

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, APRIL 26, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 25

SENATE

TUESDAY, April 26, 2011

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

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

PRAYER

The Chaplain, Reverend JOAN M. SABATINO, of First Unitarian Universalist Church, Indiana, offered the following prayer:

Let us be together in prayer.

Infinite and ultimate mystery, You who are called by the citizens of Pennsylvania by many names, You who from ancient times has joined us in agreements like covenant, compact, and Constitution, as the means by which we may co-create a human, educated, and prosperous society, we give You thanks for the blessings of our lives and ask that You continue to bless and guide us.

As this body begins another legislative Session, may You help these leaders remember that they are joined by the past and the future, by all who served in these Chambers and by all of the people who reside in this great Commonwealth who have placed in them a solemn and reverent trust.

May each of us assembled here, as we work in whatever ways we are called in the world, remember to use our eyes, that we may not be blind to what is going on around us; to use our ears, that we may not be deaf to those who ask for our help or offer to teach. May we use our minds, that we may understand what we see and hear, and use what we understand to improve this world; and may we use our hearts, that we may not falter to choose the best for the good of the whole and not be swayed by selfish aims.

O Thou, who made us one nation of many people amidst our diversity of race, tradition, and faith, unite us in a common cause of goodness. On this new day, accept us anew, as we join again with the calls to stewardship, justice, righteousness, and love. So may it be. Amen.

The PRESIDENT. The Chair thanks Reverend Sabatino, who is the guest today of Senator Don White.

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 STATE BOARD OF ACCOUNTANCY

April 21, 2011

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, Erik V. Scully, CPA, 10550 Grubbs Road, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until *[sic]* for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Samuel J. Stephenson, Pittsburgh, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD OF
BARBER EXAMINERS**

April 21, 2011

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, Donald R. Yost (Public Member), 1776 Lick Run Road, PO Box 68, Gaines 16921, Tioga County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Bird, Hermitage, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS**

April 21, 2011

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, Theresa A. Craley (Public Member), 430 Dartha Drive, Dallastown 17313, York County, Twenty-eighth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve *[data missing]* four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frederick J. Bostwick, Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

April 21, 2011

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, Jennifer Easter, MBA, MPH, (Public Member), 125 Club Terrace, Lebanon 17042, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve *[data missing]* four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marilyn L. Painter, Pittsburgh, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING

April 21, 2011

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, Jeane Violon Singer, PhD, 1001 Greenbriar Drive, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

April 21, 2011

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, Frederic M. Wentz, Esquire, 1639 Monk Road, Gladwyne 19035, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

April 25, 2011

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-3-02, to serve until the first Monday of January 2012, vice The Honorable Charles V. Moran, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

April 25, 2011

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-2-04, to serve until the first Monday of January 2014, vice The Honorable Alan G. Naylor, resigned.

TOM CORBETT
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 BOARD OF TRUSTEES
OF DANVILLE STATE HOSPITAL

April 25, 2011

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 December 2, 2010, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
CARBON COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Carbon County, to serve until the first Monday of January 2012, vice The Honorable David W. Addy, deceased.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY**

April 25, 2011

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 December 2, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Joseph M. Augello, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Hugh F. Mundy, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2012, vice The Honorable Tama Myers Clark, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER**

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Jennifer Schneider, Oil City, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF
TRUSTEES OF POLK CENTER**

April 25, 2011

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 December 2, 2010, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Gary R. Hutchison, Franklin, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos (Public Member), 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her succes-

sor is appointed and qualified, but not longer than six months beyond that period, vice Michael Weiss, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

April 25, 2011

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 January 10, 2011, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Kelly, Telford, whose term expired.

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

TOM CORBETT
Governor

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

April 25, 2011

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 December 2, 2010, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

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

TOM CORBETT
Governor

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

April 25, 2011

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 January 3, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Edward D. Ottinger, Jr., Conestoga, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-2-01, to serve until the first Monday of January 2012, vice The Honorable Bernadette J. Nahas, resigned.

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

TOM CORBETT
Governor

**CORRECTIONS TO 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:

SECRETARY OF HEALTH

April 25, 2011

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

Please note the nomination dated January 18, 2011, for the appointment of The Honorable *[sic]* Eli Avila, 21 Googas Road, Slingerlands, New York 12159, as Secretary of Health, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Everette James, West Chester, resigned, should be corrected to read:

The Honorable *[sic]* Eli Avila, 909 Green Street #110, Harrisburg 17020, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Everette James, West Chester, resigned.

TOM CORBETT
Governor

SECRETARY OF PUBLIC WELFARE

April 25, 2011

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

Please note the nomination dated January 18, 2011, for the appointment of The Honorable *[sic]* Gary Alexander, 22 Whispering Pine Terrace, Greenville, Rhode Island 02828, as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until his

successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned, should be corrected to read:

The Honorable *[sic]* Gary Alexander, 2801 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned.

TOM CORBETT
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

April 25, 2011

HB 40 -- Committee on Judiciary.

HB 278, 279, 280, 281, 282, 284, 286, 288, 289, 290, 291 and 294 -- Committee on Local Government.

HB 287 -- Committee on Urban Affairs and Housing.

HB 520 and 986 -- Committee on Finance.

HB 712 -- Committee on Transportation.

HB 915 -- Committee on Appropriations.

HB 960, 1251 and 1261 -- Committee on Public Health and Welfare.

BILLS INTRODUCED AND REFERRED

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

April 14, 2011

Senator DINNIMAN presented to the Chair **SB 968**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

Which was committed to the Committee on JUDICIARY, April 14, 2011.

April 15, 2011

Senators DINNIMAN, FONTANA, ALLOWAY, BREWSTER, ERICKSON, LEACH, FARNESE and BOSCOLA presented to the Chair **SB 969**, entitled:

An Act amending the act of December 22, 1983 (P.L.303, No.83), referred to as the Animal Destruction Method Authorization Law, further providing for prohibited means of destroying animals, for exclusions, for use of carbon monoxide systems and for use of drugs by humane societies and animal shelters; providing for enforcement; and further providing for penalties.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 15, 2011.

Senators DINNIMAN, FONTANA, RAFFERTY, YAW and BRUBAKER presented to the Chair **SB 970**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 15, 2011.

Senators DINNIMAN, FONTANA, RAFFERTY, YAW and BRUBAKER presented to the Chair **SB 971**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for limitation on certain governmental actions.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 15, 2011.

Senators ALLOWAY, DINNIMAN, STACK, FONTANA, RAFFERTY, D. WHITE, ERICKSON, WASHINGTON, HUGHES, LEACH, MENSCH and FARNESE presented to the Chair **SB 972**, entitled:

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

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 15, 2011.

April 21, 2011

Senators ARGALL, SOLOBAY, RAFFERTY, GREENLEAF, ALLOWAY, EICHELBERGER, ORIE, WAUGH, FONTANA, FOLMER, TARTAGLIONE, COSTA, BREWSTER, YUDICHAK and KASUNIC presented to the Chair **SB 989**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax and for exemption certificates.

Which was committed to the Committee on FINANCE, April 21, 2011.

Senators ARGALL, FONTANA, ALLOWAY, D. WHITE, RAFFERTY, WAUGH, BRUBAKER, BREWSTER, YUDICHAK and WOZNIAK presented to the Chair **SB 990**, entitled:

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

Which was committed to the Committee on FINANCE, April 21, 2011.

Senators ARGALL, FONTANA, BOSCOLA, TARTAGLIONE, WARD and BROWNE presented to the Chair **SB 992**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for exemption of persons, entities and vehicles from fees.

Which was committed to the Committee on TRANSPORTATION, April 21, 2011.

Senators BRUBAKER, ARGALL, FONTANA, MENSCH, ALLOWAY, PIPPY, KITCHEN, STACK, BOSCOLA, TOMLINSON, McILHINNEY, FOLMER, YAW, LEACH and GREENLEAF presented to the Chair **SB 993**, entitled:

An Act amending the act of April 28, 1937 (P.L.417, No.105), known as the Milk Marketing Law, renaming the administration agency; further providing for definitions, for appointment and terms of members and quorum and for the Bureau of Consumer Affairs; providing for milk distributors; further providing for records, for reports, for requisites of orders fixing price of milk and for prices to producers; providing for title to milk; further providing for price increases, for expenses and for payment; establishing the Producer Settlement Fund; and repealing provisions relating to the Joint Study Committee.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 21, 2011.

Senators TARTAGLIONE, STACK, FONTANA, FARNESE, COSTA, YUDICHAK, LEACH, HUGHES and DINNIMAN presented to the Chair **SB 994**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions.

Which was committed to the Committee on LABOR AND INDUSTRY, April 21, 2011.

Senators BAKER, ARGALL, COSTA, ERICKSON, FOLMER, FONTANA, KASUNIC, ORIE, PILEGGI, RAFFERTY, SCARNATI, SCHWANK, TOMLINSON, WASHINGTON, YUDICHAK and FARNESE presented to the Chair **SB 996**, entitled:

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for industrial wastes discharge.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 21, 2011.

