

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, FEBRUARY 8, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 9

SENATE

MONDAY, February 8, 2010

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

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

PRAYER

The Chaplain, Reverend GLEN BAYLY, of Mifflinburg Alliance Church, Mifflinburg, offered the following prayer:

Shall we join in prayer.

Our gracious heavenly Father, we come before You today, and we pause at this time to remember the importance of Your involvement in our lives, as individuals and as a government. We pray that You might grant wisdom today. Grant Your blessing upon the procedures of this body today.

Lord, we thank You for the many blessings we have in this nation. We thank You for Your love and kindness over the years, and we ask that You would be with us, even this day, that the things that are said and done in this Chamber might be pleasing in Your sight.

We pray for the Members of this Chamber. We ask You to bless each one and their families. Be with their needs, whether they be physical needs, health needs, financial needs, whatever they may be, and grant them wisdom as well in their responsibilities here.

We also remember those who are less fortunate today. We think of those who are unemployed and know what a tragedy and a difficult time it is in our lives when we are unemployed and seeking new employment. We pray Your blessing on each one. Help their families come together, and support them. We pray for renewed growth in our economy to provide work for all who would desire to have gainful employment.

And, Lord, we also remember those less fortunate around the world today. We think of the nation of Haiti and the tragic earthquake there and the recovery still going on, probably for months, and even years, in the future. We ask that that would be a healing process in the hearts and lives of the people. Bless all who have lost loved ones, there, and wherever they may be today. May they sense Your comfort and peace.

And then, we pray for our troops today. We ask You to be with each one as they serve our nation and preserve our freedoms around the world. Especially be with those who are in the most dangerous areas today, in Afghanistan and Iraq, and put Your hand of protection upon them, we pray.

Give wisdom to our leaders, both in the White House and in Congress, as well as in the House of Representatives here in Pennsylvania, and bless this body today. We ask all of this in Your precious and glorious name. Amen.

The PRESIDENT. The Chair thanks Reverend Bayly, who is the guest today of Senator Yaw.

PLEDGE OF ALLEGIANCE

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

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 COUNCIL OF TRUSTEES
OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

February 3, 2010

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, Deborah M. Suder, 4214 Orchard Hill Road, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Donald E. Houser, Lock Haven, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS**

February 3, 2010

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 Ford, P.E., 1264 Round Hill Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial

District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY

February 8, 2010

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, Joseph Van Jura, Esquire, 610 Charles Avenue, Kingston 18704, Luzerne County, Twentieth Senatorial District, for appointment as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Michael T. Toole, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY

February 8, 2010

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, Lewis Wood Wetzel, Esquire, 5 Newberry Estates, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Peter Paul Olszewski, Jr., lost retention.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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, Chris Michaels, 107 Greenbrier Drive, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Christopher J. Delozier, New Cumberland, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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, Deborah A. Sieger, PhD, 30 Forgedale Road, Fleetwood 19522, Berks County, Eleventh Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Bart Burne, Laflin, whose term expired.

EDWARD G. RENDELL
Governor

SHERIFF, LUZERNE COUNTY

February 8, 2010

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, John F. Gilligan, 21 Ninth Street, Wyoming 18644, Luzerne County, Fourteenth Senatorial District, for appointment as Sheriff, in and for the County of Luzerne, to serve until the first Monday of January 2012, vice The Honorable Michael A. Savokinas, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

February 8, 2010

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, Freya S. Burnett, 44 Creek Road, Newville 17241, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve until November 20, 2010, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Beth Vanhorn, Harrisburg, resigned.

EDWARD G. RENDELL
Governor

RECALL COMMUNICATIONS
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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 29, 2009, for the appointment of The Honorable [sic] George E. Cornelius (Voting Member), 1058 Farmview Drive, West Chester 19382, Chester County, Twenty-sixth Senatorial District, as a

member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 29, 2009, for the appointment of The Honorable Everette James (Voting Member), 2779 Brintons Bridge Road, West Chester 19382, Chester County, Ninth Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Calvin B. Johnson, Harrisburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 21, 2009, for the appointment of Chris Michaels, 107 Greenbrier Drive, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Christopher J. Delozier, New Cumberland, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 21, 2009, for the appointment of Deborah A. Sieger, PhD, 30 Forgedale Road, Fleetwood 19522, Berks County, Eleventh Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Bart Burne, Laflin, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

SHERIFF, LUZERNE COUNTY

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 30, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Sheriff, in and for the County of Luzerne, to serve until the first Monday of January 2012, vice The Honorable Michael A. Savokinas, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

CORRECTION TO NOMINATION
REFERRED TO COMMITTEE

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

MEMBER OF THE STATE REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS

February 8, 2010

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

Please note the nomination dated February 3, 2010, for the appointment of Robert Ford, P.E., 1264 Round Hill Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, should be corrected to read:

Robert Ford, P.E., 1264 Round Hill Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

BILLS INTRODUCED AND REFERRED

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

February 4, 2010

Senators STACK, LOGAN, FONTANA, BROWNE, BOSCOLA, M. WHITE, COSTA, HUGHES, LEACH and FERLO presented to the Chair **SB 1225**, entitled:

An Act amending the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act, further providing for definitions.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 4, 2010.

