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TUESDAY, OCTOBER 25, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 61

SENATE

TUESDAY, October 25, 2005

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain of the Senate, Reverend GARY L. WESTON, of Valencia Presbyterian Church, offered the following prayer:

Let us pray.

Almighty and most gracious God, we come before You today with hearts filled with gratitude and praise. Thank You, God, for the blessings we share as residents of Pennsylvania, for the bountiful harvest, for the beautiful fall foliage, even the fresh-fallen snow, for the clear mountain streams, for the diverse wildlife, hardworking people, and especially we thank You for the freedoms we enjoy as citizens of this Commonwealth.

Lord, we confess to You that all too often we have taken these blessings for granted. We arrogantly presume that we are their source, and so we assume the credit. In our selfishness, we hoard the bounty of our labors for ourselves, and in our wastefulness, we squander the resources of this land. Neighbors both near and far are in need of our help, but we turn a blind eye. In Your mercy, Lord, forgive us, humble us, renew us, and transform us into a people who are fully devoted to following You in every arena of our lives.

As we gather here today as Members of the Senate of Pennsylvania, who have been entrusted with the responsibility for making decisions regarding the governance of this great State, grant us, Lord, the wisdom to discern Your will and Your leading. Help us to be compassionate and sensitive to the needs of others. Grant us the grace of civility in the way we treat one another. Give us the courage to speak the truth, but to do so in love. Enable us to put aside all wrath and malice toward one another, to forgive one another, just as we have been forgiven. Allow the fruits of the spirit - love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control - to rule our hearts, govern our discourse, and permeate lives.

Lord, thank You for the faithfulness of these women and men of the Senate who have dedicated their lives to serving the people of Pennsylvania. Watch over them and protect them, strengthen them and encourage them. Grant them fulfillment as they work, mercy as they travel, and peace as they rest. Lord, pour out a special blessing on the Lieutenant Governor and President pro

tempore, Majority and Minority Leaders, and the chairpersons of all the committees. Grant them good judgment as they seek to guide the workings of this body. Help them to lead with conviction, passion, fortitude, and fairness, so all that is accomplished here will bring You glory. Amen.

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

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 October 24, 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 AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1069**.

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

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

Weekly recess.

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

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

Senator Michael Stack as a Commonwealth Trustee of Temple University.

BILL SIGNED

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

HB 1069.**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Finance to meet during today's Session in the Rules room to consider House Bills No. 515 and 650, and Senate Bills No. 380, 166, and 802.

BILLS REPORTED FROM COMMITTEES

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

SB 414 (Pr. No. 1267) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Science Technology Partnership Program; and providing for State grants.

SB 676 (Pr. No. 1268) (Amended)

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 school health services definitions, for health services, for dental examinations and dental hygiene services, for facilities, for examinations and for recommendations of health professionals; deleting provisions relating to examination by family physician or dentist; and further providing for care and treatment of school-age children, for precautions against spread of certain diseases, for medical examination of school personnel and for advisory health councils.

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

SB 4 (Pr. No. 1263) (Amended) (Rereported)

An Act establishing spending limitations on the Commonwealth; providing for the disposition of surplus funds; and making a repeal.

SB 660 (Pr. No. 754) (Rereported)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, adding the Uniform Trust Act; making conforming amendments; and making a repeal.

SB 884 (Pr. No. 1264) (Amended) (Rereported)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for spending limitations on the State and for disposition of surplus funds.

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

SB 583 (Pr. No. 607)

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

SB 595 (Pr. No. 1265) (Amended)

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

SB 759 (Pr. No. 1266) (Amended)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for decree of court.

SB 895 (Pr. No. 1176)

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

HB 1057 (Pr. No. 2948) (Amended)

An Act providing for the issuance of identification cards for retired law enforcement officers; and providing for the powers and duties of law enforcement agencies and the Municipal Police Officers' Education and Training Commission.

HB 1400 (Pr. No. 1688)

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

Senator EARLL, from the Committee on Finance, reported the following bill:

HB 1743 (Pr. No. 2944) (Amended)

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for assessment limits on counties of the second class; and providing for effect of appeal, escrow and payment under protest.

Senator CORMAN, from the Committee on Public Health and Welfare, reported the following bills:

SB 925 (Pr. No. 1216)

An Act amending the act of December 18, 1980 (P.L.1241, No.224), known as the Pennsylvania Cancer Control, Prevention and Research Act, further providing for sunset provisions.

