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SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 65

**SENATE**

TUESDAY, November 1, 2011

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

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

**PRAYER**

The Chaplain, Reverend IAN McCONNELL, of Grace Bible Church, Philadelphia, offered the following prayer:

Let us pray together.

Almighty God, our merciful Father, we come before You to honor You as the Maker and Sustainer of all things. All life comes from You, Lord, both great and small, and all life You live, Lord, the true life of all. We come before You not only to honor You, but to confess our need of You. As You said to Your son, without You we can be nothing. So I ask for You to lend Your gracious aid to these, our elected representatives of the great State of Pennsylvania. Would You grant them wisdom to lead us with humility, courage, compassion, and integrity. Would You grant them unity to create and vote on legislation that will serve the citizens of their respective districts, the united purposes of our State and our entire country. With their wise and united efforts of these public servants, continue to not only make us a stronger State but a stronger, freer, and more blessed United States of America. I thank You for each one of them. Would You bless them and their families, protect them, provide for them, and grant them Your everlasting peace.

Finally, I thank You for how their public service points us to the greatest public servant in history, the one You sent, not only to get down on His knees and wash the dirty feet of His disciples, but the one who lived, died, and rose from the dead to grant forgiveness, deliverance, and acceptance for all who believe, Your son, the servant of all, Jesus. Amen.

The PRESIDENT. The Chair thanks Reverend McConnell, who is the guest today of Senator Stack.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGES**

**HOUSE CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 290**.

**HOUSE CONCURS IN SENATE BILL**

The Clerk of the House of Representatives returned to the Senate **SB 566**, with the information the House has passed the same without amendments.

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 314**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**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:

November 1, 2011

Senator CORMAN presented to the Chair **SB 4**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for fees; providing for penalties for violations of traffic-control devices; and further providing for surcharges and for the definition and determination of "average wholesale price."

Which was committed to the Committee on TRANSPORTATION, November 1, 2011.

Senators WILLIAMS, SCHWANK, M. WHITE, FONTANA, LEACH, TARTAGLIONE, FERLO and HUGHES presented to the Chair **SB 1320**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for postconviction DNA testing.

Which was committed to the Committee on JUDICIARY, November 1, 2011.

Senators SMUCKER, PICCOLA, ERICKSON, WAUGH, YAW, ALLOWAY, FERLO, BAKER, PILEGGI, ARGALL, HUGHES, MENSCH, WARD and BRUBAKER presented to the Chair SB 1322, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in State System of Higher Education, further providing for purposes and general powers.

Which was committed to the Committee on EDUCATION, November 1, 2011.

Senator CORMAN presented to the Chair SB 1326, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for intermodal transportation; further providing for definitions, for registration periods, for display of registration plates, for driver's license examinations, for expiration and renewal of drivers' licenses, for required financial responsibility, for speed timing devices, for inspection certificate violations, for display of unauthorized material and for surcharges; and making a related repeal.

Which was committed to the Committee on TRANSPORTATION, November 1, 2011.

Senator CORMAN presented to the Chair SB 1327, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for department authorization, for fund, for application and approval process, for coordination, for asset improvement program and for programs of State-wide significance; and making repeals.

Which was committed to the Committee on TRANSPORTATION, November 1, 2011.

**BILLS SIGNED**

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

**SB 286, SB 566 and HB 290.**

**BILLS REPORTED FROM COMMITTEES**

Senator YAW, from the Committee on Urban Affairs and Housing, reported the following bills:

**SB 1141 (Pr. No. 1744) (Amended)**

An Act amending the act of November 29, 2004 (P.L.1282, No.158), known as the Manufactured Housing Improvement Act, expanding the coverage of the act to relocated housing.

**SB 1174 (Pr. No. 1631)**

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for appointment of members of authority, for qualifications, tenure and compensation of members of authority and for organization of authority.

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

**HB 584 (Pr. No. 561)**

An Act designating the Claysville Interchange of Exit 6 on Interstate 70 in Washington County as the Sergeant Nathan P. Kennedy Memorial Interchange.

**HB 1355 (Pr. No. 1584)**

An Act designating the westbound bridge carrying Interstate 90 over Six Mile Creek in Harborcreek Township, Erie County, as the Jarrid L. King Memorial Bridge.

