

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, OCTOBER 4, 2006

SESSION OF 2006 190TH OF THE GENERAL ASSEMBLY

No. 58

SENATE

WEDNESDAY, October 4, 2006

The Senate met at 10:30 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Rabbi GARY POKRAS, of Temple Judea of Bucks County, Doylestown, offered the following prayer:

Creative source of all being, for this land so richly blessed, we raise our voices in thanks. Your children have come to these shores from many lands in quest of liberty and new life. Here they have found a safe haven, soil on which to prosper, and the opportunity to outgrow old fears and superstitions.

For our nation, for its freedom promised, attained, and yet to be enlarged, for the richness of its natural blessings, and for a harmony that we pray will ever increase among its citizens, we give thanks.

God of justice and right, we also seek Your blessing and Your guidance. As the Senate of Pennsylvania strives to protect the Constitution of our great Commonwealth and to serve our State and its citizens, we turn to You. We pray that Your sheltering presence shall be with this Senate in all that it does, that its works become a blessing for our people. We seek patience and courage for those who share the lonely and awesome responsibility of deciding the fate of so many. May Your spirit imbue our Senators with wisdom and strength, and inspire us all with vision, that united we may realize our common goals for the well-being of our people, our State, and our nation. Then surely the words of the prophet will ring true, as we let justice swell up as waters and righteousness as a mighty stream.

The PRESIDENT. The Chair thanks Rabbi Pokras, who is the guest today of Senator Conti.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The PRESIDENT. Without objection, approval of the Journal of the Session of October 3, 2006, will be postponed until the Journal is in print.

JOURNAL APPROVED

The PRESIDENT. The Journals of the Sessions of September 19, 2006, and September 20, 2006, are now in print.

The Clerk proceeded to read the Journals of the Sessions of September 19, 2006, and September 20, 2006, when, on motion of Senator BRIGHTBILL, and agreed to by voice vote, further reading was dispensed with and the Journals were approved.

BILLS REPORTED FROM COMMITTEE

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

SB 1263 (Pr. No. 1932)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing, in abandoned and unclaimed property, for property subject to custody and control of Commonwealth.

SB 1285 (Pr. No. 2123) (Amended)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for credited State service.

SB 1331 (Pr. No. 2070)

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 exclusions from sales and use tax.

HB 600 (Pr. No. 2313)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for military tax credits for employers who pay or subsidize the wages of an employee called to active duty.

HB 2282 (Pr. No. 3194)

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 personal income tax, for classes of income.

HB 2562 (Pr. No. 3805)

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the employer contribution rates on behalf of active members.

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 Armstrong.

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

Senator O'PAKE. Madam President, I request a legislative leave for Senator Fumo, and a temporary Capitol leave for Senator Stack.

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

Senator O'Pake requests a legislative leave for Senator Fumo, and a temporary Capitol leave for Senator Stack.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

CALENDAR

**SENATE RESOLUTION No. 348
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 7 of the Calendar, as a Special Order of Business, **Senate Resolution No. 348**, entitled:

A Resolution designating the week of October 16 through 22, 2006, as "Infection Prevention Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ROBBINS. Madam President, I would like to submit remarks for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made a part of the record at the request of the gentleman from Mercer, Senator ROBBINS:)

Madam President, I rise to ask support for Senate Resolution No. 348, designating the week of October 16 through 22, 2006, as "Infection Prevention Week" in Pennsylvania.

Every year, more than 800 million Americans visit their physicians, and over 33 million are admitted to hospitals, with many undergoing medical procedures that have a risk of infectious complications. In-hospital infections affect more than 2 million patients annually. In addition to increased morbidity and mortality, these infections raise health care costs by more than \$5.5 billion. Education and improved procedures have significantly lowered patient infection risk in hospitals and other health care and group facilities.

The Association for Professionals in Infection Control and Epidemiology, representing more than 11,000 infection prevention and control professionals, sponsors International Infection Prevention Week with this year's theme being "Infection Prevention: It's in Your Hands."

Health care providers in the many health care facilities of Pennsylvania are set to observe this week with programs and activities and renew their efforts to prevent health care associated infections, thereby reducing the burden of human suffering and disease.

One of those health care providers is Susan DeMaison of the Meadville Medical Center in my district, who brought this issue to my attention.

I urge my colleagues to stand with infection prevention and control professionals as they work to improve patient and health care worker safety and reduce the risk and occurrence of health care associated infections.