HB 1606 (Pr. No. 2949) (Amended)

An Act establishing a program for breast and cervical cancer screening services for certain eligible women; and providing for the powers and duties of the Department of Health.

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

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

Senator BRIGHTBILL. Madam President, we are fortunate today to be joined by Senator Ed Helfrick, who retired. He is standing over here, and I ask that we give Senator Helfrick a warm welcome.

(Applause.)

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Madigan.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Madam President, I request legislative leaves for Senator Kasunic and Senator Stout.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Kasunic and Senator Stout.

Without objection, the leaves will be granted.

CALENDAR

**SENATE RESOLUTION No. 170
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, as a Special Order of Business, **Senate Resolution No. 170**, entitled:

A Resolution designating the month of November 2005 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

Armstrong	Greenleaf	Piccola	Tomlinson
Boscola	Hughes	Pileggi	Vance
Brightbill	Jubelirer	Pippy	Washington
Browne	Kasunic	Punt	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
Fontana	Musto	Stout	Wozniak
Fumo	O'Pake	Tartaglione	
Gordner	Orie	Thompson	

NAY-0

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

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR ROBERT J.
MELLOW PRESENTED TO THE SENATE**

Senator MELLOW. Madam President, I would like to welcome to the Senate today Allysa Bruchko, who is from Scranton and is a senior at Bloomsburg University. She is here today with the Pennsylvania Nurses Association to discuss and educate the Members of the General Assembly on school health issues. She is seated in the gallery, and I would like you to welcome Allysa to the Pennsylvania Senate on her visit to Harrisburg today.

The PRESIDENT. Allysa, would you please rise so we can welcome you.

(Applause.)

**GUESTS OF SENATOR JOHN R.
GORDNER PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Madam President, I am proud to have here today as my guests in the gallery students from Bloomsburg University's state and local government class. They are accompanied by their professor, Dr. Gloria Cohen-Dion, who makes an annual trip to the Capitol to show firsthand the action of State government.

So at this time I ask the Senate to give its usual warm welcome to the students of the state and local government class from Bloomsburg University.

The PRESIDENT. Would our students from Bloomsburg University please rise so we can give you a nice warm welcome.

(Applause.)

**GUEST OF SENATOR TERRY L.
PUNT PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Punt.

Senator PUNT. Madam President, I, too, have a very special guest with us in the gallery. She is a nursing student at Bloomsburg University who resides in East Berlin in Adams County. I would like to ask Monica Masemer to please rise so she can be recognized and welcomed by the Senate.

The PRESIDENT. Will Monica please rise.

(Applause.)

**GUESTS OF THE PRESIDENT
AND SENATOR WAYNE D. FONTANA
PRESENTED TO THE SENATE**

The PRESIDENT. When the legislature is in Session, the halls of the Capitol are filled with people trying to get the attention of our legislators and Senators. Today, on behalf of Senator Fontana and myself, I would like to have your attention, because today we have a singing parrot in the Senate gallery, along with Patrick the penguin. Groucho is a yellow-naped Amazon parrot that is native to the rain forests of the Amazon River Basin. Pat-

rick is a male penguin from Africa who is 2 1/2 years old, and he visited us as a baby 2 years ago. Groucho and Patrick are here today to help commemorate the 12th anniversary of the National Aviary located in Pittsburgh. In addition, they are here to raise awareness about World Rain Forest Week, which runs through Saturday.

Senators, please welcome Groucho and Patrick, and Groucho the parrot is going to sing for us.

(Whereupon, a presentation was made by the National Aviary in Pittsburgh, featuring musical selections performed by Groucho.)

Ms. CLEMENTS. Very nice. As you can see, he is a wonderful ambassador for his species, for parrots, for nature and the environment in general, and we are very happy that you allowed us to visit with you today. Thanks for having us.

(Applause.)

The PRESIDENT. On behalf of the National Aviary in Pittsburgh, we are very grateful that you gave us this opportunity to meet Groucho, and hopefully you will have a moment to stay afterwards when we caucus so you can meet Patrick. He will be downstairs. Thank you very, very much.

RECESS

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

Senator BRIGHTBILL. Madam President, at this time I ask for a recess of the Senate for purposes of a meeting of the Committee on Appropriations and a meeting of the Committee on Finance, to be followed by a Republican caucus.