Senators STACK, LOGAN, FONTANA, BROWNE, BOSCOLA, M. WHITE, COSTA, HUGHES, LEACH and FERLO presented to the Chair **SB 1226**, entitled:

An Act amending the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act, further providing for disciplinary proceedings.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 4, 2010.

Senators LEACH, VANCE, STACK, O'PAKE, FONTANA, TARTAGLIONE, WARD and ALLOWAY presented to the Chair **SB 1227**, entitled:

An Act providing for the National Human Trafficking Resource Center Hotline Act; and imposing duties on prothonotaries.

Which was committed to the Committee on LABOR AND INDUSTRY, February 4, 2010.

Senators LEACH, FONTANA, O'PAKE, COSTA, TARTAGLIONE, STACK, MUSTO, GREENLEAF, WASHINGTON, FERLO, RAFFERTY, EICHELBERGER and BOSCOLA presented to the Chair **SB 1228**, entitled:

An Act amending the act of July 9, 1981 (P.L.208, No.66), known as the Public Employee Retirement Commission Act, providing for expanded reporting of the status of municipal pension plans; and making an appropriation.

Which was committed to the Committee on FINANCE, February 4, 2010.

February 8, 2010

Senators EICHELBERGER, SCARNATI, YAW, FOLMER, BRUBAKER, ROBBINS, MUSTO, ALLOWAY, CORMAN, GORDNER, D. WHITE, ERICKSON, PICCOLA, KASUNIC, MENSCH, SMUCKER and TOMLINSON presented to the Chair **SB 707**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for marriage between one man and one woman.

Which was committed to the Committee on JUDICIARY, February 8, 2010.

Senators WILLIAMS, FERLO, TARTAGLIONE, LEACH, FARNESE, BOSCOLA, COSTA, BROWNE, WARD and WASHINGTON presented to the Chair **SB 1187**, entitled:

An Act providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

Which was committed to the Committee on LOCAL GOVERNMENT, February 8, 2010.

Senators BAKER, PILEGGI, ROBBINS, FARNESE, WARD, WASHINGTON, ALLOWAY, BOSCOLA, BRUBAKER, COSTA, ERICKSON, FERLO, FOLMER, FONTANA, MUSTO, MENSCH, O'PAKE, ORIE, PIPPY, RAFFERTY, STOUT, M. WHITE, WILLIAMS and TOMLINSON presented to the Chair **SB 1221**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for assignment of custody and visitation rights during military deployment.

Which was committed to the Committee on JUDICIARY, February 8, 2010.

Senators LEACH, FONTANA, TARTAGLIONE, O'PAKE, GREENLEAF, WASHINGTON, FERLO, M. WHITE, WAUGH, WILLIAMS, BOSCOLA, WARD and COSTA presented to the Chair **SB 1229**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in health care, further providing for definitions, for legislative findings and intent, for when living will operative, for revocation and for authority of health care agent; providing for living will and other advance health care directives registry; and making editorial changes.

Which was committed to the Committee on JUDICIARY, February 8, 2010.

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:

February 8, 2010

Senators PICCOLA, DINNIMAN, BROWNE, M. WHITE, TOMLINSON, FOLMER, ARGALL, WARD, ERICKSON, PILEGGI, GORDNER, BOSCOLA, STACK, WAUGH, RAFFERTY, EARLL, D. WHITE, ORIE and SCARNATI presented to the Chair **SR 243**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study of efficiency in public school funding and directing the State Board of Education to provide documents and assistance to the Joint State Government Commission in its conduct of this study.

Which was committed to the Committee on EDUCATION, February 8, 2010.

Senators PILEGGI, MELLOW, BOSCOLA, STACK, DINNIMAN, TARTAGLIONE, STOUT, FERLO, FONTANA, VOGEL, BAKER, O'PAKE, RAFFERTY, D. WHITE, LOGAN, ARGALL, ERICKSON, ALLOWAY, KASUNIC, BROWNE, PIPPY, GREENLEAF, TOMLINSON, COSTA, FARNESE and WARD presented to the Chair **SR 244**, entitled:

A Resolution recognizing April 1, 2010, as "Census Day" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, February 8, 2010.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet off the floor during today's Session to consider Senate Resolutions No. 231 and 244, and certain nominations.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request legislative leaves for Senator Orié, Senator Tomlinson, and Senator Ward.

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

Senator O'PAKE. Mr. President, I request a legislative leave for Senator Stack.

The PRESIDENT. Senator Pileggi requests legislative leaves for Senator Orié, Senator Tomlinson, and Senator Ward.

Senator O'Pake requests a legislative leave for Senator Stack. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, February 8, 2010

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 8, 2010, 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 House of Representatives recesses this week, it reconvene on Monday, March 8, 2010, 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-49

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

Eichelberger	McIlhinney	Stack
Erickson	Mellow	Tartaglione
Farnese	Mensch	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 JOHN R. GORDNER
PRESENTED TO THE SENATE**

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

Senator GORDNER. Mr. President, it is my distinguished honor today to recognize some national champions. I have with me today the Bloomsburg University Huskies field hockey national champions. Not only are they national champions this year, but they have won the national championship for 4 consecutive years.

