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MONDAY, APRIL 27, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 28

SENATE

MONDAY, April 27, 2009

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

The PRESIDENT (Lieutenant Governor Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend DAVID PECK, of Saint James Episcopal Church, Lancaster, offered the following prayer:

Let us pray.

Eternal God, who teaches us to seek and to know You by doing justice, loving mercy, and walking humbly with You, we thank You that You proclaim Your truth in every age by many voices. Direct, in our time, we pray, those who speak where many listen and write what many read, that they may do their part in making the hearts of those in our Commonwealth wise, their minds strong, and their wills righteous. You, O God, are the fountain of wisdom, whose will is good and gracious and whose law is truth. We beseech Thee so to guide and bless this Senate of our Commonwealth, that all within it may enact such laws as please Thee to the glory of Thy name and the good of all Thy people. Amen.

The PRESIDENT. The Chair thanks Reverend Peck, who is the guest today of Senator Brubaker and Senator Smucker.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

April 24, 2009

HB 48 and 557 -- Committee on Law and Justice.

HB 281 and 320 -- Committee on Game and Fisheries.

HB 370, 421, 458 and 988 -- Committee on Transportation.

HB 481 -- Committee on Judiciary.

HB 703 -- Committee on Consumer Protection and Professional Licensure.

HB 792 -- Committee on State Government.

HB 821 -- Committee on Aging and Youth.

HB 961 -- Committee on Environmental Resources and Energy.

HB 1089 -- Committee on Banking and Insurance.

BILLS INTRODUCED AND REFERRED

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

April 23, 2009

Senators RAFFERTY, ORIE, O'PAKE, PICCOLA, EARLL, WARD, EICHELBERGER, FOLMER and ALLOWAY presented to the Chair **SB 768**, entitled:

A Supplement to the act of June 12, 1931 (P.L.575, No.200), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," further providing for purposes of commission.

Which was committed to the Committee on TRANSPORTATION, April 23, 2009.

Senators McILHINNEY, KITCHEN, LEACH, RAFFERTY, BOSCOLA, GREENLEAF, ERICKSON, ALLOWAY, TOMLINSON, COSTA, FERLO, WASHINGTON, DINNIMAN, VANCE, WONDERLING, HUGHES, BAKER, FARNESE and STACK presented to the Chair **SB 777**, entitled:

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for safe drinking water, for definitions, for powers and duties of the Department of Environmental Protection and for civil and criminal penalties; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2009.

Senators EARLL, O'PAKE, ERICKSON, M. WHITE, BOSCOLA, WASHINGTON, STOUT, WAUGH, BAKER, WONDERLING, FARNESE and VANCE presented to the Chair **SB 787**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for shipment of wine into Commonwealth.

Which was committed to the Committee on LAW AND JUSTICE, April 23, 2009.

Senators BOSCOLA, FONTANA, TARTAGLIONE, MUSTO, ORIE, LOGAN, WASHINGTON and COSTA presented to the Chair **SB 788**, entitled:

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, providing for the definition of "geologist-in-training" and for the use of the terms "engineer" and "engineering"; further providing for general powers of the board and for procedure for licensing as professional geologist; and providing for continuing professional engineering competency and education requirements.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, April 23, 2009.

Senators BOSCOLA, ORIE, RAFFERTY, MUSTO, WASHINGTON, HUGHES and BROWNE presented to the Chair **SB 789**, entitled:

An Act authorizing senior citizens to claim an exemption from tax increases as to certain real property; and providing for termination of the exemption.

Which was committed to the Committee on FINANCE, April 23, 2009.

Senators BOSCOLA, KASUNIC, TARTAGLIONE, FONTANA, HUGHES and WONDERLING presented to the Chair **SB 790**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for food allergy reaction management in public schools.

Which was committed to the Committee on EDUCATION, April 23, 2009.

Senators BOSCOLA, FONTANA, ERICKSON, RAFFERTY, LOGAN, WONDERLING, BROWNE and COSTA presented to the Chair **SB 791**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for exemption from payment of real estate taxes.

Which was committed to the Committee on FINANCE, April 23, 2009.

Senators BOSCOLA, FONTANA, TARTAGLIONE, ALLOWAY and HUGHES presented to the Chair **SB 792**, entitled:

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

Which was committed to the Committee on EDUCATION, April 23, 2009.

Senators BOSCOLA and FONTANA presented to the Chair **SB 793**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for limitation of liability for mold and mold damage.

Which was committed to the Committee on JUDICIARY, April 23, 2009.

Senators BOSCOLA and ALLOWAY presented to the Chair **SB 794**, entitled:

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

Which was committed to the Committee on JUDICIARY, April 23, 2009.

Senators BOSCOLA, FONTANA, STOUT, HUGHES, BROWNE and COSTA presented to the Chair **SB 796**, entitled:

An Act providing for election day registration; and prescribing penalties.

Which was committed to the Committee on STATE GOVERNMENT, April 23, 2009.

Senators BOSCOLA, LOGAN, TARTAGLIONE, FONTANA, ERICKSON, ORIE, RAFFERTY, KASUNIC, MUSTO, WASHINGTON, ALLOWAY and FARNESE presented to the Chair **SB 797**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease"; and further providing for the scope of "injury," "personal injury" and "injury arising in the course of his employment."

Which was committed to the Committee on LABOR AND INDUSTRY, April 23, 2009.

Senators BOSCOLA, LOGAN, TARTAGLIONE, FONTANA, ERICKSON, ORIE, RAFFERTY, KASUNIC, MUSTO, WASHINGTON, ALLOWAY, HUGHES and FARNESE presented to the Chair **SB 798**, entitled:

An Act establishing the Municipal Firefighter Education and Training Program; providing for the powers and duties of the State Fire Commissioner; and prescribing penalties.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 23, 2009.