Senators GREENLEAF, FERLO, RAFFERTY, COSTA, BROWNE, FONTANA, McILHINNEY, BREWSTER, FARNESE and BOSCOLA presented to the Chair **SB 997**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for advisory boards and commissions; and, in powers and duties of Department of Health and its departmental administrative and advisory boards, establishing the Advisory Board on Acquired Brain Injury.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 21, 2011.

April 25, 2011

Senators WOZNIAK, FARNESE, SOLOBAY, COSTA, BREWSTER, TARTAGLIONE, HUGHES, FONTANA, WILLIAMS, BOSCOLA and YUDICHAK presented to the Chair **SB 686**, entitled:

An Act amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, further providing for pollution control technology projects; and providing for energy service project grants.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 25, 2011.

Senators KITCHEN, FONTANA, STACK, COSTA, BOSCOLA, WILLIAMS, FERLO, FARNESE and WASHINGTON presented to the Chair **SB 687**, entitled:

An Act amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, further providing for pollution control technology projects; and providing for energy service project grants, for green work force training and for a transfer of funds.

Which was committed to the Committee on LABOR AND INDUSTRY, April 25, 2011.

Senators SOLOBAY, COSTA, TARTAGLIONE, HUGHES, FONTANA, BREWSTER, FARNESE, SCHWANK, BOSCOLA and YUDICHAK presented to the Chair **SB 688**, entitled:

An Act amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, further providing for alternative and clean energy supply chain initiatives.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 25, 2011.

Senators KASUNIC, BREWSTER, COSTA, FONTANA, HUGHES, SCHWANK, SOLOBAY, TARTAGLIONE, WASHINGTON, FARNESE, BOSCOLA and YUDICHAK presented to the Chair **SB 690**, entitled:

An Act amending the act of July 9, 2008 (P.L.908, No.63), known as the H2O PA Act, further providing for Commonwealth Financing Authority.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 25, 2011.

Senators YUDICHAK, COSTA, FARNESE, TARTAGLIONE, SOLOBAY, FONTANA, HUGHES, WAUGH, LEACH, BREWSTER, WOZNIAK, FERLO, BLAKE, BOSCOLA, KASUNIC, WASHINGTON, STACK, SCHWANK and EARLL presented to the Chair **SB 691**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for the powers and duties of the Department of Labor and Industry in job creation; and making related repeals.

Which was committed to the Committee on LABOR AND INDUSTRY, April 25, 2011.

Senators COSTA, HUGHES, KASUNIC, FONTANA, TARTAGLIONE, SOLOBAY, BREWSTER, FARNESE and WASHINGTON presented to the Chair **SB 693**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for alternative payment; in capital stock and franchise tax, further providing for imposition of tax and for expiration; and providing for alternative minimum tax.

Which was committed to the Committee on FINANCE, April 25, 2011.

Senators COSTA, TARTAGLIONE, HUGHES, FONTANA, SOLOBAY, GREENLEAF, BOSCOLA, YUDICHAK, BREWSTER, FARNESE, KASUNIC, FERLO, WOZNIAK, LEACH and WASHINGTON presented to the Chair **SB 694**, entitled:

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

Which was committed to the Committee on FINANCE, April 25, 2011.

Senators FONTANA, COSTA, FERLO and BREWSTER presented to the Chair **SB 926**, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for board composition.

Which was committed to the Committee on TRANSPORTATION, April 25, 2011.

Senators STACK, FONTANA, COSTA, BREWSTER, WASHINGTON and FARNESE presented to the Chair **SB 940**, entitled:

An Act establishing the Pennsylvania Health Insurance Exchange; imposing duties on the Insurance Department; and providing for powers and duties of the exchange, for health benefit plan certification, for funding and publication of costs and for regulations.

Which was committed to the Committee on BANKING AND INSURANCE, April 25, 2011.

Senators EICHELBERGER, STACK, VOGEL, ERICKSON, KASUNIC, ALLOWAY, WOZNIAK, D. WHITE, RAFFERTY, BREWSTER, TARTAGLIONE, FARNESE and WARD presented to the Chair **SB 954**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving under influence of alcohol or controlled substance.

Which was committed to the Committee on TRANSPORTATION, April 25, 2011.

Senators TOMLINSON, PILEGGI, YAW, TARTAGLIONE, KASUNIC, BROWNE, ROBBINS, BAKER, FONTANA, WAUGH, ALLOWAY, SOLOBAY, M. WHITE, ORIE, MENSCH, D. WHITE, PICCOLA, WOZNIAK, BOSCOLA, McILHINNEY, ERICKSON, YUDICHAK, KITCHEN, BREWSTER and FARNESE presented to the Chair **SB 961**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in sheriff and coroner, further providing for official records of coroner.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators D. WHITE, VOGEL, ERICKSON, RAFFERTY, SOLOBAY, SCARNATI, YAW, ALLOWAY, ARGALL, ORIE, BAKER, WAUGH, VANCE, GORDNER, FOLMER, BOSCOLA, BRUBAKER and YUDICHAK presented to the Chair **SB 973**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for fraud detection system and for income eligibility verification system.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 25, 2011.

Senators D. WHITE, VOGEL, ERICKSON, RAFFERTY, SOLOBAY, SCARNATI, YAW, ALLOWAY, ARGALL, ORIE, BAKER, WAUGH, GORDNER, FOLMER, SMUCKER, BOSCOLA and BRUBAKER presented to the Chair **SB 974**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, adding definitions; and further providing for false statements, investigations and penalty and for reporting fraud.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 25, 2011.

Senators D. WHITE, VOGEL, ERICKSON, RAFFERTY, SOLOBAY, SCARNATI, YAW, ALLOWAY, ARGALL, ORIE, BAKER, WAUGH, VANCE, GORDNER, FOLMER, SMUCKER, BOSCOLA and BRUBAKER presented to the Chair **SB 975**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for prohibited use of public assistance funds.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 25, 2011.

Senators D. WHITE, VOGEL, ERICKSON, RAFFERTY, SOLOBAY, SCARNATI, YAW, ALLOWAY, ARGALL, ORIE, BAKER, WAUGH, GORDNER, FOLMER, SMUCKER, BOSCOLA and BRUBAKER presented to the Chair **SB 976**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for definitions and for determination of eligibility.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 25, 2011.

Senators ERICKSON, ROBBINS, EICHELBERGER, WOZNIAK and BLAKE presented to the Chair **SB 977**, 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 promotions.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators ERICKSON, ROBBINS, EICHELBERGER, WOZNIAK and BLAKE presented to the Chair **SB 978**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, in civil service for police and firemen, further providing for examinations and for eligibility list and manner of filling appointments.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators ERICKSON, ROBBINS, EICHELBERGER, WOZNIAK and BLAKE presented to the Chair **SB 979**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in civil service for police and firemen, further providing for examinations and for eligibility list and manner of filling appointments.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK and BLAKE presented to the Chair **SB 980**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, repealing provisions relating to right of council to declare seat of member vacant for failure to attend meetings.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators EICHELBERGER, ROBBINS, ERICKSON, BLAKE and WOZNIAK presented to the Chair **SB 981**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, repealing provisions relating to failure of township officer to perform duties.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK and BLAKE presented to the Chair **SB 982**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, repealing provisions relating to removal of township officer for failure to perform duties.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK and BLAKE presented to the Chair **SB 983**, entitled:

An Act amending the act of May 27, 1953 (P.L.249, No.35), entitled "An act providing that the town councils of incorporated towns shall have the right to declare vacant the seats of councilmen or presidents of town councils for failure to qualify and for failure to attend meetings or vote upon questions before the council," repealing provisions relating to nonfeasance in office.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators BLAKE, ERICKSON, ROBBINS, EICHELBERGER and WOZNIAK presented to the Chair **SB 984**, entitled:

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

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators ERICKSON, WOZNIAK, ROBBINS, EICHELBERGER and BLAKE presented to the Chair **SB 985**, 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 vacancy in the office of county commissioner.

Which was committed to the Committee on LOCAL GOVERNMENT, April 25, 2011.

Senators ERICKSON, ROBBINS, EICHELBERGER, WOZNIAK and BLAKE presented to the Chair **SB 987**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for form of permanent recordation and for copies of destroyed records.

Which was committed to the Committee on JUDICIARY, April 25, 2011.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK and BLAKE presented to the Chair **SB 988**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, providing for additional costs for rehabilitation and maintenance.

Which was committed to the Committee on FINANCE, April 25, 2011.

Senators BAKER, ARGALL, COSTA, ERICKSON, FOLMER, FONTANA, KASUNIC, ORIE, RAFFERTY, SCARNATI, SCHWANK, WASHINGTON, YUDICHAK and FARNESE presented to the Chair **SB 995**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, requiring that the operator of each permitted gas well within Pennsylvania post certain 911 response information at the entrance to each well site.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 25, 2011.

Senators STACK, WASHINGTON, HUGHES, ALLOWAY, EICHELBERGER, FOLMER and FARNESE presented to the Chair **SB 998**, entitled:

An Act amending the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act, further providing for the rate of taxation.

Which was committed to the Committee on FINANCE, April 25, 2011.