**HB 1792 (Pr. No. 2295)**

An Act designating a portion of S.R. 642 in Northumberland and Montour Counties, as the United States Army Specialist Zachariah W. Long Highway.

**HB 1875 (Pr. No. 2437)**

An Act designating the bridge that carries State Route 462 over the Norfolk Southern rail line in the Borough of Mountville, Lancaster County, as the Mountville Veterans Memorial Bridge.

**LEGISLATIVE LEAVES**

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Browne, Senator McIlhinney, Senator Piccola, and Senator Smucker.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Hughes and Senator Tartaglione.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Browne, Senator McIlhinney, Senator Piccola, and Senator Smucker.

Senator Costa requests temporary Capitol leaves for Senator Hughes and Senator Tartaglione.

Without objection, the leaves will be granted.

**JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of September 27, 2011, and September 28, 2011, are now in print.

The Clerk proceeded to read the Journals of the Sessions of September 27, 2011, and September 28, 2011.

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

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

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

**YEA-50**

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR EDWIN B. ERICKSON  
PRESENTED TO THE SENATE**

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

Senator ERICKSON. Mr. President, I have the pleasure and honor today to introduce three individuals who are here representing the Partnership for the Delaware Estuary. They did a presentation earlier today to Members of the House and Senate on the economic impact of the Delaware Estuary to our southeast region. Today with us are Jennifer Adkins, who is the executive director; Sari Rothrock, the Science and Policy Fellow; and Ginny Kreitler, who is a board member.

I should mention that Sari is from West Chester and she is a constituent of Senator Dinniman, while Ginny Kreitler is from Radnor and is a constituent of Senator Leach.

I take some proprietary feelings about introducing these folks since I was one of the founding board members of the Partnership for the Delaware Estuary back in 1996.

So I ask, Mr. President, that we give these three individuals a warm welcome. Thank you.

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

(Applause.)

**GUESTS OF SENATOR MICHAEL J. STACK  
PRESENTED TO THE SENATE**

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

Senator STACK. Mr. President, I want to welcome our guest Chaplain, Reverend Ian McConnell, to the Senate today, who said our opening prayer. Reverend McConnell serves as Pastor for Preaching and Vision at Grace Bible Church located in my district in northeast Philadelphia. His responsibilities at his church include providing oversight and direction for the pastoral team in carrying out the church's vision to display God's glory through the gospel. Prior to serving at Grace, he served as youth pastor in Philadelphia and was the cofounder and director of Urban Imperative, a nonprofit aiming to recruit and train young adults for urban life and mission.

He and his wife, Rachel, have been married for 10 years and have three children. They live in the neighborhood of Bustleton, a great neighborhood in my district in northeast Philadelphia. The Reverend has brought his beautiful family with him, and they are in the gallery. Mr. President, I ask my colleagues to give Reverend McConnell and his family our usual warm Senate welcome.

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

(Applause.)

**GUESTS OF SENATOR GENE YAW  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, two of the guest Pages today are constituents of mine from South Williamsport Area High School. Bradlee Mix and Chelsie Burch are seniors from Ryan Carper's AP U.S. Government and Politics class. Bradlee actively participates in cheerleading, Key Club, March of Dimes, Teen Contacts, academic decathlon, and the National Honor Society. After high school, Bradlee plans to attend college and major in psychology or speech pathology, and she told me that right now, Bloomsburg University is her number-one choice.

Chelsie actively participates in the academic decathlon, Teen Contacts, March of Dimes, Key Club, and tutors elementary school students. After high school, Chelsie plans to attend college and major in art education, and she told me that her first choice right now is Kutztown.

So I ask that the Senate give these two guest Pages a warm welcome.

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

(Applause.)

The PRESIDENT. I would encourage both of Senator Yaw's guests to explore educational opportunities at Temple University.

**GUEST 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 am always honored to have great interns working in my district office throughout the year. Every semester, the local colleges in the Lehigh Valley and Monroe County send interns to my district office, and they really do make a difference. These internship programs have been designed to give students real world and hands-on experience. So it is wonderful to have them assisting residents of the Lehigh Valley and Pocono region. Over the years my internship program has helped interns excel in constituent casework, legislative research, and constituent outreach.

