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Legislative Journal

WEDNESDAY, MAY 11, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 30

SENATE

WEDNESDAY, May 11, 2005

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend JOHN KUERT, of Evangel Heights Assembly of God, Sarver, offered the following prayer:

Shall we pray.

O God, our Heavenly Father, we come before You and thank You for this day. The Word says, this is the day the Lord has made. We will rejoice and be glad in it.

We give You thanks for all of Your blessings on our great land, in the communities of our Commonwealth, and in our lives. I personally thank You for each and every one of these women and men whom You have sovereignly placed in these positions of leadership in our State government, and I pray that they would not forget or forsake the spiritual foundations on which this country was built.

I ask You, Lord, if You would help us all get back to the old paths, as Jeremiah wrote, of prayer and the principles of Your word. May the words of the psalmist who declared with confidence that the Lord reigns, give us a perspective that will bring us into humble recognition of who You are and that we are serving You together, and may that promote unity so that more good can be accomplished through us. May all of us remember the motto that is on every piece of our currency, "In God We Trust," and I pray that we not just remember that, but we would indeed practice it.

Thank You for the promise from Proverbs III, V, and VI that says that if we trust in You with all of our heart and lean not to our own understanding, You would direct our paths. I ask, Lord, that You would direct this day. May we use the precious moments of this day wisely, knowing that once May 11, 2005 is over, it will never return. We dedicate ourselves and present our bodies as living sacrifices to You, that You will use us for the good of people in this State and our country, and may we be women and men of integrity, guided by the principles of righteousness.

Furthermore, I pray that You would bless the families of these Senators and keep Your hand of protection upon them, and, Lord, continue to bless our President and our leaders, and our troops. Continue to prosper this land so that political and spiritual freedom is experienced in every country and culture.

Finally, as we have prayed so many times in these last several years, we just simply and sincerely pray, God bless America. I ask all these things in Your name, Lord, and for Your glory. Amen.

The PRESIDENT. The Chair thanks Reverend Kuert, who is the guest today of Senator Orié.

PLEDGE OF ALLEGIANCE

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator LaValle. Without objection, that leave is granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 10, 2005.

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-47

Armstrong	Greenleaf	Orie	Thompson
Boscola	Hughes	Piccola	Tomlinson
Brightbill	Jubelirer	Pileggi	Vance
Browne	Kasunic	Pippy	Waugh
Conti	Kitchen	Rafferty	Wenger
Corman	LaValle	Regola	White, Donald

Costa	Lemmond	Rhoades	White, Mary Jo
Earl	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Stack	Wonderling
Fumo	Musto	Stout	Wozniak
Gordner	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.

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:

May 11, 2005

Senators PILEGGI, JUBELIRER, MADIGAN, STOUT, ERICKSON, PICCOLA, KITCHEN, BOSCOLA, CORMAN, RHOADES, BRIGHTBILL, LAVALLE, EARLL, STACK, THOMPSON, PIPPY, TARTAGLIONE, ORIE, COSTA, GORDNER, TOMLINSON, MELLOW, GREENLEAF, D. WHITE, WENGER, RAFFERTY, LEMMOND, CONTI, M. WHITE, O'PAKE, FUMO, LOGAN, WAUGH, WONDERLING, PUNT, WOZNIAK, SCARNATI, MUSTO, ROBBINS and ARMSTRONG presented to the Chair **SB 677**, entitled:

An Act designating a portion of State Route 322 in Delaware County as the Senator Clarence D. Bell Memorial Highway.

Which was committed to the Committee on TRANSPORTATION, May 11, 2005.

Senators STACK, MELLOW, MUSTO, BOSCOLA, PUNT, ERICKSON, BRIGHTBILL, TARTAGLIONE, LAVALLE, O'PAKE, COSTA, WENGER, LOGAN, GREENLEAF, RHOADES and ORIE presented to the Chair **SB 678**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing a tax credit for telecommunication carriers that offer telecommunication services to Pennsylvania National Guard members ordered to active Federal or State service.

Which was committed to the Committee on FINANCE, May 11, 2005.

Senators STOUT, COSTA, MELLOW, KITCHEN, O'PAKE, PUNT, ORIE, MUSTO, LOGAN, EARLL, GREENLEAF, PIPPY, RHOADES, D. WHITE, ROBBINS, STACK, WAUGH, KASUNIC, FUMO, WOZNIAK, HUGHES, LAVALLE, FERLO and BOSCOLA presented to the Chair **SB 680**, entitled:

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, providing for free resident fishing, hunting and furtaking licenses for military personnel upon their discharge from active duty.

Which was committed to the Committee on GAME AND FISHERIES, May 11, 2005.

Senators WOZNIAK, MELLOW, FUMO, MUSTO, HUGHES, LAVALLE, BOSCOLA, KITCHEN, FERLO, KASUNIC, STACK, COSTA, STOUT, C. WILLIAMS, O'PAKE, LOGAN and TARTAGLIONE presented to the Chair **SB 681**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for employment discrimination for military membership or duty.

Which was committed to the Committee on BANKING AND INSURANCE, May 11, 2005.

Senators KITCHEN, MELLOW, FUMO, LAVALLE, HUGHES, MUSTO, KASUNIC, WOZNIAK, BOSCOLA, FERLO, STACK, COSTA, STOUT, C. WILLIAMS, O'PAKE, LOGAN and TARTAGLIONE presented to the Chair **SB 682**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for eligibility for subsidized child day care.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 11, 2005.

Senators PIPPY, D. WHITE, ERICKSON, KITCHEN, PILEGGI, LOGAN, ORIE, WOZNIAK, BOSCOLA, LAVALLE, FERLO, GREENLEAF, WONDERLING, COSTA, ARMSTRONG and ROBBINS presented to the Chair **SB 683**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, defining, in personal income tax, "disaster losses"; and providing for, in personal income tax, classes of income.

Which was committed to the Committee on FINANCE, May 11, 2005.

Senators KITCHEN, PILEGGI, STACK, C. WILLIAMS, HUGHES, COSTA, MELLOW, RAFFERTY and D. WHITE presented to the Chair **SB 684**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, codifying the Optional County Affordable Housing Funds Act; and making a related repeal.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, May 11, 2005.

Senators O'PAKE, KASUNIC, STOUT, ORIE, PILEGGI, STACK, TARTAGLIONE, RAFFERTY, C. WILLIAMS, EARLL, COSTA, BOSCOLA, KITCHEN, LAVALLE, FERLO, MUSTO, LOGAN and RHOADES presented to the Chair **SB 685**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing, in child protective services, for annual reports to the Governor and the General Assembly.