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

Senator MELLOW. Madam President, upon the conclusion of the two meetings, I request that the Democrats report to our caucus room.

The PRESIDENT. For purposes of two committee meetings, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

BILLS OUT OF ORDER

Without objection, the following bills on today's Calendar were called out of order by Senator BRIGHTBILL.

THIRD CONSIDERATION CALENDAR

BILL AMENDED

HB 1179 (Pr. No. 2855) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, establishing the Military Family Relief Assistance Program and the Military Family Relief Assistance Fund.

On the question,

Will the Senate agree to the bill on third consideration?

Senator ROBBINS offered the following amendment No. A3338:

Amend Sec. 1 (Sec. 7319), page 3, line 30; page 4, lines 1 through 5, by striking out all of said lines on said pages and inserting:

(1) The department shall administer and staff the program established in paragraph (2) and shall accept voluntary contributions from persons for the fund. The department may consult with any governmental or nongovernmental organization as is necessary to complete the requirements under this act, but shall not enter into an agreement or contract with any such organization for the staffing functions of the program.

Amend Sec. 1 (Sec. 7319), page 5, line 8, by striking out "RULES" and inserting: guidelines

Amend Sec. 1 (Sec. 7319), page 5, line 14, by striking out "RULES" and inserting: guidelines

Amend Sec. 1 (Sec. 7319), page 5, line 21, by striking out "RULES" and inserting: Guidelines

Amend Sec. 1 (Sec. 7319), page 5, line 29, by striking out "RULES" and inserting: guidelines

Amend Sec. 1 (Sec. 7319), page 5, line 30, by striking out "RULES" and inserting: guidelines

Amend Sec. 1 (Sec. 7319), page 6, line 3, by striking out "GUIDELINES ON"

Amend Sec. 1 (Sec. 7319), page 6, by inserting between lines 9 and 10:

(4) The guidelines established pursuant to this section shall be published in the Pennsylvania Bulletin but shall not be subject to review pursuant to section 205 of the act of July 31, 1968 (P.L. 769, No. 240), referred to as the Commonwealth Documents Law, sections 204(b) and 301(10) of the act of October 15, 1980 (P.L. 950, No. 164), known as the Commonwealth Attorneys Act, or the act of June 25, 1982 (P.L. 633, No. 181), known as the Regulatory Review Act.

Amend Sec. 1 (Sec. 7319), page 7, by inserting between lines 5 and 6:

(i) Reporting.—Beginning on or before July 30, 2006, and every year thereafter for the length of the program, the department shall submit a report to the chairman and minority chairman of the Appropriations Committee of the Senate, the chairman and minority chairman of the Appropriations Committee of the House of Representatives, the chairman and minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the Senate and the chairman and minority chairman of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives detailing the program's guidelines, the number of applicants, the total amount of money raised and distributed and the type of applicant need. The report shall also set forth any participation by a governmental or nongovernmental organization utilized in the furtherance of the program.

Amend Sec. 1 (Sec. 7319), page 7, line 6, by striking out "(I)" and inserting: (i)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 384, SB 629, SB 665 and HB 746 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL AMENDED

SB 932 (Pr. No. 1220) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Douth, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," further providing for conveyance to the Borough of Doylestown, Bucks County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CONTI offered the following amendment No. A3333:

Amend Sec. 1 (Sec. 5), page 3, by inserting between lines 17 and 18:

(d) Restrictions.—Any conveyance authorized under this section shall be made under and subject to the following conditions, which shall be contained in the deed of conveyance:

(1) The property may only be further conveyed to another public agency. The conveyance may only be made under terms that have been approved in writing by the Department of General Services prior to the conveyance. For purposes of this paragraph, "public agency" shall mean an agency of the Federal, State or local government or a municipal authority.

(2) The property shall be used for nonproprietary governmental or public purposes only.

(3) No portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law.

(4) If at any time, the property or any portion thereof is conveyed in violation of the provisions of paragraph (1) or used in violation of the provisions of paragraph (2) or (3), the title to the property shall immediately revert to and revest in the grantor.

(5) These conditions shall be covenants running with the land and shall be binding upon the grantee, its successors and assigns.