Senators SCARNATI, PILEGGI, CORMAN, BROWNE, WAUGH, ROBBINS, GORDNER, ERICKSON, RAFFERTY, YAW, WARD, VOGEL, BAKER, ORIE, VANCE, SMUCKER, EICHELBERGER, GREENLEAF, TOMLINSON, ALLOWAY, D. WHITE, FOLMER, MENSCH, EARLL, PIPPY, ARGALL, BRUBAKER, PICCOLA, HUGHES, FERLO and YUDICHAK presented to the Chair **SB 1000**, entitled:

An Act providing for the lapsing of legislative budget balances.

Which was committed to the Committee on APPROPRIATIONS, April 25, 2011.

Senators STACK, WARD, TARTAGLIONE, WILLIAMS and FARNESE presented to the Chair **SB 1001**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restraint systems.

Which was committed to the Committee on TRANSPORTATION, April 25, 2011.

Senators STACK, RAFFERTY, FONTANA, BREWSTER, WASHINGTON, BOSCOLA and FARNESE presented to the Chair **SB 1002**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of home invasion.

Which was committed to the Committee on JUDICIARY, April 25, 2011.

Senators LEACH, FONTANA, FERLO and FARNESE presented to the Chair **SB 1003**, entitled:

An Act providing for the medical use of marijuana; and repealing provisions of law that prohibit and penalize marijuana use.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 25, 2011.

Senators PIPPY, TOMLINSON, FONTANA, FARNESE, SOLOBAY, SCHWANK, BLAKE, MENSCH, BREWSTER, COSTA, LEACH, KITCHEN and FERLO presented to the Chair **SB 1004**, entitled:

An Act providing for the establishment of the Surety Bond Guarantee Fund Program; imposing duties on the Department of Community and Economic Development; and establishing the Surety Bond Guarantee Fund.

Which was committed to the Committee on STATE GOVERNMENT, April 25, 2011.

Senator BLAKE presented to the Chair **SB 1005**, entitled:

An Act amending the act of April 12, 1951 (PL.90, No.21), known as the Liquor Code, in preliminary provisions, further defining "eligible entity."

Which was committed to the Committee on LAW AND JUSTICE, April 25, 2011.

RESOLUTION INTRODUCED AND REFERRED

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

April 14, 2011

Senators MENSCH, RAFFERTY, D. WHITE, FONTANA, ARGALL, GREENLEAF, ORIE, VOGEL, EARLL, BROWNE, BREWSTER and YUDICHAK presented to the Chair **SR 84**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the issue of the number of physicians in Pennsylvania.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 14, 2011.

APPOINTMENTS BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointments:

The Honorable Sean Logan as a member of the Tobacco Settlement Investment Board.

Mr. Cliff Reiders as a member of the Patient Safety Authority.

LEGISLATIVE LEAVE

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Earll.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Earll. Without objection, the leave will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, April 26, 2011

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, May 2, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, May 2, 2011, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

Alloway	Erickson	Orie	Vance
Argall	Farnese	Piccola	Vogel
Baker	Ferlo	Pileggi	Ward
Blake	Folmer	Pippy	Washington
Boscola	Fontana	Rafferty	Waugh
Brewster	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Earll	McIlhinney	Tartaglione	
Eichelberger	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 PATRICIA H. VANCE
PRESENTED TO THE SENATE**

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

Senator VANCE. Mr. President, I am really delighted to introduce Rachel Mumma, who won the PIAA Class AAA girls' 1-meter diving event at the 2010-11 State Swimming and Diving Championships with the score of 513.95. She has participated in the State championship during her entire high school career. Previously, she earned seventh place in 2008 as a freshman, third place in 2009 as a sophomore, second place last year as a junior, and this year she has won the championship.

She is a senior at Cedar Cliff High School and will be going to North Carolina next year. She is joined in the gallery today by her parents, Rodney and Barrie Mumma; her grandparents, Lloyd Bucher and Gary and Ruth Frazer; and her coach, Brad Buchter. Please give her a very warm welcome.

The PRESIDENT. Would the guests of Senator Vance please rise so that the Senate may give you its usual warm welcome. (Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I rise today to introduce two guests from my district, Eric Bellis and Kendall Ohrwashel. Both Eric and Kendall are visiting here today as distinguished finalists of the Prudential Spirit of Community Awards.

Eric is 11 years old, and he is from Portland, Northampton County. He is a student at Defranco Elementary School. Eric achieved national recognition for his volunteer service to his community by raising more than \$10,000 to benefit the Juvenile Diabetes Research Foundation by participating in the Walk to Cure Diabetes and coordinating a coin collection throughout his community. Additionally, he wrote to more than 300 celebrities and secured 50 autographed items for a silent auction that he sponsored. Eric did all of this volunteer work in the honor of his two friends who have diabetes.

Mr. President, Kendall is 17 years old and is from Nazareth, Northampton County. She is a student at Nazareth Area High School. She also achieved national recognition for her volunteer service by raising more than \$15,000 to benefit Make-A-Wish Foundation by coordinating a book drive and sale every summer since 2007. Any of the books that are left over, Kendall graciously donates to a local charity. Kendall's earnings from 2010 helped make a wish for her sister's friend.

So I ask Eric and Kendall to rise and for the Senate to give them its usual warm welcome.

The PRESIDENT. Would the guests of Senator Boscola please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUEST OF SENATOR PATRICIA H. VANCE PRESENTED TO THE SENATE

The PRESIDENT. Before Senator Vance loses her voice, the Chair recognizes the gentlewoman from Cumberland, Senator Vance, to introduce some additional guests today.

Senator VANCE. Mr. President, I am delighted to introduce Hollywood Ruch, who was named one of the top two youth volunteers in Pennsylvania for 2011 by the Prudential Spirit of Community Awards, a nationwide program honoring young people for outstanding acts of volunteerism. This is the 16th year of the program. Hollywood and Shoshanna Goldin of Allentown will go to Washington, D.C., next week, where they will meet the two honorees from all 50 States. While there, 10 of the students will be named America's top volunteers.

Hollywood was the victim of an alcohol-related crash at the age of 5, caused by his biological father. He turned this dark moment into something wonderful. Since the age of 9, he has been delivering dozens of speeches a year at school assemblies across the country to change the way young people view bullying, substance abuse, and drunk driving. I have had the pleasure of hearing him speak many times, and he is superb.

Each year, he hosts a walk/run in his community and seeks support from businesses to raise money for his speaking engagements. Last fall, he was the keynote speaker at the 30th anniversary of Mothers Against Drunk Driving at the U.S. Capitol. He

is an eighth-grade student at Mechanicsburg Middle School and is the son of Jo and Kevin Ruch. Please give him a very warm welcome.

The PRESIDENT. Would the guest of Senator Vance please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR JEFFREY E. PICCOLA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, today with us, seated in the gallery, we have a very, very special guest, Susan Johnson. Ms. Johnson is a fifth-grade schoolteacher from Downey Elementary School, which is located right here in the city of Harrisburg, probably less than a mile from this building.

Ms. Johnson was chosen as an outstanding educator by being named the recipient of the 2010 Milken Educator Award, a very prestigious award. This award is hailed as the Oscars of teaching, and it is the nation's preeminent teacher recognition program, honoring those teachers in early career to mid-career for what they have achieved, and most importantly, for the promise of what they will accomplish in the future.

Ms. Johnson encourages her students to explore, investigate, and experience all that science has to offer. As a literacy laboratory teacher, her room serves, literally, as a professional development center for the school district of Harrisburg and a local university, Harrisburg University. Colleagues, professors, and students visit her classroom to observe her teaching and also visit remotely by an in-room Webcam. She also serves as a summer school site director and teacher, passionately sharing her expertise following the conclusion of the regular school year.

The lucky kids who are Ms. Johnson's students this year are with her in the gallery. They are seated there today, and I ask us all to join in saluting and congratulating this special guest, an outstanding educator in the Commonwealth of Pennsylvania.

The PRESIDENT. Would the guests of Senator Piccola please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR DOMINIC F. PILEGGI PRESENTED TO THE SENATE

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

Senator PILEGGI. Mr. President, it is my pleasure this afternoon to introduce the Chester High School Boys' Varsity Basketball Team, the 2010-11 PIAA Class AAAA State Champions. The Chester High School Clippers had an impressive season, with a record of 31 wins and 1 loss. By a score of 72 to 60 in overtime, the Clippers defeated Mt. Lebanon in the State Championship game on March 26.

Former Clipper guard and longtime assistant coach Larry Yarbray was named the Chester High head coach in 2008, replacing the legendary Fred Pickett, who joined us here in the Senate in 2008 when the Clippers were recognized for winning the 2007-08 State Championship. In only his third season, Coach Yarbray guided the Clippers to their seventh State title.

Chester has won seven boys' basketball championships, taking the title in 1983, 1989, 1994, 2000, 2005, 2008, and again this

year in 2011. Mr. President, I ask that we give our usual warm Senate welcome to my guests, who are in the gallery.

The PRESIDENT. Would the guests of Senator Pileggi please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUEST 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 am proud to stand to join Senator Vance in honoring a young individual today who represents the spirit of optimism and service that defines our great Commonwealth. Unfortunately, and tragically, at a young age, Shoshanna Goldin was afflicted with a brain tumor. But, with strength and perseverance and the tremendous service of the Children's Hospital of Philadelphia, she was able to recover from this affliction 4 years ago, and since then has become a beacon of hope for so many young people with similar afflictions in Pennsylvania.