So those individuals who entered as freshman and are leaving as seniors have been a part of a national championship team for 4 years in a row. With them, also, is a legend, Coach Jan Hutchinson. Coach Hutchinson is retiring in June. In field hockey, she is the all-time winningest field hockey coach in NCAA history. Also, she is a softball coach, and in Division II, she is the all-time winningest softball coach in NCAA history. She has over 1,700 wins in softball and field hockey over her duration at Bloomsburg University.

It is a great honor to recognize this four-time consecutive national championship field hockey team. On the floor in front of me--if they would quickly stand, and we will hold our applause--is Coach Hutchinson, senior captain Chelsea Due, senior captain Caitlin Koczynski, and senior captain Maggey Bloskey.

In the audience, we have the rest of the national championship field hockey team as well as the Bloomsburg University president, Dr. David Soltz, and Jim Hollister. It is my great honor to have this national championship team here, and I ask the Senate to give its normal warm welcome.

The PRESIDENT. Would the guests of Senator Gordner please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR PATRICK M. BROWNE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I would like to take a moment to introduce our A-team from the 16th Senatorial District, four interns from Muhlenberg College who are serving the constituents of the 16th District with much excellence and distinction. We have Mike Miller, a senior majoring in history and political science; Luke Csovelak, a senior majoring in biology and history; Ian Levine, a junior majoring in international studies; and Garrett Orr, a senior majoring in political science. Please give them a warm Senate welcome.

The PRESIDENT. Would the guests of Senator Browne please rise to be welcomed by the Senate.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senators BRUBAKER, YAW, BOSCOLA, KASUNIC, WAUGH, FERLO, WASHINGTON, MENSCH, FONTANA, ARGALL, ALLOWAY, GORDNER, DINNIMAN, STOUT, PILEGGI, STACK, BAKER, TARTAGLIONE, ROBBINS, TOMLINSON, O'PAKE, WOZNAK, ERICKSON, ORIE, EARLL, VOGEL, BROWNE, GREENLEAF, SCARNATI, MUSTO, RAFFERTY, FOLMER, PIPPY, COSTA and FARNESE, by unanimous consent, offered **Senate Resolution No. 248**, entitled:

A Resolution designating the week of February 20 through 27, 2010, as "FFA Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator BRUBAKER. Mr. President, the National FFA Organization has grown from its agricultural beginnings into a broad-spectrum leadership incubator. Of the 500,000 FFA members who represent all 50 States, the Virgin Islands, and Puerto Rico, many live far from working farms but have an interest in related fields such as agribusiness, food science, turf management, and horticulture. The young men and women who represent the FFA may be from diverse backgrounds, but all express a belief in the future of agriculture with the following motto: "...with a faith born not of words but of deeds."

On March 16, the FFA will hold its annual legislative breakfast at 7:30 a.m. at the Harrisburg Hilton. I encourage each Member to attend. I ask my colleagues in the State Senate to recognize these hardworking young men and women who are the future of Pennsylvania's agricultural industry and to vote in the affirmative on this resolution.

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

Senator BRUBAKER. Mr. President, it is my privilege to introduce the following guests, who are in our gallery today: Molly Walmer, Tyler Funk, Brittany Wilmer, Allison Hoover, Caleb Wright, Billy Boringk, Samantha Barrick-Poust, Alexandria Spease, Heather Miller, Coty Covert, Billy Saylor, and the executive manager of the Pennsylvania Association of the FFA, Mike Brammer.

The PRESIDENT. The would the guests of Senator Brubaker please rise to be welcomed by the Senate.

(Applause.)

And the question recurring,

Will the Senate adopt the resolution?

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

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Senator PILEGGI, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, February 8, 2010

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 9, 2010, at 10:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Edward G. Rendell; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

**SPECIAL ORDER OF BUSINESS
LINCOLN DAY ADDRESS**

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

Senator MENSCH. Mr. President, it is truly an honor for me to deliver these remarks honoring our 16th President, Abraham Lincoln. But it is especially a pleasure, since this honor is traditionally bestowed upon the youngest Member of the Republican Caucus. It has been a while since I have been called the youngest of just about anything, so I ask the indulgence of my colleagues if I take a moment to enjoy this youthful moment.

Mr. President, I need to also comment that the next-youngest Member of our body--I did offer to Senator Argall a chance to participate in this. I offered him the first hour of the 2 hours for which I am to speak today. Of course, he said I could have all 2 hours to myself.

While looking over the transcripts of previous Lincoln Day speeches delivered by my colleagues, I realized that there was not much about this great American that has not already been discussed at length. We all know his place in history. We all know that cold marble statue in Washington, D.C. But sometimes, we forget the human side of the man. It is true that Abe Lincoln is considered a giant among our forefathers, but he was truly an exceptionally tall person in real life. In the 1800s, the average American man stood at about 5 feet, 6 inches. Abe Lincoln stood at 6 feet, 4 inches. He remains the tallest President in our history, and was more than a foot taller than our shortest President, James Madison, who topped out at 5 feet, 4 inches.