I ask that the Senate of Pennsylvania designate the week of October 16 through October 22, 2006, as "Infection Prevention Week" in Pennsylvania.

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

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

YEA-49

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

NAY-0

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

RECESS

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

Senator BRIGHTBILL. Madam President, I ask for a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations, which will take about 5 minutes, to be followed by a Republican caucus, which will take about 10 minutes, both to be held in the Rules room. Our goal is to be on time for the ceremonies at 11:30 a.m.

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

Senator O'PAKE. Madam President, immediately after the meeting of the Committee on Rules and Executive Nominations, the Democrats will also caucus.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations and Republican and Democratic caucuses, without objection, the Senate will stand in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Armstrong has returned from his legislative leave, and Senator Stack has returned from his temporary Capitol leave, and those leaves will be cancelled.

CONSIDERATION OF CALENDAR RESUMED

SB 1305 CALLED UP OUT OF ORDER

SB 1305 (Pr. No. 2114) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL, as a Special Order of Business.

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

SB 1305 (Pr. No. 2114) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for transfers of appropriations and for notice of transfers and loans between funds.

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-28

Armstrong	Greenleaf	Pippy	Tomlinson
Brightbill	Jubelirer	Punt	Vance
Browne	Lemmond	Rafferty	Waugh
Corman	Madigan	Regola	Wenger
Earll	Orie	Rhoades	White, Donald
Erickson	Piccola	Robbins	White, Mary Jo
Gordner	Pileggi	Scarnati	Wonderling

NAY-21

Boscola	Hughes	Musto	Williams, Anthony H.
Costa	Kasunic	O'Pake	Williams, Constance
Dinniman	Kitchen	Stack	Wozniak
Ferlo	LaValle	Stout	
Fontana	Logan	Tartaglione	
Fumo	Mellow	Washington	

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.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 1526 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

THIRD CONSIDERATION CALENDAR

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

SB 983 (Pr. No. 2112) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for registration districts and local registrars' duties and for death and fetal death registration.

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-49

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

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 REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 1332 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER

HB 126 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 236 (Pr. No. 1949) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for legislative intent, for definitions and for proposed regulations and procedure for review.

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

BILLS OVER IN ORDER

SB 553, SB 592, SB 628, HB 632, SB 808, SB 934, SB 1107, SB 1110, SB 1140, SB 1174 and SB 1216 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1285 (Pr. No. 4714) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for administrative practice and procedure; further providing for period of revocation or suspension of operating privilege; and abrogating a regulation.

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-49

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

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.

SB 1297 (Pr. No. 2033) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the designation and recognition of the third Saturday in June as "Juneteenth National Freedom Day."

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Madam President, I rise today in support of this historic bill designating the third Saturday in June as "Juneteenth National Freedom Day." On June 19, 1865, the slave community of Galveston, Texas, finally got the word of the Emancipation Proclamation. This precious document proclaimed the good news that all slaves were free.

We celebrate the progress we made to close the racial divides, and we pray for continued success on the road to equal rights for everyone.

Madam President, Juneteenth is the oldest African-American holiday in observance in the United States, and now will be recognized by Pennsylvania in the same manner as that of other States that have commemorated this important holiday.

I urge support of this bill to commemorate the third Saturday in June as "Juneteenth National Freedom Day" in Pennsylvania.

Finally, Madam President, I would like to personally thank Senator Lemmond, who has always shown interest and support of our history, so all of us may know. He has always supported people knowing the history of everyone in this country, and without Senator Lemmond's support, I know that we would not be voting for this bill today.

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-49

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

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
GUEST OF SENATOR ROBERT C. JUBELIRER
AND SENATOR ROBERT C. WONDERLING
PRESENTED TO THE SENATE**

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

Senator WONDERLING. Madam President, I am delighted and honored today to have Lindsey Engbert, a student from Lebanon Valley College, spend the day in our Capitol, particularly on our Centennial Day. She actually resides in Senator Jubelirer's Senate district, and in fact, spent the last three summers interning in Senator Jubelirer's district office, but for a course at Lebanon Valley College, where she is a junior, she is required to study digital communications and public policy, so we have been spending the day talking about technology and communications and all that it entails here in the arena of ideas.

So, Madam President, I ask for a hearty and warm welcome to Miss Lindsey Engbert, from Schellsburg, Pennsylvania.