One of my fall interns is with us in the gallery today, and I would like to recognize her. Henrietta Sztankovics has contributed a great deal to the Bethlehem district, since she began her internship in September. Whether she was handling constituent cases with our various agencies, writing constituent correspondence, or performing research and constituent outreach, she is doing a stellar job in her office responsibilities.

Henrietta attends Penn State, Lehigh Valley Campus, and will be obtaining her bachelor's degree in business management and marketing in December. Before attending Penn State Lehigh Valley, she attended Northampton County Community College and consistently made the Dean's List for academic achievement in 2009, 2010, and of course, spring of 2011. Henrietta is also a member of the International Honor Society of Sigma Beta Delta. She has been a great addition to my staff over the course of this semester, working very hard to get where she is today. I am so

proud to have her interning in my office, and I wish her the best of luck in her future. I ask that the Senate give her its usual warm welcome.

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

### REQUEST FOR 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 followed by a meeting of the Committee on Community, Economic and Recreational Development, to be followed by a meeting of the Committee on Agriculture and Rural Affairs, to be followed by a meeting of the Committee on Local Government, all to be followed by a Republican caucus to be held in the Majority Caucus Room.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Hughes and Senator Tartaglione have returned, and their temporary Capitol leaves are cancelled.

### RECESS

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

Senator COSTA. Mr. President, at the conclusion of the meetings described by the Majority Leader, the Senate Democrats will meet in the rear of the Chamber for a caucus.

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 Community, Economic and Recreational Development, to be followed by a meeting of the Committee on Agriculture and Rural Affairs, to be followed by a meeting of the Committee on Local Government, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

### AFTER RECESS

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

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

### BILLS REPORTED FROM COMMITTEES

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

#### SB 200 (Pr. No. 1637) (Rereported) (Concurrence)

An Act establishing standards for managing concussions and traumatic brain injuries to student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

#### SB 314 (Pr. No. 1724) (Rereported) (Concurrence)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications device";

and prohibiting use of interactive wireless communications devices for text-based communications while operating motor vehicles.

Senator EICHELBERGER, from the Committee on Local Government, reported the following bill:

#### SB 1321 (Pr. No. 1750) (Amended)

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, in coordination plans, further providing for collective bargaining; in consolidation and merger, further providing for collective bargaining; in financial distress for third class cities, further providing for consent decrees; and, in receivership for third class cities, further providing for confirmation.

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bill:

#### SB 1323 (Pr. No. 1751) (Amended)

An Act amending Titles 3 (Agriculture) and 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, providing for the Agriculture Disaster Recovery Program; and further providing for First Industries Program.

Senator EARLL, from the Committee on Community, Economic and Recreational Development, reported the following bill:

#### SB 1297 (Pr. No. 1749) (Amended)

An Act providing for a Small Business Flood Relief Program; making an appropriation; and providing for termination of the program.

### LEGISLATIVE LEAVES

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

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

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

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

The PRESIDENT pro tempore. Senator Pileggi requests a temporary Capitol leave for Senator Orié.

Senator Costa requests a temporary Capitol leave for Senator Williams.

Without objection, the leaves will be granted.

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

SB 405 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

##### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 444 (Pr. No. 1737) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for legislative intent, for definitions, for games of chance permitted, for prize limits, for limits on sales, for distributor licenses, for regulations, for licensing of eligible organizations and for special permits; providing for club licensees; further providing for revocation of licenses, for enforcement, for local option, for advertising and for prohibited persons; providing for civil penalties; further providing for penalties; and making editorial changes.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEA-46

Table with 4 columns: Alloway, Erickson, Piccola, Vogel, Argall, Farnese, Pileggi, Ward, Baker, Ferlo, Pippy, Washington, Blake, Folmer, Rafferty, Waugh, Boscola, Fontana, Robbins, White Donald, Brewster, Hughes, Scarnati, White Mary Jo, Browne, Kasunic, Schwank, Williams, Corman, Kitchen, Solobay, Wozniak, Costa, Leach, Stack, Yaw, Dinniman, McIlhinney, Tartaglione, Yudichak, Earll, Mensch, Tomlinson, Eichelberger, Orié, Vance.

NAY-4

Table with 4 columns: Brubaker, Gordner, Greenleaf, Smucker.

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.