Lincoln's unusual height was often a target for his opponents, and especially political cartoonists. But he occasionally used it to his advantage, such as in 1842, when Illinois State Auditor James Shields challenged Abe Lincoln to a duel over a series of letters published in the newspapers, lampooning that State official. Lincoln, being the challenged party in the duel, had the choice of weaponry and opted for broadswords. And with those weapons, he met Auditor Shields on Sunflower Island on September 22, 1842, to settle the matter. Abe, using his much longer

wingspan, quickly showed his opponent that he was out-armed, if you will. The matter was settled peacefully when Shields accepted the explanation that Lincoln had not written the letters himself but, rather, that they had been penned by his fiancée, Mary Todd.

While Lincoln will always be remembered as our 16th President, it is also worth noting that he dabbled in a few other fields and endeavors. Before beginning his political career, Lincoln worked on a flatboat, he ran a store, he sold whiskey, and he served as a captain in the Illinois Militia. Oh, and did I mention that he was also a lawyer? In all deference to my colleagues holding law degrees from distinguished institutions across the Commonwealth and around the nation, Lincoln showed that learning to be a lawyer is not as tough as you all make it out to be. In fact, all told, Abe Lincoln had only a year and a half of formal schooling. Even so, he taught himself the legal profession and was admitted to the Illinois Bar, a move that no doubt saved him the cost of a few student loans.

While Lincoln worked in a number of jobs and had an appreciation for many others, that appreciation did not extend to dentists. Of course, back then, the tools were much rougher, and anesthesia was really no more than a shot of liquor, if that. Or perhaps Lincoln's dislike of dentists came from the fact that one broke off part of his jaw bone while trying to extract a tooth.

As I said, Abe Lincoln was a man of many talents, including his skill as an inventor, which makes him the only President to ever receive a U.S. patent. In 1849, Lincoln created a device that used buoyant air chambers to lift ships over shoals. While this contraption earned a patent, Lincoln will never be in the same league as da Vinci or Edison, since U.S. Patent No. 6469 was never put into production. That is not to say that Abe Lincoln was not an innovative thinker. Take his trademark stovepipe hat. Not only was the hat useful as a head covering, but it was also his portable briefcase, where he stored notes, letters, and messages. Certainly, that was a useful gadget in the days before the BlackBerry. Lincoln was especially notorious for keeping papers scattered around his workspaces. It was so bad in his Illinois law office that he left a special envelope for his partner, William Herndon, marked, "When you can't find it anywhere else, look into this."

Yes, Abe Lincoln was a man who suffered through tremendous ridicule at times, especially during the Civil War. But he was able to keep his self-effacing humor, such as the time when he answered a jibe with, "If I were two-faced, would I be wearing this one?" Unfortunately, this great man's mortal legacy ended in 1985 with the passing of Robert Todd Lincoln Beckwith, Lincoln's great grandson and last living descendant. However, his legacy to our nation continues.

One of my favorite Lincoln quotes is: "America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves." His strength and perseverance shaped our nation in a way done by few others, and for that, it is appropriate that the Senate of Pennsylvania, our Commonwealth, and our nation take time on February 12, the 201st anniversary of his birth, to honor the memory of Abraham Lincoln. Thank you.

(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 Rules and Executive Nominations to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator O'PAKE. Mr. President, at the conclusion of the meeting of Committee on Rules and Executive Nominations, I ask that all Democrats report to our caucus room.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations to be held immediately in the Rules room, 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.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Tomlinson and Senator Ward have returned, and their legislative leaves are cancelled.

PERMISSION TO ADDRESS

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

Senator WOZNIAK. Mr. President, it is with great regret that I am here to tell the Senate of Pennsylvania that my good friend, the Congressman from the 12th Congressional District, died at approximately 1:18 this afternoon of sepsis from complications of gallbladder surgery. I want to convey my deepest sympathy to his wife, Joyce, to his entire family, and to his staff.

I have known Mr. Murtha for over 30 years. He was a very good friend of mine, and a mentor. In western Pennsylvania's darkest hour, he was one of the individuals who squared his shoulders and helped diversify the economy of an entire region. He loved Pennsylvania. He loved being a Congressman, and he is going to be greatly missed. At this point in time -- we often spoke about the circumstance of what would happen after Congressman Murtha retired, but now I think a whole population is just devastated, confused, and in utter shock.

Once again, I give my complete condolences to the Murtha family. He was a fine man, he was a fine husband, and he was a great Congressman.

Thank you, Mr. President.

The PRESIDENT. Would the Senate 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 U.S. Congressman JOHN MURTHA.)

CALENDAR

BILLS ON CONCURRENCE
IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 125 (Pr. No. 1333) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties; and providing for methamphetamine production, for the offenses of operating a methamphetamine laboratory and illegal dumping of methamphetamine waste and for environmental costs.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 125?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 125.

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

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

YEA-49

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

BILL LAID ON THE TABLE

SB 973 (Pr. No. 1447) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "home improvement retailer"; and further providing for procedures for registration as a contractor and for prohibited acts.

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

SB 973 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 973, Printer's No. 1447, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 435, HB 602 and HB 692 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 908 (Pr. No. 1626) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, in civil service, further providing for rules and regulations and examinations and for selection of appointee from a certified list of applicants.