The PRESIDENT. Would Lindsey Engbert please rise so we can give you a nice warm welcome.

(Applause.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Before we continue the Session, I just want to remind everyone that in 10 minutes we will be leaving from the Chamber for the Centennial celebration.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 1330, HB 1813, HB 2134, HB 2631 and HB 2667 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

**BILLS REREPORTED FROM COMMITTEE AS
AMENDED OVER IN ORDER**

HB 881 and SB 1095 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 19 (Pr. No. 1827) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for disabled veterans' real estate tax exemption and for duty of commission.

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

BILL OVER IN ORDER

HB 469 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 552 (Pr. No. 4640) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for the authority to invest and reinvest certain moneys; defining "gift card," "gift certificate" and "qualified gift certificate"; and further providing for unclaimed property.

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

BILL ON SECOND CONSIDERATION

SB 642 (Pr. No. 2116) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing a school district to purchase or acquire by other means real property owned by a school director under certain conditions.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 647, SB 648 and SB 858 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 990 (Pr. No. 2109) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for requirements for hospitals and health care facilities that provide services to sexual assault victims, for provision of information and services relating to emergency contraception and for powers and duties of the Department of Health.

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 1291 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 1479 (Pr. No. 4367) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to the delivery of services and programs to persons with disabilities; conferring powers and duties on the Office of the Governor; and creating the Office for People with Disabilities and providing for its powers, duties and funding.

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

BILLS OVER IN ORDER

HB 1631 and HB 2042 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

HB 2133 (Pr. No. 4709) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates, for identification card, for periods for requiring lighted lamps, for authority to use flashing or revolving blue lights, permit for movement during course of manufacture, and for permits for movement of certain feed and grain.

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 2639 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2670 (Pr. No. 4712) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for grounds for involuntary termination of parental rights; and, in child protective services, further providing for definitions, further providing for release of information in confidential reports, providing for citizen review panels, further providing for annual reports; and providing for mandatory reporting of substance abuse births.

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.

SENATE RESOLUTION No. 311, ADOPTED

Senator BRIGHTBILL, without objection, called up from page 7 of the Calendar, **Senate Resolution No. 311**, entitled:

A Resolution recognizing the Federal Aviation Administration's plan to divert air traffic from the Philadelphia International Airport over Delaware County and calling on the Federal Aviation Administration to conduct public hearings to obtain additional input on the issue and to afford residents and local government officials an opportunity to comment on the proposed plan.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Erickson.

Senator ERICKSON. Madam President, I submit the following remarks for the record.

The PRESIDENT. The remarks will be spread upon the record.

(The following prepared remarks were made a part of the record at the request of the gentleman from Delaware, Senator ERICKSON:)

Madam President, Senate Resolution No. 311 addresses the Federal Aviation Administration's plan to redirect air traffic from the Philadelphia International Airport over Delaware County. Currently, air traffic from the Philadelphia International Airport travels over the Delaware River, without significant impact on the residential areas of Delaware County or the nearby John Heinz National Wildlife Refuge.

This resolution calls on the Federal Aviation Administration to conduct at least three public hearings throughout Delaware County to address the following issues: Properly inform residents and government officials of the Federal Aviation Administration's proposed air traffic diversion plan; explore the health, safety, and impact on quality of life by diverting air traffic over a densely populated residential area; afford residents and government officials an opportunity to provide meaningful comment on the plan; and obtain additional input on the environmental impact of its flight diversion plan.

Further, Senate Resolution No. 311 would require that copies of this resolution be transmitted to the presiding officers of each House of Congress and to each Member of Congress from Pennsylvania and to the Federal Aviation Administration.

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

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

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE BOARD OF TRUSTEES OF ALLENTOWN STATE HOSPITAL

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel Grossman, 2045 Pennsylvania

Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lecie G. Machell, 1350 Sycamore Street, Bethlehem 18017, Northampton County, Sixteenth Senatorial District, for reappointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF GOVERNORS
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 22, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kyle J. Mullins, 614 Crystal Street, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Nathan Conroy, Nescopeck, graduated.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF GOVERNORS
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 22, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joshua A. O'Brien, 401 Wirt Street, #2, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated from the University, vice Mark Collins, Jr., Easton, graduated.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