Which was committed to the Committee on AGING AND YOUTH, May 11, 2005.

Senator D. WHITE presented to the Chair **SB 689**, 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 number and election of school directors in districts of the second, third and fourth classes and their terms of office.

Which was committed to the Committee on EDUCATION, May 11, 2005.

Senators WONDERLING, ORIE, COSTA, TARTAGLIONE, M. WHITE, ERICKSON, PIPPY, KITCHEN, RAFFERTY, WOZNAK, LOGAN, STOUT, VANCE, BOSCOLA, RHOADES and STACK presented to the Chair **SB 690**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for contempt for violation of order or agreement.

Which was committed to the Committee on JUDICIARY, May 11, 2005.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR CONSTANCE H.
WILLIAMS PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Connie Williams.

Senator C. WILLIAMS. Madam President, today I have some very special guests in the gallery from Bryn Mawr, Pennsylvania. They are Dr. Jill Briskin, who is an associate professor of emergency medicine and pediatrics at the University of Pennsylvania, Dr. Kenneth Briskin, who is an ENT physician in Delaware County at Riddle Memorial, and their two sons, Noah and Andrew, who are 7 and 5 and attend Gladwyne Montessori School. Noah likes to read and write, and Andrew likes to read before he goes to sleep. They are here to see what the life of a Senator is like, so I would like them to rise now and have everybody give them a nice welcome.

The PRESIDENT. Will Dr. Jill Briskin, Dr. Kenneth Briskin, and their sons, Noah and Andrew, please rise so we can give you a warm welcome.

(Applause.)

Senator C. WILLIAMS. Madam President, I have some other guests here as well. I have one of the student interns who comes to our office in the spring and summer. Today I would like to introduce Evan Finkelstein to the Senate, who lives in Villanova and is a student at Harriton High School and will be attending Drexel University next year. A few years ago I was proud to be at his Eagle Scout ceremony, and he is going to be an intern in my office at King of Prussia for a few weeks. He has come to Harrisburg, along with Lori Keenan McGarvey, one of my newest staff members, to see what it is like here, so I hope that the Senate will give them a nice warm welcome.

The PRESIDENT. Will Evan and Lori please rise so we can give you a round of applause.

(Applause.)

**APPOINTMENTS BY THE
PRESIDENT PRO TEMPORE**

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

Senator Pat Browne as a member of the Public Employee Retirement Commission and as a member of the Board of Directors of the Pennsylvania Minority Business Development Authority.

BILLS REPORTED FROM COMMITTEES

Senator RHOADES, from the Committee on Education, reported the following bills:

SB 150 (Pr. No. 812) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for opportunities for educational excellence through concurrent enrollment.

SB 413 (Pr. No. 438)

An Act providing for Commonwealth support for a Mental Health and Mental Retardation Staff Member Loan Forgiveness Program and an Alcohol and Drug Addiction Counselor Loan Forgiveness Program for Commonwealth residents who graduate from institutions of higher education and who apply their degrees to careers as mental health and mental retardation staff members in this Commonwealth.

SB 651 (Pr. No. 748)

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for waiver of standards.

SB 679 (Pr. No. 781)

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 program of continuing professional education.

SB 686 (Pr. No. 813) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, repealing provisions relating to cost of tuition and maintenance of certain exceptional children in approved institutions and in chartered schools for the education of the deaf and the blind; and providing for cost of tuition and maintenance of certain children in approved private schools and in chartered schools.

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

SB 600 (Pr. No. 671)

An Act authorizing the release of Project 70 restrictions imposed on certain land owned by Indiana County, being conveyed by the county in return for the imposition of Project 70 restrictions on certain land being conveyed to the county by the Department of Transportation.

SB 636 (Pr. No. 730)

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans' Affairs, to grant and convey to the Borough of Columbia, Lancaster County, certain lands situate in Columbia Borough, Lancaster County.

CALENDAR

THIRD CONSIDERATION CALENDAR

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

SB 157 (Pr. No. 809) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing powers and restrictions thereon; and making editorial changes.

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

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Madam President, what this bill does is clarifies a previous bill that passed the House and the Senate, and it sets a threshold of \$12,000 for the EMS tax, and anybody making less than that will not have to pay the tax. It also states that the minimum amount is quarterly instead of once and done. It passed the Senate originally in that form; however, it was mistakenly amended in the House, and this will rectify it.

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

Senator BRIGHTBILL. Madam President, would Senator Armstrong stand for interrogation?

The PRESIDENT. He indicates he will.

Senator BRIGHTBILL. Madam President, my understanding is that no municipality is required to impose this tax. Is that correct?

Senator ARMSTRONG. Madam President, that is correct. It is voluntary. It is a "may" bill.

Senator BRIGHTBILL. Madam President, it is my understanding that no individual is required, under any circumstances, to pay the \$52 tax more than once, even though they may work in more than one municipality that imposes this tax. Is that correct?

Senator ARMSTRONG. Madam President, that is correct. The maximum is \$52.

Senator BRIGHTBILL. Madam President, it is my understanding that an individual who pays the required amount, pays it only in a jurisdiction in which he is actually employed.

Senator ARMSTRONG. Madam President, it is where you physically work, not where you are headquartered or where your office is located, but where you physically work. The only option you would have is a case like a legislator. I work in Lancaster and I work in Harrisburg. Both municipalities do in fact have a \$52 EMS tax. It is where I spend the majority of my time. It was pretty close, probably 55-45. I elected to pay my tax in

Lancaster, and I came up and showed my receipt to the Chief Clerk so they knew that I paid the tax.

Senator BRIGHTBILL. My understanding, Madam President, is that there is a case called *Octorara Education Association vs. West Fallowfield Township* which holds that an individual is required to pay the tax only where he or she is employed, regardless of where the headquarters of the particular business is located. Is it the gentleman's interpretation that the law that we are passing does not change that rule?

Senator ARMSTRONG. Madam President, that is correct.

Senator BRIGHTBILL. Finally, Mr. President, it is my understanding that an individual who has offices in different jurisdictions is required only to pay the tax in the jurisdiction where he or she maintains his or her principal office or is principally employed. Is that the gentleman's understanding?

Senator ARMSTRONG. Yes, Madam President, that is exactly my understanding.

Senator BRIGHTBILL. Madam President, thank you.

Madam President, I just have a few comments. We have municipalities out there that would like us to make some changes in this. I hope that they would have the good sense to provide a simple procedure for people to pay this tax in one municipality, and that they establish some kind of pro forma system so that individuals do not have to go through a lot of paperwork to avoid paying a \$52 tax in two different municipalities. There are many of us, including the Members of the General Assembly, who have employment in more than one venue, and there are many people who have full-time and part-time jobs, or maybe two part-time jobs, that kind of thing, and I hope that the municipalities pay attention to facilitating this. Perhaps before the House concurs in this they can offer an amendment to make sure that the municipalities do that.