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Browne, Senator Smucker, and Senator McIlhinney have returned, and their temporary Capitol leaves are cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 563 (Pr. No. 619) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motorcycle safety education program.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-50

Table with 4 columns: Alloway, Erickson, Orié, 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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 1095 (Pr. No. 1736) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing an independent informal dispute resolution process for long-term care nursing facilities to dispute Department of Health survey deficiencies; and providing for the powers and duties of the Department of Health.

Considered the third time and agreed to,  
And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

YEA-50

Table with 4 columns: Alloway, Erickson, Orié, 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.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1**

**BILLS ON CONCURRENCE  
IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 200 (Pr. No. 1637)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing standards for managing concussions and traumatic brain injuries to student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 200?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 200.

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

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

Senator COSTA. Mr. President, I would like to submit remarks for the record in support of Senate Bill No. 200.

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

*(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA:)*

Mr. President, today we are taking strong action to help our children. The passage of the Safety in Youth Sports Act will go a long way toward insuring that our children—our young student athletes—are protected when they are participating in sports.

Mr. President, there are far too many preventable brain injuries. There are far too many of our children in jeopardy of long-term injury who have been subject to long-term pain from the effects of concussions. Many of those injuries can be prevented if school officials follow the guidelines that have been developed by medical professionals and incorporated in this legislation.

That is why I joined with Senator Browne, representatives from the National Football League, former players, and a host of lawmakers from both Chambers and both sides of the aisle to push this legislation (Senate Bill No. 200) that is before us today. I am proud to be a sponsor of this measure because it puts into effect sensible protections. These protections include:

- Requiring athletes who demonstrate symptoms of a concussion to be removed from competition.
- Prohibiting a coach from allowing a student to return to competition until they have been evaluated and cleared in writing.

- Requiring coaches to complete concussion management and provide penalties for coaches who do not comply.

We are reaching out today for a solution, and we have all worked hard to find the right balance. There are far too many instances of concussions and brain injuries. There are far too many children who become statistics. Ten percent of all athletes suffer concussions. An estimated 3.8 million sports-related concussions occur in the United States each year. Four in ten high school students who suffer concussions return to play too soon, and if you have had one concussion, you are at an increased risk of another more serious episode.

Mr. President, we have worked hard to bring this very important measure to the floor, and we have tried very hard to provide protection for our young athletes. The National Football League players have the best medical personnel at their disposal, and they still have a problem with concussions.

Today we are giving school personnel in our high schools the tools they need to help prevent the very preventable head injury from becoming an even greater problem. I ask for an affirmative vote.

And the question recurring,  
Will the Senate agree to the motion?

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
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 inform the House of Representatives accordingly.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 314 (Pr. No. 1724)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications device"; and prohibiting use of interactive wireless communications devices for text-based communications while operating motor vehicles.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 314?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 314.

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

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

Senator RAFFERTY. Mr. President, briefly on Senate Bill No. 314, this bill was worked on during the winter and spring of 2011. The gentleman from Bucks, Senator Tomlinson, along with the Democratic chair of the Senate Committee on Transportation, Senator Wozniak, worked on this bill. This was a comprehensive bill on distracted driving in the Commonwealth of Pennsylvania.

When the bill came to the floor, the gentleman from Allegheny, Senator Ferlo, offered the amendment to make texting a primary offense and the Senate agreed with the amendment text, and sent it over to the House in late May, early June. The House sat on it until now, and I am very happy it came back. The original bill made texting a primary offense, so I am happy to see that stayed in the bill. It was the Senate that sent that bill over, and today we will concur that texting is a primary offense in Senate Bill No. 314. Mr. President, as in May or June, I ask, once again, for an affirmative vote.

Thank you, Mr. President.

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

Senator TOMLINSON. Mr. President, I want to thank Senator Rafferty for his hard work on this and remind everyone that we did pass this out of here as a primary offense. I know that there are some people who have concern about the difference between a primary and secondary offense, but I think it is important that we finally pass this and send it to the Governor.

We have had this debate for several years now. I think texting is one of the most dangerous, distracted driving activities that anyone can engage in, and it is no question it is distracting, dangerous, and, in many instances, deadly. You definitely have to take your eyes off of the road, off of what you are doing, look at your phone, your device, to text.

