCE, February 1, 2005.

Senators MUSTO, KITCHEN, COSTA, STOUT, O'PAKE, PILEGGI, D. WHITE, WOZNIAK and BOSCOLA presented to the Chair **SB 131**, entitled:

An Act authorizing the incurring of indebtedness, with the approval of the electors, of \$1,000,000,000 for the control of discharges from combined sewer overflows; and establishing the Combined Sewer Overflow Grant Program under the administration of the Pennsylvania Infrastructure Investment Authority.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 2005.

Senators MUSTO, KITCHEN, COSTA, STOUT, O'PAKE, LEMMOND, PILEGGI, WOZNIAK and BOSCOLA presented to the Chair **SB 132**, entitled:

An Act providing for demonstration programs and grants; providing for the establishment of an advisory committee; authorizing the Department of Education to administer funding of the selected demonstration projects; and establishing the Horticultural Education and Demonstration Fund.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators MUSTO, M. WHITE, KITCHEN, COSTA, O'PAKE, LEMMOND, WOZNIAK and BOSCOLA presented to the Chair **SB 133**, entitled:

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, further providing for limitation on General Fund money.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 2005.

Senators MUSTO, COSTA, KITCHEN, STOUT, LEMMOND, O'PAKE, WOZNIAK and BOSCOLA presented to the Chair **SB 134**, entitled:

An Act amending the act of December 19, 1996 (P.L.1478, No.190), entitled "An act relating to the recycling and reuse of waste tires; providing for the proper disposal of waste tires and the cleanup of stockpiled tires; authorizing investment tax credits for utilizing waste tires; providing remediation grants for the cleanup of tire piles and for pollution prevention programs for small business and households; establishing the Small Business and Household Pollution Prevention Program and management standards for small business hazardous waste; providing for a household hazardous waste program and for grant programs; making appropriations; and making repeals," further providing for the definition of "waste tire"; defining "waste tire recycling facility"; further providing for the disposal of whole waste tires; prohibiting waste tire recycling facilities in certain locations; and further providing for Environmental Quality Board regulations, for waste tire registry and for remediation liens.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 2005.

Senators MUSTO, KITCHEN, COSTA, STOUT, O'PAKE, LEMMOND, WOZNIAK and BOSCOLA presented to the Chair **SB 135**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, providing for restrictions on the disposal of newsprint.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 1, 2005.

Senators ERICKSON, WONDERLING, MADIGAN, MUSTO, RAFFERTY, KITCHEN, CORMAN, ROBBINS, RHOADES, COSTA, PILEGGI, KASUNIC, TARTAGLIONE, PIPPY, LOGAN, ORIE, BOSCOLA, D. WHITE, WAUGH and C. WILLIAMS presented to the Chair **SB 136**, entitled:

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for eligibility for benefits for members of certain ambulance services or rescue squads.

Which was committed to the Committee on LABOR AND INDUSTRY, February 1, 2005.

Senators ERICKSON, WONDERLING, MUSTO, RAFFERTY, KITCHEN, CORMAN, COSTA, LEMMOND, PILEGGI, D. WHITE, RHOADES, GREENLEAF, PIPPY, O'PAKE, LOGAN, ORIE, BOSCOLA and WAUGH presented to the Chair **SB 137**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for general regulations relating to dissemination of criminal history record information and for information relating to prospective child-care personnel.

Which was committed to the Committee on JUDICIARY, February 1, 2005.

Senators ERICKSON, WONDERLING, RAFFERTY, KITCHEN, ROBBINS, COSTA, MUSTO, PILEGGI, GREENLEAF, EARLL, ORIE and WAUGH presented to the Chair **SB 138**, entitled:

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

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators ERICKSON, CORMAN, D. WHITE, PILEGGI and BOSCOLA presented to the Chair **SB 139**, entitled:

An Act providing options, subject to voter approval, for political subdivisions to impose taxes on earned income and net profits and personal income.

Which was committed to the Committee on FINANCE, February 1, 2005.

Senators ERICKSON, RAFFERTY, KITCHEN, COSTA, LEMMOND, PILEGGI, TARTAGLIONE and C. WILLIAMS presented to the Chair **SB 140**, entitled:

An Act relating to crane operator licensure; creating the State Board of Crane Operators; conferring powers and imposing duties; making an appropriation; and imposing penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 1, 2005.