Amend Sec. 1 (Sec. 5), page 3, line 18, by inserting brackets before and after "(d)" and inserting immediately thereafter: (e)

Amend Sec. 1 (Sec. 5), page 3, line 21, by inserting brackets before and after "(e)" and inserting immediately thereafter: (f)

Amend Sec. 1 (Sec. 5), page 3, line 23, by inserting brackets before and after "(f)" and inserting immediately thereafter: (g)

Amend Sec. 1 (Sec. 5), page 3, line 24, by striking out "24" and inserting: 18

Amend Sec. 1 (Sec. 5), page 3, line 28, by inserting brackets before and after "(g)" and inserting immediately thereafter: (h)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 235 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS OVER IN ORDER

HB 87 and SB 178 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION, AMENDED

SB 193 (Pr. No. 182) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the meeting of election officers on election day.

On the question,

Will the Senate agree to the bill on second consideration?

Senator RAFFERTY offered the following amendment No. A3212:

Amend Sec. 1 (Sec. 1208), page 2, lines 5 and 6, by striking out "at least thirty minutes"

On the question,

Will the Senate agree to the amendment?

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

Senator RAFFERTY. Madam President, I want to thank Senator Anthony Williams for his help on this amendment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILL OVER IN ORDER

HB 218 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 261 (Pr. No. 265) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, providing for a Deputy Secretary for Local Government Services in the Department of Community and Economic Development.

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

BILL ON SECOND CONSIDERATION

SB 693 (Pr. No. 830) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 775 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 929 (Pr. No. 1218) -- The Senate proceeded to consideration of the bill, entitled:

An Act prohibiting the advertising and conducting of certain live musical performances or productions; providing for enforcement; and imposing a penalty.

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

BILL OVER IN ORDER

HB 1049 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 1361 (Pr. No. 1636) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 2002 (P.L.315, No.46), known as the Community Services Block Grant Act, further providing for the expiration of the act.

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

HB 1717 CALLED UP

HB 1717 (Pr. No. 2918) -- Without objection, the bill was called up, from page 1 of the Third Consideration Calendar, by Senator BRIGHTBILL.

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

HB 1717 (Pr. No. 2918) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms, for firearms not to be carried without licenses, for licenses, for loans, lending or giving of firearms, for definitions, for jurisdiction, for full faith and credit and foreign protection orders, for responsibilities of law enforcement agencies, for commencement of proceedings, for hearings and for relief; providing for return of relinquished firearms, other weapons and ammunition, for relinquishment for consignment sale or lawful transfer, for relinquishment to third party for safekeeping and for registry or database of firearm ownership; further providing for emergency relief by minor judiciary, for arrest for violation of order, for private criminal complaints for violation of order or agreement, for contempt for violation of order or agreement and for procedures and other remedies; and providing for immunity, for inability to pay and for limitation on warrantless searches.

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 Berks, Senator O'Pake.

Senator O'PAKE. Madam President, I would like to briefly encourage all Members here today to support this bill. Forty-eight Senators are cosponsoring nearly identical legislation introduced in this Chamber by Senator Earll and myself. As all of us know, domestic violence is a problem far too common in every community in this Commonwealth. In one recent tragedy in my district in Reading, a wife who had a Protection From Abuse order in the process of separating from her husband was gunned down by him in broad daylight as she left her place of employment in a bank in downtown Reading. It is this kind of tragedy all of us read about far too often in our newspapers or watch on our evening news. This bill might not have prevented that tragedy in Reading, and it certainly will not put an end to domestic violence, but it will put many new protections in the law for victims of domestic violence, and will put new tools in the hands of judges and law enforcement officers. It will save lives of both the victims of the violence itself and of the many others who so often become its indirect victims.

Last year, more than 100 people died in Pennsylvania from violence in the home. Tens of thousands were its victims, and as we all know, the call that is most likely to result in injury to a police officer is the call to a domestic disturbance. This bill will

change that by allowing judges greater power by removing weapons from abusers, by imposing stronger sanctions for violating Protection From Abuse orders, and by providing increased funding for efforts to prevent and serve the victims of domestic violence.

This bill is the result of long discussions, some 9 years, between advocates for victims and representatives of other interested parties, including district attorneys, sheriffs, and very importantly, gun rights advocates. Today, this language is the result of a careful consideration to the rights and needs of all parties. It is a compromise supported by all of the participants in these discussions, and I hope everyone will support it and that the Governor will quickly sign it into law.