Senators BOSCOLA, FONTANA, TARTAGLIONE and BROWNE presented to the Chair **SB 799**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for assessment and counseling of chronic runaway children.

Which was committed to the Committee on JUDICIARY, April 23, 2009.

Senators BOSCOLA, TARTAGLIONE, STOUT, FONTANA, RAFFERTY, WASHINGTON, ALLOWAY, HUGHES and WONDERLING presented to the Chair **SB 800**, entitled:

An Act providing for academic excellence scholarships for persons entering a college or university within this Commonwealth.

Which was committed to the Committee on EDUCATION, April 23, 2009.

Senators BOSCOLA, FONTANA, RAFFERTY and COSTA presented to the Chair **SB 801**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, defining "affected municipality"; further providing for powers and duties of the Department of Health and for host municipality benefit fee; authorizing an affected municipality benefit fee; providing for effect of multiple violations; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2009.

Senators BOSCOLA, FONTANA, RAFFERTY and COSTA presented to the Chair **SB 802**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for exceeding maximum weights.

Which was committed to the Committee on TRANSPORTATION, April 23, 2009.

Senators BOSCOLA, FONTANA and RAFFERTY presented to the Chair **SB 803**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, adding definitions; and further providing for submission of plans and permits, for permits and licenses required, for granting of permits and licenses and for bonds.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2009.

Senators BOSCOLA, FONTANA, RAFFERTY and BROWNE presented to the Chair **SB 804**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of the indirect initiative and referendum as powers reserved to the people.

Which was committed to the Committee on STATE GOVERNMENT, April 23, 2009.

Senators ORIE, FARNESE, ALLOWAY, RAFFERTY, BROWNE, VANCE, KASUNIC, WAUGH, SMUCKER, PICCOLA, STACK and EICHELBERGER presented to the Chair **SB 805**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for the Pennsylvania Gaming Control Board and its general and specific powers, for code of conduct, for licensed gaming entity application appeals from board, for license or permit application hearing process and public input hearings, for board minutes and records, for regulatory authority of board and for slot machine license fee; providing for commencement of slot operations in cities of the first class; repealing provisions relating to licensed facility zoning and land use appeals; providing for prosecutorial and adjudicatory functions; and further providing for investigations and enforcement.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 23, 2009.

Senators RAFFERTY, ORIE, FARNESE, VANCE, ERICKSON, WAUGH, SMUCKER, PICCOLA, FOLMER, D.

WHITE, EICHELBERGER, M. WHITE, BOSCOLA and ALLOWAY presented to the Chair **SB 806**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for license or permit prohibition.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 23, 2009.

Senators ORIE, RAFFERTY, FARNESE, PILEGGI, ALLOWAY, PICCOLA, FOLMER, ERICKSON, EARLL, EICHELBERGER, WAUGH, M. WHITE, TARTAGLIONE and BOSCOLA presented to the Chair **SB 807**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in general provisions relating to gaming, further providing for definitions; and, in Pennsylvania Gaming Control Board, further providing for licenses or permit prohibition.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 23, 2009.

Senators ORIE, PICCOLA, WAUGH and ALLOWAY presented to the Chair **SB 808**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing personnel policies relating to employment with the Pennsylvania Gaming Control Board.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 23, 2009.

Senators ORIE, WAUGH and ALLOWAY presented to the Chair **SB 809**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for procedures and remedies upon default of licensee.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 23, 2009.

Senators BOSCOLA, WASHINGTON, ERICKSON, FONTANA, RAFFERTY, KASUNIC, TARTAGLIONE, MUSTO, LOGAN, ALLOWAY and HUGHES presented to the Chair **SB 814**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for statutes of limitations for certain offenses.

Which was committed to the Committee on JUDICIARY, April 23, 2009.

Senators BOSCOLA, WASHINGTON, ERICKSON, FONTANA, RAFFERTY, KASUNIC, TARTAGLIONE, MUSTO, LOGAN, ALLOWAY and HUGHES presented to the Chair **SB 815**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations on civil actions based on certain assaults.

Which was committed to the Committee on JUDICIARY, April 23, 2009.

Senators ERICKSON, WOZNIAK, WAUGH, FONTANA, ALLOWAY, RAFFERTY, TARTAGLIONE, O'PAKE, LEACH, WASHINGTON, TOMLINSON, WONDERLING, COSTA, D. WHITE, FARNESE, BOSCOLA, VANCE, FERLO, PILEGGI and KITCHEN presented to the Chair **SB 816**, entitled:

An Act establishing a recycling program for certain covered devices; imposing duties on manufacturers and retailers of certain covered devices; providing for the powers and duties of the Department of Environmental Protection and for enforcement; and prescribing penalties.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 2009.

Senator VANCE presented to the Chair **SB 817**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to East Pennsboro Township or its assigns certain lands situate in East Pennsboro Township, Cumberland County; and authorizing the Department of General Services, with the approval of the Governor, to remove and release the residential use and subdivision restrictions imposed on certain lands situate in East Pennsboro Township, Cumberland County.

Which was committed to the Committee on STATE GOVERNMENT, April 23, 2009.

Senators DINNIMAN, BROWNE and FARNESE presented to the Chair **SB 819**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for conviction and point schedules, for speed timing devices and for State and local powers.

Which was committed to the Committee on TRANSPORTATION, April 23, 2009.