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

Alloway	Ferlo	Musto	Vance
Argall	Folmer	O'Pake	Vogel
Baker	Fontana	Orie	Ward
Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	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 909 (Pr. No. 1627) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for general

provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probation period and for physical examinations.

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

Alloway	Ferlo	Musto	Vance
Argall	Folmer	O'Pake	Vogel
Baker	Fontana	Orie	Ward
Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	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 910 (Pr. No. 1628) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, as to civil service for police and firemen, further providing for general provisions relating to examinations, rejection of applicant and hearing, manner of filling appointments, probationary period and physical examination.

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

Alloway	Ferlo	Musto	Vance
Argall	Folmer	O'Pake	Vogel
Baker	Fontana	Orie	Ward
Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak

Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	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 911 (Pr. No. 1629) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1933 (P.L.1108, No.272), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," further providing for civil service examinations and eligibility lists.

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

Alloway	Ferlo	Musto	Vance
Argall	Folmer	O'Pake	Vogel
Baker	Fontana	Orie	Ward
Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	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 912 (Pr. No. 1630) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1945 (P.L.1232, No.427), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs,

incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

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

Alloway	Ferlo	Musto	Vance
Argall	Folmer	O'Pake	Vogel
Baker	Fontana	Orie	Ward
Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	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 913 (Pr. No. 1631) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

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

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

SB 1115 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

HB 1030 (Pr. No. 2434) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans' Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the City of Oil City, Venango County; and authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bidding process, certain lands, buildings and improvements situate in the First Ward of the City of Meadville, Crawford County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator O'PAKE, on behalf of Senator MELLOW, offered the following amendment No. A5584:

Amend Bill, page 5, line 5, by inserting after "(D)":
Restriction.--Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under the laws of this Commonwealth. The condition shall be a covenant running with the land and shall be binding upon the grantee, and its successors. Should the grantee, or its successors, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e)

Amend Bill, page 5, line 8, by striking out "(E)" and inserting:

(f)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

HB 1551 and **HB 1768** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 53 and **HB 67** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 87 (Pr. No. 589) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," expanding applicability of the act to include all active duty personnel and their dependents.

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

BILL OVER IN ORDER

HB 181 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

SB 213 (Pr. No. 1664) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Compact on Educational Opportunity for Military Children; providing for the form and enforcement of the compact; imposing additional powers and duties on the Governor, the Secretary of the Commonwealth and the compact administrator; and establishing the State Council on Interstate Educational Opportunity for Military Children.

On the question,

Will the Senate agree to the bill on second consideration?

Senator ROBBINS offered the following amendment No. A5596:

Amend Bill, page 1, line 6, by striking out "administrator" and inserting:

commissioner

Amend Bill, page 36, line 13, by striking out "administrator" and inserting:

compact commissioner

Amend Bill, page 36, line 14, by striking out "administrator" and inserting:

commissioner

Amend Bill, page 36, line 17, by striking out "administrator" and inserting:

commissioner

Amend Bill, page 36, line 20, by striking out "administrator" and inserting:

commissioner

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

SB 225 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 432 (Pr. No. 433) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the protection of victims of sexual violence, for duties of law enforcement agencies, for procedure and for penalties.

Considered the second time and agreed to,

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

BILL REREFERRED

HB 526 (Pr. No. 3169) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 2, 1961 (P.L.1232, No.540), known as the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance, further providing for premiums and refunds.

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 642, HB 727, SB 747, SB 825 and **SB 895** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 916 (Pr. No. 1102) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for required financial reporting; and making editorial changes.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 933 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 960 (Pr. No. 1164) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the composition of the State Veterans' Commission.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1019, SB 1020, SB 1021, SB 1022, SB 1023, SB 1024, SB 1026, HB 1041, SB 1057, SB 1059, SB 1060, SB 1061, SB 1062, SB 1063, SB 1074 and SB 1076 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1086 (Pr. No. 1557) -- 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, further providing for election of school directors.

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

BILL OVER IN ORDER

SB 1112 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 1117 (Pr. No. 1486) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the abolishment of the office of jury commissioner.

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

SB 1117 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1117, Printer's No. 1486, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL ON SECOND CONSIDERATION

SB 1167 (Pr. No. 1560) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans

Affairs, to grant and convey to Waynesburg University certain lands situate in the Borough of Waynesburg, Greene County.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 1193 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1200 (Pr. No. 1605) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Stack has returned, and his legislative leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED**SECOND CONSIDERATION CALENDAR RESUMED**

BILLS OVER IN ORDER

HB 1332, HB 1515, HB 1516, HB 1517, HB 1518, HB 1519, HB 1520, HB 1523, HB 1533, HB 1783, HB 1799 and HB 1859 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SENATE RESOLUTION No. 230, ADOPTED

Senator PILEGGI, without objection, called up from page 12 of the Calendar, **Senate Resolution No. 230**, entitled:

A Resolution honoring the Boy Scouts of America on the centennial anniversary of the organization's founding.

On the question,

Will the Senate adopt the resolution?

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

Senator ROBBINS. Mr. President, it is my distinct honor, along with Senator Wozniak, who is an Eagle Scout--and his son is an Eagle Scout, as well as Senator Baker's son--to present this resolution today on the 100th anniversary of the founding of the Boy Scouts of America.