So I think this is one distracted driving piece that we can all agree on, that it is extremely important that we pass. There are people who disagree on primary or secondary, and people who disagree about using a cell phone. But, I do not think we would disagree that texting is extremely dangerous or deadly, and for that reason, I ask for an affirmative vote.

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

Senator WOZNIAK. Mr. President, I rise with my other contemporaries here. Folks, I talked to a lot of people back home, and they said, when are you going to pass a texting bill? Well, I have always been the type of person who does not like the influence of government out there, but this is one time we are making texting a primary offense. I think this is in the best interests of our citizens, our young people and our old people, and for safety on the roads. How many times have we seen people maneuvering, not just going down a straightaway, but maneuvering a car with two thumbs trying to text at the same time?

We have become too complacent in our vehicles. We are surrounded by the soft sounds of the stereo, we have Corinthian leather seats. It has become our home away from home, and what

people do not realize is that you are driving a 2-ton or 3,500-pound vehicle that is capable of killing--if you do not care about yourself--somebody else.

Just think, the people listening out there, just by making one foolish mistake by texting information that was absolutely unnecessary in the first place, because 99 percent of the phone calls or communications in your car are not emergencies, and you take the life of somebody. For the rest of your life, simply for texting a friend, you have to live with the fact that you did not have control of your vehicle and killed somebody.

The primary offense, my attitude is not because it is a law, but because it is a good idea. Along with this, we should engage ourselves in an educational campaign to start making people realize how dangerous it is and wean them off of texting and then, perhaps, the cell phone. I have now been putting my cell on the "off" or the "silent" position so that I am not like Pavlov's dog, where every time the thing rings or burps, I pick it up.

The world does not fall apart in the 2 1/2 hours I am in my car driving from Johnstown to Harrisburg. It did not before cell phones and texting existed, and nothing will happen now. Folks, this is not because we want to have fun in Harrisburg, this is serious business, and it is for the safety of each and every one of the motorists on our roads.

I would appreciate an affirmative vote, and I have spoken too long. Thank you.

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

Senator DINNIMAN. Mr. President, often, new technology comes and often that technology is used for social good and personal communication, but in terms of texting while driving, it is a real danger and we need, as a body, to make it clear that this is a primary offense. This is not a matter of government interfering in the private lives of people, this is a matter of government trying to protect those who would be killed, injured, or maimed by those who insist on texting while driving.

It took us a long time to finally crack down on alcohol and get serious with DUIs. Well, with this technology in terms of cell phones and texting, we have to do the same. Personally, I would like to see the ban of all cell phones when people are driving, certainly hand-held cell phones, except in emergencies.

But it is quite clear, every study has shown it, there is no debate that texting is dangerous while driving, and we need to make that clear, make this a law within Pennsylvania, affirm what the House and we have said, get it to the Governor, get his signature, and keep the millions of Pennsylvanians and those from out of State who drive our highways safe. This bill will help a great deal in that effort.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, having introduced the text message ban as well as cell phone use as a secondary offense, I can only say, better late than never. The bill has finally arrived from the House, so I will just conclude and say, OMG and hallelujah.

#### LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,  
Will the Senate agree to the motion?

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

**YEA-45**

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

**NAY-5**

Coman	Folmer	Mcllhinney	White, Donald
Eichelberger			

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**CONSIDERATION OF CALENDAR RESUMED**

**SECOND CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**SB 86, SB 152 and HB 170** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILLS REREFERRED**

**HB 332 (Pr. No. 2631)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for definitions; and providing for regulation of genetic counselors.

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

**HB 333 (Pr. No. 2632)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions; and providing for regulation of genetic counselors.

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

**BILL OVER IN ORDER**

**SB 338** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON SECOND CONSIDERATION**

**SB 390 (Pr. No. 1681)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; in commercial drivers, further providing for definitions; and in inspection of vehicles, further providing for requirement for periodic inspection of vehicles, for operation of vehicle without official certificate of inspection, for securing loads in vehicles and for width of vehicles.

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

**BILLS OVER IN ORDER**

**HB 398 and SB 413** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL REREFERRED**

**HB 424 (Pr. No. 2655)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for definitions and for license; providing for application for public adjuster license, for licensing, for issuance and term of license, for license renewals and for reciprocal licensing; further providing for fees, for bond and for contract; providing for written disclosure of financial interest; further providing for revocation, etc., of license and for violations; providing for civil remedy; further providing for administration and enforcement; and providing for persons licensed as public adjuster solicitors.