Thank you, Madam President.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

Armstrong	Gordner	O'Pake	Tartaglione
Boscola	Greenleaf	Orie	Thompson
Brightbill	Hughes	Piccola	Tomlinson
Browne	Jubelirer	Pileggi	Vance
Conti	Kasunic	Pippy	Washington
Corman	Kitchen	Punt	Waugh
Costa	LaValle	Rafferty	Wenger
Earll	Lemmond	Regola	White, Donald
Erickson	Logan	Rhoades	Williams, Anthony H.
Ferlo	Madigan	Robbins	Williams, Constance
Fontana	Mellow	Stack	Wonderling
Fumo	Musto	Stout	Wozniak

NAY-2

Scarnati White, Mary Jo

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

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

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 932 (Pr. No. 1270) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Doult, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain

lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," further providing for conveyance to the Borough of Doylestown, Bucks County.

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

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Greenleaf	Piccola	Tomlinson
Boscola	Hughes	Pileggi	Vance
Brightbill	Jubelirer	Pippy	Washington
Browne	Kasunic	Punt	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
Fontana	Musto	Stout	Wozniak
Fumo	O'Pake	Tartaglione	
Gordner	Orie	Thompson	

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.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

Senator EARLL, from the Committee on Finance, reported the following bills:

SB 166 (Pr. No. 158)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

SB 380 (Pr. No. 382)

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

SB 802 (Pr. No. 995)

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

HB 515 (Pr. No. 1950)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "manufacture"; and further providing for the apportionment of business income for corporate net income tax purposes.

HB 650 (Pr. No.1458)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in corporate net income tax, for the definition of "taxable income."

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

SB 869 (Pr. No. 1269) (Amended) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for extension of health insurance benefits for certain military personnel who were full-time students at time of deployment.

SB 875 (Pr. No. 1130) (Rereported)

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for the prohibition of emergency procurement.

HB 127 (Pr. No. 2951) (Amended) (Rereported)

An Act providing for certain rights of resource parents; and further providing for duties of county agencies and private agencies.

HB 1579 (Pr. No. 2952) (Amended) (Rereported)

An Act providing for certain responsibilities of county and private agencies regarding resource families.

SENATE RESOLUTION ADOPTED

Senators A. WILLIAMS, ARMSTRONG, BOSCOLA, BRIGHTBILL, BROWNE, CONTI, CORMAN, COSTA, EARLL, ERICKSON, FERLO, FONTANA, FUMO, GORDNER, GREENLEAF, HUGHES, JUBELIRER, KASUNIC, KITCHEN, LaVALLE, LEMMOND, LOGAN, MADIGAN, MELLOW, MUSTO, O'PAKE, ORIE, PICCOLA, PILEGGI, PIPPY, PUNT, RAFFERTY, REGOLA, RHOADES, ROBBINS, SCARNATI, STACK, STOUT, TARTAGLIONE, THOMPSON, TOMLINSON, VANCE, WASHINGTON, WAUGH, WENGER, D. WHITE, M.J. WHITE, C. WILLIAMS, WONDERLING and WOZNIAK, by unanimous consent, offered **Senate Resolution No. 193**, entitled:

A Resolution remembering Rosa Louise McCauley Parks, on the occasion of her death on October 24, 2005, at 92 years of age, as the mother of the civil rights movement.

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

Senator MELLOW. Madam President, before the Clerk continues reading the resolution, I ask that we have order on the floor of the Senate. This is a very important resolution for a pioneer who passed away today, and we should have attention on the floor of the Senate when the resolution is read and then when the address is given by Senator Anthony Williams.

The PRESIDENT. Senator Mellow, your point is well-taken. (Whereupon, the Clerk read the resolution.)

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Anthony Williams.

Senator A.H. WILLIAMS. Madam President, I want to thank my dear friend, Senator Mellow, for asking for accommodations. I also want to thank the Members who are remaining.

I am 48 years old now, and most of my life I can remember the civil rights movement quite clearly, it was part of my household. What I also remember distinctly is that there were certain heroes that were always talked about during the civil rights movement, particularly Dr. Martin Luther King, but what people do not quite appreciate and understand is that while the civil rights movement is denoted for its effect upon African-Americans and people of color, it really was an affirmation of what this nation stands for. The civil rights movement in this time in which we stand, many people with different views, many people with different genders are now recognizing the consequences of the civil rights movement. This country stood for a lot of things, but it has always stood for radical and immediate revolutionary change when there was an injustice perpetuated upon any of us. The weakest link is the strength of this nation, diversity is the strength of this nation, and while Rosa Parks has departed this land, I am not quite sure that we have actually arrived at the Promised Land that Dr. Martin Luther King prescribed for all of us, but to her dying day, her dying day, Rosa Parks was a hero for that possibility, for that dream which she would hope her grandchildren would achieve.