Thank you.

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

Senator O'PAKE. Madam President, would Senator Armstrong stand for interrogation?

The PRESIDENT. Senator Armstrong, will you stand for interrogation? He indicates he will.

Senator O'PAKE. Madam President, it is my understanding that this will take effect in January of next year. Is that correct?

Senator ARMSTRONG. That is correct, Madam President. It has no impact in this year at all. It will begin on January 1, 2006.

Senator O'PAKE. Madam President, so if a municipality under the amendment, which is the Corman amendment that we adopted yesterday, elects to use the proceeds from this tax to reduce property taxes, that would take effect next January and has no bearing on this year's tax structure or proposed spending?

Senator ARMSTRONG. Madam President, the gentleman is exactly right.

Senator O'PAKE. Madam President, thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-47

Armstrong	Greenleaf	Orie	Thompson
Boscola	Hughes	Piccola	Tomlinson
Brightbill	Jubelirer	Pileggi	Vance
Browne	Kasunic	Pippy	Waugh
Conti	Kitchen	Rafferty	Wenger
Corman	LaValle	Regola	White, Donald
Costa	Lemmond	Rhoades	White, Mary Jo
Earll	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Stack	Wonderling
Fumo	Musto	Stout	Wozniak
Gordner	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 LAID ON THE TABLE

SB 386 (Pr. No. 677) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 464 (Pr. No. 765) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L. 2897, No.1), known as the Unemployment Compensation Law, further providing for the definition of "employer" and for general powers and duties of department, providing for representation in proceedings; further providing for contributions by employers and employees, for successors-in-interest, for appeals, for interest on past due contributions and for limitations upon enforcement of payment of contributions, interest and penalties; providing for registration and other reports; further providing for the Special Administration Fund; providing for the Job Training Fund; further providing for the duties of the State Treasurer as custodian and for offenses relating to false statements and representations to prevent or reduce compensation and other offenses; and providing for monetary penalties.

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-47

Armstrong	Greenleaf	Orie	Thompson
Boscola	Hughes	Piccola	Tomlinson

Brightbill	Jubelirer	Pileggi	Vance
Browne	Kasunic	Pippy	Waugh
Conti	Kitchen	Rafferty	Wenger
Corman	LaValle	Regola	White, Donald
Costa	Lemmond	Rhoades	White, Mary Jo
Earll	Logan	Robbins	Williams, Anthony H.
Erickson	Madigan	Scarnati	Williams, Constance
Ferlo	Mellow	Stack	Wonderling
Fumo	Musto	Stout	Wozniak
Gordner	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.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR DAVID J. BRIGHTBILL PRESENTED TO THE SENATE

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

Senator BRIGHTBILL. Madam President, for the Members' attention, to the rear of the Chamber is the Wilson Area High School Boys' Swimming Team of West Lawn in Berks County. This is actually a very momentous day on the floor of the Senate, because we are establishing an exception to the rule that to be on the floor you have to be a national champion. We now have an exception. The exception is that if you win 10 State championships, you will be permitted on the floor of the Senate. I am sure that these young men do not realize that. They captured the 2004-05 PIAA State Class AAA Boys' Swimming and Diving Championship. They also captured the Central Penn Swim League for the tenth consecutive year, and the PIAA District III Class AA Boys' Swimming and Diving Championship. They are here with their Coaches Roy Snyder, Chuck Bartlett, and Kathy Good. The team members are comprised of Peter Brett, Michael Deighan, Josh Hollinger, Peter McGregor, Jeffrey Owens, Ross Redcay, Evan Roseberry, John Slavinsky, Adam Walker, Kerry Delgato, Chris Gallagher, Ryan McLin, Charles Panagacos, Kyle Walley, Ryan Eways, Kyle Kuser, David Levkoff, Derek Straub, Sean Wagner, Steve Yeager, Joseph Deighen, Michael Fleischood, Matthew Holt, Ryan Kuser, Marcus Renheimer, Isaac Wenrich, and Nick Woomer. I would note that we have Senate citations for these young people.

The PRESIDENT. Let us all give a round of applause to the Wilson High School Swim Team. (Applause.)

CONSIDERATION OF CALENDAR RESUMED THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 502 and SB 503 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR**BILL REREPORTED FROM COMMITTEE AS
AMENDED OVER IN ORDER**

SB 410 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ROBERT D. ROBBINS
PRESENTED TO THE SENATE**

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

Senator ROBBINS. Madam President, today I have the great honor of introducing three individuals, one is Dr. Lorraine Mulfinger, who is the director of Science in Motion, a program established a number of years ago by Senator Mowery and Senator Jubelirer at Juniata College. This program has become renowned nationwide for its effectiveness. It is a program that takes science professors from our colleges and universities, along with the most high-tech equipment, to our high school students, public, private, and parochial. In fact, 11 colleges in Pennsylvania are involved, and they serve over 250 schools throughout Pennsylvania.

Also with Dr. Mulfinger, I have Bernard Durkin, the Director of Science in Motion at Westminster College in Lawrence County, and Dr. Stephanie Corrette-Bennett, the biology major educator for this program. It is an outstanding program, and I would just like to introduce these individuals who are the founders and the ones who make it work daily and encourage our young people to become interested in science.

The PRESIDENT. Will Dr. Lorraine Mulfinger, Bernard Durkin, and Dr. Stephanie Corrette-Bennett please rise. Thank you. Let us all give them a round of applause.

(Applause.)

CONSIDERATION OF CALENDAR RESUMED**SECOND CONSIDERATION CALENDAR RESUMED****PREFERRED APPROPRIATIONS BILL ON SECOND
CONSIDERATION AND REREFERRED**

HB 815 (Pr. No. 1641) -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2005, to June 30, 2006, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2005; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund, the Health Care Provider Retention Account and the Alternative Fuels Incentive Grant Fund to the Executive Department; to

provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2005, to June 30, 2006; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2005, to June 30, 2006, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2005, to June 30, 2006, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2005; to provide for the additional appropriation of Federal and State funds from the General Fund and the Motor License Fund, for the Executive and the Legislative Departments of the Commonwealth for the fiscal year July 1, 2004, to June 30, 2005, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2004; to provide for administrative cost reduction plans; and making a repeal relating to development and maintenance of recreational trails.

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

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

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

HB 220 (Pr. No. 1948) -- 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, establishing a career development tax credit.