April 24, 2009

Senators ARGALL, RAFFERTY, WAUGH, BRUBAKER, WARD, ALLOWAY and WONDERLING presented to the Chair **SB 818**, entitled:

An Act providing for a nonbinding Statewide referendum on property tax relief.

Which was committed to the Committee on FINANCE, April 24, 2009.

April 27, 2009

Senators DINNIMAN, PICCOLA, FONTANA, MELLOW, GREENLEAF, EICHELBERGER, O'PAKE, WASHINGTON, WILLIAMS and ALLOWAY presented to the Chair **SB 820**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for duties of public institutions of higher education, for the Transfer and Articulation Oversight Committee and for participation by independent institutions of higher education or State-related institution.

Which was committed to the Committee on EDUCATION, April 27, 2009.

Senators TARTAGLIONE, STOUT, FERLO, WASHINGTON, MELLOW, FONTANA, HUGHES, KITCHEN, O'PAKE, BROWNE, COSTA, FARNESE and GORDNER presented to the Chair **SB 821**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for workers' compensation safety committees.

Which was committed to the Committee on LABOR AND INDUSTRY, April 27, 2009.

Senators M. WHITE, ERICKSON, MUSTO, ORIE, ALLOWAY, TARTAGLIONE, BAKER, FOLMER, RAFFERTY, WAUGH, EARLL, BOSCOLA and COSTA presented to the Chair **SB 829**, entitled:

An Act amending the act of July 9, 2008 (P.L.935, No.70), known as the Pennsylvania Climate Change Act, further providing for climate change action plan.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 27, 2009.

Senators GREENLEAF, FONTANA, WASHINGTON, MUSTO and ALLOWAY presented to the Chair **SB 830**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, further providing for kindergartens.

Which was committed to the Committee on EDUCATION, April 27, 2009.

RESOLUTIONS INTRODUCED AND REFERRED

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

April 23, 2009

Senators ORIE, FARNESE, PIPPY, ALLOWAY, ERICKSON, M. WHITE, FOLMER, PICCOLA, O'PAKE, ARGALL, BROWNE, WAUGH and COSTA presented to the Chair **SR 82**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to complete a study and comparative analysis of the operating budget of the Pennsylvania Gaming Control Board and report its findings, conclusions and recommendations to the Senate.

Which was committed to the Committee on APPROPRIATIONS, April 23, 2009.

April 27, 2009

Senators SCARNATI, PILEGGI, ORIE, CORMAN, EICHELBERGER, WARD, RAFFERTY, BAKER, BOSCOLA, ARGALL, PIPPY, ERICKSON, M. WHITE, YAW, ROBBINS, BRUBAKER, EARLL, PICCOLA, WONDERLING, WAUGH, TOMLINSON, VANCE, BROWNE, FOLMER, GORDNER, VOGEL, SMUCKER, D. WHITE, McILHINNEY, GREENLEAF and ALLOWAY presented to the Chair **SR 79**, entitled:

A Resolution setting forth the Senate's principles relating to the appropriation of funds provided by the American Recovery and Reinvestment Act so that the funding addresses current deficits and revenue shortfall by appropriating the funds to programs that will most efficiently utilize the money to stimulate the economy, create and preserve jobs and protect taxpayers.

Which was committed to the Committee on STATE GOVERNMENT, April 27, 2009.

Senators PILEGGI, CORMAN and MELLOW presented to the Chair SR 98, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2009, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 27, 2009.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Corman and Senator Tomlinson, and a legislative leave for Senator McIlhinney.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Corman and Senator Tomlinson, and a legislative leave for Senator McIlhinney. Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, April 27, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, May 4, 2009, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, May 4, 2009, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

Alloway	Ferlo	O'Pake	Vance
Argall	Folmer	Orie	Vogel
Baker	Fontana	Piccola	Ward
Boscola	Gordner	Pileggi	Washington
Browne	Greenleaf	Pippy	Waugh
Brubaker	Hughes	Rafferty	White, Donald

Corman	Kasunic	Robbins	White, Mary Jo
Costa	Kitchen	Scarnati	Williams
Dinniman	Leach	Smucker	Wonderling
Earll	Logan	Stack	Wozniak
Eichelberger	McIlhinney	Stout	Yaw
Erickson	Mellow	Tartaglione	
Farnese	Musto	Tomlinson	

NAY-0

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

Ordered, That the Secretary of the Senate present the same to the House of Representatives for concurrence.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ROBERT WONDERLING
PRESENTED TO THE SENATE**

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

Senator WONDERLING. Mr. President, indeed, it is my honor and great pleasure today to introduce to this Senate a family from the 24th Senatorial District. The Susnoskie family resides just outside of Quakertown, Pennsylvania, in Bucks County, and they are enduring a full tour and day here in the Capitol and at our Treasury. So, Mr. President, it is indeed an honor for me to introduce, first, Jim and Lisa Susnoskie, and their two identical twin sons, third graders Jason and Jared. Mr. President, I ask for a hearty and warm welcome for my constituents. Thank you.

The PRESIDENT. Would the guests of Senator Wonderling please rise to be welcomed by the Senate.
(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Tomlinson has returned, and his temporary Capitol leave is cancelled.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ANDREW E. DINNIMAN
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, the two Pages today are from my district. I would like to introduce Alexander Weir. Alex is a fourth grader at Hillsdale Elementary School in West Chester. He loves science, and he has played the violin since he was age 3, which is pretty good. When he grows up, he hopes to be a chemist, and he is interested in government and politics, and I know he has enjoyed his day so far. So if you could, welcome Alexander Weir.

The PRESIDENT. Would the Senate join in welcoming Senator Dinniman's guest Page today.
(Applause.)