While people will always talk about the giants in the civil rights movement, and a variety of other movements that occurred in this country, it is people without title, without position, frankly, without financial gain or interest who have changed the course of this nation. Rosa Parks was one of those people. The fabric of this country and those people who stood up in revolutionary times were not Benjamin Franklin and a variety of others, but people who stood on the front lines and lost their grandparents or great, great, great, great grandparents in the defining moments of this country, and that is what Rosa Parks is and was until her dying day. Rosa Parks represents, and understand this, Rosa Parks in the South, a woman in the South, forget that she was African-American, a woman in the South said to a man, forget that he was white, forget there was segregation, remember the times in which she stood up and spoke, a woman stood up and said this country will allow me to be equal with any man in this country. So define it in the terms in which it is meant.

Her legacy is our grandparents' legacy. For any grandparent who looked out for their child, looked out for their grandchild, provided a way when their parents could not, a safe haven, college tuition, savings, laid their life on the line, that is what Rosa Parks did. For any parent who recognizes that they will never be in the headlines anyplace, will never be famous, but what they will be remembered for is the dignity and grace that they provided for this country when they went to war and came home, when they stood up in front of a union line or for a union line in this country, when they stood up for anyone who was disserved by the rights that were provided in this country, that was Rosa Parks. I do not want Rosa Parks to be reduced to some memorial or some medal. I want Rosa Parks' memory to be burning in our bodies, in our energy that we display on this floor every single day, because I come here with hope. I remember, I remember when I was born into a society when there was a distinct possibility I would never be here, that I had to seek permission to actually run for public office, and the people you had to seek it from did not come from my neighborhood.

I know what Rosa Parks stood for, and what I hope is that many of us here will remember what Rosa Parks stood for. While I happen to be African-American and benefit from that civil rights movement, all of us benefitted by that. Those of us who are physically disabled and could not get into a building up until 15 years ago, because we were required to build ramps to get into those buildings, all of us in this country should thank Rosa Parks for lighting the match for the civil rights movement which basically said anyone, anyone starts at the same starting line. All of us are going to run the same race, and what is going to guide us are the principles of the Constitution of this country, and what the Forefathers may have been viewing, we are now feeling the reality of it.

God bless Rosa Parks for sharing her life with us. We thank her family for allowing her to participate in the rich way that she participated, but most importantly, we reaffirm that we are going to live our lives in the manner that Rosa Parks lived her life, allowing those of us who are behind, we will not step over them; we will put our hands down and pick them up. We do not care what color they are, we do not care whether they are physically endowed in the same way, we do not care whether they are our intellectual equal, and we certainly do not care whether they are the same gender as us. We understand the possibilities of this country, we understand the practical applications of this country, but most important, we understand that internationally we are the envy of the world. Rosa Parks, God bless you.

(Applause.)

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

Senator MELLOW. Madam President, it is going to be hard for me to follow the words that were just expressed so beautifully by Senator Anthony Williams about the passing of Rosa Parks. However, there are a few things that I would also like to say here this afternoon about what she stood for and how I personally saw some of the activities of the involvement.

Madam President, back in the late 1960s, I had the opportunity to live in the South for several years, in the State of Tennessee. I happened to be in Memphis on that day in 1968 when Dr. Martin Luther King was assassinated. I never realized what was

taking place at that particular time. I knew that a great civil rights leader's life had been taken, but I never knew the significance and the magnitude of what had taken place while I was there.

Madam President, it was very hard for me as an individual who was brought up in Pennsylvania in a family that basically never talked about segregation, and a family that, quite frankly, thought everyone was even and equal in this world. It was very difficult for me to travel down South and see restaurant after restaurant have on the door in white paint, "whites only," because of what had taken place in the civil rights movement of 1964. I could not believe what I was seeing, but then I was there in 1968 when Dr. Martin Luther King was assassinated in Memphis.