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

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

BILLS OVER IN ORDER

SB 332, SB 438, SB 439, SB 509, SB 573, SB 582 and SB 584 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 628 (Pr. No. 693) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 669 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**SENATE RESOLUTION No. 37, CALLED UP
AND LAID ON THE TABLE**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 37**, entitled:

A Resolution supporting House Resolution No. 380 of the 109th Congress of the United States which would exclude from gross income certain disaster mitigation payments.

On the question,
Will the Senate adopt the resolution?

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

Senator BRIGHTBILL. Madam President, I move that Senate Resolution No. 37 be laid upon the table.

The PRESIDENT. Senator Brightbill moves that Senate Bill No. 37 be laid upon the table.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

SB 386 TAKEN FROM THE TABLE

Senator BRIGHTBILL. Madam President, I move that Senate Bill No. 386, Printer's No. 677, be taken from the table and placed on the Calendar.

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

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

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators TOMLINSON, MELLOW, D. WHITE, SCARNATI, BOSCOLA, GREENLEAF, FERLO, C. WILLIAMS, RAFFERTY, MUSTO, O'PAKE, CONTI, PILEGGI, KASUNIC, LOGAN, THOMPSON, COSTA, ERICKSON, KITCHEN, WONDERLING, WENGER, TARTAGLIONE, STOUT, LaVALLE, PIPPY and ORIE, by unanimous consent, offered **Senate Resolution No. 121**, entitled:

A Resolution designating May 21, 2005, as "Child Passenger Safety Day" in Pennsylvania.

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

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

Senator TOMLINSON. I would just like to comment, Madam President, that motor vehicle crashes remain the leading cause of

death for children in the United States between the ages of 2 and 14. According to the National Highway Traffic Safety Administration, 227,000 children were injured and 1,500 children were killed in car crashes in 2002, and 83 percent of those children between the ages of 4 and 8 were killed because they were incorrectly restrained in their adult seatbelts. I would like to offer this resolution to bring awareness to the public that it is very, very important that we properly secure children in our automobiles, and I ask for its immediate consideration.

Thank you, Madam President.

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

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

Senators STACK, MELLOW, KASUNIC, PUNT, STOUT, MUSTO, PIPPY, BOSCOLA, WOZNIAK, EARLL, TARTAGLIONE, WENGER, LaVALLE, ARMSTRONG, COSTA, ERICKSON, GREENLEAF, KITCHEN, LOGAN, C. WILLIAMS, PICCOLA, THOMPSON, WAUGH, LEMMOND, O'PAKE, PILEGGI, BRIGHTBILL, D. WHITE, RAFFERTY and ORIE, by unanimous consent, offered **Senate Resolution No. 122**, entitled:

A Resolution proclaiming May 15, 2005, as "Israel Independence 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 rise to seek unanimous approval of a resolution that recognizes May 15, 2005, as "Israel Independence Day" in Pennsylvania. This year marks the 57th anniversary of Israel's status as an independent nation. Israel and the United States have enjoyed a strong relationship built on the political, social, and economic ties of the citizens of both nations. We must continue to nurture these ties, backing efforts to support peace in the Middle East and Israel by encouraging Pennsylvania businesses to explore opportunities for expanding trade with Israel and its neighbors.

I can tell you personally that I have visited Israel on a number of occasions, including last summer with a Senate delegation, and it is a unique and wonderful country. Israelis are proud, courageous, and fiercely independent. In many ways, they are just like us. It is no coincidence that both of our nations have endured many tough sacrifices for the rights and privileges that we enjoy today. We also share an unfortunate link: we have both been victims of terrorist attacks. By working together with other democratic nations, we can win the war on terror and achieve peace and prosperity. Israel's government and citizens have demonstrated they want terrorism to end and peace to begin. Peace treaties with Egypt and Jordan, the Oslo Agreement of 1993, the Camp David Summit in the summer of 2000, and Prime Minister Sharon's plan to pull out of settlements all clearly reflect Israel's historical desire for peace.

Madam President, let us support these efforts and resolve to call upon President Bush and Congress to keep America in the peace process.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

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. Grover Fegley, Mr. and Mrs. William Wimer, Mr. and Mrs. Robert Campbell, Mr. and Mrs. Charles Leese, Mr. and Mrs. Donald Schmid, Mr. and Mrs. Donald Myer, Mr. and Mrs. Gerald Stetter, Mr. and Mrs. David Sentz, Timothy M. Weisser, Seth W. Herr, Kae B. Groshong, Donna K. Anderson, Mary A. Kohler and to Cynthia Daub-Miller by Senator Armstrong.

Congratulations of the Senate were extended to Hilda Kaiser, Dolores Caskey, Andrew Demyan, Lorraine Everett, James Mendoza, Jeanette Eichenwald, Michael Diorio, Matthew Lawrence Borgia, Portuguese-American Community of Bethlehem, Electrotechnology Applications Center at Northampton Community College of Bethlehem and to Fountain Hill Fire Station 34 by Senator Boscola.

Congratulations of the Senate were extended to Daisy M. Gallagher by Senators Boscola and Browne.

Congratulations of the Senate were extended to Luke R. Cunningham and to Communities In Schools of the Lehigh Valley by Senators Boscola, Wonderling, and Browne.

Congratulations of the Senate were extended to Valley Search and Rescue, Inc., of the Lehigh Valley, by Senator Boscola and others.

Congratulations of the Senate were extended to Suzanne Schott, Margaret Smith, Elaine Lyons, Stacy Pennington, Jeffrey Steckbeck, Rex Wright, John W. Breive, James L. Rittle, Fannie Spang, Sarah Graybill, Krysta Murray, Chad Scheifele and to Renee Leeper by Senator Brightbill.

Congratulations of the Senate were extended to Kurt Cortazzo, Nathaniel Patrick Mercer, L. Susan Hunt, Michael Adams, Jan S. Armfield, Fred Klein, Dr. Helene B. Leonetti, Dr. Alrita L. Morgan, Sara Gammon, Tammy Checo, Rosalee Sabo, East Allen Township Volunteer Fire Department of Northampton and to Muhlenberg College of Allentown by Senator Browne.