Senator DINNIMAN. Mr. President, we have a second guest Page today. She is an exchange student from Germany. She is a guest staying with the Weir family in West Chester. Her name is Lena Hegemann. She is age 17, an 11th-grade student who lives with the Weir family and attends the Rustin High School in West

Chester. She plays violin and also enjoys playing on the softball team at the high school, and she plans to be a graphic artist, and this gives her a great introduction to Pennsylvania. So if you could, Mr. President, also welcome our second Page.

The PRESIDENT. Would the Senate join in welcoming Senator Dinniman's guest Page.
(Applause.)

Senator DINNIMAN. Finally, Mr. President, I would appreciate it if the Senate could recognize the parents of Alex, and the hosts this year for Lena, and they are Dr. Carl Weir, who is an advanced technology manager at Lockheed Martin Corporation in King of Prussia, and Katherine Ball-Weir, who is the development director for the College of Visual and Performing Arts at West Chester University.

Thank you, Mr. President.

The PRESIDENT. Would the Senate join in welcoming Senator Dinniman's guests.
(Applause.)

**GUESTS OF SENATOR MICHAEL BRUBAKER
PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, it is a privilege for me to introduce individuals who have given their lives, a portion of their lives, to serve our great country. With us in the gallery today are Flynn Hancock, who served in the military from 1982 through 1985; Erik Reinhart, from 1983 through 1995; Gayle Land, who served from 1968 through 1971; Joseph Kelsey, who served from 1971 through 1973; Mark Aytche, who served from 1976 through 1978; Larry Andrews, 1973 through 1981; Ron Richardson, 1977 through 1980; and Matthew H. Mack, who served in 1976. Mr. President, I ask the Senate to give a warm welcome.

The PRESIDENT. Would the guests of Senator Brubaker please rise to be welcomed by the Senate.
(Applause.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes, first, of a meeting of the Committee on Communications and Technology to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room. I expect the caucus to last approximately 1 hour.

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

Senator MELLOW. Mr. President, I ask the Democratic Members to report to our caucus immediately upon conclusion of the committee meeting.

The PRESIDENT. For purposes of a meeting of the Committee on Communications and Technology, 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.

CALENDAR

THIRD CONSIDERATION CALENDAR

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 48 (Pr. No. 33) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the acquisition and operation of the Horsham Joint Interagency Installation and limitation on use of installation.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

Alloway	Ferlo	O'Pake	Tomlinson
Argall	Folmer	Orie	Vance
Baker	Fontana	Piccola	Vogel
Boscola	Gordner	Pileggi	Ward
Browne	Greenleaf	Pippy	Washington
Brubaker	Hughes	Rafferty	Waugh
Corman	Kasunic	Robbins	White, Donald
Costa	Leach	Scarnati	White, Mary Jo
Dinniman	Logan	Smucker	Williams
Earll	McIlhinney	Stack	Wonderling
Eichelberger	Mellow	Stout	Wozniak
Erickson	Musto	Tartaglione	Yaw

NAY-2

Farnese Kitchen

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

Ordered, That the Secretary of the Senate present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 115 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 116 (Pr. No. 88) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for environmental funds reporting and disclosure by the Department of Environmental Protection.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

Alloway	Ferlo	O'Pake	Vance
Argall	Folmer	Orie	Vogel
Baker	Fontana	Piccola	Ward
Boscola	Gordner	Pileggi	Washington
Browne	Greenleaf	Pippy	Waugh
Brubaker	Hughes	Rafferty	White, Donald
Corman	Kasunic	Robbins	White, Mary Jo
Costa	Kitchen	Scarnati	Williams
Dinniman	Leach	Smucker	Wonderling
Earl	Logan	Stack	Wozniak
Eichelberger	McIlhinney	Stout	Yaw
Erickson	Mellow	Tartaglione	
Farnese	Musto	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.

SB 117 (Pr. No. 883) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act, further providing for annual reports; and making editorial changes.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Alloway	Ferlo	O'Pake	Vance
Argall	Folmer	Orie	Vogel
Baker	Fontana	Piccola	Ward
Boscola	Gordner	Pileggi	Washington
Browne	Greenleaf	Pippy	Waugh
Brubaker	Hughes	Rafferty	White, Donald
Corman	Kasunic	Robbins	White, Mary Jo
Costa	Kitchen	Scarnati	Williams
Dinniman	Leach	Smucker	Wonderling
Earl	Logan	Stack	Wozniak
Eichelberger	McIlhinney	Stout	Yaw
Erickson	Mellow	Tartaglione	
Farnese	Musto	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.

BILLS OVER IN ORDER

SB 118, SB 275, SB 573 and SB 674 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 45 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 88 (Pr. No. 590) -- 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, in pupils and attendance, further providing for residence and right to free school privileges.

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

BILLS OVER IN ORDER

SB 105 and SB 142 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. The Chair notes that Senator Corman and Senator McIlhinney have returned, and their respective leaves are cancelled.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

BILLS REREFERRED

SB 165 (Pr. No. 135) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for charitable contributions by taxpayers.

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

SB 200 (Pr. No. 203) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 25, 2007 (P.L.342, No.53), known as the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget Itemization Act of 2007, further providing for limitation on expenditures.

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

SB 207 (Pr. No. 213) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for earned income tax credit notification.

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

BILLS OVER IN ORDER

SB 211, SB 212, SB 598, SB 601, SB 624, SB 687 and SB 732 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS

RESOLUTION REPORTED FROM COMMITTEE

Senator FOLMER, from the Committee on Communications and Technology, reported the following resolution:

SR 77 (Pr. No. 879)

A Resolution designating Tuesday, May 5, 2009, as "Pennsylvania Health Care Information Technology Awareness Day" in this Commonwealth.