In 1907, British General Robert Baden-Powell, a war hero from the Boer War, decided to use his fame to help British boys become better men. He based his ideas for a boys' organization on his own experience as a youngster in England and as a soldier

servicing his country in India and Africa. Two years later, in 1909, Chicago publisher W.D. Boyce was visiting London, where he encountered the Scouting movement.

According to the Boy Scout Handbook, from which I will quote:

[Mr. Boyce] lost his way in a dense fog. He stopped under a street lamp and tried to figure out where he was. A boy approached him and asked if he could be of help.

"You certainly can," said Boyce. He told the boy that he wanted to find a certain business office in the center of the city.

"I'll take you there," said the boy.

When they got to the destination, Mr. Boyce reached into his pocket for a tip. But the boy stopped him.

"No thank you, sir. I am a Scout. I won't take anything for helping."

"A Scout? And what might that be?" asked Boyce.

The boy told the American about himself and his brother Scouts. Boyce became very interested. After finishing his errand, he had the boy take him to the British Scouting office.

At the office, Boyce met Lord Robert Baden-Powell, the famous British general who had founded the Scouting movement in Great Britain. Boyce was so impressed with what he learned that he decided to bring Scouting home with him.

Soon after his return to the United States, Boyce incorporated the Boy Scouts of America on February 8, 1910, 100 years ago today. I am happy to celebrate the centennial anniversary of an organization that is one of the largest youth organizations in the United States. Mr. President, when we think about the basic principles promoted by the Boy Scouts, we can see that positive morals and self-responsibility have not disappeared. The young men in Scouting not only prove that they can avoid the negative influences of society, but also that they have the determination within themselves to be positive role models for their peers.

As you know, Scouting is about teamwork and self-reliance. It is about bold confidence backed by knowledge. And, of course, Scouting is about planning and preparedness. Those six qualities - teamwork, self-reliance, competence, knowledge, planning, and preparedness - have enabled men to reach the far ends of the planet and beyond. Perhaps that is the key to Scouting's enormous success.

The Scouting movement has spread across the world, becoming the largest voluntary youth movement in the world, with a membership totaling 4 million in the United States and more than 24 million worldwide. Mr. President, I am pleased to stand here today to recognize and applaud the efforts of the Boy Scouts of America, and I ask my colleagues for a positive vote on this resolution.

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

Senator WOZNIAK. Mr. President, Senator Robbins gave you a quick, concise story of the history of the Boy Scouts of America on its 100th birthday. I want to wish the Boy Scouts a very happy birthday and another 500 more. He talked about the seriousness of it, but as he said earlier, I am an Eagle Scout, and so is my son, and those are great honors. They make lifelong friends and learn tons of skills, some that may even save someone's life. They make lifelong friends and are given opportunities to learn leadership, respect, and the intangible thing that we call honor. Senator Robbins, the humble man that he is, is a Silver Beaver, and that is the highest recognition that an adult can have for serving and volunteering for the Boy Scouts.

I was in Troop 177, and Mr. Francis Polca was my Scoutmaster. And to this day, we still have relationships with the young

men with whom I became friends. So, Boy Scouts of America, of all the organizations that are out there--and they are legion, and they are good, and they are noble--but there is one that stands aside, prouder, taller, and more known than most other ones, and that is the Boy Scouts of America.

I would like, because we talk about the Silver Beaver, we talk about the Eagle Scout, but I believe there are probably many Senators in this room who were Boy Scouts. So I would like to take this time to invite them to stand up and be recognized if they ever were Boy Scouts of America. Please stand.

Thank you, Mr. President.

(Applause.)

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise to join my colleagues in honoring the Boy Scouts of America on its 100th anniversary, and I wish to share with you a story of an individual who lives in my senatorial district. Mr. Ira Reynolds, of the borough of Susquehanna Depot in Susquehanna County, recently celebrated his 108th birthday. He celebrated his 108th birthday at Camp Tuscarora, which is part of the Baden-Powell Council in Binghamton, New York.

Mr. Reynolds is still on the roster as a campmaster, and he began in scouting 96 years ago, in 1914, at the age of 12. He rose through the ranks. He was a Tenderfoot, Second Class, First Class Scout, and he was the first organizer of Troop 81 in 1934. Mr. Reynolds was a Penn State electrical engineering student and a U.S. Navy veteran, and he worked as an electrician in the Erie railroad shops. He has devoted 96 years of his life to character development through the Boy Scouts of America.

So I would like to congratulate Mr. Reynolds, who, at 108, is still very proud to be able to wear his Scout uniform. So on behalf of all of us, we offer our congratulations to the Boy Scouts of America.

And the question recurring,

Will the Senate adopt the resolution?

