

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MARCH 17, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 16

SENATE

WEDNESDAY, March 17, 2010

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

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

PRAYER

The Chaplain, Reverend Monsignor NELSON J. PEREZ, of Saint Agnes Church, West Chester, offered the following prayer:

Let us pray.

Almighty God, thank You for the gift of another day filled with great possibilities that make our personal world and the world around us a better place, a more peaceful place, a happier place. Help us, with Your grace, to seize the opportunities to use our gifts for the well-being of each other. Bless those whom we love, and help us to recognize the gifts that they are to us.

Loving God, look upon the Members of our State Senate. Bless their work, enlighten their deliberations, and guide their wisdom as they serve us, the citizens of Pennsylvania, by discovering and discerning ways to improve life within our State.

Almighty God, we not only pray for our State but for our whole country and for the world community. Bring us Your peace, and help us to end any war or terror all over the world. Bless and protect the men and women serving our country abroad. Reward the great sacrifice of those who have given their lives in service, and listen to the cries of their families. We present our prayers through these words and ask You to listen to those we silently carry in our hearts this day. Amen.

The PRESIDENT. The Chair thanks Reverend Monsignor Perez, who is the guest today of Senator Dinniman.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE AMENDMENTS
BY AMENDING SAID AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 485**, in which concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 6, this bill will be referred to the Committee on Rules and Executive Nominations.

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:

March 17, 2010

HB 460 -- Committee on Game and Fisheries.

HB 2280, 2281, 2282, 2283, 2284, 2286, 2287 and 2289 -- Committee on Appropriations.

BILL INTRODUCED AND REFERRED

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

March 17, 2010

Senators BROWNE, EARLL, WAUGH, FOLMER, FERLO, D. WHITE, ORIE, ERICKSON, VANCE, RAFFERTY, BOSCOLA, TOMLINSON and PIPPY presented to the Chair **SB 1279**, entitled:

An Act requiring the Department of Community and Economic Development to submit a unified economic development budget; providing for unified reporting of property tax reductions and abatements, for application for economic development subsidies, for reports, for subsidy limit and job quality standards and for recapture; establishing a private enforcement action; and providing for public record disclosure.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 17, 2010.

**APPOINTMENTS BY THE
PRESIDENT PRO TEMPORE**

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

Senator Kim L. Ward as a member of the governing body of the Port of Pittsburgh Commission.

Mr. Neal J. Bisno as a member of the Health Care Cost Containment Council.

BILLS REPORTED FROM COMMITTEE

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

SB 964 (Pr. No. 1168)

An Act amending the act of November 29, 2006 (P.L.1456, No.160), known as the Social Security Number Privacy Act, further providing for the effective date of the act.

SB 1147 (Pr. No. 1529)

An Act amending the act of November 29, 2006 (P.L.1456, No.160), known as the Social Security Number Privacy Act, further providing for use of Social Security numbers alternatives.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 260 (Pr. No. 1737)

A Resolution designating Tuesday, April 20, 2010, as "Pennsylvania Health Care Information Technology Awareness Day" in this Commonwealth.

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Pippy.

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

Senator MELLOW. Mr. President, I request legislative leaves for Senator Musto and Senator Stout.

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Pippy.

Senator Mellow requests legislative leaves for Senator Musto and Senator Stout.

Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of February 3, 2010, is now in print.

The Clerk proceeded to read the Journal of the Session of February 3, 2010.

Senator PILEGGI. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

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

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

Senator DINNIMAN. Mr. President, it is my pleasure today to introduce Monsignor Perez, who gave us our fine invocation. Monsignor Perez came to Saint Agnes Parish in West Chester 14 months ago, and he has been a breath of fresh air, not only for the Catholic community but for everyone within the Chester County community. He has been wonderful with the children in the parish and has reached out to the entire community.

Monsignor Perez speaks fluent Spanish, being a Cuban American, and as you know, in Chester County, both in Senator Pileggi's and in my district, we have a large number of Spanish-speaking people. Monsignor Perez has done tremendous outreach, along with Sister Martha. For those of you from Philadelphia, Senator Stack especially, Monsignor Perez was at Saint Williams Parish up in the gentleman's area in far northeast Philadelphia before coming to Chester County, and he worked in a variety of administrative jobs within the parish.