Congratulations of the Senate were extended to David Vincent Scanlon, Evan T. Rees and to the Bucks County Opportunity Council, Inc., of Doylestown, by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Charles E. Bower, Mr. and Mrs. Donald L. Horton, Ted Pomerantz, Ann Councill, April E. Hartle, Jonathan Lumley-Sapanski, Rachel Marie Cleaver, Pamela Mansell, John L. Magill, Robert C. Finley, James R. Eckert, Dustin Mills, Rose Ann Shipp, Logan Thompson, Caleb James Rebarchak, Jeremy Mittner, Mackenzie Wirth, Rowan Rumbaugh, Janet W. Henry, Joseph Mislyan IV, Mark Gothel, Paul D. Olbrich, Emily

Stouffer, Susan L. Cannon, Richard Smith, Gary C. Page, Wesley Lipschultz, Dennis M. Ilgen and to the Highland Park Hose Company of Lewistown by Senator Corman.

Congratulations of the Senate were extended to Samuel James McClain, Jr., Tom Smith, Julia Panos, Derek Sapp and to Terence Sean Carroll by Senator Costa.

Congratulations of the Senate were extended to Thomas A. Meyer and to James Robert Nevel by Senator Earll.

Congratulations of the Senate were extended to Mr. and Mrs. Frank C. Kelly, Sheila A. Carter, Lynn Milliken, Janie Elizabeth Vickers Strong, John Hennessy, Carolyn Karcher and to William Santora by Senator Erickson.

Congratulations of the Senate were extended to Ernest Bristow, Thomas E. Link, Cameron R. Horn, Bev Smith and to Adrienne Young by Senator Ferlo.

Congratulations of the Senate were extended to Mr. and Mrs. George Egrie and to Gerald F. McMonagle, Sr., by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Robert F. Kerstetter, Mr. and Mrs. Nicholas Kolar, Mr. and Mrs. Ralph Hinkle, Mr. and Mrs. Leon Jurgill, Mr. and Mrs. Larry Klusman, Mr. and Mrs. Myron Price, Mr. and Mrs. Donald E. Miller, Mr. and Mrs. Harold Bennett, Mr. and Mrs. Lamar R. Matter, Mr. and Mrs. Charles M. Rebuck, Mr. and Mrs. Earl Lemons, Mr. and Mrs. John Scrimgeour, Regina Glowacki, C. Wayne Oberst, Marie McDonald, Leona Dorkoski, Dolores Kerprich, Sandra A. Toy, Marlin C. Bradford, Richard Beierschmitt, Peter James Carros, Mick Emerson Steward, Dr. Peter A. DiGiondomenico, Matthew John Cara, Shaun Noble Vetovich, Mary L. Burke, Millie Hines Hendricks, Dr. Barbara Uram Paskewitz, Dian Ondo, Paul A. Bartko III, Jessica Ingbritsen and to Diane Dallazia by Senator Gordner.

Congratulations of the Senate were extended to Charles E. Staub, William Mohr, Sarah E. Feerick, Marguerite Spillman Wyttenbach, S. Michael Murphy, Philip D. King, Paul Michael Lindsey, Jr., Mark Nicholson, Dr. Yvonne Kaye, Joshua Ahlum McFarland, Bryant John Watts, Gregory Michael Wesolowich, Franz Johann Lichtner, Suzanne F. Fairlie, Karen Lawson, Ellen S. Toplin, Andrew M. Trucksess, Sarah Zelasko, Joshua Eyer, Warrington Fellowship Church and to the Optimist Club of Lower Montgomery County by Senator Greenleaf.

Congratulations of the Senate were extended to Ruth Frances Williams, Maryellen Brogan and to David V. Randall by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald Mills, Mr. and Mrs. Jerre Mellott, Mr. and Mrs. Donald Motto, Mr. and Mrs. Walter Beal, Mr. and Mrs. Walt Chihon, Mr. and Mrs. Robert Dunn, Mr. and Mrs. Rodger Frank, Mr. and Mrs. Lewis Ficks, Rocco Alianiello, Madge Quick, Delena Rhodes, Tony Conte, Lucy Johnson, Jeanne Hanlin, Patricia Bittner Trefz Swigart, H. John Beamer, Ronald L. Shehan, Jr., Dr. Ernesto M. de las Alas, Donald A. Ruggery, Sr., and to Reclamere, Inc., of Tyrone, by Senator Jubelirer.

Congratulations of the Senate were extended to Rick Sferro, Steven N. Hunchuck, Bob Kelsey, Dorothy Manges, Charles H. May and to the 2005 National Road Festival of Uniontown by Senator Kasunic.

Congratulations of the Senate were extended to Steven Wheeler, Kenneth Jordan, Michael Williams, Steven Krzywicki, David Pannella, Joseph Shenko, Letrice Barnwell, Lawrence Appiott, John Barr, Carl Allen, Kenneth E. Atkins, Keith Shackles, Peter Gronczewski, Joseph Green, Thomas Carpino, Jennetta Lindsey, Barbara Blackford, Brian Malone, Michael Proud, William Jordan, Aaron Johnson, Clyde Jones, James Goodwin, Richard Prior, Edwin Ocasio, Eric Rieser, Frank Kennedy, Tracy Brown, Ismar Burgos, Carl Irby, William H. McAdams, Jr., Richard Brown, John Klak, James Babst, Donald Liebsch, Edward G. McBride, Gregory Richardson, Carolyn Carter, Theresa Brooks, George Moser, Elsie Leon-Velez, Joseph Millward, Stephen Bucholski, Donna Tygh, Sidney Stockman, Sharrod Davis, Reverend Jean B. Beauflis, Pennsylvania Convention Center Authority of Philadelphia, Philadelphia Fight and to the Philadelphia Juneteenth Coalition by Senator Kitchen.

Congratulations of the Senate were extended to William J. Koman, Sr., and to Anthony Dorsett by Senator LaValle.

Congratulations of the Senate were extended to Mr. and Mrs. Robert W. Brown, Edward M. and Jean A. Buckley, Mr. and Mrs. Thomas Danna, Reverend John Turi, Mary A. Johnson, Thomas J. Sweetz, Peter Charles Kennedy, Patrick M. McMahan, James Joseph Garrymore and to Promised Land State Park of Greentown by Senator Lemmond.

Congratulations of the Senate were extended to Margery A. Ufberg by Senators Lemmond and Musto.

Congratulations of the Senate were extended to Reverend William C. Callaway, Ross Potter, Kyle A. Mountain, Joseph Dulude, Claire MacDonald, LaRosa Boys and Girls Club of McKeesport, Rotary Club of Elizabeth, Patrick T. Lanigan Funeral Home of Turtle Creek and to the Plum Senior Community Center by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas W. Alonzo, Mr. and Mrs. Paul Starkey, Donald Vanemon, Christopher DeMarco, Brett Dunkle, Daniel Joseph Piechocki, Joe C. Brague, Sherry Felt and to the Montoursville High School Advanced Placement Economics Team by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Kennedy, Pete Danchak and Patricia Reilly, Charles Fisher, Josh Evans, Nicholas D. Garofalo, Jason Wolf, Honorable Richard P. Conaboy, Jason Yasinkas, Daniel Lee Kontz, Bryan David Henkelman, Jonathon Peter Rich, Sister Jean Coughlin, Bradley Donald Moyer, Stephen Michael Borthwick, James Patrick Murphy, Brett Christian Jones and to Saints Peter & Paul Greek Catholic Church of Simpson by Senator Mellow.