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Orie has returned, and her legislative leave is cancelled.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE APPALACHIAN STATES LOW-LEVEL RADIOACTIVE WASTE COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 29, 2009, for the appointment of The Honorable *[sic]* George E. Cornelius (Voting Member), 1058 Farmview Drive, West Chester 19382, Chester County, Twenty-sixth Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 29, 2009, for the appointment of The Honorable Everette James (Voting Member), 2779 Brintons Bridge Road, West Chester 19382, Chester County, Ninth Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Calvin B. Johnson, Harrisburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 21, 2009, for the appointment of Chris Michaels, 107 Greenbrier Drive, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Christopher J. Delozier, New Cumberland, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 21, 2009, for the appointment of Deborah A. Sieger, PhD,

30 Forgedale Road, Fleetwood 19522, Berks County, Eleventh Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Bart Burne, Laflin, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

SHERIFF, LUZERNE COUNTY

February 8, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 30, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Sheriff, in and for the County of Luzerne, to serve until the first Monday of January 2012, vice The Honorable Michael A. Savokinas, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**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 STATE BOARD OF EDUCATION

November 20, 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, Sandra Dungee Glenn, 831 South 48th Street, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2015, or until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 20, 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, Karen Farmer White, 406 Landon Gate, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2015, or until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF DIRECTORS
OF THE PENNSYLVANIA HIGHER
EDUCATION ASSISTANCE AGENCY

November 10, 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 A. William Schenck III, 2 Little Lane, Pittsburgh 15215, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HISTORICAL AND MUSEUM COMMISSION

October 22, 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, Kathleen A. Pavelko, 5 Chantilly Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HISTORICAL AND MUSEUM COMMISSION

October 22, 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, Wayne S. Spilove, 301 South 19th Street, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF NURSING

September 24, 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, Dr. Ann L. O'Sullivan, 335 South 4th Street, Philadelphia 19106, Philadelphia County, First Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

COMMONWEALTH TRUSTEE OF THE UNIVERSITY
OF PITTSBURGH OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

October 6, 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, Sy M. Holzer, 545 Miranda Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh of the Commonwealth System of Higher Education, to serve until October 5, 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

November 10, 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 A. Carville Foster, Jr., 7728 Yellow Church Road, Seven Valleys 17360, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2010, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

November 10, 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, Ureanus V. Kirkwood, 231 Laurel Drive, Tobyhanna 18466, Monroe County, Twenty-second Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2014, and until her successor is appointed and qualified, vice J. Richard Aronson, Bethlehem, whose term expired.

EDWARD G. RENDELL
Governor

COMMONWEALTH TRUSTEE OF TEMPLE
UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

January 4, 2010

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 P. Williams, Esquire, 927 Clinton Street, Apartment 1-F, Philadelphia 19107, Philadelphia County, First Senatorial District, for reappointment as a Commonwealth Trustee of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER

October 28, 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, Marilou C. Thibodeault, 9 East Green Street, West Hazleton 18202, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Louis Rossi, Hazleton, whose term expired.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF EDUCATION

November 20, 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, Sandra Dungee Glenn, 831 South 48th Street, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2015, or until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 20, 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, Karen Farmer White, 406 Landon Gate, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2015, or until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF DIRECTORS
OF THE PENNSYLVANIA HIGHER
EDUCATION ASSISTANCE AGENCY

November 10, 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 A. William Schenck III, 2 Little Lane, Pittsburgh 15215, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, to serve until June 30, 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HISTORICAL AND MUSEUM COMMISSION

October 22, 2009

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EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

October 22, 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, Wayne S. Spilove, 301 South 19th Street, Philadelphia 19103, Philadelphia County, First Senatorial District, for reappointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE STATE BOARD OF NURSING

September 24, 2009

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EDWARD G. RENDELL Governor

COMMONWEALTH TRUSTEE OF THE UNIVERSITY OF PITTSBURGH OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

October 6, 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, Sy M. Holzer, 545 Miranda Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a Commonwealth Trustee of the University of Pittsburgh of the Commonwealth System of Higher Education, to serve until October 5, 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE PUBLIC EMPLOYEE RETIREMENT COMMISSION

November 10, 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 A. Carville Foster, Jr., 7728 Yellow Church Road, Seven Valleys 17360, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2010, and until his successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE PUBLIC EMPLOYEE RETIREMENT COMMISSION

November 10, 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, Ureneus V. Kirkwood, 231 Laurel Drive, Tobyhanna 18466, Monroe County, Twenty-second Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2014, and until her successor is appointed and qualified, vice J. Richard Aronson, Bethlehem, whose term expired.

EDWARD G. RENDELL Governor

COMMONWEALTH TRUSTEE OF TEMPLE UNIVERSITY OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

January 4, 2010

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 P. Williams, Esquire, 927 Clinton Street, Apartment 1-F, Philadelphia 19107, Philadelphia County, First Senatorial District, for reappointment as a Commonwealth Trustee of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

October 28, 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, Marilou C. Thibodeault, 9 East Green Street, West Hazleton 18202, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Louis Rossi, Hazleton, whose term expired.

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: Alloway, Argall, Baker, Ferlo, Folmer, Fontana, Musto, O'Pake, Ori, Vance, Vogel, Ward

Boscola	Gordner	Piccola	Washington
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Tartaglione	
Farnese	Mensch	Tomlinson	

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. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

UNFINISHED BUSINESS**BILLS REPORTED FROM COMMITTEE**

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

SB 260 (Pr. No. 1548) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sexual abuse of children.