September 7, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. Sidney Brookes, (Public Member), 2 Concord Way, Chadds Ford 19317, Chester County, Ninth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James C. Culbertson, 305 Gilifallen Street, Franklin 16322, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harriet Daye, 211 McClelland Avenue, Box 247, Polk 16342, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Eleanora Miller, 1375 East Gilmore Road, Grove City 16127, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Madam President, I request that the nominations just read by the Clerk be laid on the table.
The PRESIDENT. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS**EXECUTIVE SESSION**

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Samuel Grossman, 2045 Pennsylvania Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lecie G. Machell, 1350 Sycamore Street, Bethlehem 18017, Northampton County, Sixteenth Senatorial District, for reappointment as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF GOVERNORS
OF THE STATE SYSTEM OF HIGHER EDUCATION**

September 22, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kyle J. Mullins, 614 Crystal Street, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Nathan Conroy, Nescopeck, graduated.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF GOVERNORS
OF THE STATE SYSTEM OF HIGHER EDUCATION**

September 22, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joshua A. O'Brien, 401 Wirt Street, #2, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated from the University, vice Mark Collins, Jr., Easton, graduated.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS**

September 7, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, A. Sidney Brookes, (Public Member), 2 Concord Way, Chadds Ford 19317, Chester County, Ninth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE**

July 28, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jeffrey A. Heebner, D.O., 116 Haws Lane, Flourtown 19031, Montgomery County, Seventh Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Oliver C. Bullock, D.O., Philadelphia, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James C. Culbertson, 305 Gilifallen Street, Franklin 16323, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harriet Daye, 211 McClelland Avenue, Box 247, Polk 16342, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

July 14, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Eleanora Miller, 1375 East Gilmore Road, Grove City 16127, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

EDWARD G. RENDELL Governor

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

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

YEA-49

Table with 4 columns of names: Armstrong, Boscola, Brightbill, Browne, Corman, Greenleaf, Hughes, Jubelirer, Kasunic, Kitchen, Piccola, Pileggi, Pippy, Punt, Rafferty, Vance, Washington, Waugh, Wenger, White, Donald

Table with 4 columns of names: Costa, Dinniman, Earl, Erickson, Ferlo, Fontana, Fumo, Gordner, LaValle, Lemmond, Logan, Madigan, Mellow, Musto, O'Pake, Ori, Regola, Rhoades, Robbins, Scarnati, Stack, Stout, Tartaglione, Tomlinson, White, Mary Jo, Williams, Anthony H., Williams, Constance, Wonderling, Wozniak

NAY-0

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

EXECUTIVE SESSION RISES

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

UNFINISHED BUSINESS SENATE RESOLUTION ADOPTED

Senators C. WILLIAMS, COSTA, BOSCOLA, BRIGHTBILL, GREENLEAF, LOGAN, ERICKSON, FERLO, FONTANA, WASHINGTON, CONTI, KASUNIC, PILEGGI, RAFFERTY, STOUT, ORIE, PIPPY, TARTAGLIONE, EARLL, ARMSTRONG, BROWNE and DINNIMAN, by unanimous consent, offered Senate Resolution No. 365, entitled:

A Resolution designating the month of November 2006 as "Hydrocephalus Awareness Month" in Pennsylvania.

On the question, Will the Senate adopt the resolution?

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

Senator C. WILLIAMS. Madam President, I offer the following remarks for the record.

The PRESIDENT. The remarks will be spread upon the record.

(The following prepared remarks were made a part of the record at the request of the gentlewoman from Montgomery, Senator CONSTANCE H. WILLIAMS:)

Madam President, I rise today to ask for unanimous consent for immediate consideration of a resolution declaring the month of November as "Hydrocephalus Awareness Month" in Pennsylvania. This is a serious neurological condition that occurs when there is an abnormal accumulation of fluid within the cavities in the brain. The only treatment is brain surgery that involves inserting a tube called a shunt into the brain to drain the fluid to another part of the body. The excess fluid can cause head enlargement and blurred vision, learning disabilities, and impaired physical development. If left untreated, it is a fatal condition.

I will hazard a guess that many of you are not familiar with this condition, although you have heard of spina bifida, brain tumor, and Down's syndrome. Hydrocephalus has a higher incidence rate than brain tumor and spina bifida and is on par with Down's syndrome.

Why is it critical that we draw attention to this condition? Well, for one, the current standard of treatment was designed in 1952 and involves inserting a shunt into the brain. The treatment carries serious risks of shunt failure, infection, and over-drainage.