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

SENATE RESOLUTIONS ADOPTED

Senators VANCE, SCARNATI, PILEGGI, ERICKSON, WASHINGTON, ALLOWAY, ARGALL, BAKER, BOSCOLA, BROWNE, BRUBAKER, COSTA, DINNIMAN, EARLL, FARNESE, FERLO, FOLMER, FONTANTA, GORDNER, GREENLEAF, KASUNIC, KITCHEN, LEACH, LOGAN, MUSTO, O'PAKE, ORIE, PICCOLA, PIPPY, RAFFERTY, ROBBINS, TARTAGLIONE, TOMLINSON, WARD, WAUGH, D. WHITE, M. WHITE, WILLIAMS, WONDERLING, YAW and MELLOW, by unanimous consent, offered **Senate Resolution No. 92**, entitled:

A Resolution designating the week of May 6 through 12, 2009, as "Nurses Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, this resolution designates May 6 through 12 as "Nurses Building a Healthy America." In Pennsylvania, we have 256,000 registered nurses, 11,000 of whom are nurse practitioners. Nurses do provide a permanent and vital component of the healthcare in this Commonwealth, and I ask for the immediate adoption of this resolution.

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

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

Senators PIPPY, BROWNE, DINNIMAN, WOZNIAK, ERICKSON, D. WHITE, PILEGGI, WASHINGTON, WILLIAMS, BOSCOLA, KASUNIC, HUGHES, LOGAN, STACK, MUSTO, O'PAKE, RAFFERTY, STOUT, COSTA, FARNESE, EARLL and WARD, by unanimous consent, offered **Senate Resolution No. 93**, entitled:

A Resolution designating the month of May 2009 as "Science: It's Elementary Showcase of Student Learning Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator PIPPY. Mr. President, this resolution recognizes a wonderful program that impacts a lot of students. Over 72,000 students in Pennsylvania and over 2,700 teachers receive training and professional development in this program called ASSET, Achieving Student Success Through Excellence in Teaching. We are happy to call May 2009 "Science: It's Elementary Showcase of Student Learning Month" and recognize them for all the work they have done. I ask that my colleagues support the resolution.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, STACK, BAKER, RAFFERTY, O'PAKE, FARNESE, FERLO, WILLIAMS, KASUNIC, COSTA, ERICKSON, PILEGGI, ORIE, DINNIMAN, MELLOW, FONTANA, HUGHES, WASHINGTON, EARLL, BOSCOLA, GREENLEAF, LOGAN, TOMLINSON, BROWNE, ALLOWAY and WOZNIAK, by unanimous consent, offered **Senate Resolution No. 94**, entitled:

A Resolution observing the week of April 26 through May 2, 2009, as "Crime Victims' Rights Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator O'PAKE. Mr. President, on behalf of Senator Tartaglione, I submit the following remarks for the record.

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

(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator TARTAGLIONE:)

Mr. President, a violent crime is committed in the United States every 22.1 seconds. Each year, 25 million Americans are victimized by crime. Six million are victims of violent crime. As a nation devoted to liberty and justice for all, the United States must increase its efforts to protect, restore, and expand crime victims' rights. Victim service providers, criminal justice officials, and concerned citizens throughout our nation are joining together to observe National Crime Victims' Rights Week. Today, I ask my colleagues to join me in observing the week of April 26 through May 2, 2009, as "Crime Victims' Rights Week" in Pennsylvania.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators RAFFERTY, STACK, PILEGGI, SCARNATI, ORIE, TARTAGLIONE, TOMLINSON, GREENLEAF, STOUT, BOSCOLA, M. WHITE, FARNESE, FONTANA, MUSTO, LOGAN, WONDERLING, KITCHEN, ERICKSON, BAKER, FOLMER, KASUNIC, GORDNER, WAUGH, BRUBAKER, HUGHES, DINNIMAN, ROBBINS, EARLL, MELLOW, O'PAKE, VOGEL, ALLOWAY, WOZNIAK, FERLO, PICCOLA and SMUCKER, by unanimous consent, offered **Senate Resolution No. 95**, entitled:

A Resolution recognizing the week of May 10 through 16, 2009, as "National Police Week" and May 4, 2009, as "Police Officers' Memorial Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, first, I want to thank the President and the Majority Leader, Senator Pileggi, for allowing me the opportunity once again to introduce this resolution and represent the Senate at the police memorial next Monday. It is a very solemn time when we remember those men and women in the law enforcement field who have given their lives to protect the people of the Commonwealth of Pennsylvania, those men and women, ordinary individuals, performing an extraordinary duty, serving as our guardians.

Mr. President, I long for the day when I and my colleague and friend, Senator Stack, have the opportunity to attend without having to add any new names to the roll. But once again this year, officers will be added who were killed in the line of duty during 2008. And when a police officer is killed, Mr. President, a bit of us dies along with that officer, a piece of society, the very fabric of our society.

This year: Special Agent Samuel Hicks, United States Department of Justice, FBI; Sergeant Timothy Simpson, Philadelphia Police Department; Officer Nathaniel Burnfield, South Strabane Township Police Department; Officer David Tome, Northern York Regional Police Department; Sergeant Patrick McDonald, Philadelphia Police Department; Sergeant Michael Wiegand, Jr., Latimore Township Police Department; Officer Isabel Nazario, Philadelphia Police Department; Sergeant Stephen Liczbinski, Philadelphia Police Department. All will be added to the roster of names for those officers killed in the line of duty.