A senior at Moravian Academy, she helped raise millions of dollars as a spokesman for the Children's Hospital of Philadelphia and the Children's Miracle Network. Shoshanna has also volunteered as a news broadcaster at a radio station for the blind in the Lehigh Valley; guided a school community service club, the women's awareness club; and raised funds for those in need throughout the world.

In addition, she has composed speeches and traveled extensively to share her personal story and that of other young individuals she has met. Shoshanna's appearances were instrumental in an endowment drive--and this is extraordinary--that raised \$400 million for a new research center at the Children's Hospital of Philadelphia. I could not do better to express Shoshanna's accomplishments and spirit than in her own words. (*Reading:*)

Speaking on the behalf of children feels effortless. The hours slip past as I spark interest in donors and bring community leaders together. Laptop at my fingers, I compose speeches that fund new research. The weeks of dedication and gallons of coffee culminate in a new wing for the Children's Hospital of Philadelphia. I step in front of the podium, reaching for the microphone, I fight for the sick, the blind, those that do not have an unwavering voice.

The National Children's Miracle Network supports the top 140 children's hospitals across the nation. This nonprofit depends on committed volunteers to accomplish their goals of building medical need awareness and saving lives. I am honored to be their spokesman and a fundraiser for this essential organization.

Mr. President, there is no doubt, based on her initiatives to benefit her community and her own personal strength and personal example, Shoshanna clearly reflects the true spirit and mission of the Commonwealth, and this is why she is being honored as a 2011 State finalist and one of the two top volunteers in the 16th annual Prudential Spirit of Community Awards. Let us give her a well-deserved congratulations and Senate welcome.

The PRESIDENT. Would the guest of Senator Browne please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR ELISABETH J. BAKER AND SENATOR JOHN T. YUDICHAK PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, on behalf of my colleague, Senator Yudichak, I am pleased to introduce the Wyoming Valley Chapter of the Daughters of the American Revolution. The officers and members of the Daughters of the American Revolution are here in the gallery, in part, to celebrate the 120th anniversary of their chapter. The Wyoming Valley Chapter was the first chapter established in Pennsylvania, on April 29, 1891, just 6 months after the formation of the National Society of the Daughters of the American Revolution.

The officers who are here with us in the gallery are Ragan Blidner, the regent; Rosalie Cunningham, the vice regent; Beverly Brougner, the chaplain; Sandra Hunt, the treasurer; and Joan Britt, the registrar. So please join me in offering a welcome to the Wyoming Valley Chapter of the Daughters of the American Revolution and congratulate them on their service to our community, to our Commonwealth, and to our country.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Baker please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS 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 have several guests to introduce today. If I may, I will start by saying that I am very pleased to introduce a very special young lady, Lauren O'Grady, who is with us in the gallery today. Like some of the other guests, she is a recipient of the Prudential Spirit of Community Award.

Lauren possesses a good heart and a knack for organizing, and she devotes time and energy toward community service. She started a group known as ECHO, Encore Community Humanitarian Outreach. The list of endeavors from this past year is impressive: serving food at the Water Street Rescue Mission, raising \$5,000 for Down syndrome awareness, donating Christmas gifts to the underprivileged, teaching at the Boys' and Girls' Club, raising money for Haitian relief efforts, and helping out at Mom's House.

Lauren describes her mission as spreading the spirit of volunteerism, and she has done that superbly well. She has inspired a lot of people to contribute, touched a lot of lives, and brought joy and hope to many corners of her community. Lauren is a junior at Manheim Township High School, and she is joined today in the gallery by her parents, Jody and Kevin. Would you please welcome them to the Senate.

The PRESIDENT. Would the guests of Senator Smucker please rise so that the Senate may give you its usual warm welcome.

(Applause.)

Senator SMUCKER. Mr. President, there is another young lady here who is very, very special to me. My daughter Paige is serving as a guest Page here today. Paige is my oldest daughter. She is 15 and is a sophomore at Lampeter Strasburg High School. I am very pleased to have her here with us today. She is joined by her friend, Zayna Abdo, who is also serving as a guest Page. Zayna is 16 and is also a sophomore at Lampeter Strasburg High School. Would you please welcome both of them here today.

The PRESIDENT. Would the guests of Senator Smucker please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I am very pleased to welcome some guests from Berks County today. They are members of the Berks County Bar Association and are here to discuss issues of great importance to them. Today we have Jill Scheidt, who is president; Don Smith, executive director; and they are accompanied by Attorney Jim Smith and Attorney Doug Rauch. I ask that the Senate extend its warm greetings.

The PRESIDENT. Would the guests of Senator Schwank please rise so that the Senate may give you its usual warm welcome.

(Applause.)

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators GREENLEAF, RAFFERTY, FERLO, ERICKSON, DINNIMAN, FONTANA, TARTAGLIONE, PIPPY, ORIE, FARNESE, BOSCOLA, PILEGGI, LEACH, ALLOWAY, EARLL and BREWSTER, by unanimous consent, offered **Senate Resolution No. 92**, entitled:

A Resolution designating May 1, 2011, as "The Battle of the Crooked Billet Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator GREENLEAF. Mr. President, this resolution designates May 1, 2011, as "The Battle of the Crooked Billet Day" throughout this Commonwealth to honor the men of the Pennsylvania militia under the command of Brigadier General John Lacey for their heroism, especially those men who paid the ultimate sacrifice on May 1, 1778. For the competent and heroic leadership of Brigadier General John Lacey in preserving the militia from annihilation and leading them to safety, and for all their sacred participation in the fight and struggle for freedom in the early years of the Republic of the United States of America. I offer this resolution.

Thank you, Mr. President.

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

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

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 of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Appropriations, after which there will be a Republican caucus in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meetings referenced by Senator Pileggi, Senate Democrats will also be caucusing in the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Appropriations, to be followed by respective 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 LEAVE CANCELLED

The PRESIDENT. Senator Earll has returned, and her temporary Capitol leave is cancelled.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Piccola, and a legislative leave for Senator Greenleaf.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Dinniman and Senator Williams, and temporary Capitol leaves for Senator Kitchen and Senator Leach.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola, and a legislative leave for Senator Greenleaf.

Senator Costa requests legislative leaves for Senator Dinniman and Senator Williams, and temporary Capitol leaves for Senator Kitchen and Senator Leach.

Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 1 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER TEMPORARILY

SB 101 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 105 (Pr. No. 982) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the establishment of a searchable budget database-driven Internet website detailing certain information concerning taxpayer expenditures and investments.

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 Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I rise in support of Senate Bill No. 105. As the Members of the Senate are well aware, the taxpaying public is demanding increased accountability and transparency on the part of this government in all of its affairs, most especially given the current fiscal challenges and the appropriation and expenditure of our limited public resources. In this regard, Senate Bill No. 105 will provide an important tool to Commonwealth citizens by creating an online real-time database of revenue and expenditure activity, which all citizens can access free of charge, to monitor all the fiscal affairs of their State government. This database, appropriately named PennWATCH, will charge the newly-created Independent Fiscal Office with the task of providing detailed reporting on appropriation and spending, revenue forecasts, contract and grant activity, compensation and benefit expenditures, and performance measures promulgated on Commonwealth programs.

In these times of difficult financial choices, it is imperative that all stakeholders in the process, most important of which is our taxpaying public, have full information at their disposal so they may evaluate and provide input as to the most appropriate allocation of our State revenue capacity to meet public obligations. There is, of course, an initial cost associated with developing and implementing an initiative where additional technical infrastructure is necessary. One of the best ways to determine this is the benchmark against similar initiatives in other States which have taken up such an initiative to benefit their taxpayers. More accordingly, given the transparency that PennWATCH will provide and the additional information it will offer to our constituents in their active engagement in their State government's fiscal affairs, the initial implementation estimate of approximately \$800,000 will be more than offset by the additional oversight that it provides our constituents and their ability to hold State government accountable to spending, which is more effective in maximizing performance.

In the most practical application, if there is information on this Web site that indicates that money is being spent by the

Commonwealth on something that is not performing to meet our goals, there will be a significant amount of additional scrutiny upon this General Assembly to re-class that spending to alternative initiatives. This has been the experience in other States as well, that with additional oversight, the respective State governments have repositioned their spending decisions toward greater performance and efficiency, thus improving the entire process to the benefit of their citizens.

In summary, Mr. President, I strongly believe that the implementation of Senate Bill No. 105 and the creation of PennWATCH will be an excellent tool for Pennsylvania to continue its efforts to make State government more transparent, more accountable, and more fiscally sustainable. I ask the Members for an affirmative vote. Thank you.

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	Erickson	Orie	Vance
Argall	Farnese	Piccola	Vogel
Baker	Ferlo	Pileggi	Ward
Blake	Folmer	Pippy	Washington
Boscola	Fontana	Rafferty	Waugh
Brewster	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Earll	McIlhinney	Tartaglione	
Eichelberger	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.