Some facts are that this condition affects as estimated one million Americans from newborns to senior citizens; 1.5 of every 1,000 babies are born with this condition; over 375,000 older Americans have this condition, which often goes undetected for years or is misdiagnosed as dementia, Alzheimer's, or Parkinson's; the majority of cases have an unknown cause; and with appropriate diagnosis and treatment, many patients with this condition can live normal lives, but there is no known cure.

I hope that you will join me in drawing attention to hydrocephalus. With more research, treatment will improve vastly, and the quality of life for people diagnosed with this chronic condition will be better.

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. William M. Dull, Mr. and Mrs. Charles H. Younger, Mr. and Mrs. Richard H. Weaver, Honorable Nelson M. Polite, Sr., Raju R. Rayavarapu, John H. Long and to Donald L. Meshey by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Stephen Frank Selvaggio, Steven Mikels, Michael Jabbour, Richard Doleiden, Jr., Todd Martin, John Paul Lim III, David Anthony Catino, John Stevens, Robert Miller, Dwayne Reish, Beverly A. Bradley, David Schlorholtz, William Miller, Jr., Bruce Warner, William H. E. Clark, Clement Kochanski, Eugene T. Horvat, Daniel Luongo, Phil Eilenberger, and to the Pocono Medical Center of East Stroudsburg by Senator Boscola.

Congratulations of the Senate were extended to Jacqueline Woodruff and to the Allentown Health Bureau by Senator Browne.

Congratulations of the Senate were extended to Honorable Raymond Bunt, Jr., Eric S. Woodring, Matthew David Huckel, Janis Good Turczyn, Kari Williams Tyksinski, Scott Warren, Tim McAteer, Margie Lawrence Barrientos, Ivan Lesnik, Fred Dunn, Frank Freitag and to the Financial Planning Association, Greater Philadelphia Tri-State Chapter, by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Donald L. Fultz, Honorable Harry O. Sather, Honorable Robert C. Jubelirer, Quinn C. Burlingame and to the Mifflin County Conservation District by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Matthew Cogley, Patricia DiNinno, Swissvale Police Department, Young Life of the Steel Valley and to the Mercy Elementary Education Network by Senator Costa.

Congratulations of the Senate were extended to Leroy H. Carter, Sr., Kenneth A. Williams, Margaret Anderson, Ralph B. Watson, Jr., Jeannie McGinn, Jane Davidson, Taylor's Music Store and Studios, Inc., of West Chester, and to the Chester County Art Association by Senator Dinniman.

Congratulations of the Senate were extended to Randy Canale by Senator Erickson and others.

Congratulations of the Senate were extended to Lisa Wilson, Mona Stuvaints, Beth Enyart and to the Case Management Department, LifeCare Hospitals of Pittsburgh, by Senator Ferlo.

Congratulations of the Senate were extended to Michael S. Quinn by Senator Fontana.

Congratulations of the Senate were extended to Patricia Lynch by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Barry L. Williard, Sr., Mr. and Mrs. Emerson Neidig, Ryan Alexander Potts and to Suncom Industries, Inc., of Northumberland, by Senator Gordner.

Congratulations of the Senate were extended to Larry Hannon, Corrie Purvis, Brian Landi, McCord Fancher, Reverend Dr. Ernest G. Schmidt and to John R. Schrader by Senator Greenleaf.

Congratulations of the Senate were extended to Yusuf Bangura, Calem Bridgette, Markeyse Carter, Reverend Dr. Arlene H. Churn, David Nasatir and to the Philadelphia Baptist Church by Senator Hughes.

Congratulations of the Senate were extended to Calvary Baptist Church of Philadelphia by Senators Hughes and A.H. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Brumbaugh, Mr. and Mrs. John Dellos, Altoona Housing Authority, Blair Senior Services, Inc., of Altoona, Value Drug Company, Inc., of Altoona and to the Blair Candy Company, Inc., of Altoona, by Senator Jubelirer.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Edgar Thurby, Mr. and Mrs. Richard A. Parfitt, Anna Karaffa and to Ethel Wable by Senator Kasunic.

Congratulations of the Senate were extended to Dennis E. Bauer, Theodore J. Dennerly, Joan B. Hughes, James J. Perkins, Phyllis Kriss and to William S. Broadbent by Senator Kitchen.