Senators ERICKSON, THOMPSON and PILEGGI presented to the Chair **SB 141**, entitled:

An Act designating a bridge in Westtown Township, Chester County, the L. Charles Scipione Bridge.

Which was committed to the Committee on TRANSPORTATION, February 1, 2005.

Senators ERICKSON, WONDERLING, MADIGAN, TOMLINSON, MUSTO, RAFFERTY, KITCHEN, CORMAN, COSTA, D. WHITE, RHOADES, O'PAKE, PILEGGI, GREENLEAF, EARLL, KASUNIC, TARTAGLIONE, PIPPY, LOGAN, BOSCOLA, STACK and VANCE presented to the Chair **SB 142**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for community college financial programs and reimbursements; establishing the Community College Deferred Maintenance Fund; and abrogating a regulation.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators RHOADES, GREENLEAF, LAVALLE, KASUNIC, C. WILLIAMS, WOZNIAK, STOUT, KITCHEN, ERICKSON, REGOLA, BOSCOLA and STACK presented to the Chair **SB 143**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing parent involvement programs and policies in school districts.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators RHOADES, EARLL, MUSTO, LAVALLE, C. WILLIAMS, RAFFERTY, STOUT, GREENLEAF, WOZNIAK, KASUNIC, STACK and GORDNER presented to the Chair **SB 146**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for powers and duties of the intermediate unit board of directors; and providing for academic improvement programs.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators RHOADES, PICCOLA, PILEGGI, RAFFERTY, GREENLEAF, WOZNIAK, KASUNIC, PIPPY, ERICKSON, BOSCOLA, STACK, WAUGH and GORDNER presented to the Chair **SB 147**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for technical assistance and information provided by department.

Which was committed to the Committee on EDUCATION, February 1, 2005.

Senators RHOADES, PICCOLA, PILEGGI, RAFFERTY, GREENLEAF, WOZNIAK, KASUNIC, PIPPY, ERICKSON, BOSCOLA, STACK, WAUGH and GORDNER presented to the Chair **SB 148**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for continuing professional development and for program of continuing professional education.

Which was committed to the Committee on EDUCATION, February 1, 2005.

RESOLUTION INTRODUCED AND REFERRED

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

February 1, 2005

Senator BRIGHTBILL presented to the Chair **SR 12**, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2005, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, February 1, 2005.

LEGISLATIVE LEAVES

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

Senator BRIGHTBILL. Madam President, I ask for temporary Capitol leaves for Senator Piccola and Senator Tomlinson.

The PRESIDENT. Senator Brightbill requests temporary Capitol leaves for Senator Piccola and Senator Tomlinson. Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator O'PAKE asked and obtained a leave of absence for Senator FUMO, for today's Session, for personal reasons.

Senator PIPPY remains on military leave pursuant to Senate Rule XXI(3).

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROBBINS,

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

January 4, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Denise Illig Robison, Nine Niagara Pier, Erie 16507, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2007, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF NURSING

January 4, 2005

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, Nathan Hershey, (Public Member), 5423 Northumberland Street, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Nursing, to serve until December 10, 2007, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Vincent Galko, Harrisburg, forfeiture of membership.

EDWARD G. RENDELL Governor

MEMBER OF THE PENNSYLVANIA PUBLIC TELEVISION NETWORK COMMISSION

January 12, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward M. Mead, 1315 Taylor Ridge Road, Erie 16505, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2010, or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL Governor

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

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

YEA-45

Table with 4 columns of names: Armstrong, Boscola, Brightbill, Conti, Corman, Costa, Earll, Erickson, Ferlo, Gordner, Greenleaf, Hughes, Jubelirer, Kasunic, Kitchen, LaValle, Lemmond, Logan, Madigan, Mellow, Musto, O'Pake, Orié, Piccola, Pileggi, Punt, Rafferty, Regola, Rhoades, Robbins, Scarnati, Stack, Stout, Tartaglione, Thompson, Tomlinson, Vance, Waugh, Wenger, White, Donald, White, Mary Jo, Williams, Anthony H., Williams, Constance, Wonderling, Wozniak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

RECESS

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

Senator BRIGHTBILL. Madam President, I request a recess for the purpose of a meeting of the Committee on Rules and Executive Nominations, which will begin immediately. We will then come back and close for the day. There will be a brief Republican caucus in the Rules room following our closing for the day.