Mr. President, I think it is incumbent upon each and every one of us in the Commonwealth of Pennsylvania, not just on this coming Monday when we have the memorial, but every day, to appreciate and to thank the men and women who wear the uniform of law enforcement officials throughout the Commonwealth of Pennsylvania, realizing that each day when they leave their homes, it could be the last day that they have the opportunity to say goodbye to their families. So to the men and women serving us today in the law enforcement community, may God continue to keep them, and may the souls of the faithful departed officers rest in peace in His almighty care.

Mr. President, I yield the floor and ask you to please recognize my friend and colleague, Senator Michael Stack from the county of Philadelphia.

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

Senator STACK. Mr. President, I am pleased and honored to be able to rise today and join my friend and colleague, Senator John Rafferty, to recognize some of the Commonwealth's heroes by declaring May 10 through 16 as "National Police Week," and May 4 as "Police Officers' Memorial Day" in Pennsylvania.

In Pennsylvania's law enforcement history, 710 officers have made the ultimate sacrifice. In 2008, as Senator Rafferty pointed out, we lost eight courageous men and women. Half of those officers - Sergeant Timothy Simpson, Sergeant Patrick McDonald, Officer Isabel Nazario, and Sergeant Steven Liczbinski - lived or worked in the 5th Senatorial District. The Philadelphia Police Department has been hit hard over the past few years, and northeast Philadelphia continues to miss these officers who were not just cops, they were neighbors and they were friends.

On May 4, I will join the families of the eight Pennsylvania police officers who were killed in the line of duty, along with Senator Rafferty, for the police memorial ceremony at the Capitol fountain. It will be a somber and emotional occasion, but the loved ones of these men and women need to see that we all support them and that we all continue to grieve their loss. As we mark National Police Week and Police Officers' Memorial Day, let us all remember every time we see a police cruiser patrolling our streets, that our officers are risking their lives every day to insure our safety.

I thank our police officers for a fine job, and my thoughts and prayers continue to go out to the families of the slain police officers who made the ultimate sacrifice in 2008.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I ask for a unanimous vote on the resolution and, Mr. President, if I may take leave and ask that instead of a voice vote, that all those in favor of the resolution stand for a moment of silence in honor of those police officers who made the ultimate sacrifice this year.

The PRESIDENT. Would Members and guests please rise for a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of the police officers who gave their lives in the line of duty in this Commonwealth.)

The PRESIDENT. The resolution is adopted.

Senators O'PAKE, FOLMER, WILLIAMS, RAFFERTY, STOUT, KASUNIC, BAKER, ERICKSON, FERLO, DINNIMAN, FONTANA, TARTAGLIONE, GREENLEAF, PILEGGI, ALLOWAY, BROWNE, FARNESE, STACK, WOZNAK, COSTA, M. WHITE, MUSTO, PIPPY, PICCOLA, EARLL, WONDERLING, LOGAN, BOSCOLA, WARD, WASHINGTON and MELLOW, by unanimous consent, offered **Senate Resolution No. 96**, entitled:

A Resolution recognizing the month of May 2009 as "National Bike Month," the week of May 11 through 15, 2009, as "Bike-to-Work Week" and May 15, 2009, as "Bike-to-Work Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator O'PAKE. Mr. President, for generations, bicycling has marked the milestones of growing up: learning to ride without training wheels; getting a new bike, maybe with money we earned from a paper route or babysitting; being able to get around town independently from our parents; and then, ultimately, trading handle bars in for a steering wheel at the age of 16.

Today, Mr. President, we are realizing that what we thought we knew about that at 16, like so many other things then, was wrong. We have not outgrown our bicycles. Today, millions of Americans are rediscovering the value of bicycles, not only for recreation and exercise--although certainly for those--but also as a convenient means of transportation, particularly in urban areas, particularly as we realize the cost of our dependence on carbon-fueled vehicles.

For more than 50 years, in communities and States across this country, National Bike Month has recognized the enduring qualities of this humble means of transportation. And so I am offering for unanimous consent today this resolution establishing May as "National Bike Month" in Pennsylvania, May 11 through 15 as "Bike-to-Work Week," and May 15 as "Bike-to-Work Day." I encourage my colleagues who have not already signed on as cosponsors to do so, as well as to show your support for this traditional and very contemporary activity by your vote.

Thank you, Mr. President.

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

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

Senators WOZNAK, KASUNIC, WASHINGTON, KITCHEN, STACK, DINNIMAN, FONTANA, WILLIAMS, PILEGGI, HUGHES, TARTAGLIONE, STOUT, RAFFERTY, ERICKSON, FARNESE, ALLOWAY and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 97**, entitled:

A Resolution recognizing the month of May 2009 as "Sleep Apnea Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNAK. Mr. President, I know it is late on a Monday afternoon, people got up early, but I ask you all to wake up for a moment or two. I am asking that we pass this resolution making May "Sleep Apnea Awareness Month."

As we are all aware, we are supposed to get 8 hours of good rest every evening. But for millions upon millions of citizens of the United States and all over this world, they suffer from a condition called sleep apnea. I know, because I used to have that dreaded disease. It is a situation where you quit breathing at night, raising your carbon dioxide level, causing tremendous stress on your heart, and many, many chronic diseases, from high blood pressure to heart attacks to diabetes, et cetera.

But there is a cure. There are ways that you can find ways to reduce the effects of sleep apnea. And I am asking everybody--maybe it is your loved one, maybe it is a significant other; if you snore, if you stop breathing at night, maybe you do not know, but your loved one does--to go on the Internet, to make a call to a sleep clinic. Help is out there. There are machines called CPAP machines that actually force oxygen and air in through your nose and into your lungs while you are sleeping. There are operations that clear the obstructions that cause the apnea. And folks, I can guarantee you, if you listen to this stubborn guy who for years said it is just my lifestyle, I just never really did sleep well -- every excuse except for the fact that I had a problem, until I went to the sleep clinic, had the machine, and then the operation. It changes your life completely.