BILLS OVER IN ORDER

SB 260, SB 328 and SB 745 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 916 (Pr. No. 949) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

Alloway	Erickson	Orie	Vance
Argall	Farnese	Piccola	Vogel
Baker	Ferlo	Pileggi	Ward
Blake	Folmer	Pippy	Washington
Boscola	Fontana	Rafferty	Waugh
Brewster	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Earl	McIlhinney	Tartaglione	
Eichelberger	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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 27 and HB 38 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 58 (Pr. No. 43) -- 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.

BILLS OVER IN ORDER

SB 118, SB 158, SB 202, SB 224, SB 225, SB 227 and SB 263 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 274 (Pr. No. 250) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses; and, in special licenses and permits, further providing for authority to issue permits, for permit fees and for falconry permits.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 318, SB 320 and SB 329 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 330 (Pr. No. 980) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for installment payment of school real property taxes.

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

BILL ON SECOND CONSIDERATION

SB 343 (Pr. No. 335) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for collection of identifying information of students attending institutions of higher education.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 344, SB 366, SB 375, SB 386, SB 405 and SB 419 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 552 (Pr. No. 619) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for industry partnerships.

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 564, SB 566, SB 626, SB 631, SB 637, SB 704, SB 717, SB 725, SB 726, SB 747, SB 815, SB 816, SB 817, SB 818, SB 828, SB 829, SB 830, SB 831, SB 832, SB 834, SB 844, SB 850 and SB 932 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR RESUMED

SB 101 CALLED UP

SB 101 (Pr. No. 153) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 101 (Pr. No. 153) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for a penalty.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator SMUCKER. Mr. President, no law works all that well when it contains nominal penalties rarely applied. But when the subject is the Sunshine Law, which guarantees the public the right to attend and comment at open meetings held by State and local government entities, the problem becomes more acute. What is otherwise a fairly strong Sunshine Law has been undermined by the weak penalty provisions. It is too easy for officials to sidestep requirements and too hard to convince busy DAs of the merits of enforcing it.

Penalties matter because the law depends on good-faith compliance. It is impossible to police the thousands of jurisdictions to which it applies and to monitor the tens of thousands of meetings those entities hold. With enforceable penalties in place, public officials will be more careful about complying, less inclined to ask solicitors to craft creative opinions, and more wary of the potential for prosecution for intentional violations.

The impetus for this measure came from a Lancaster County grand jury who reviewed wrongdoing arising from months of secret meetings involving the then-county commissioners. This was a notorious situation, but it was not an orphan. Each year, we learn about secret meetings, denial of public comment opportunities, and major decisions suddenly sprung on taxpayers. The concern here is--and this bill deals with--intentional actions, not an inadvertent slip-up. The need for meaningful penalties is apparent.

Having served for several years as a township supervisor, I saw in practice the virtues of the Sunshine Law. Granted, it did not always seem the most convenient thing, but it was clearly in the public interest and promoted more trustworthy government. This year, 2011, is the 25th anniversary of the passage of the modern Sunshine Law, and it is well past time for us to make it a complete and fully functioning law.

For two Sessions in a row, this Senate has passed similar bills by huge margins. Each time, the bills died in the House without a floor vote. With new reform-minded management over there, the prospects for this measure becoming law are much improved. During a time when the words "reform" and "accountability" are commonly expressed as taxpayer priorities, this bill delivers both, and I ask my colleagues for an affirmative vote.

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-47

Alloway	Erickson	Mensch	Tomlinson
Argall	Farnese	Orie	Vance
Baker	Ferlo	Piccola	Vogel
Blake	Folmer	Pileggi	Ward
Boscola	Fontana	Pippy	Washington
Brewster	Gordner	Rafferty	Waugh
Browne	Greenleaf	Scarnati	White Donald
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Eichelberger	McIlhinney	Tartaglione	

NAY-3

Earll Robbins White Mary Jo

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

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

**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 STATE BOARD OF CHIROPRACTIC

April 15, 2011

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 December 2, 2010, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Phillips D.C., Sunbury, whose term expired.

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

TOM CORBETT
Governor

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

April 25, 2011

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 December 2, 2010, for the appointment of Nina Tinari, 6401 Church

Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
CARBON COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Carbon County, to serve until the first Monday of January 2012, vice The Honorable David W. Addy, deceased.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Hugh F. Mundy, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
LUZERNE COUNTY**

April 25, 2011

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 December 2, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Joseph M. Augello, resigned.

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

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY**

April 25, 2011

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 January 10, 2011, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2012, vice The Honorable Tama Myers Clark, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER**

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Jennifer Schneider, Oil City, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF
TRUSTEES OF POLK CENTER**

April 25, 2011

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 December 2, 2010, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Gary R. Hutchison, Franklin, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos (Public Member), 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Weiss, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

TREASURER, CRAWFORD COUNTY

April 12, 2011

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 December 2, 2010, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Treasurer, in and for the County of Crawford, to serve until the first Monday of January 2012, vice The Honorable Frederic Wagner, deceased.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

April 25, 2011

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 January 10, 2011, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Kelly, Telford, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WARREN STATE HOSPITAL

April 25, 2011

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 December 2, 2010, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial

District, as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

April 25, 2011

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 January 3, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Edward D. Ottinger, Jr., Conestoga, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

April 25, 2011

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 December 2, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-2-01, to serve until the first Monday of January 2012, vice The Honorable Bernadette J. Nahas, resigned.

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

TOM CORBETT
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:

SECRETARY OF THE COMMONWEALTH

January 18, 2011

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 Carol Aichele, 2424 Dickson Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for appointment as Secretary of the Commonwealth, to serve at the pleasure of the Governor, vice The Honorable Basil L. Merenda, Philadelphia, resigned.

TOM CORBETT
Governor

SECRETARY OF EDUCATION

January 18, 2011

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 Ronald J. Tomalis, 12101 Sudbury Court, Clarksville, Maryland 21029, for appointment as Secretary of Education, to serve for a term of four years and until his successor is appointed and qualified, vice The Honorable Gerald Zahorchak, Johnstown, resigned.

TOM CORBETT
Governor

SECRETARY OF ENVIRONMENTAL PROTECTION

January 18, 2011

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 Michael Krancer, 844 Harriton Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable John Hanger, Hummelstown, resigned.

TOM CORBETT
Governor

INSURANCE COMMISSIONER OF PENNSYLVANIA

January 18, 2011

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 *[sic]* Michael F. Consedine, 1103 Saffron Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Insurance Commissioner of Pennsylvania, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Joel S. Ario, Hershey, resigned.

TOM CORBETT
Governor

SHERIFF, MONTGOMERY COUNTY

April 6, 2011

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, Eileen Whalon Behr, 4035 LaFrance Road, Lafayette Hill 19444, Montgomery County, Seventh Senatorial District, for appointment as Sheriff, in and for the County of Montgomery, to serve until the first Monday of January 2012, vice The Honorable John P. Durante, deceased.

TOM CORBETT
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:

SECRETARY OF THE COMMONWEALTH

January 18, 2011

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 Carol Aichele, 2424 Dickson Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for appointment as Secretary of the Commonwealth, to serve at the pleasure of the Governor, vice The Honorable Basil L. Merenda, Philadelphia, resigned.

TOM CORBETT
Governor

SECRETARY OF EDUCATION

January 18, 2011

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 Ronald J. Tomalis,

12101 Sudbury Court, Clarksville, Maryland 21029, for appointment as Secretary of Education, to serve for a term of four years and until his successor is appointed and qualified, vice The Honorable Gerald Zahorchak, Johnstown, resigned.

TOM CORBETT
Governor

SECRETARY OF ENVIRONMENTAL PROTECTION

January 18, 2011

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 Michael Krancer, 844 Harrington Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable John Hanger, Hummelstown, resigned.

TOM CORBETT
Governor

INSURANCE COMMISSIONER OF PENNSYLVANIA

January 18, 2011

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 *[sic]* Michael F. Consedine, 1103 Saffron Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Insurance Commissioner of Pennsylvania, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Joel S. Ario, Hershey, resigned.

TOM CORBETT
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-50

Alloway	Erickson	Orie	Vance
Argall	Farnese	Piccola	Vogel
Baker	Ferlo	Pileggi	Ward
Blake	Folmer	Pippy	Washington
Boscola	Fontana	Rafferty	Waugh
Brewster	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Earll	McIlhinney	Tartaglione	
Eichelberger	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.

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Hughes.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Hughes. Without objection, the leave will be granted.

NOMINATION TAKEN FROM THE TABLE

Senator ROBBINS. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

SHERIFF, MONTGOMERY COUNTY

April 6, 2011

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, Eileen Whalon Behr, 4035 LaFrance Road, Lafayette Hill 19444, Montgomery County, Seventh Senatorial District, for appointment as Sheriff, in and for the County of Montgomery, to serve until the first Monday of January 2012, vice The Honorable John P. Durante, deceased.

TOM CORBETT
Governor

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

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

Senator COSTA. Mr. President, I want to take a moment to ask our colleagues on this side of the aisle for a negative vote on this nomination. Thank you, Mr. President.

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

Senator PILEGGI. Mr. President, I ask for an affirmative vote on this nomination.