Congratulations of the Senate were extended to Deacon Hermon B. Jefferies by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. Wayne Dougherty, Dr. and Mrs. Theron A. Winter, Mr. and Mrs. Charles Reynolds, Mr. and Mrs. Eugene Layton, Mr. and Mrs. Augustine F. Spizzirri, Mr. and Mrs. Donald Miller, Mr. and Mrs. Kenneth J. Bracken, Ann Evans, Grace Hornberger and to the First Church of God of Sayre by Senator Madigan.

Congratulations of the Senate were extended to Joan Longworth, Tracey A. Selingo, Julie Ludolph, Sam Cali, Peckville United Methodist Church and to the Pocono Mountain Council No. 4159, Knights of Columbus, by Senator Mellow.

Congratulations of the Senate were extended to Betsy Blaine by Senators Mellow and Madigan.

Congratulations of the Senate were extended to Manuel Gordon by Senator Musto.

Congratulations of the Senate were extended to the Honorable Charles D. Lemmond by Senator Musto and others.

Congratulations of the Senate were extended to the Berks County Chapter of the National Shut-In Visitation Society by Senator O'Pake.

Congratulations of the Senate were extended to the Elfinwild Volunteer Fire Company by Senator Orié.

Congratulations of the Senate were extended to Joseph H. Tonsel and to Louis Memmi by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Amos Malcolm Burton, Dr. Stephen M. Feldman and to the General Federation of Women's Clubs of Aston by Senator Pileggi.

Congratulations of the Senate were extended to Timothy Donovan, Domenico Mastroianni and to Dominic DeFranco by Senator Pippy.

Congratulations of the Senate were extended to Abner H. Rainbow and to Dr. Barry L. Purvis by Senator Punt.

Congratulations of the Senate were extended to Robert W. Gelet by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Richards, Mr. and Mrs. Robert Pepper, Mr. and Mrs. Thomas Dulemba, Mr. and Mrs. Daniel Henry, Sr., and to Betty Dobies by Senator Regola.

Congratulations of the Senate were extended to Leo F. Young, Saint Mauritius Roman Catholic Church of Ashland, Ancient Order of Hibernians, John F. Kennedy Division No. 2, Ladies Ancient Order of Hibernians, John F. Kennedy Division No. 2, Ashland Technologies, Inc., and to the Tamaqua Business and Professional Women's Club by Senator Rhoades.

Congratulations of the Senate were extended to James B. Grossett, Erin Black, Reverend Monsignor Salvatore Mitchell and to the citizens of Hempfield Township by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Roupp, Shane F. Daniels, Joshua Jones, Michaela Newcome, Shannon Carpenter, Kathryn Bowser, Matthew J. Stebbins and to Pennsylvania American Water, Kane Water Treatment Plant, by Senator Scarnati.

Congratulations of the Senate were extended to Dr. Harris Lewin by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. William V. Higbee, Mr. and Mrs. Frank Yakopin, Mr. and Mrs. Roy Wilson and to Mr. and Mrs. Richard Grilus by Senator Stout.

Congratulations of the Senate were extended to Herman Wooden, Christopher J. Robertson and to the Holocaust Awareness Museum of the Delaware Valley, JCC Klein Branch, by Senator Tartaglione.

Congratulations of the Senate were extended to Aaron McCarty and to Colin McWilliams by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Verald Taylor, Mr. and Mrs. George L. Jackson, Mr. and Mrs. Harold Reightler, Mr. and Mrs. William K. Nye, Adolph S. Acri, Sr., Reverend Paul Julius Wislocky, Leonard R. Ference and to Anthony De Lucio by Senator Vance.

Congratulations of the Senate were extended to Peter Stern and Joan Johnston-Stern by Senator Washington.

Congratulations of the Senate were extended to Nellie Packard, Casey Keller, Emily Berkey, Andrew Fahringer and to Amy Yancheski by Senator Waugh.

Congratulations of the Senate were extended to Friendship Community of Lititz by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. James H. Greenawalt, Troy Matthew Lehnortt and to Harry Thompson-Green by Senator M.J. White.

Congratulations of the Senate were extended to James J. Binns and to Wade H. Stevens, Jr., by Senators A.H. Williams and Tartaglione.