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

**BILL OVER IN ORDER**

**SB 433** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON SECOND CONSIDERATION**

**SB 473 (Pr. No. 468)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions.

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



## BILLS OVER IN ORDER

**SB 477, SB 532, SB 539 and HB 608** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL REREFERRED

**HB 715 (Pr. No. 729)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for definitions; and providing for collection of municipal taxes by county treasurer.

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

## BILLS OVER IN ORDER

**HB 735, SB 746 and SB 775** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL ON SECOND CONSIDERATION

**SB 853 (Pr. No. 870)** -- 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 resident license and fee exemptions for deployed Pennsylvania National Guard members.

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

## BILL OVER IN ORDER

**HB 860** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## BILL ON SECOND CONSIDERATION

**HB 864 (Pr. No. 2576)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for requirement for commercial driver's license and for the Pedalcycle and Pedestrian Advisory Committee.

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

## BILLS OVER IN ORDER

**SB 866, HB 869, SB 878, SB 920, SB 923, SB 1004, SB 1019, SB 1049, HB 1054, SB 1066, SB 1069, SB 1092, SB 1099, SB 1150, SB 1179, SB 1200 and HB 1203** -- Without ob-

jection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL ON SECOND CONSIDERATION

**SB 1228 (Pr. No. 1716)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 28, 1984 (P.L.150, No.28), known as the Automobile Lemon Law, further providing for presumption of a reasonable number of attempts.

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

## BILL OVER IN ORDER

**SB 1263** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## BILLS REREFERRED

**SB 1264 (Pr. No. 1735)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Supplemental Individual Assistance Program; and making an appropriation to the Governor for grants to individuals suffering losses because of Hurricane Irene and Tropical Storm Lee and for payment of the Commonwealth's share to secure individual assistance from the Federal Government.

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

**SB 1267 (Pr. No. 1722)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing abatement of real estate taxes because of destruction or damage of property by Hurricane Irene or Tropical Storm Lee, or the refund of the amount of such taxes by certain political subdivisions; and authorizing assessment of properties retroactive to August 1, 2011, and a limited moratorium on the increase of certain real estate taxes.

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 1279, HB 1337, HB 1349, HB 1417, HB 1441, HB 1458 and HB 1500** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## SENATE RESOLUTION No. 143, ADOPTED

Senator PILEGGI, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 143**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the economic impact of recreational water trails on local communities in this Commonwealth.

On the question,  
Will the Senate adopt the resolution?

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

**SENATE RESOLUTION No. 165, ADOPTED**

Senator PILEGGI, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 165**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the efficiency of the administrative functions and operations of the Low Income Home Energy Assistance Program (LIHEAP) and make recommendations on how the program can increase efficiency.

On the question,  
Will the Senate adopt the resolution?

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

**REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS**

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

**MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING**

September 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, Brenda Hage, Ph.D., DNP, CRNP, 73 Briarcrest Road, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Carol Kay, Hazleton, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING**

September 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, Judith A. Harding, 3472 State Route 29 South, Noxen 18636, Wyoming County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Mary Erwine, Shavertown, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING**

September 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, Estella M. Hyde, 14176 Townline Road, Linesville 16424, Crawford County, Fiftieth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING**

September 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, Orla Nugent, 16 Golfview Lane, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Mary Esther Van Shura, Pittsburgh, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING**

September 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, Gwendolyn M. Ogle, 206 Canterbury Drive, Moon Township 15108, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Anthony Turo, Wexford, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE ARCHITECTS LICENSURE BOARD**

September 19, 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, John R. Hill, AIA, LEED AP, 12 Spring Wood Drive, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years or until his successor is ap-

pointed and qualified, but not longer than six months beyond that period, vice Dennis R. Connell, Bethlehem, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS**

August 12, 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, Timothy A. Wiggin (Public Member), 765 Grandon Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Auctioneer 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 Joseph Bellano, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

September 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, Frances M. Cecci, 1830 Prospect Avenue, Scranton 18505, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Nick Trunzo, Scranton, deceased.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