The PRESIDENT. Senator Brightbill requests a recess for a meeting of the Committee on Rules and Executive Nominations and then a brief Republican caucus.

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

Senator O'PAKE. Madam President, would the gentleman consent to brief interrogation?

The PRESIDENT. Will the gentleman consent to brief interrogation?

Senator BRIGHTBILL. Madam President, I will, if it is brief and to the point.

Senator O'PAKE. Madam President, there will be no need for the Democrats to caucus, but what time will we return tomorrow?

Senator BRIGHTBILL. Madam President, we expect to go into Session at 11:00 tomorrow morning.

Senator O'PAKE. Madam President, thank you.

The PRESIDENT. Without objection, for those purposes, the Senate stands in recess.

AFTER RECESS

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

UNFINISHED BUSINESS RESOLUTION REPORTED FROM COMMITTEE

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

SR 12 (Pr. No. 111)

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2005, including any amendments offered to or for supplemental appropriations for prior fiscal years.

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

SENATE RESOLUTIONS ADOPTED

Senators GREENLEAF, COSTA, LEMMOND, EARLL, O'PAKE, STACK, M. WHITE, BOSCOLA, THOMPSON, CONTI, TARTAGLIONE, ARMSTRONG, TOMLINSON,

FERLO, D. WHITE, ROBBINS, KITCHEN, WONDERLING and LOGAN, by unanimous consent, offered **Senate Resolution No. 13**, entitled:

A Resolution congratulating the Pennsylvania Board of Probation and Parole for receiving reaccreditation from the American Correctional Association with a 100% compliance rate.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Madam President, I rise to offer a resolution that recognizes the Pennsylvania Board of Probation and Parole for their national recognition by the American Correctional Association, the ACA, for their standards as a national benchmark. They review these correctional and parole boards nationally for their professional operation throughout the United States. It takes 18 months for them to do this review, and their accreditation is for 3 years. The Pennsylvania Board of Probation and Parole has been accredited by the ACA since 1982, and the most recent accreditation specifically recognized three areas of excellence. The first is the positive morale and attitude of the parole officers and support staff, second is the active fatherhood initiative component of the board's reentry programs, and the third is the quality of the board's facilities in relation to the safety of both staff and parolees. During the most recent evaluation, for the first time the Pennsylvania Board of Probation and Parole received a 100-percent compliance rate on both the mandatory and nonmandatory standards, and that is a rare occurrence among State level agencies.

So as a result, I offer this resolution congratulating the Pennsylvania Board of Probation and Parole for receiving the reaccreditation from the American Correctional Association with a 100-percent compliance rate.

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

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

Senators WAUGH, LaVALLE, STOUT, CONTI, BOSCOLA, BRIGHTBILL, ERICKSON, EARLL, KITCHEN, MUSTO, SCARNATI, FERLO, LEMMOND, O'PAKE, STACK, ARMSTRONG, LOGAN, RAFFERTY, WONDERLING and THOMPSON, by unanimous consent, offered **Senate Resolution No. 14**, entitled:

A Resolution designating the month of February 2005 as "National Heritage Month" in Pennsylvania.

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

Senators ORIE, TARTAGLIONE, WONDERLING, VANCE, MUSTO, THOMPSON, ROBBINS, BOSCOLA, PUNT, KITCHEN, ERICKSON, ROBBINS, LaVALLE, BRIGHTBILL, WOZNAK, STACK, LEMMOND, SCARNATI, COSTA, ARMSTRONG, CONTI, RAFFERTY, WAUGH, GREENLEAF and EARLL, by unanimous consent, offered **Senate Resolution No. 15**, entitled:

A Resolution recognizing the month of February 2005 as "Women's Heart Awareness Month" in Pennsylvania.

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

CONGRATULATORY RESOLUTIONS

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

January 26, 2005

Congratulations of the Senate were extended to Dr. Adolph Butkys, Jonathan M. Kost, John Egan, 16th Annual Pennsylvanians with Disabilities Day and to Binney and Smith of Easton by Senator Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. Howard L. Gregg, Donald L. Mains and to Donald L. Baker by Senator Corman.

Congratulations of the Senate were extended to Rita Schmitt by Senator Earll.

Congratulations of the Senate were extended to Joshua Thomas Shelhamer, Matthew Stephen Kudrick and to David Robert Grey by Senator Gordner.