And the question recurring,
Will the Senate advise and consent to the nomination?

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

YEA-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

NAY-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF SB 101

BILL ON FINAL PASSAGE

SB 101 (Pr. No. 153) -- Senator PILEGGI. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 101, Printer's No. 153, just passed finally.

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

And the question recurring,
 Shall the bill pass finally?

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

YEA-48

Alloway	Erickson	Mensch	Tartaglione
Argall	Farnese	Orie	Tomlinson
Baker	Ferlo	Piccola	Vance
Blake	Folmer	Pileggi	Vogel
Boscola	Fontana	Pippy	Ward
Brewster	Gordner	Rafferty	Washington
Browne	Greenleaf	Robbins	Waugh
Brubaker	Hughes	Scarnati	White Donald
Corman	Kasunic	Schwank	Williams
Costa	Kitchen	Smucker	Wozniak
Dinniman	Leach	Solobay	Yaw
Eichelberger	McIlhinney	Stack	Yudichak

NAY-2

Earll White Mary Jo

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

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

**UNFINISHED BUSINESS
 BILLS REPORTED FROM COMMITTEE**

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

SB 5 (Pr. No. 989) (Rereported)

An Act establishing the Community-Based Health Care (CHC) Program in the Department of Health; and providing for hospital health clinics.

SB 104 (Pr. No. 87) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for State-owned vehicle use.

SB 109 (Pr. No. 1106) (Amended) (Rereported)

An Act requiring certain notification in certain advertising.

SB 907 (Pr. No. 943) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, reviving and further providing for investments.

SENATE RESOLUTIONS ADOPTED

Senators STACK, DINNIMAN, LEACH, SCHWANK, SCARNATI, KITCHEN, ORIE, FARNESE, BAKER, RAFFERTY, ERICKSON, PIPPY, FONTANA, TARTAGLIONE, BOSCOLA, PILEGGI, EARLL, ARGALL and D. WHITE, by unanimous consent, offered **Senate Resolution No. 93**, entitled:

A Resolution designating May 1 through 8, 2011, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania.

On the question,
 Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, I rise, along with my colleagues, Senator Andrew Dinniman, Senator Daylin Leach, and Senator Judy Schwank, to ask for support of our resolution designating the week of May 1 through 8, 2011, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania. Through this resolution, we pause to remember the 6 million Jews, the millions of prisoners of war - Christians, gypsies, people with disabilities, and other people who resisted Hitler's agenda and who were systematically murdered under the Nazi regime.

Mr. President, this is a dark period in modern history, but it must never be forgotten. It is important to remember this terrible era because it reminds us that we can and we must stand up to hatred and oppression. To quote Holocaust survivor and Nobel laureate Elie Wiesel, "I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented."

Mr. President, and ladies and gentlemen around Pennsylvania, we must all never be silent about the Holocaust, no matter how painful the discussion is or the memories are to recall. By designating the Days of Remembrance, we can take this opportunity to stand up against hatred in all forms. So, I ask my colleagues to join me to designate Days of Remembrance of the Victims of the Holocaust in Pennsylvania.

Thank you, Mr. President.

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

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

Senators RAFFERTY, STACK, SCARNATI, PILEGGI, FOLMER, ORIE, FERLO, DINNIMAN, KASUNIC, McILHINNEY, WARD, ARGALL, WAUGH, MENSCH, GORDNER, M. WHITE, PICCOLA, VANCE, CORMAN, GREENLEAF, EICHELBERGER, BRUBAKER, TARTAGLIONE, TOMLINSON, VOGEL, EARLL, ALLOWAY, YAW, FONTANA, BROWNE, BREWSTER, ERICKSON, SOLOBAY, COSTA, ROBBINS, BOSCOLA, BAKER, D. WHITE and PIPPY, by unanimous consent, offered **Senate Resolution No. 94**, entitled:

A Resolution recognizing the week of May 15 through 21, 2011, as "National Police Week" and May 2, 2011, as "Police Officers' Memorial Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, along with my friend and colleague from Philadelphia County, Senator Stack, we offer this resolution and ask for an affirmative vote. This is the one week that is set aside by the State governments as "National Police Week," and the one day that is set aside as "Police Officers' Memorial Day" here in the Commonwealth of Pennsylvania.

Mr. President, I am one of those who believe that every week and every day, we should be thanking the men and women of our police departments in the Commonwealth of Pennsylvania, whether they wear blue, they wear gray, or they wear khaki. Day-in and day-out they are putting their lives on the line. They do not know at the beginning of their shift whether or not they are coming home at the end to greet their families once again. Theirs is a very dangerous position, guarding our safety and welfare and our personal property throughout the Commonwealth of Pennsylvania.

We owe a deep debt of gratitude to the men and women of the law enforcement community, those who serve us in plain clothes, in uniform, day-in and day-out making sure we are safe. They protect our freedoms and our rights here within the Commonwealth, adhering to the principles of our Constitution and making sure that all of us, in a democracy where we share many freedoms, that those who take liberties to an extreme are brought to justice. And to them we owe a deep debt of gratitude and our thanks.

Approximately 743 officers have made the ultimate sacrifice. This year we are commemorating 2010 and adding three names: Trooper Paul Richey, Pennsylvania State Police; Wildlife Conservation Officer David Lynn Grove, Pennsylvania Game Commission; and Corrections Officer Gary Martin Chapin, Department of Corrections. We are all saddened by the loss of law enforcement officials in the Commonwealth of Pennsylvania performing their duties. We ask God's blessings upon their family. May they stay strong in the memory of the fallen, and may each and every one of us in the Commonwealth of Pennsylvania rec-

ognize the fact that the men and women of the local police departments, the State Police department, the State agencies, and the Attorney General's Office are all working for our safety and our welfare.

Thank you, Mr. President. I look forward to, along with my colleague, Senator Stack, representing the Senate next Monday honoring the memory of the fallen police officers here in the Commonwealth of Pennsylvania. I ask if you would please recognize now the gentleman from Philadelphia County, Senator Stack.

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

Senator STACK. Mr. President, once again, I want to thank my colleague and my friend, Senator Rafferty. It is an honor to stand with him on such an important resolution. I am blessed, as all the Members of this body are. We have some of the bravest men and women in the world who day-in and day-out serve selflessly to protect us. One of the most somber days of the year is the police memorial laying of the wreath day. Each year we pray, and we ask God that perhaps this will be the last year that we lay any kind of a wreath, and that the following year we can all just celebrate the fact that we lost none of our brave men and women. Unfortunately, every year we seem to lose more officers. The bottom line is that these men and women put aside their own safety, put themselves in harm's way for the people of Pennsylvania.

So, we thank them for everything they do. And I know that we have the memorial once a year, but each and every one of them are in our thoughts and prayers most days as we go through life. Once again, I am honored to be a cosponsor of this resolution with Senator Rafferty, and we all commit to continue to fight to make sure that we are in the corners of our police men and women.

Thank you, Mr. President.

The PRESIDENT. All those in favor, please signify by rising for a moment of silence.

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

The PRESIDENT. The resolution is adopted unanimously.

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 M and T Bank of Pottsville, Evans Delivery Company, Inc., of Schuylkill Haven, Mrs. T's Pierogies of Shenandoah, Solar Innovations, Inc., of Pinegrove, Highwood USA, LLC, of Tamaqua, Sapa Industrial Extrusions of Cressona, Silberline Manufacturing Company of Tamaqua and to the McCann School of Business and Technology of Pottsville by Senator Argall.

Congratulations of the Senate were extended to Joseph Michael Evans by Senator Blake.

Congratulations of the Senate were extended to Comcast of Monroeville and to Serra Catholic High School of McKeesport by Senator Brewster.

Congratulations of the Senate were extended to Lower Macungie Community Center by Senator Browne.

Congratulations of the Senate were extended to Juan Orta by Senator Browne and others.

Congratulations of the Senate were extended to the Forest Assessment Team of the Department of Conservation and Natural Resources by Senators Brubaker, Alloway, and Kasunic.

Congratulations of the Senate were extended to Eric Ohlson by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Theodore Ryan, Brandywine Health Foundation of Coatesville, Phoenixville Jaycees organization and to the Domestic Violence Center of Chester County by Senator Dinniman.

Congratulations of the Senate were extended to Lukens Band by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Donte Polite by Senator Farnese.

Congratulations of the Senate were extended to Allen Lawrence Weigner III by Senator Fontana.

Congratulations of the Senate were extended to Comcast of Pittsburgh by Senator Fontana and others.

Congratulations of the Senate were extended to Reverend Charles W. Quann, Sergeant Francis Wheatley, Brett Altman, Matthew R. Hoagland, Anthony R. Mele and to Horsham Veterinary Hospital by Senator Greenleaf.

Congratulations of the Senate were extended to Allied Barton Security Systems of King of Prussia by Senator Leach.

Congratulations of the Senate were extended to Jason J. Ritter and to Robert L. Jenkins III by Senator Mensch.

Congratulations of the Senate were extended to Louis Dominic Biacchi, Ashley Nicole Everson and to Yvette Toledo by Senator Piccola.