I urge all of you who think they might have a condition called sleep apnea to get on the Internet, to set up an appointment with a doctor, to do the sleep clinic. And if you have any questions, feel free to e-mail or call me, and I can give you some discussion on directions that you might take. But folks, do it today. Sleep apnea is real, it is a chronic disease, and it is epidemic in this country.

So I would like to make May "Sleep Apnea Awareness Month," and I will guarantee you that if you listen to what I have to say today and follow through, you will be a happier, healthier human being.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. John Schrack by Senator Argall.

Congratulations of the Senate were extended to Jordan Moyer by Senator Browne.

Congratulations of the Senate were extended to Great Valley Middle School of Malvern and to the Conestoga High School Girls' Varsity Soccer Team by Senator Dinniman.

Congratulations of the Senate were extended to Hilda Iris Hampton, Antonio Velasquez and to the Elizabethtown Area

High School Future Farmers of America Chapter by Senator Folmer.

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

Congratulations of the Senate were extended to The Daily News of McKeesport by Senator Logan.

Congratulations of the Senate were extended to Regina Wisniewski and to Kelsey Detweiler by Senator McIlhinney.

Congratulations of the Senate were extended to Elsayed Elmarzouky by Senator O'Pake.

Congratulations of the Senate were extended to the Pittsburgh Ballet Theatre by Senator Orie.

Congratulations of the Senate were extended to David Schuck by Senator Piccola.

Congratulations of the Senate were extended to Cameron M. Brand and to Lima Estates of Media by Senator Pileggi.

Congratulations of the Senate were extended to Kurt V. Miller by Senator Pippy.

Congratulations of the Senate were extended to Culinary Specialist First Class Daniel W. Davis by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. James Amitrone, Jocelin Thomas and to Erica Wilson by Senator Scarnati.

Congratulations of the Senate were extended to Andrew Jericho and to Mark Mazzoni by Senator Stack.

Congratulations of the Senate were extended to Fred Druding, Jr., by Senators Stack and Farnese.

Congratulations of the Senate were extended to Thomas J. Duffy, Veronica Castillo-Perez, Pennsylvania Society for the Prevention of Cruelty to Animals of Philadelphia, Retired and Senior Volunteer Program of Philadelphia and to the Katie Kirlin Fund by Senator Tartaglione.

Congratulations of the Senate were extended to Anna Marie Mauro by Senator Tomlinson.

Congratulations of the Senate were extended to Patrick Counihan by Senators Tomlinson and McIlhinney.

Congratulations of the Senate were extended to Jon A. Hillwig, Jeffrey A. Heater, John J. Carroll III, Jack W. Simon, Robert E. Rhody, Jeffrey M. Henry, Matthew K. Kolbosky, Jeffrey Peterinelli, Robert A. Wright and to Richard A. Sackett, Jr., by Senator Ward.

Congratulations of the Senate were extended to Jim Krut by Senator Waugh.

Congratulations of the Senate were extended to Deborah S. Smulik by Senator D. White.

Congratulations of the Senate were extended to Levi Michael Matyus by Senator Wonderling.

Congratulations of the Senate were extended to April Johnson, Andrea Kuntz, Jessica Hojer and to Jessica Vanderpool by Senator Yaw.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Margaret H. Brubaker by Senator McIlhinney.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Appropriations to meet momentarily in the Rules room to consider Senate Bills No. 59, 446 and 531.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE

Senator CORMAN, from the Committee on Appropriations, rereported the following bills:

SB 59 (Pr. No. 758) (Rereported)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for application for registration certificate, for issuance of registration certificate and for records; providing for disclosure; and further providing for emergency closure.

SB 446 (Pr. No. 759) (Rereported)

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, for death and fetal death registrations and for reports.

SB 531 (Pr. No. 538) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interagency information sharing.

PETITIONS AND REMONSTRANCES

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

Senator O'PAKE. Mr. President, a word to all of the people of Pennsylvania: This Friday is the deadline to apply for scholarships under the Pennsylvania Higher Education Assistance Agency. Believe it or not, there are a lot of people in Pennsylvania who do not even know there is a State scholarship program. Last year, over \$402 million worth of scholarship assistance was made available so that students throughout Pennsylvania could further their higher education, be it a college or a professional school.

The bottom line is that if you are going into a 4-year college or you are already in a 4-year college, May 1 is the deadline to

apply. You can and must apply online. So take advantage of this educational opportunity. Now more than ever, parents are going to need help so that their kids can achieve the level of higher education that their ability warrants.

So May 1 is the deadline, a friendly reminder. If you have any questions, you can call, I am sure, your State Senator, and their staff will be glad to provide the details. But there is a May 1 deadline for those who are either entering college in September or will be continuing their college career at a 4-year college in September.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I rise, briefly, to thank the new Pennsylvania State Police Commissioner, Colonel Frank Pawlowski. Colonel Pawlowski appeared before the Senate Committee on Law and Justice last week and announced the reversal of a decision that was made under the prior administration, and by the prior Secretary of Budget, to begin with the ceasing of hours of operation at the Pennsylvania State Police barracks. We adamantly opposed the decision, recognizing that you cannot put a dollars-and-cents' cost on public safety. Colonel Pawlowski announced that the prior decision was not working and reversed the order, and now all the barracks will be working 24/7 with manned personnel there. And I want to take the opportunity to thank Colonel Pawlowski for his wisdom and his decision.