This morning, as I put the TV on quite early and I heard of the passing of Rosa Parks, what the one commentator said was that she sat down so that other people could stand up, and I thought about that for a moment and said what a wonderful, courageous person this woman had to be because she defied, as Senator Anthony Williams said, as a woman living down South 50 years ago, it will be 50 years in just another few shorts weeks that this took place, defied a white bus driver, and the fact that she would not give up her seat so another white person would be able to sit. Well, years ago this country was segregated, and it is hard to believe when we think about the period of time, because that is not really that long ago. I am not so sure today we are totally integrated after 50 years, but certainly, we have come a long way. I cannot even imagine the courage and the resolve that this woman must have had. I cannot imagine what must have gone through her mind and body in the bus that particular day, not knowing what would take place when she exited from the bus, whether somebody would try to attack her, whether somebody would try to kill her or inflict some kind of injury upon her family to pay her back, because those things took place in certain parts of this country 50 years ago, and in fact, I am not sure that those things do not take place in certain parts of this country today. So, when I saw that on TV this morning, I was very moved and I was actually enlightened and lifted by what had been said, and the outpouring of love and support for this wonderful, courageous woman.

I am only sorry that I did not have the opportunity somewhere along the road to meet and talk to her. I can recall when the Congress of the United States, in a Joint Session, when President Clinton praised and honored her with the Presidential Medal of Freedom award, and when the Pope visited the United States back in the late 1990s, he also honored her. I can only feel for what may have taken place, and the debt that we owe to her for what she did and for what she stood for, and for the courage that she had. It is a debt that none of us in this room could ever repay.

I would like to follow up with the very kind and wonderful words of Senator Anthony Williams. Godspeed, and I am sure there is another life, and I am sure each and every one of us will have the opportunity some day in another life to say, oh, my gosh, Rosa Parks, if it were not for you, we would not have been able to enjoy the freedoms and liberties we have enjoyed in this country over the past 50 years.

So, God bless you and thank you for everything you have done, not only for the people down South on that particular day, but for each and every resident of this great country of ours over

the past 50 years, and hopefully, that will only improve over the next 50 years.

Thank you very much.

(Applause.)

The PRESIDENT. Thank you, Senator Mellow. I think all of us understand all of these kind words for Rosa Parks, and every man and woman in this room respects her and loves her for what she did for every citizen of this great nation we live in.

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 Juliana Romanyshyn and to the Women's Leadership Initiative of the Greater Lehigh Valley by Senator Browne.

Congratulations of the Senate were extended to Daniel Hall, David G. Geikler, Jr., and to William K. Bauder by Senator Greenleaf.

Congratulations of the Senate were extended to the Engineering and Associated Design Services Group of Altoona by Senator Jubelirer.

Congratulations of the Senate were extended to Mark Andrew Mancini by Senator Kasunic.

Congratulations of the Senate were extended to Joshua Zachoski and to Colin McHugh by Senator Mellow.

Congratulations of the Senate were extended to Jeffery K. Nicolls and to Daniel C. Tautin by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Leonard Portzline and to Mr. and Mrs. John Judge by Senator Vance.

Congratulations of the Senate were extended to Mr. and Mrs. Herbert Henigin by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Don Pierce and to Mr. and Mrs. Edward L. Decker by Senator M.J. White.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1179 (Pr. No. 2953) — The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, establishing the Military Family Relief Assistance Program and the Military Family Relief Assistance Fund.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Greenleaf	Piccola	Tomlinson
Boscola	Hughes	Pileggi	Vance
Brightbill	Jubelirer	Pippy	Washington
Browne	Kasunic	Punt	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
Fontana	Musto	Stout	Wozniak
Fumo	O'Pake	Tartaglione	
Gordner	Orie	Thompson	

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS ON FIRST CONSIDERATION

Senator LaVALLE. 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 166, SB 380, SB 414, SB 583, SB 595, SB 676, SB 759, SB 802, SB 895, SB 925, HB 515, HB 650, HB 1057, HB 1400, HB 1606 and HB 1743.

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 Philadelphia, Senator Hughes.

Senator HUGHES. Madam President, it appears that today happens to be a day when this body has taken the time to recognize great citizens who have been part of a process that not only changed our nation but transformed our nation. My good friend and colleague, Senator Anthony Williams, and my friend and colleague, Senator Mellow, spoke of Rosa Parks. She, in fact, was a fantastic woman, a quiet woman, and a woman who in addition to doing what she did through her commitment to transformational change, gave birth to so many others who made the decision to fight the good fight for truth and justice and righteousness. She gave birth to so many others, one I will speak of today.