Congratulations of the Senate were extended to the Barbershop Talk Human Family Day Foundation by Senator Hughes.

Congratulations of the Senate were extended to Ethel Treese and to Raymond A. Long by Senator Jubelirer.

Congratulations of the Senate were extended to Richard Gomer Hawk by Senator Lemmond.

Congratulations of the Senate were extended to Monroeville Volunteer Fire Company No. 5 by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. George Evelhair by Senator Madigan.

Congratulations of the Senate were extended to Dr. Linda S. Frantz by Senator Mellow.

Congratulations of the Senate were extended to John Watkins, Joseph Soltis, Donald Fiorucci, Ronald Tompko, Robert Turinski, Beryl Silkowski, Thomas Kosciulek and to Alfred Cibello by Senator Musto.

Congratulations of the Senate were extended to Brian Marcus, Steven Marcus and to Brian Hare by Senator Orie.

Congratulations of the Senate were extended to Jasminka Lolic by Senator Punt.

Congratulations of the Senate were extended to Sean Simmons by Senator Rafferty.

Congratulations of the Senate were extended to Bryan C. Novinger by Senator Rhoades.

Congratulations of the Senate were extended to the Grove City Area High School Football Team by Senator Robbins.

Congratulations of the Senate were extended to George M. Khoury III by Senator Scarnati.

Congratulations of the Senate were extended to Patrick Michael Ryan, Maryann Worrell, Christopher Manieri, David Czarniecki and to Timothy Richard by Senator Thompson.

Congratulations of the Senate were extended to Brendan A. Fay by Senator Tomlinson.

Congratulations of the Senate were extended to James L. Nemeck and to Joseph A. Cippel by Senator D. White.

Congratulations of the Senate were extended to J. M. Ada Mutch and to Ronak Patel by Senator C. Williams.

Congratulations of the Senate were extended to Thelma B. Wren by Senators Wonderling and Boscola.

Congratulations of the Senate were extended to Francis A. Bazyk by Senator Wozniak.

February 1, 2005

Congratulations of the Senate were extended to Mr. and Mrs. Reuel Welch and to Christopher P. Hensley by Senator Armstrong.

Congratulations of the Senate were extended to Elmer D. Gates and to Marlene O. Fowler by Senators Boscola, Rhoades, and Wonderling.

Congratulations of the Senate were extended to the Nazareth Pharmacy, Inc., by Senators Boscola and Wonderling.

Congratulations of the Senate were extended to James S. Hoke by Senator Brightbill.

Congratulations of the Senate were extended to Child, Home & Community of Doylestown by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Gordner by Senator Gordner.

Congratulations of the Senate were extended to Mr. and Mrs. John Thatcher and to Alice S. McCahan by Senator Jubelirer.

Congratulations of the Senate were extended to Derek Ian Thompson and to Gregory Tenos by Senator Orié.

Congratulations of the Senate were extended to Michael A. Leiter II, Jared D. Klinger, Humane Fire Company No. 1 of Pottsville and to Saint George Lithuanian Roman Catholic Church of Shenandoah by Senator Rhoades.

Congratulations of the Senate were extended to the Cochranon High School Girls' Varsity Volleyball Team by Senator Robbins.

Congratulations of the Senate were extended to the Beth Israel Congregation of Chester County by Senator Thompson.

Congratulations of the Senate were extended to Theodore John Szanajda III, Christopher Jonathan MacGahan, G. Zachary Glaeser and to Christopher Michael Long by Senator Tomlinson.

Congratulations of the Senate were extended to Andrew Jacob Porter by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Ken Ritchey, Mr. and Mrs. King Woodside and to Adam Caldwell by Senator D. White.

Congratulations of the Senate were extended to Kevin E. Roberts and to James Bunyak by Senator M.J. White.

Congratulations of the Senate were extended to the citizens of the Borough of Quakertown by Senator Wonderling.

CONDOLENCE RESOLUTIONS

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

January 26, 2005

Condolences of the Senate were extended to the family of the late Raymond and Frances Mizgorski, to the family of the late Samuel J. Troese and to the family of the late Sister Georgianna Schwender by Senator Orié.

February 1, 2005

Condolences of the Senate were extended to the family of the late Jeffrey R. Harrington by Senator Orié.

RECESS

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now recess until Wednesday, February 2, 2005, at 11 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 2:20 p.m., Eastern Standard Time.