Mr. President, I just wanted to convey to the Senate how happy we are in the Chester County community, how happy people of all faiths and traditions are that Monsignor Perez has come to this parish. By the way, Saint Agnes Parish is 215 years old. The land for Saint Agnes Parish was given by the Quaker community in our county because we have a long tradition of religious tolerance and interfaith cooperation. This parish is older than the Archdiocese itself in Philadelphia. Mr. President, please give a warm welcome to Monsignor Perez.

The PRESIDENT. Would the Senate join in welcoming Monsignor Perez.

(Applause.)

**GUESTS OF SENATOR KIM L. WARD
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, it is my pleasure today to introduce to you the all-girls robotics team from Yough Middle School in Westmoreland County. They won first place in Carnegie Mellon's competition for teamwork. They designed a robot they named Cornelius and a bunch of other names. I only know Cornelius. There he is. Cornelius dances, and he does it with rhythm. It is very, very good. I am very proud to have them here.

I would also like to introduce Mrs. Burkett and Ms. Kelly, their teachers who are with them, who have worked with them and brought these girls along. So I want to stress that it is an all-girls team who won this competition, but it was not an all-girls competition. So congratulations, and welcome to Harrisburg.

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

(Applause.)

**GUEST OF SENATOR LLOYD K. SMUCKER
PRESENTED TO THE SENATE**

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

Senator SMUCKER. Mr. President, I am pleased today to introduce our guest Page, Warren Carrigan III. Warren is a sixth-grade honor roll student at the Martin Meylin Middle School in Lancaster County. Outside of school, Warren practices karate and also enjoys swimming. Please join me in giving Warren a warm welcome to the Senate of Pennsylvania.

The PRESIDENT. Would the guest of Senator Smucker please rise to be welcomed by the Senate.

(Applause.)

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

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.

THIRD CONSIDERATION CALENDAR

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

SB 109 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

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

SB 1074 (Pr. No. 1776) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for State recording system for application of restraints to pregnant prisoners or detainees, for county recording system for application of restraints to pregnant prisoners or detainees and for incarceration of pregnant women.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator LEACH. Mr. President, I would just like to take a moment to thank some of the folks who worked with me on the bill. I would like to thank my staff, who worked very hard to draft the legislation and to bring advocates together. I would like to thank the advocate community, which was terrific in generating support around the State. I would like to thank the Department of Corrections and the county commissioners, who had concerns about certain provisions of the bill and worked very closely with me to come to an agreement and were very supportive, and I am grateful for that. I would like to thank Tony Lepore, who steered me through the legislative process, as he often does. I would like to thank, obviously, my colleagues here today. I would like to thank the chairman of the Committee on Judiciary, Senator Greenleaf, who very kindly brought my bill to the committee for consideration. And I would like to thank the Majority Leader, who very, very generously agreed to bring this bill to a vote today. So on behalf of the people we have been fighting for, I thank all of these people.

Thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILL LAID ON THE TABLE

SB 53 (Pr. No. 1663) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in intestate succession, further providing for forfeiture; in wills, further providing for modification of wills; in grant of letters, further providing for advertisement of grant of letters; in administration and personal representatives, further providing for duty of personal representative; in apportionment of death taxes, further providing for enforcement of contribution or exoneration of Federal estate tax; in powers of attorney, further providing for implementation of power of attorney; in estates, further providing for applicability of rule against perpetuities and for modification of conveyance by divorce and for effect of divorce on designation of beneficiaries; in trusts, further providing for notice of representation, for creditor's claim against settlor, for actions contesting validity of revocable trusts, for claims and distribution after settlor's death, for removal of trustee, for trustee's duty to inform and report, for illustrative powers of trustee and for limitation of action against trustee; in principal and income, further providing for power to convert to unitrust and for retirement benefits, individual retirement accounts, deferred compensation, annuities and similar payments; and making conforming amendments to Title 15.

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

BILL OVER IN ORDER

SB 87 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 421 (Pr. No. 465) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Arch Street Bridge on State Route 2064, Lycoming County, as the Duboistown Bridge.