Congratulations of the Senate were extended to Jean D. Curtis, John S. Shofran, Karen Metta, Beverly Banks, Kevin S. Suchecki, Ronald Bau, John Breita, Victor J. Luksic, Tom Bigler, Reid Davenport, Joann Dekutoski, Karen Evan, William Goodman, David Guzofsky, Charlotte Matikiewicz, Edwin Pashinski, Carmella Michno, Robert Myefski, Vita Murray, Joseph Wilkes, Frank Novakowski, Kay Shebloski, Dr. Rochelle Koury, Manuel S. Barbeito, Stephen C. Drasher, Jr., Blue Ribbon Dairy of West Pittston and to St. Joseph Memorial School of Hazleton by Senator Musto.

Congratulations of the Senate were extended to Dr. Laurence and Mrs. Cynthia Mazzeno, Joel D. Shappell, Eileen Kastura, Dr. Alan Joseph Darion, Jonathan M. Quier, Carol A. Naugle, Kiran Yocum, citizens of the Borough of Laureldale, Neighborhood Housing Services of Reading and Group Workcamps partnership, Beneficial Society Victor Emmanuel II of Reading, Berks County Senior Citizens Council, Slovak Catholic Sokol and to the CTCE Federal Credit Union of Berks County by Senator O'Pake.

Congratulations of the Senate were extended to Cathy L. Kreitz by Senators O'Pake and Rhoades.

Congratulations of the Senate were extended to Stephen N. Semler, Thomas J. Semanchik, Peter E. Gayler, Mark F. Schenker, Nathaniel Lucas Nypaver and to the Evangel Heights Assembly of God of Sarver by Senator Orie.

Congratulations of the Senate were extended to Seth Burwell, Jason Powell, Ellie M. Dettrey, John K. Wiediger, Virginia M. Reynolds, Tyrone Mitchell, Sharon Widmann, Jeremy Murphy, Ashley Geyer, Colleen McCarthy, Shay Faubel, Chutney Ross, Elizabeth Kuria, Desirae Wiest, Adrienne Thompson, Justin Lenker and to Lauronce McKinney by Senator Piccola.

Congratulations of the Senate were extended to Central Pennsylvania Friends of Jazz, Inc., of Harrisburg, by Senators Piccola and Vance.

Congratulations of the Senate were extended to George W. Mullen, Christopher Graham Harms, Edwin Lawrence Mongan IV, Joel Henry Witman, Lucas Charles Heverly, Kristopher Richard McClellan, Christopher Michael Free, Charles William Thomas and to Harrison William Mann by Senator Pileggi.

Congratulations of the Senate were extended to J. Duncan Schaper, Bill Schmidt, Wallace Workmaster, Ginny Jameson and to Chip Dalesandro by Senator Pippy.

Congratulations of the Senate were extended to Tammy F. Nieves-Ramos, Gus Alexiou, Dick Marks, Chambersburg Noontime Lions Club, Rotary Club of Chambersburg and to South Central Community Action Programs, Inc., by Senator Punt.

Congratulations of the Senate were extended to Lori Ann Portzer, Lena Billitto, Constance M. Dougher, Peggy Mashett, Vera Hesser, Eda Nicolai, Anadine Nixon, Dorothy Scandone, Bessie White, Jennifer Kowa, Ami Trost, Dr. Lawrence T. Freedman, Dr. Stella Stuba, Ninoshka Singh, Renee R. Stewart, Lisa Spurlino, Carrie Weber, Melissa Sherman, Christina A. Shaw, Elizabeth Rosenbaum, Jordan Fischer, Allison Friede, Anisha Grover, Heather Hoenninger, Katherine Huffman, Jessica L. Karpinski, James S. Rodgers and to Todd Richard by Senator Rafferty.

Congratulations of the Senate were extended to Eric Sloan by Senators Rafferty and Rhoades.

Congratulations of the Senate were extended to Mark Austerbury by Senators Rafferty and Wonderling.

Congratulations of the Senate were extended to the Honorable Robert J. and Mrs. Nancy Thompson by Senator Rafferty and others.

Congratulations of the Senate were extended to Mr. and Mrs. Ervin Greer, Mr. and Mrs. James Harkrider, Mr. and Mrs. Harry Luttner, Dr. Daniel C. Kzenski, Terri Katzman, Grace Bell Logan, Carol H. Brady, Anne W. Yearick, Rebecca A. Thorne,

Edward J. Sadosky and to Melissa Negro by Senator Regola.

Congratulations of the Senate were extended to Helen A. Kane, Reverend Monsignor Francis X. Barrett, Mary Sacavage, Robert Weaver, Tony Baran, Mary Callery, Good Intent Fire Company No. 1 of Pottsville, Northern Lehigh High School Wrestling Team, Roman's Lounge & Catering of Frackville, Frackville Area Senior Citizens, Schaeffer's Harley Davidson/Buell of Orwigsburg and to the Sheppton-Oneida Volunteer Fire Company by Senator Rhoades.

Congratulations of the Senate were extended to Twila I. Robbins, M. J. Bartelmay, Jr., Honorable John Allen Fay, Angela Palumbo Lenzi, Raymond D. Riley, Matthew Paul Hewston, Carolyn Gruver, Tech Tool & Mold, Inc. and Tech Molded Plastics LP, Saint Michael Byzantine Catholic Church of Hermitage, citizens of the City of Titusville and to the Crawford County Solid Waste Authority by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Bill Pearson, Grant Gerner, Wayne Zilkofski, Johnathan Principe, Zach Weber, Nathan Weber, Vic Constable, Caleb Canterbury, Aaron Long, Andy Leslie, Kyle Dickey, Anthony Principe, Charles Turnbull, Kodel Orris, Ian Breakey, William Shuey and to the United Way of the Bradford Area by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Keller, Thomas Carpino, Julie B. Copeland and to James McDonald by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Ferencak, Mr. and Mrs. Anthony K. Wilhelm, Mr. and Mrs. Earl Buckingham and to Laurie S. Nicholl by Senator Stout.