SB 766 (Pr. No. 1617) (Rereported)

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

SB 1077 (Pr. No. 1681) (Amended) (Rereported)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for manufactured housing; adding provisions relating to residential buildings with log walls; and providing for a report by the Legislative Budget and Finance Committee.

RESOLUTIONS REPORTED FROM COMMITTEE

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following resolutions:

SR 231 (Pr. No. 1616)

A Resolution designating the month of March 2010 as "Youth Art Month" in Pennsylvania.

SR 244 (Pr. No. 1680)

A Resolution recognizing April 1, 2010, as "Census Day" in Pennsylvania.

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

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. Thomas F. Yackiel and to Frances DeWitt by Senator Baker.

Congratulations of the Senate were extended to Mr. and Mrs. E. Keith Mackneer by Senator Corman.

Congratulations of the Senate were extended to Ambler Savings Bank by Senator Greenleaf.

Congratulations of the Senate were extended to Thelma L. Davis Jayne by Senator Mellow.

Congratulations of the Senate were extended to Charles H. Fulwider by Senator Orie.

Congratulations of the Senate were extended to Ronald L. Marshman, Sr., Brooke M. McIntyre and to Alma Jacobs by Senator Rafferty.

Congratulations of the Senate were extended to Montgomery County Community College by Senator Rafferty and others.

Congratulations of the Senate were extended to Peg Cobleigh by Senator Yaw.

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Don White.

Senator D. WHITE. Mr. President, I am still in a state of shock after hearing about the death of my dear friend, Congressman Jack Murtha. I first met Congressman Murtha when I came out of the Service in 1974 and was attending IUP on the GI bill and was a member of the IUP Veterans Club. He extended a hand to an Army veteran, even though he was a distinguished officer in the Marines, and we had a friendship over a handshake that lasted 35 years.

He was proud to be from western Pennsylvania and made sure that Washington, D.C., knew where Johnstown, Indiana, Kittanning, and a lot of other sites in western Pennsylvania were located. In his most influential years, he was close counsel to several Presidents and chiefs of staff on all dealings with the military.

My heartfelt condolences go out to his partner, Joyce, his loving wife and his partner in public service, and to the rest of his family. I have lost a trusted friend, and the people of the 12th Congressional District in the Commonwealth of Pennsylvania lost a great leader.

Thank you.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

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 committee indicated:

February 8, 2010

HB 1876 and 1880 -- Committee on State Government.

BILL SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bill was signed by the President in the presence of the Senate:

SB 125.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, FEBRUARY 8, 2010

Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolutions No. 231 and 244, and certain nominations)	Rules Cmte. Conf. Rm.
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WEDNESDAY, FEBRUARY 10, 2010

9:00 A.M.	MAJORITY POLICY COMMITTEE (public hearing on the impact of the Governor's Mid-Year Budget Reductions) POSTPONED	Hrg. Rm. 1 North Off.
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10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing and committee meeting to consider Senate Bills No. 964 and 1147) POSTPONED	Room 8E-B East Wing
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12:00 P.M.	EDUCATION (public hearing on Mandate Waivers) POSTPONED	Hrg. Rm. 1 North Off.
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TUESDAY, FEBRUARY 16, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Revenue/ Governor's Budget Office)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of General Services)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of State)	Hrg. Rm. 1 North Off.
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WEDNESDAY, FEBRUARY 17, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Agriculture)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Office of Attorney General)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Insurance Department)	Hrg. Rm. 1 North Off.
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THURSDAY, FEBRUARY 18, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - SERS/PSERS)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Labor & Industry)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Judicial Department)	Hrg. Rm. 1 North Off.
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MONDAY, FEBRUARY 22, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Community & Economic Development/PA Housing Finance Agency)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Executive Offices and Office of the Governor)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Health)	Hrg. Rm. 1 North Off.
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TUESDAY, FEBRUARY 23, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Conservation & Natural Resources)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Public Utility Commission)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Office of Auditor General)	Hrg. Rm. 1 North Off.
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WEDNESDAY, FEBRUARY 24, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - PA State Police)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - PEMA/Homeland Security)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - PA State System of Higher Education)	Hrg. Rm. 1 North Off.
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THURSDAY, FEBRUARY 25, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Aging)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Transportation)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Treasury Dept.)	Hrg. Rm. 1 North Off.
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MONDAY, MARCH 1, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Environmental Protection)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Gaming Control Board)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Military & Veterans Affairs)	Hrg. Rm. 1 North Off.
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TUESDAY, MARCH 2, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Corrections/Probation & Parole)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Education)	Hrg. Rm. 1 North Off.
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WEDNESDAY, MARCH 3, 2010

10:00 A.M.	APPROPRIATIONS (Budget Hearing - State-Related Universities)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Public Welfare)	Hrg. Rm. 1 North Off.
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WEDNESDAY, MARCH 10, 2010

9:30 A.M. MAJORITY POLICY COMMITTEE Room 8E-A
(public hearing on the impact of the East Wing
Governor's Mid-Year Budget Reductions)

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Orié.

Senator ORIE. Mr. President, I move that the Senate do now recess until Tuesday, February 9, 2010, at 10 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:46 p.m., Eastern Standard Time.