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

Table with 4 columns of names: Alloway, Argall, Baker, Boscola, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, Logan, McIlhinney, Mellow, Mensch, Musto, O'Pake, Ori, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Smucker, Stack, Stout, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, White, Donald, White, Mary Jo, Williams, Wozniak, Yaw.

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL LAID ON THE TABLE

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.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 435 (Pr. No. 1562) -- 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, authorizing the abolition of jury commissioners in certain counties of the second class A.

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-31

Table with 4 columns of names: Alloway, Argall, Baker, Boscola, Browne, Brubaker, Corman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, McIlhinney, Ori, Piccola, Pileggi, Pippy, Scarnati, Smucker, Stack, Tomlinson, Vance, Vogel, Ward, Waugh, White, Donald, White, Mary Jo, Yaw.

NAY-19

Table with 4 columns of names: Costa, Dinniman, Hughes, Kasunic, Kitchen, Leach, Logan, Mellow, Mensch, Musto, O'Pake, Rafferty, Robbins, Stout, Tartaglione, Washington, Williams, Wozniak.

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

HB 602 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 642 (Pr. No. 697) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 2004 (P.L.492, No.57), known as the Sign Language Interpreter and Transliterator State Registration Act, further providing for definitions, for responsibilities of Office for the Deaf and Hard of Hearing and for State registration required; providing for provisional registration; and further providing for change of personal information, for registration violations and for suspension, denial, nonrenewal or revocation of State registration.

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

Table with 4 columns of names: Alloway, Argall, Baker, Boscola, Browne, Brubaker, Corman, Costa, Dinniman, Earl, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, Logan, McIlhinney, Mellow, Mensch, Musto, O'Pake, Ori, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Smucker, Stack, Stout, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, White, Donald, White, Mary Jo, Williams, Wozniak, Yaw.

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 1019, SB 1020, SB 1021, SB 1022, SB 1023 and SB 1024 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1117 (Pr. No. 1769) -- 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.

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-31

Table with 4 columns of names: Alloway, Argall, Baker, Boscola, Browne, Brubaker, Corman, Earl, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, McIlhinney, Mellow, Musto, Ori, Piccola, Pileggi, Pippy, Scarnati, Smucker, Tomlinson, Vance, Ward, Waugh, White, Donald, White, Mary Jo, Yaw.

NAY-19

Table with 4 columns of names: Costa, Dinniman, Greenleaf, Hughes, Kasunic, Kitchen, Leach, Logan, Mensch, O'Pake, Rafferty, Robbins, Stack, Stout, Tartaglione, Vogel, Washington, Williams, Wozniak.

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

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

BILL LAID ON THE TABLE

HB 1768 (Pr. No. 2725) -- The Senate proceeded to consideration of the bill, 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, further providing for definitions and for recycling fee for municipal waste landfills and resource recovery facilities; providing for used tire pile remediation; and further providing for information provided to host municipalities, for joint inspections with host municipalities, for claims resulting from pollution occurrences, for independent evaluation of permit applications and for host municipality benefit fee.

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

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 85 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

SB 174, SB 214, SB 351, HB 464 and SB 825 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

HB 933 (Pr. No. 1057) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the offense of violation of Fort Indiantown Gap regulations and for the powers and duties of police officers employed at State military installations.

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

BILL OVER IN ORDER

SB 990 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 1092 (Pr. No. 1731) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for certain well requirements.

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

SB 1159 (Pr. No. 1732) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for indigenous mineral resource development; and imposing powers and duties on the Department of General Services.

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

SB 1176 (Pr. No. 1585) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for the filing fee.

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

SB 1186 (Pr. No. 1596) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

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

SB 1196 (Pr. No. 1601) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act, further providing for fees.

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

SB 1197 (Pr. No. 1602) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for fees.

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 1198 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

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.

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

BILLS OVER IN ORDER

SB 1202 and SB 1238 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1250 (Pr. No. 1707) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for disposition of fees, fines and civil penalties.

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 1252 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS REREFERRED

HB 1515 (Pr. No. 3163) -- 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.

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

HB 1516 (Pr. No. 3164) -- 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.

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

HB 1517 (Pr. No. 3165) -- 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.

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

HB 1518 (Pr. No. 3166) -- 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.

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

HB 1519 (Pr. No. 3167) -- 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.

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

HB 1520 (Pr. No. 3168) -- 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.