Congratulations of the Senate were extended to Council of United Polish Societies of Chester by Senator Pileggi.

Congratulations of the Senate were extended to Timothy W. Merrill, Jr., Andrea Zimmerman, Jacob G. Cline and to the Union Aid Society of Sewickley by Senator Pippy.

Congratulations of the Senate were extended to Nancy M. Kadwill and to the Perkiomen Township Fire Company by Senator Rafferty.

Congratulations of the Senate were extended to Justin J. Greiss, Matthew D. Dietrich and to Andrew D. Dietrich by Senator Schwank.

Congratulations of the Senate were extended to Roy Marshall by Senator Solobay.

Congratulations of the Senate were extended to Michael Wilkinson, Dennise Veasley, Laurie Dugan, Cara Broadbelt, Kelly Gerrity, Debbie Jankowski and to Judy Loftus by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. William DeWalt, Mr. and Mrs. Roy Sheffer, Jack Ritter and to Francis Xavier O'Brien by Senator Vance.

Congratulations of the Senate were extended to Sergeant Chester John Kowalski by Senator Ward.

Congratulations of the Senate were extended to Michael Marshall by Senator D. White.

Congratulations of the Senate were extended to Dr. David W. Kistler by Senators Yudichak and Baker.

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 John Peter Farrell by Senator Baker.

Condolences of the Senate were extended to the family of the late Colonel Felix J. Uhrinek by Senator Schwank.

PETITIONS AND REMONSTRANCES

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

Senator BAKER. Mr. President, we are all well aware of the Governor's proposed budget calling for tough choices and shared sacrifices. The budget blueprint has sparked daily rallies in the Rotunda and an avalanche of e-mails and phone calls, but in the midst of the protest, I want to point out a bright spot in this year's budget proposal. It is a glimmer of good news that has been overlooked. We need to preserve this bright spot as the budget season's give-and-take continues.

We must ensure that the members of the military and our veterans are not being asked to sacrifice any more than they already have. Many members of our military are now separated from their loved ones, sleeping in barren deserts or patrolling in areas filled with danger. Many of our older warriors are ill or injured, in hospital beds and wheelchairs. Some of the young men and women now returning from Iraq and Afghanistan are struggling with traumatic brain injury or post-traumatic stress disorder. Others never made it home.

We have an obligation to provide our veterans and their families with the healthcare, housing, schooling, and job training they need. This obligation is not only a legal one, it is a moral one. Federal dollars underwrite many of these programs and services, such as our VA hospitals and the new GI bill, but here in Pennsylvania, we have awarded State dollars to supplement these Federal funds. We offer other vital programs and services, too. Fortunately, this year, Governor Corbett's proposed State budget continues to fund vital veterans programs such as college aid, long-term care, and veteran service officers in our VFWs, American Legions, and other veterans organizations.

Despite the widely publicized cuts to higher education, this proposed State budget would expand the college aid program for members of our National Guard. Governor Corbett has called for a 125-percent increase in the Educational Assistance Program, bringing this appropriation to \$13 million. This program pays for 4 years of college at a State-owned college or university to Pennsylvanians who make a 6-year commitment to the Guard. Acting Adjutant General Wesley Craig called the Educational Assistance Program a valuable benefit and an extremely successful recruitment and retention tool.

More importantly, it is a tangible thank you to our military. More than 3,000 Guard members will transition from soldier to student thanks to this benefit. The prior administration spent the funds in this line item down to zero, so it has to be restored. A college education can help to ease a soldier's transition from military to civilian life, from combat to campus life, and eventually, into the work force. The \$13 million line item must stay in the budget.

Another important increase is proposed for the burial detail honor guard. In the Senate, we passed Senator Tomlinson's bill to add Washington Crossing National Cemetery to Pennsylvania's two other national cemeteries, allowing more veterans to be buried in the presence of their fellow veterans, and to receive one final salute. The Governor's budget calls for an increase in funds for Veteran Service Officers. These officers link veteran and their survivors with the Federal and State benefits they have earned. For every dollar the State spends in this program, veterans get \$207 back in Federal funds. So few programs or investments yield such an amazing return on our investment. These officers are veterans helping other veterans to get the services and the benefits they have earned, in a very successful public-private partnership.

Governor Corbett has also proposed funds needed to expand and maintain our six veterans homes. These homes are at 97 percent occupancy and they have waiting lists as more veterans approach retirement age. Next year, nearly 3,000 additional Guard members from the 55th Brigade, based in my home area, northeastern Pennsylvania, are expected to travel to Kuwait for a yearlong mission. With each deployment, our moral obligation grows to these new veterans and their families.

Just a few weeks ago, Jonathan Faircloth was laid to rest. Jonathan was a Marine from central Pennsylvania who was only 22 when he was killed in a helicopter crash. Three other Marines were also injured. His young wife is left to carry on, knowing that her husband made the ultimate sacrifice. Let us remember Jonathan's sacrifice, and his family's, as we speak of shared sacrifice in this painful budget year.

In the next 3 months, there will be efforts made to restore money to line items that have been targeted for cuts. And as we all know, if we add in one spot, we must subtract from somewhere else. In this tug of war, we cannot, in good conscience, consider taking from our soldiers and their families. They have earned every program and every penny they receive. As the debate over the budget continues, please join me in fighting for our nation's heroes here in Pennsylvania and those fighting overseas.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, across Pennsylvania, everyone has had to adapt to the changing economic landscape. Fortunately, the PATF is in the business of helping people adapt. Their stories do more than warm your heart, they also teach. I told them that I would try to share those lessons with enough lawmakers to inspire them to continue their support, not just in lines of speech but also in lines in the budget.

Making sure the elderly and disabled remain independent is not just a good thing to do, it is also the smart thing to do. It is good for revenue and the size of our budget. If anyone believes that in these hard times we cannot afford technology and training to allow people to live a fulfilling, independent life, that is fine, but take a look at how we can turn the tangent into taxpayers and, at least, that should move you.

Supporters of assisted technology are not asking anyone to give anything away. Men and women with disabilities are not asking for a bailout. With a default rate of under 2 percent, it makes more sense to invest our money in technology assistance than in Wall Street banks or insurance companies. If we want a high-yield, low-cost, commonsense investment in people, we

should fully fund the assisted technology line in the budget. Our willingness to nurture fragile energy companies should be matched with a willingness to make the same commitment to individuals.

If we had a nickel for every time an elected official in this building said, "putting people back to work is our first priority," we would not need to be here. If we believe it when we say it, why would we not need it to be here? If they believed it when they said it, we would not need to be here. Do you understand? We would not have to be here. Putting people back to work should be our first priority, and it should mean all people. I am grateful to the Pennsylvania Assisted Technology Foundation for leading this fight, and I am honored to be among their strongest supporters.

Mr. President, 7 1/2 years ago, I had an accident, and in the blink of an eye, my life changed. I had to readapt to everything in life. They told me I would never move. You know, you get out of rehab, then you are there alone. You need foundations like this to help you get back on your feet so that you can be an individual who wants to fulfill their role in society. Just because you are in a wheelchair or you need other assistance—we should be able to have at least the funding that we had last year. Please, this is an item that really, really, really needs to be funded, because I know personally how many people it affects and how many people and families it touches.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, as we move forward in the budget negotiations and as we look at the Calendar and are ready to turn the page to May, there has been an aggressive agenda by this administration to wrap this budget up in a timely manner this year, something that I am sure every Member of this General Assembly supports, but it cannot be at the expense of the taxpayers and the people who need the services and need our consideration and our caring the most. What is becoming abundantly clear during this budget process, the first budget process of this administration, is that there seems to be a disconnect, a misunderstanding, whatever you want to call it, between comments or promises made on a campaign trail and a sacred duty, a fiduciary obligation of an elected official to begin the task of governing the Commonwealth of Pennsylvania.

It is because of this disconnect between campaign promises and governing that we, the Senate Democrats, really feel that this administration is doing a disservice to the folks here in the Commonwealth. Specifically, what I want to talk about today is the \$113 million in proposed cuts, shifting--this would actually be within the terms of healthcare, and of course, we all know the debate that has been lodged by many Members of the General Assembly, most notably my colleague from Philadelphia, Senator Stack, on adultBasic, on the horrible result of cutting almost 40,000 folks from the healthcare rolls in this time when they need healthcare and they need basic services more than any.

You are talking about \$113 million in proposed cuts which would shift the financial burden to hospitals, insurance companies, and taxpayers. That is where this administration is going right now with regard to healthcare, policies that are important to people in the Commonwealth of Pennsylvania. We, as Senate Democrats, from day one, have opposed this alternative because we think it is bad for the Commonwealth of Pennsylvania, and

it is bad for the citizens, the taxpayers whom we are sent here to Harrisburg to represent. We must consider real alternatives to what the Governor has proposed.

The Senate Democrats' plan is real. It is a viable alternative to these deep, deep cuts that are proposed by the Governor. By using funding generated from cost savings, new revenue initiatives, and innovative options, options that we, the Senate Democrats, have articulated from very early on in this budgetary process—we were out in front of this issue in February, before the Governor laid out his tale of woe in March, which sent folks around the Commonwealth screaming and hollering because they realized what we knew back in February, that these cuts would be devastating to services and to the taxpayers who carry the burden each and every day. The Senate Democrats' plan can save healthcare programs and keep our hospitals operating at optimal levels.