Congratulations of the Senate were extended to Jadrien Reynolds and to the Juniata Park Older Adult Center of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to Brian Stanton, Michael Freedman, Susan E. S. Howe, Nicholas O. Prusack, Jameson Robinson Pownall, Derek Jamieson, Sarah M. Hetznecker, Theresa Ross, Shirley Haughton, Frank Magazu, Martha O'Donnell, Elizabeth Cenci, Randall Boyd Peart and to Team Angels by Senator Thompson.

Congratulations of the Senate were extended to the Reverend David Duffy by Senator Thompson and others.

Congratulations of the Senate were extended to Charles Henry Marks III, David R. Jones II, Joseph D. Everly, Dennis Jones, Sister Mary McNulty, Terri Rivera, Jennie V. Affleck, Monsignor Francis Carbine, Lois Ann Glasgow, Betty Holliday, Reverend Thomas D. Homa, Dianne Campbell Thomas, Bristol Lodge No. 970, Benevolent and Protective Order of Elks, Levittown-Fairless Hills Rescue Squad, Margaret R. Grundy Memorial Library of Bristol, Lower Bucks Church Bowling League and to the Immaculate Conception Church of Levittown by Senator Tomlinson.

Congratulations of the Senate were extended to Jesse E. Hill and to the Delaware Valley Vietnam Veterans of Levittown by Senators Tomlinson and Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Phil Shevlin, Mr. and Mrs. Philip Ruegg, Mr. and Mrs. Gideon Kauffman, Mr. and Mrs. Robert King, Mr. and Mrs. Paul Shenk, Mr. and Mrs. Robert Wickard, Daniel J. Cogan, David M. Butler, Matthew Joseph Myers Greene, Nick McKenzie, Jeffrey D.

Willmann, Shawn Reinhard, James F. Powers III, Aaron Scott Rovegno, Riley Eshleman, Edwin L. Deaton, David Charles Walters II, Catherine M. Kimmel, Patricia H. Stromberg, Jared R. Harper, Mark E. Kann, Thomas John Sisto, Patrick Michael Gephart, Jorge Rudy, Ricky Eutzzy, Timothy Uhrich, Phillip Keefe, Michael Hertzler, Dwayne Asbury, Michelle Hammaker, Jonathan Bisso, David Truong, Christopher Monahan, John J. Ford, Darwin A. Gaston, Samantha Battle, Benjamin Heinl, Neil Kohler and to David A. Shumaker by Senator Vance.

Congratulations of the Senate were extended to Christopher Michael Hartmann by Senators Vance and Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald Geesey, Samuel J. Bressi, Jason J. Simmons, Thomas Geyer, Frank James Fontanazza, Mason John Meyer, Kimberly S. Elicker, James Roberts, Jr., and to the North Codorus Township Fire Company Station 12 of Spring Grove by Senator Waugh.

Congratulations of the Senate were extended to Dr. Larry Burkhart, Nicholas Merle Hove, Jim Benedict, Linda H. Weaver, Oneida D. DeLuca, SECHAN Electronics, Inc., of Lititz, and to Benchmark Construction Company, Inc., of Brownstown, by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas J. Smith, Mr. and Mrs. Richard Fulcher, Mr. and Mrs. Donald R. Schrecengost, Mr. and Mrs. Austin Wilbourne Simmons, Mr. and Mrs. Homer Stubrich, Mr. and Mrs. Francis E. Fisher, Joshua James Mash, Jessica Bradshaw, Ashley Tylavsky, Kirsten Sundin, Stephanie Ferimer, Hazel Thomas Buterbaugh and to the James A. Stewart Museum Foundation of Indiana by Senator D. White.

Congratulations of the Senate were extended to Reverend and Mrs. Thomas Prosser, Mr. and Mrs. Alfred Johnson, Dr. Peter L. Dalby, Ryan M. Clifton, Bradley Ryan Beers, Garrick Daum, Garrett Daum, Garrison Daum, Alex Grubbs, Spencer Andrew Lewis Palczer, Patrick J. Cannon, Robert J. Donaldson, Nathaniel Witherell and to Sean Wright by Senator M.J. White.

Congratulations of the Senate were extended to Dr. Albert J. Glennon by Senators M.J. White and Scarnati.

Congratulations of the Senate were extended to Hazel L. McLaurin, Stephanie R. Ruffin and to the First Colored Wesley Methodist Church of Philadelphia by Senator A.H. Williams.

Congratulations of the Senate were extended to the Reverend Dr. Albert F. Campbell by Senator A.H. Williams and others.

Congratulations of the Senate were extended to Honorable Michael L. Krancer, Juliet Goodfriend, Karen L. Connor, Gena Alulis, Jane Hileman, Victim Services Center of Montgomery County, Inc., Montgomery County Association for the Blind, Kaplan Barn of Wynnewood, Friends' Central School, Mathematics and Science Center of Wynnewood, Rhodes Residence of Wynnewood, Harriton House Education and Administration Building of Bryn Mawr, Harriton Farm of Villanova and to Woodmont of Gladwyne by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Donald Hendricks, Mr. and Mrs. Simon Hockman, Benny and Regina Alderfer, Michele Duffy, Marie C. Conver, Helen Cegielski, Kyle Brandon Miller, Megan O'Brien, Gregory Roth, Gregory William Warwick, Dolly Craig, Michael Eric DelPorte,

Stewart Gouck and to Richlandtown Fire Company No. 1 by Senator Wonderling.

Congratulations of the Senate were extended to the Emmaus High School Academic Competition Team by Senators Wonderling and Browne.

Congratulations of the Senate were extended to Kayla K. Moore, Joshua T. Howard, Nicholas A. Kulp, Thaddeus J. Smyda, Chad W. Ellinger, Matthew D. Vermeulen, Philip R. Herd, Bryan R. Trumbauer, Rachel M. Betz, Crystal M. Veras, Richard A. Keenan, Ceara M. Pauley, Erik M. Gough, Jarrod B. Findon, Emmanuel Guevarra, Stephanie M. Dayton, Emily A. Sutton, Bryan A. Petrovich, Kevin M. Burke, Andrew L. Chillot, Allen E. Metzgar, Matthew W. Fistler, Brett Hampton, Melissa A. Mosloski, Keith A. Bodner, John R. Sabo, Michael W. Eckert, Justin P. Mabee, Kevin Cooper, Steven Kiefer, Dezirae C. Garrison, April L. Heintzelman, Jasmine Torres, Danielle V. Boyer, Rebecca E. Schaad, Jamie L. Hontz, Hope M. Frankenfield, Amanda L. Clader, Kristin Brown, Danielle Ruht and to Ronald E. Rucker by Senators Wonderling, Browne, and Boscola.