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 1720 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SENATE RESOLUTION No. 226, ADOPTED

Senator PILEGGI, without objection, called up from page 8 of the Calendar, **Senate Resolution No. 226**, entitled:

A Resolution supporting the Military Community Covenant program.

On the question,

Will the Senate adopt the resolution?

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

UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED

Senator TOMLINSON, by unanimous consent, offered **Senate Resolution No. 272**, entitled:

A Resolution designating the month of April 2010 as "Pennsylvania One Call System Month."

On the question,

Will the Senate adopt the resolution?

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

Senator TOMLINSON, Mr. President, the One Call System provides easy one-call notification about construction and excavation projects that may endanger lives and jeopardize utility lines. The center has served the residents of Pennsylvania by promoting safety, reducing underground utility damage, minimizing utility service interruptions, and protecting the environment for over 38 years. It also serves more than 100,000 excavators and 3,400 critical infrastructure owners in the Commonwealth. The resolution encourages all Pennsylvania residents to call before digging to help protect underground infrastructure. Mr. President, I ask for unanimous support for this resolution.

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

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

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

Senators PICCOLA, WARD, FOLMER, BROWNE, BAKER, EARLL, DINNIMAN, LEACH, ALLOWAY, ERICKSON, PIPPY, D. WHITE, ROBBINS, PILEGGI, GORDNER, WASHINGTON, ORIE, TOMLINSON, VOGEL, TARTAGLIONE, KASUNIC, BOSCOLA, FARNESE, MENSCH, FERLO, LOGAN, STACK, COSTA, WAUGH, STOUT, O'PAKE, FONTANA, MUSTO, GREENLEAF and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 273**, entitled:

A Resolution designating the month of March 2010 as "Multiple Sclerosis Awareness Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators PICCOLA, FOLMER, BROWNE, EARLL, DINNIMAN, ALLOWAY, ERICKSON, PIPPY, D. WHITE, ROBBINS, PILEGGI, WASHINGTON, ORIE, KASUNIC, BOSCOLA, FARNESE, FERLO, LOGAN, COSTA, WAUGH, STOUT, O'PAKE, FONTANA and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 274**, entitled:

A Resolution designating the month of March 2010 as "International DeMolay Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Tyler James Seip, Drew Scott Switzer, Andrew James Bohri and to Jefferson Elementary School of Allentown by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. William Courtney, Mindy M. Barrett, Brayton Hershey, St. Paul Christian Child Care Center of Lititz, Cocalico High School Students Against Destructive Decisions Chapter, COBYS Family Services of Leola and to the Ephrata High School Girls' Soccer Team by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. William A. Berrier, McKenzie Anderson, Russ Rose, William Joseph Doncsecz, Mitchell Frye Dunklebarger, Brian Colin Horton, D. Anders Eng, D. Chris Reese and to the members of the 2nd Battalion, 112th Infantry, 56th Stryker Brigade, 28th Infantry Division, of the Pennsylvania Army National Guard, by Senator Corman.

Congratulations of the Senate were extended to Lieutenant General David M. Rodriguez, Dr. Jacques Voois, Sandra McCloskey, John J. Schwab, Rose Peluchette, Lois Pulsifer, Amber Pupko, Jennersville Regional Hospital and to the American Helicopter Museum and Education Center of West Chester by Senator Dinniman.

Congratulations of the Senate were extended to Teddi Leiden and to the members of the 2nd Battalion, 112th Infantry, 56th Stryker Brigade, 28th Infantry Division, of the Pennsylvania Army National Guard, by Senator Eichelberger.

Congratulations of the Senate were extended to Andrew Bartels by Senator Erickson.

Congratulations of the Senate were extended to Anna M. Buccuto by Senator Farnese.

Congratulations of the Senate were extended to Andrew Frederick Smith, Michele R. Koch, Denali E. Mengel and to the Elizabethtown Area High School LifeSmarts Team by Senator Folmer.

Congratulations of the Senate were extended to Nicholas James Markert by Senator Greenleaf.

Congratulations of the Senate were extended to the citizens of Lower Merion Township by Senator Leach.

Congratulations of the Senate were extended to Propel McKeesport by Senator Logan.