Congratulations of the Senate were extended to Vince Gillen, Stephen Bretz, Matthew D. Costello, John Welsh, Mount Calvary

Baptist Church of Ardmore and to the Sacred Heart Church of Swedesburg by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Lester E. White, Jr., Mr. and Mrs. William Earl Dorsey, Sr., Mr. and Mrs. Raymond Weis, Charles R. Zellner and to Junith L. Driver by Senator Wonderling.

Congratulations of the Senate were extended to Marsha Abrams, Jan Armfield, Dr. Jeffrey A. Jahre, Dr. James K. Hoffman, Dr. Evan C. Reese, Dr. Walter J. Okunski, Cheryl Kunkle and to the Reverend Daniel Gambet by Senator Wonderling and others.

Congratulations of the Senate were extended to Sarah Wolfe 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 Allan R. Bevington by Senator LaValle.

Condolences of the Senate were extended to the family of the late Michael Kitsock by Senator Rhoades.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Sister Maria Veronica was extended to the Freedoms Foundation at Valley Forge, the Congressional Medal of Honor Society and the Sisters, Servants of the Immaculate Heart of Mary, of Valley Forge, by Senator O'Pake.

BILLS ON FIRST CONSIDERATION

Senator VANCE. 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 1285, SB 1331, HB 600, HB 2282 and HB 2562.

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

BILL ON FIRST CONSIDERATION AND REREFERRED

Senator BRIGHTBILL. Madam President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

SB 1263.

And said bill having been considered for the first time, Upon motion of Senator BRIGHTBILL, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

PETITIONS AND REMONSTRANCES

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

Senator HUGHES. Madam President, as the Senate is aware, recently I have begun a process of conveying the stories of young people who had their lives taken away as a result of gun violence. These are stories reported by April Saul in the Philadelphia Inquirer, and they are available at the Web site Philly.com.

I will read you the story posted on Friday, January 20, 2006, of Darnell Winn, who was 15 years old, 15 years old. (*Reading:*)

It is as if the minute Darnell Winn, 15, was shot and killed that Saturday night, the street started screaming his nickname, "Mook." His nickname was spray-painted on abandoned houses, freshly tattooed on friends' forearms, and scrawled on teddy bears on the sidewalk at 20th and Mifflin Streets in South Philadelphia where he was killed.

Mook's mother, Darcell Winn, says her son, a ninth grader at South Philadelphia High, was not good at reading and writing, but loved art. "God takes one thing from you and he gives you another thing," she said. She paid \$130 a month so Darnell could send drawings to a correspondence art school.

In Mook's room, his brother Da'Shawn, who is 2 years old, tries to open a box of paintbrushes Mook received for Christmas. His mother regards the boy she gave birth to at 40. "God takes one," she said, "and I guess he gave me the baby."

A riveter, Darcell Winn was working when her mother called around midnight with confusing news. She thought, "Lord, it's not time for me to punch out." Earlier, she had reminded Mook and his brother Dawoyne, 16, who were both staying the night at their grandmother's, that they needed nice clothes for her birthday the next day. The brothers were heading home to get nice clothes to celebrate their mother's and aunt's respective birthdays when the shots rang out. The police are still investigating. --**The brothers were heading home to get clothes to celebrate their mother's birthday when Mook was shot.**

In a school composition last year, Mook wrote: "I believe that people should not be able to get a gun...I believe that people should have to pay taxes. I believe in God because he is a powerful man. I believe in luck. I believe there is a pot of gold at the end of a rainbow. I will go to college and get a great J.O.B."

I know, Madam President, that today is a day of celebration for the history of this building. Unfortunately, the history of this building contains some work and some things done that we should not be proud of. Today, Madam President, we put in the official record the story of the loss of the life of Darnell Winn, who at 15 years of age was shot on his way home to pick up some clothes, some nice clothes to celebrate the birthday of his mother. He was a ninth grader at South Philadelphia High School. He could not read very well, so he took up art and was good at that. He believed in God, he believed in people paying their taxes, he believed in luck, he believed there was a pot of gold at the end of every rainbow, and he believed that he wanted to go to college to get a job, and he also believed that people should not be able to get a gun. His life was lost, and the opportunity of his future is gone. Today we recognize the life and the loss of Darnell Winn, 15 years of age.

The PRESIDENT. I ask the Senators and staff to stand for a moment of silence for Darnell Winn, another victim of gun violence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of DARNELL WINN.)

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 until Monday, October 16, 2006, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 11:50 a.m., Eastern Daylight Saving Time.