Thank you, Mr. President.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

April 27, 2009

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, Robert W. Pullo, 189 Tuscarora Drive, York 17403, York County, Twenty-eighth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2010, and until his successor is appointed and qualified, vice Nancy Barness, Ambler, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF CONSERVATION AND NATURAL RESOURCS [sic]

April 27, 2009

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, The Honorable John H. Quigley, 527 Colony Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Conservation and Natural Resources, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Michael F. DiBerardinis, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF MILLERSVILLE UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

April 27, 2009

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, Daniel Betancourt, 123 East Lemon Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Nelson Sears, Lancaster, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF MILLERSVILLE UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

April 27, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael G. Warfel, 1077 Country Club Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Millersville University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

PETITIONS AND REMONSTRANCES (Continued)

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, this week, Pennsylvania school boards across the State are going to celebrate 175 years of public education. Certainly, we should pause and take notice of this. One hundred seventy-five years is a long time. When my daughter graduates at the end of May, she will mark the fourth member of my family to graduate from Tamaqua High. And so, I think many of us, our families, have played a small role in the history of public education.

I was surprised to learn just the other week that my grandfather once taught in a one-room schoolhouse south of Tamaqua and was paid partly in vegetables. Just, however, as we no longer pay our school employees in vegetables, I hope that we can, after 175 years, find a better, more fair, and adequate system of funding our public schools. Perhaps the property tax system that came into play in the 1830s was the best idea that the State could come up with, but I know that we can do better than that today.

The Members of the House and the Members of the Senate have achieved some minor victories for the taxpayers in terms of property tax reform over the years, but to be honest, no proposal has come close to solving this problem. We are looking for a method to turn some "no" votes in the House and the Senate into some "yes" votes in this Session. At numerous town meetings, which I have held from Pine Grove to Camelback Mountain, the message to me is very clear that people want a new approach to solve this old problem.

While the problem is very complex, I do believe that there is a simple solution, and that would be to allow the people to decide. I have introduced legislation in the House and the Senate that would allow voters to bring real property tax reform, through the touch of a button in the voting booth this November. Certainly, I ask my colleagues to consider this in the weeks and months to come. Essentially, we would allow the voters to decide between our current property tax system and several of the most popular property tax replacement proposals based on the number of cosponsors in the House and Senate. And the referendum would then allow the voters to examine the flaws in the system and decide the best way to finance our public schools in the future.

Certainly, I think, after 175 years, our system of funding public education has remained largely unchanged for far too long, and I ask that we take this step forward.

Thank you, Mr. President.

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

Senator KITCHEN. Mr. President, I rise to submit my remarks for the record honoring Mr. Marvin J. Barrish.

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

(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator KITCHEN:)

Mr. President, I would like to take this opportunity to honor Marvin J. Barrish, radio talk show host of WNJC 1360 AM, for his dedicated commitment of service to others. Mr. Barrish has devoted more than a decade of his life to community service. He has been unflinching in his efforts to assist the families of slain police officers and disabled citizens.

He is also an active volunteer in numerous organizations, including ASSIST, the Handicapped Person Network, and the Lawncrest Physically Challenged Association. Simply put, he personifies brotherly love in the City of Brotherly Love. I know I speak for everyone who knows him or has been touched by him that his philanthropic service is truly appreciated. I wish him continued success in his ongoing efforts.

I want to thank Senators Williams, Washington, Stack, Tartaglione, Fontana, Stout, Dinniman, Costa, Pippy, Earl, Erickson, Rafferty, Alloway, Tomlinson, and Wonderling for supporting me in honoring Marvin Barrish. Thank you.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, APRIL 27, 2009

Off the Floor	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Resolution No. 77)	Rules Cmte. Conf. Rm.
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TUESDAY, APRIL 28, 2009

9:30 A.M.	AGING AND YOUTH and LABOR AND INDUSTRY (joint informational hearing on the Consumer Workforce Council)	Hrg. Rm. 1 North Off.
10:00 A.M.	JUDICIARY (Budget Hearing for the State Judicial System)	Room 8E-B East Wing
11:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 110, 143, 152, 380 and 731)	Room 461 Main Capitol
12:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 354 and 753; and House Bill No. 602)	Room 461 Main Capitol
12:00 P.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 144, 172, 282, 283 and 284)	Room 8E-A East Wing
12:30 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 6, 33, 54, 101, 167 and 817)	Room 8E-B East Wing
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 98; and certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, APRIL 29, 2009

9:00 A.M.	APPROPRIATIONS (Budget Hearing - PA Housing Finance Agency)	Hrg. Rm. 1 North Off.
9:30 A.M.	GAME AND FISHERIES (to consider Senate Bills No. 301, 302, 535 and 574; and House Bill No. 92)	Senate Maj. Caucus Rm.

TUESDAY, MAY 5, 2009

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 297, 617, 783 and 829; and House Bills No. 262 and 263)	Room 8E-B East Wing
10:00 A.M.	BANKING AND INSURANCE (public hearing to accept testimony on the Long Term Care Partnership Program)	Room 461 Main Capitol
10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on blighted property and Senate Bill No. 1291 of 2008)	Hrg. Rm. 1 North Off.

12:00 P.M. GAME AND FISHERIES (public hearing to afford the Pennsylvania Fish and Boat Commission the opportunity to present its 2008 annual report) Room 8E-A
Main Capitol

WEDNESDAY, MAY 13, 2009

1:30 P.M. EDUCATION (Public Hearing to consider Alternative Education Funding and Standards) Polaris School
740 Willow St.
Lebanon, PA

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, April 28, 2009, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:57 p.m., Eastern Daylight Saving Time.