Congratulations of the Senate were extended to Christine L. Loscalzo, Megan E. Katz, Brianna M. Barbiero and to Carly J. Wackerman by Senator Mensch.

Congratulations of the Senate were extended to Ann Kwak by Senator Musto.

Congratulations of the Senate were extended to the Berks Arts Council by Senator O'Pake.

Congratulations of the Senate were extended to Dr. Gina Agostino-Manes and to Hal English by Senator Orie.

Congratulations of the Senate were extended to Rutherford Elementary School of Harrisburg by Senator Piccola.

Congratulations of the Senate were extended to James E. McErlane and to the Friends of Ridley Creek State Park of Media by Senator Pileggi.

Congratulations of the Senate were extended to Grace Opdyke by Senator Rafferty.

Congratulations of the Senate were extended to Kevin Snyder, The Option House Restaurant and Lounge of Bradford, Tuna Valley Trail Association of Bradford and to the Keystone Trails Association by Senator Scarnati.

Congratulations of the Senate were extended to Telford W. Thomas by Senator Stout.

Congratulations of the Senate were extended to Donald Bellerby, Donald Bellerby, Jr., James Hampton, James Nevel, Gregory Hoff, John Schank, Jr., John Nickles, Anthony Sassani, Albert Sylvester, Sr., Brice DeMuro, Gerald Hathaway, Samuel

Pierce, Fred Kutzer, Robert Beck, Harry Fawkes and to Earl Stevens, Sr., by Senator Tomlinson.

Congratulations of the Senate were extended to Marian Hollibaugh by Senator Vogel.

Congratulations of the Senate were extended to the Rotary Club of Oil City by Senator M.J. White.

Congratulations of the Senate were extended to Benjamin Lins, Bruce Jones, Jeff Byler, Beth Culvey, Donna Dougherty, Jeanne Mincer, Tami Peddigree, Cathy Shope, Monica Ginsberg, Julie Kosinski, Friends of Prince Gallitzin State Park, Leadership Clinton County and to the Clinton County Economic Partnership by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Delores Ardell Morris Arrington by Senator Washington.

Condolences of the Senate were extended to the family of the late Mark E. Parrish by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 964 and SB 1147.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I rise to speak briefly, but I think it is important and relevant at this moment. We are concluding our business for this week, Mr. President, and possibly all of us are waiting with great anticipation for what could potentially be momentous action to occur in Washington, D.C., in our United States Congress, this weekend. We have deliberated long and hard here in this body for years about the issue of advancing the need to cover, at least at this point in Pennsylvania, about 1 million people who have no health insurance in the Commonwealth.

We have a history in this State of, in many cases, rising to the occasion. We were one of the first States in the nation, if not the first State in the nation, 20-some-odd years ago, to put in place the CHIP Program, the Children's Health Insurance Program. We saw it to be appropriate and right and in order a few years ago to create a program called adultBasic to provide health insurance to adults in this Commonwealth because they were working, they were working hard, they were getting up early in the morning, they were working all day, many of them working late into the

evening, in many cases they were women, in most cases the sole breadwinners of their families, but they could not afford to purchase the health insurance that they needed.

We created adultBasic to try to respond to that need. We were somewhat responsive. Hundreds of thousands of people over the years have gotten coverage. But because of financial reasons, because the costs of the premiums have gone up dramatically, we cannot keep that program at the same level, where it should be. Many of us, myself included, have introduced specific pieces of legislation to try to address the issue of providing coverage, high-quality health insurance coverage, for the 1 million or so adults in this Commonwealth who have no coverage. We have not been successful, but we have always tried to advance the ball, always tried to raise the level of conversation.

I rise at this moment, Mr. President, because I think it would be inappropriate for us to leave this Chamber and not speak to the issue in some respect and not recognize, in some respect, the fact that our Representatives in Congress may be making a momentous decision that will impact all of us. Personally, I support the need to provide coverage. I support the need for the passage of the legislation that is currently in front of the United States House of Representatives and the United States Senate. I support that. I think it is important. I think it is crucial.