July 1, 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, RoseAnn Gaetano, 431 Jessup Avenue, Dunmore 18509, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Wanda Neyman, Dickson City, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

July 28, 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, Warren Watkins, 301 Stone Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

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

July 28, 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, Ted A. Nichols II, 102 Spruce Court, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Leonard P. Majikas, ACSW, Ph.D., Bloomsburg, deceased.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY**

June 30, 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, Catherine Campbell (Public Member), 324 Blacklatch Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2014, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Toni L. Felice, Cranberry Township, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY**

June 30, 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, William F. Vogel, 4018 Cole Avenue, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Massage Therapy, to serve until October 9, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE**

August 17, 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, Denise Chisholm, PhD, OTR/L, FAOTA, 1603 Heritage Drive, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Ellen L. Kolodner, Rydal, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE**

August 17, 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, Christine L. Hischmann, MS, OTR/L, FAOTA, R.R. 1 Box 501, Falls 18615, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE**

August 17, 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, Eleanor A. Rossman (Public Member), 950 Brentwater Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Linda G. Trabucco, Esquire, Chester Springs, whose term expired.

**TOM CORBETT**  
Governor

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

July 1, 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, Jeffrey A. Heebner, D.O., 116 Haws Lane, Flourtown 19031, Montgomery County, Seventh Senatorial Dis-

trict, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PODIATRY**

September 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, Arvind R. Cavale, M.D., F.A.C.E., F.A.C.P., 90 Hope Road, Holland 18966, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Podiatry, 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 Steven J. Collina, M.D., Aston, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PODIATRY**

September 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, Barbara J. Wiggin (Public Member), 765 Grandon Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Alice Hart Hughes, Newtown, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PSYCHOLOGY**

September 30, 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, Todd B. Narvol (Public Member), 300 Autumn Chase Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, to serve until September 27, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Connie A. Rodgers, Philadelphia, forfeiture of seat.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF SELINGSGROVE CENTER**

August 31, 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, Margaret Y. Keller, PO Box 190, Port Trevorton 17864, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGSGROVE CENTER**

August 31, 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, Todd B. Roup, 206 Meadowview Drive, Selinsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Mary Millard, Danville, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGSGROVE CENTER**

August 31, 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, Bertin W. Springstead, 95 Locust Trail, Newville 17241, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

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

August 12, 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, Jane Riese, LSW, MSW, 37 North Findlay Street, York 17402, York County, Thirteenth 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 Emma Lucas-Darby, Ph.D., Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

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

August 12, 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, James Shafer, Au.D., FAAA, CCC-A, 525 Highland Terrace, York 17403, York County, Twenty-eighth 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 his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

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

June 20, 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, Brian Bentley, 992 Worthington Mill Road, Newtown 18940, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Cernic, Jr., Johnstown, whose term expired.

**TOM CORBETT**  
Governor

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

July 28, 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, Kathy L. Glamer, 869 Follett Run Road, Warren 16365, Warren County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER**

August 31, 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 Gerald L. Feissner, 946 Centre Street, Freeland 18224, Luzerne County, Fourteenth Senato-

rial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER

August 31, 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, Thomas G. Kashatus, 55 Newport Street, Glen Lyon 18617, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER

August 31, 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 Tammy J. Martin, 532 Centre Street, Freeland 18224, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice The Honorable Timothy Martin, Freeland, deceased.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN CENTER

August 31, 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, Louise Powell McLafferty, 116 Columbus Circle, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

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:

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

September 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, Brenda Hage, Ph.D., DNP, CRNP, 73 Briarcrest Road, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Carol Kay, Hazleton, resigned.

TOM CORBETT  
Governor

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

September 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, Judith A. Harding, 3472 State Route 29 South, Noxen 18636, Wyoming County, Twentieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Mary Erwine, Shavertown, resigned.