We maintain that the tobacco settlement funds should continue to be used in the way they were intended to be used, and that is solely to fund healthcare for the citizens in the Commonwealth of Pennsylvania. That is what that fund has always been designed to do, that is what it has done, and, in our opinion, it is a crime that this administration is now trying to divert a sizable chunk of those funds from healthcare investment into a new business loan program of the Governor's own making.

This, Mr. President, is irresponsible, especially in light of the recent demise of the adultBasic health insurance program. The \$220 million he is proposing to transfer could be used to keep Pennsylvania's adultBasic program afloat. Governor Corbett has allowed this program to lapse, because according to him, we could no longer afford to fund it. How could we not? How could we turn our backs on taxpaying members of the Commonwealth of Pennsylvania who need health insurance, especially at a time like this when we are facing budgetary problems that have never been seen by the Commonwealth before? In fact, they have never been seen by many, many States around the country.

We believe it is irresponsible to take this money from the Tobacco Settlement Fund and use it for his proposed economic development fund. It is not right and not fair to taxpayers here in the Commonwealth of Pennsylvania. In addition, Mr. President, we believe that the existing tobacco funds would be more than enough to cover adultBasic. I think that is an important point. We believe, right now--again, this has been articulated by many folks--it does not really matter what you believe, how we should solve the problem with adultBasic, but we know that those tobacco settlement funds are more than sufficient to solve the problem of adultBasic. Again, we have stood numerous times - myself, Senator Stack, Senator Yudichak, and other Members of our Caucus have stood up there and called for this plan to be implemented, something be implemented to address what we believe to be a travesty in adultBasic funding.

Removing funds from the Tobacco Settlement Fund is not a cost-saving strategy--let us be clear about that--it is a cost-shifting strategy. Who do you think will pay the price for this shift? Those who pay for insurance and the healthcare providers, that is who is going to foot the bill for this cost-shifting measure that the Governor has set up so he can fund his own loan investment or business development program. We already know, Mr. President, that higher rates will be charged to those who pay for health insurance, and healthcare provider fees will go up. How does this help the Commonwealth of Pennsylvania

save money? How is this in line with what we were sent here to do by the people of Pennsylvania?

For a Governor who has said he will do away with discretionary grants, to use tobacco funds to set up his own private grant fund is inherently wrong. That is really what people need to understand. Promises were made on the campaign trail. He is now here as the Governor of Pennsylvania. It is time to lead. To set up a discretionary fund, and to take those tobacco settlement dollars and shift them over at the loss of healthcare coverage for almost 40,000 Pennsylvanians we think is despicable. These are real people, Mr. President, with real healthcare issues who depend on those funds and who specifically rely on the adultBasic program.

We believe it is imperative to protect these funds. We believe that we need to stand up for the people of Pennsylvania, at a time when they need our concern and our care most. That is what the Senate Democrats have been talking about since February, and we are going to continue to talk about it, because we will not be silenced. We refuse to let these people's voices be silenced by a Governor who, for some reason, fails to understand that there is a difference between the campaign trail and what he has to do when he gets in office to govern.

We stand here ready, willing, and very, very able to engage in discussions with this administration, and we hope that the time will come, sooner rather than later, that this administration will begin to hear what we hear, that the people of Pennsylvania are fed up with this cost-shifting policy, and start thinking about ways to make Pennsylvania better, to make Pennsylvania move forward. That is what Pennsylvania Works does. That is what the Democrats in the State Senate are talking about and are ready to move forward on.

Thank you, Mr. President.

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

Senator STACK. Mr. President, needless to say, I agree with my colleague from Philadelphia on this issue. And one of the things that I think is very important for all of us here in this body and the legislature as a whole, in the Senate and in the House, Democrat or Republican, is we all need to find a way to be smarter in government, to be more innovative and creative, to find new solutions instead of the same old tired ways of trying to fund State government.

I agree with Governor Corbett that folks have had it with tax dollars being wasted. You know, Mr. President, I am a fiscal conservative, but quite frankly, from my experience, I have never met a person who, when their own money is involved, is not a fiscal conservative. Basically, I think that is what our philosophy has to be in Harrisburg today. We have to be thinking about the taxpayer's money as though it is our own.

The bottom line is, no one wants to pay more taxes, but folks do want many of the programs that serve the general public to be funded. So the question is, how do we do it? To go back to Senator Baker, who is my friend and colleague, for whom I have enormous respect, she has done a wonderful job on the issue of our brave men and women who serve in the military and the issues affecting our veterans. As she knows, and as you know, Mr. President, I wear the same red Keystone pin that our Governor wears, as a member of the 28th Infantry Division of the National Guard. I am proud of my service, even though when I look at the men and women who are serving around the world, I do

nothing compared to the job that they do in keeping all of us safe, or the job that their families do in sacrificing for our security and safety and for freedom around the world.

So, back to the issue of being smarter. I have talked about this before on this floor, but one thing I do not necessarily agree with Senator Baker is that for every dollar we spend in a certain area, we have to take it from another area. One of the things that I have talked about is, and maybe it is an old-fashioned idea, but there is money we can find in the budget through collecting what is already owed. I was honored to stand at the Criminal Justice Center in Philadelphia yesterday with Supreme Court Justice McCaffery and House Member John Sabatina talking about what we call the "pay what you owe or do not drive" bill.

Folks around Pennsylvania should know, and I think they have a feeling about this, that through our Common Pleas Court system, all the men and women and other folks who come through our system, huge amounts of money have been generated through fines and costs; the only problem being that we have not collected them. Some of these fines and costs go back 20 years. A conservative estimate of the amount of money that is owed to our court system is \$1.6 billion. My bill, Senate Bill No. 836, says, let us find a way to collect that money. One of the ways we have found that is doable is to deny these folks who have not paid what they owe - their fines and costs - their vehicle registration.

I can tell you from my experience and from the experience of many of my constituents, PennDOT is a very tough hombre when you have not complied with what their requirements are. So this is a firm stick, and we have consulted with the folks from PennDOT on whether this will work and whether we will be able to collect this money, and so far, we have gotten favorable reviews. They have forwarded our idea to Governor Corbett's policy office, and we are waiting for a response on that. The bottom line is, that is \$1.6 billion of additional revenue in this budget that we are not collecting, and if we collect half of that, we could fully restore the devastating cuts that we have already made in higher education and public education. So that should be done in a number of other areas before we keep giving the middle class the gut punch, telling them we are cutting the program and you are on your own.

Now, on another issue I think we have been on the wrong track, and I said this, 2 weeks ago, we passed a bill here which repealed something that worked for a long time, the sprinkler requirement. We basically, in our State code, have mandated in the past that every new construction have sprinklers in them to put out fires, the purpose being, obviously, to save lives and protect property. We decided, after a very short time of doing that, it was not cost effective. Mainly, the builders said that they needed to repeal that or that they would be unable to build new homes. I think that was a wrong priority, and I think the fact that we passed that bill 2 weeks ago was a big mistake. I hope we do not have to come back here and change what we did all over again because we are reacting to somebody getting hurt or, God forbid, killed.

Needless to say, even though we passed that piece of legislation, Mr. President, I was hopeful that Governor Corbett would start off his administration without making that the first bill that he would sign into law. My hopes, however, were dashed when, of course, yesterday we found out that Governor Corbett made that his first official bill signing, the repeal of the sprinkler bill.

Now, firefighters and other folks out there are still saying that we are putting people in danger by repealing the sprinkler mandate. I am not necessarily the expert on things like fires, but I listen to the firefighters. I happen to believe them. I am going to continue to work in this Chamber to make sure that we keep the people of Pennsylvania safe and that we listen to the people who really know what they are doing. As I said before, Mr. President, I hope we do not have to go back and change this law, knowing that somebody got hurt or killed. I think it was a mistake to pass the bill, and I think it was a mistake for Governor Corbett to sign it. I hope in the future we can change course and put people first and profits last.

Thank you, Mr. President.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, APRIL 27, 2011

9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY, LAW AND JUSTICE, and TRANSPORTATION (joint hearing to discuss Statewide Radio)	Hrg. Rm. 1 North Off.
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TUESDAY, MAY 3, 2011

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 292, 308, 367, 460, 469, 618, 791 and 898; and to consider the nomination of Richard J. Allan as Secretary of Conservation and Natural Resources)	Sen. Maj. Caucus Rm.
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WEDNESDAY, MAY 4, 2011

9:00 A.M.	FINANCE (public hearing on the requirements for collecting sales tax on transactions made over the Internet)	Hrg. Rm. 1 North Off.
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FRIDAY, MAY 6, 2011

9:00 A.M.	GAME AND FISHERIES (public hearing to consider testimony regarding classification of waters, fishing license modifications, sources of alternative funding for the PA Fish and Boat Commission and Fishermans Paradise)	HR Stackhouse School of Fisheries Conservation and Watercraft Safety Bellefonte, PA
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RECESS

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Wednesday, April 27, 2011, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:33 p.m., Eastern Daylight Saving Time.