I know that ever since Teddy Roosevelt, the Rough Rider, ever since prior to the completion of the Panama Canal over a hundred years ago, Presidents of this country have been calling for the need to provide health insurance, high-quality health coverage for those who do not have it. We have been waiting, and we have been waiting, and we have been waiting. We have gotten to the point now, after at least a year's worth of oftentimes contentious conversation and contentious discussion, we have gotten to the point where legislation has passed both the House and the United States Senate and is poised and ready for final passage and to be signed into law. I hope that our Federal Representatives do not miss this long-sought opportunity and allow this moment to pass them by.

There are millions and millions of people in this nation, and over a million people in this Commonwealth, who have been waiting for years--in many respects, decades--for action on this issue. Most of them are hardworking individuals. Many of them are women. Most of them are raising families. A significant portion of them are the sole breadwinners in their households. They are the ones who are bringing home the dollars to try to feed their families, to put a roof over their houses, and to try to meet their responsibilities to pay their bills. They cannot afford insurance. Insurance rates have gone up, over the last decade, almost 100 percent. Premiums have gone up almost 100 percent - a 15-percent increase per year, Mr. President.

Millions of people go wanting. There are countless specific stories of people whom we have talked about on this floor, who are working - in fact, nurses who are providing care to the sick and the infirm, especially the elderly, who cannot afford a policy on their own. They place themselves in harm's way, but they cannot afford coverage for themselves.

We are at this moment. We have never gotten this close before in the history of this nation. Legislation has moved forward. Legislation is poised. We have not been successful here in this Chamber, in the State, but we now face the opportunity--as many

of us called for, let the Feds handle it--we now face the opportunity that the Federal government may be poised to act. Hopefully, in spite of the lies; hopefully, in spite of the tarnished reputations; hopefully, in spite of the smear campaigns, our Federal Representatives will have the appropriate faith and the appropriate guts to take a leadership stance and move this nation forward.

There are nations around the world who have what we do not have, as far as healthcare is concerned. What we have in this nation, Mr. President, are the best doctors, the best hospitals, and the best healthcare institutions of any country in the world. We have the best providers. We do not have the best system to allow people to access those providers. And that is the problem. There are nations all over this world that have better systems of support and access than we do. It is time for this nation to meet its challenge. It is time for this nation to rise to the point where we can say that everyone in this country is treated equally, equitably, and has access to the care that they deserve.

There are folks who are suffering as we speak, Mr. President, with hundreds of thousands, if not millions, of dollars in bills sitting on them for healthcare problems that were not of their own making. There are people who are waiting for access, and they cannot get access. There are people who are waiting for care, and they cannot get care. There are people trying to figure out how to pay for what they have, and they cannot figure out a way to pay for it.

We are poised at this position. We have never been this close. Never. Since Teddy Roosevelt, the Rough Rider, since before the completion of the Panama Canal, every President, from Roosevelt all throughout - Reagan, Truman, Clinton, both Bushes - has said we need to get this done. We are at the point of getting it done. Hopefully, we will rise to the call of the need of our nation.

Thank you, Mr. President.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, MARCH 18, 2010

11:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing to discuss Urban Modernization)	Cora Svcs. 8540 Verree Rd., Phila., PA
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WEDNESDAY, MARCH 24, 2010

9:00 A.M.	BANKING AND INSURANCE (to accept testimony on Senate Bill No. 204, legislation to define vision benefits under the scope of unfair methods of competition, acts and practices)	Hrg. Rm. 1 North Off.
9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the "State's 9-1-1 Emergency Response System and its Funding")	Room 8E-B East Wing

9:00 A.M.	MAJORITY POLICY COMMITTEE (joint public hearing with the House Republican Policy Committee to examine Pennsylvania's public pension systems)	Room 418 Main Capitol
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10:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 1245; and House Bill No. 422)	Rules Cmte. Conf. Rm.
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THURSDAY, MARCH 25, 2010

1:00 P.M.	MAJORITY POLICY COMMITTEE (joint public hearing with the Republican Policy Committee to examine Pennsylvania's public pension systems)	TEK Park 9999 Hamilton Blvd., Breinigsville, PA
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RECESS

The PRESIDING OFFICER. On this St. Patrick's Day, the Chair recognizes the gentlewoman from Allegheny, Senator ORIE. Senator ORIE. Mr. President, Happy St. Patrick's Day.

Mr. President, I move that the Senate do now recess until Monday, March 22, 2010, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:03 p.m., Eastern Daylight Saving Time.