Madam President, one whom I know you knew well, was C. DeLores Tucker. She was a resident of the Westmont area, a political activist, and the first African-American to serve as Secretary of the Commonwealth of Pennsylvania. She passed away 2 weeks ago. She spent her entire life fighting for civil and social rights, as well as the rights of women. Through it all, she maintained her elegance and poise, even while being arrested for marching with Dr. Martin Luther King, Jr., against racism, and standing up against rap musicians for the destructive obscenities in their lyrics. She never backed away from what she believed in. At a time when women, let alone people of color, had no voice, she was brave enough to stand up and say, we will take no more. She had a fiery, strong voice that made others stop and take note of what she had to say.

Her voice was heard at an early age, Madam President. Notes and history tells us that at 16 years of age she stood atop a flatbed truck outside the Bellevue Stratford Hotel and protested the hotel's refusal to accept Black athletes. From that moment until her last moment and her last breath, she fought for civil rights. She was a Girls' High School graduate, and those of you listening to the sound of my voice and watching on TV know what it means to be a graduate of Girls' High School in Philadelphia. That makes you elite in and of itself. She graduated in 1946, attended Temple University, obtained a real estate license, and entered into a marriage with William Tucker, a marriage that lasted over 54 years. My God, we should be recognizing her just for that, and it was one of the most elegant relationships that I think anyone has ever seen. The two were a wonderful pair.

In 1965 she marched arm-in-arm with Dr. King during a pivotal civil rights protest in Selma, Alabama. In 1970 she became the first Black woman to be vice chairman of the Pennsylvania Democratic Party and the first woman vice president of the Pennsylvania NAACP. After she was asked by Governor Shapp to be the Secretary of the Commonwealth of Pennsylvania and she was accepted, she wanted to let one and all know that she was powerful, in fact the third most powerful person in Pennsylvania, and her State limousine license plate had the number 3 on it.

I was just reminded by my good friend and colleague, Senator Mellow, that he is the only person in this Chamber who had the opportunity to confirm her nomination. I guess that makes him special, too. He said it makes him old. I did not say that.

She ran for public office, for Senate, for Congress, for Lieutenant Governor. In fact, I guess, Madam President, that part of her trailblazing path of running for Lieutenant Governor was in fact a trailblazer for you, which is why you were at her services last week. She headed the Minority Caucus of the Democratic National Committee. She was a founding member of the National Women's Political Caucus, and she worked with Shirley Chisholm to found the National Political Congress of Black Women. She protested, she wrote letters and picketed, and even claimed that she was ready to go to jail and die for whatever cause was necessary. She never gave up. She woke up every day of her life trying to figure out a way to move the community forward, every day. She was fearless. She was constant. She was a barometer that all of us could measure ourselves against in the concerns of the fight for truth and justice. She was there, always, never shuddering, never moving back, even in the struggle she is most noted for, the fight for appropriate lyrics in music, even in that struggle,

Madam President, she chose to open her arms to those who spoke those lyrics in an attempt to transform them, because she knew the hell they came from and why it was a decision that they made. She understood. She was a transformational leader.

Sonia Sanchez once wrote a poem, I believe it was in connection with a group called Sweet Honey and the Rock, and it evidenced Miss Tucker as a constant at her finest: I will stay on the battlefield; I will stay on the battlefield. Before I be a slave, you will be burying me in my grave. And I am staying on the battlefield.

C. DeLores Tucker, like Rosa Parks, stayed on the battlefield. (Applause.)

The PRESIDENT. Senator Hughes, I know it well. I know it very, very well, because I do not think I was the State Treasurer for 2 weeks when C. DeLores Tucker and the Vice President's wife, Tipper Gore, came to my office and did not ask, they just mandated that I go to New York because of the fact that there were so many of our public pension funds invested in RCA Victor, and none of us knew they were making gangster rap. So we went in and the RCA Victor corporate people immediately backed off and terminated their relationship with anyone making gangster rap records. So I can tell you, yes, I knew C. DeLores well, and I knew Rosa Parks, and you are right, they were icons for all women.

Thank you.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, NOVEMBER 1, 2005

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Resolution No. 137; House Bill No. 1114; and House Resolution No. 88)	Room 8E-B East Wing
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MONDAY, NOVEMBER 7, 2005

10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (Public hearing on Act 183 of 2004 as it relates to municipal wi-fi networks)	Villanova University
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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, October 26, 2005, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 4:13 p.m., Eastern Daylight Saving Time.