Congratulations of the Senate were extended to Bernard and Nancy Smith, George and Gerry Schmeltzle, Robyn Oplinger, Phuong Hoang, Joe Hixson, Jeff Yurasits, Patricia Osorto, Nicole Fatzinger, Luz Benitez, Kathy Garcsar, Sylvia Seibert, Thomas Albright, Verna Wacik, Lillian Wolfe, Debra Young, Adolph Marth, Alyce Tokus, Rosemarie Younger, Robert Welliver, Bernice Solt, John Dorward, Gladys Fallstick, Jewel Alpaugh, Paul Reitmeir, James G. Hottenstein, Helen Chromiak, Albert P. Heydt, Esther Richards, Herbert Stahl, Harry Holmes Enterprises, Inc., of Easton, Club at Morgan Hill of Easton, Auntie M Gift Baskets of Easton, Merchants National Bank of Bangor and to Victaulic Company of America of Easton by Senator Wonderling and others.

Congratulations of the Senate were extended to Congressman and Mrs. John P. Murtha, Jenny Richardson, Penelope Doll, Kelly Hazen Klug, Benjamin Jacobs, Adam Miller, Tony Karashowsky, Jamie McMullen, Victoria Thwing, Debra Bender, Amanda Walls, Joe Walls, Patrick L. Adams, John Gregorchik and to the Glendale School District of Flinton by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Margaret E. Bower by Senator Madigan.

Condolences of the Senate were extended to the family of the late Robert A. Wick by Senator Orie.

Condolences of the Senate were extended to the family of the late Maurice Horwitz by Senator M.J. White.

Condolences of the Senate were extended to the family of the late James V. Saly by Senator Wozniak.

POSTHUMOUS CITATIONS

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

vote:

A posthumous citation honoring the late Joshua Justice Henry was extended to the family by Senator Ferlo.

A posthumous citation honoring the late Walter A. Yazemboski was extended to the family by Senator Gordner.

A posthumous citation honoring the late Felix Caste was extended to the family by Senator Pippy.

Posthumous citations honoring the late Richard L. Etchberger and the late John O'Hara were extended to the families by Senator Rhoades.

A posthumous citation honoring the late Michael Bayer was extended to the family by Senator Wonderling and others.

BILLS ON FIRST CONSIDERATION

Senator FERLO. Madam President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

SB 150, SB 413, SB 600, SB 636, SB 651, SB 679 and SB 686.

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

PETITIONS AND REMONSTRANCES

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

Senator RAFFERTY. Madam President, yesterday I was informed of the death of a long-time friend, four-term mayor of the Borough of Collegetown, Dennis Parker. He was a remarkable individual, a man of integrity and vision. I had the opportunity to first meet Dennis back in the 1980s while I was serving as supervisor in a neighboring township and Dennis was then the fire chief and mayor of the Borough of Collegetown, which can be best described as "Americana," with Main Street lined in trees and sidewalks. The sprawling Ursinus College campus is located in the heart of Collegetown. It is a growing community, a safe community, and one that Mayor Parker, with his vision, helped mold.

Dennis Parker, throughout his career, was a man of action. He not only said something, he acted upon it. Dennis and his career as a public official is a template for all of us who strive to serve the public to the best of our ability. He made sure that his efforts, whatever he undertook, benefitted those in his community.

Madam President, if I could just mention for the record, Mayor Parker was not only the mayor of the Borough of Collegetown for 16 years, but he served the U.S. Army in Korea. Over the years, he completed several courses in the fire and rescue field and emergency management training at the National Emergency Training Center in Maryland, and he retired as the Emergency Management Director for Montgomery County after 27 years of service. Mayor Parker also served as fire chief of the Collegetown Fire Company for 23 years, a volunteer position. To his great credit, in 1972 Mayor Parker, who was then chairman

of the volunteer committee of the International Association of Fire Chiefs, testified before the National Commission on Fire Prevention and Control in Dallas, Texas. In addition, he served on the Colledgeville Borough Council from 1966 until 1982, and has served the Borough of Colledgeville as fire marshal since 1992.

He was a man who had a passion for making life better for those in his community. He will be sorely missed, and those of us who had come to know Dennis over the years and had the opportunity to work with him will surely miss him. My best to his family, and may he rest in peace.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator Rafferty, for your memorial to Mayor Dennis Parker.

The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I rise today to speak in support of firefighter legislation that has recently been sent to the Senate and deserves our immediate and serious consideration.

House Bill No. 855 would require first-, second-, and third-class cities in the Commonwealth to conduct an impact study, notify the citizens affected, and hold public hearings if there is a planned closure or forced reduction of fire services. This bill would not prohibit cities from closing or cutting fire services. This bill would not inhibit a city's ability to balance its budget. This bill would simply improve the communication between private citizens and public officials to create an open and honest dialogue about the risks and benefits of reduced fire service. The legislation would also require a third party to deliver a scientific, independent study so that the dialogue will be grounded in facts, not in rhetoric. Everyone will know the impact on response times, public and firefighter safety, home insurance rates, and the budget. Citizens will be able to rest assured that if fire companies must be closed, these decisions will have been carefully considered and debated in a public forum.

I have advocated for this type of legislation for the city of Philadelphia in the past, and I have been encouraged by the widespread support I have received from my colleagues here in the Senate. Now the legislation encompasses municipalities beyond the city of Philadelphia. The same protections offered to residents of Philadelphia will be available to citizens of Pittsburgh, Harrisburg, Erie, Lancaster, and Reading. These are tight budgetary times. Services of every kind, from police and fire to health and welfare, are being cut, and the citizens of our Commonwealth deserve to know the facts about these budget decisions. They deserve an independent opinion about the real fiscal impact of these decisions, and they deserve the right to comment publicly about these decisions, which not only impact a city's bottom line, but also the security and well-being of our families.

Madam President, this is first and foremost a public safety issue. A fire in an urban area grows deadlier and more destructive with each second, and every extra block that a fire truck must travel adds precious minutes. The difference could mean lives lost and entire blocks devastated. Last week the city of Philadelphia and the world celebrated International Firefighters Day on May 4. At the Living Flame Memorial, our city remembered the brave sacrifices of our firefighters and

police officers who have died in the line of duty. It is our duty as legislators to make sure that ill-considered fire company closings do not make the job of the firefighter impossible.

Madam President, I am calling for quick action in the Senate on House Bill No. 855 to increase public safety and confidence and to stand up for our firefighters.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator Stack, for your comments on House Bill No. 855, the firefighters' legislation.

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 Monday, June 6, 2005, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 12:02 p.m., Eastern Daylight Saving Time.