TOM CORBETT  
Governor

MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING

September 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, Estella M. Hyde, 14176 Townline Road, Linesville 16424, Crawford County, Fiftieth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING**

September 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, Orla Nugent, 16 Golfview Lane, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Mary Esther Van Shura, Pittsburgh, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
COUNCIL ON AGING**

September 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, Gwendolyn M. Ogle, 206 Canterbury Drive, Moon Township 15108, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2013, and until her successor is appointed and qualified, vice Anthony Turo, Wexford, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE ARCHITECTS  
LICENSURE BOARD**

September 19, 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, John R. Hill, AIA, LEED AP, 12 Spring Wood Drive, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Architects Licensure Board, 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 Dennis R. Connell, Bethlehem, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS**

August 12, 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, Timothy A. Wiggan (Public Member), 765 Grandon Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board

of Auctioneer 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 Joseph Bellano, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

September 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, Frances M. Cecci, 1830 Prospect Avenue, Scranton 18505, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Nick Trunzo, Scranton, deceased.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

July 1, 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, RoseAnn Gaetano, 431 Jessup Avenue, Dunmore 18509, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Wanda Neyman, Dickson City, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

July 28, 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, Warren Watkins, 301 Stone Avenue, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

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

July 28, 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, Ted A. Nichols II, 102 Spruce Court, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Leonard P. Majikas, ACSW, Ph.D., Bloomsburg, deceased.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY**

June 30, 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, Catherine Campbell (Public Member), 324 Blacklatch Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2014, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Toni L. Felice, Cranberry Township, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY**

June 30, 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, William F. Vogel, 4018 Cole Avenue, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Massage Therapy, to serve until October 9, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL  
THERAPY EDUCATION AND LICENSURE**

August 17, 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, Denise Chisholm, PhD, OTR/L, FAOTA, 1603 Heritage Drive, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Ellen L. Kolodner, Rydal, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL  
THERAPY EDUCATION AND LICENSURE**

August 17, 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, Christine L. Hischmann, MS, OTR/L, FAOTA, R.R. 1 Box 501, Falls 18615, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL  
THERAPY EDUCATION AND LICENSURE**

August 17, 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, Eleanor A. Rossman (Public Member), 950 Brentwater Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Linda G. Trabucco, Esquire, Chester Springs, whose term expired.

**TOM CORBETT**  
Governor

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

July 1, 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, Jeffrey A. Heebner, D.O., 116 Haws Lane, Flourtown 19031, Montgomery County, Seventh Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PODIATRY**

September 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, Arvind R. Cavale, M.D., F.A.C.E., F.A.C.P., 90 Hope Road, Holland 18966, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Podia-



try, 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 Steven J. Collina, M.D., Aston, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PODIATRY**

September 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, Barbara J. Wiggan (Public Member), 765 Grandon Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Alice Hart Hughes, Newtown, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF PSYCHOLOGY**

September 30, 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, Todd B. Narvol (Public Member), 300 Autumn Chase Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, to serve until September 27, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Connie A. Rodgers, Philadelphia, forfeiture of seat.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGROVE CENTER**

August 31, 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, Margaret Y. Keller, PO Box 190, Port Trevorton 17864, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGROVE CENTER**

August 31, 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, Todd B. Roup, 206 Meadowview Drive, Selingsgrove 17870, Snyder County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Mary Millard, Danville, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGROVE CENTER**

August 31, 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, Bertin W. Springstead, 95 Locust Trail, Newville 17241, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Board of Trustees of Selingsgrove Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

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

August 12, 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, Jane Riese, LSW, MSW, 37 North Findlay Street, York 17402, York County, Thirteenth 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 Emma Lucas-Darby, Ph.D., Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

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

August 12, 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, James Shafer, Au.D., FAAA, CCC-A, 525 Highland Terrace, York 17403, York County, Twenty-eighth 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 his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

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

June 20, 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, Brian Bentley, 992 Worthington Mill Road, Newtown 18940, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Cernic, Jr., Johnstown, whose term expired.

TOM CORBETT Governor

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

July 28, 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, Kathy L. Glarner, 869 Follett Run Road, Warren 16365, Warren County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

TOM CORBETT Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

August 31, 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 Gerald L. Feissner, 946 Centre Street, Freeland 18224, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

TOM CORBETT Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

August 31, 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, Thomas G Kashatus, 55 Newport Street, Glen Lyon 18617, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of White

Haven Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified.

TOM CORBETT Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

August 31, 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 Tammy J. Martin, 532 Centre Street, Freeland 18224, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice The Honorable Timothy Martin, Freeland, deceased.

TOM CORBETT Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

August 31, 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, Louise Powell McLafferty, 116 Columbus Circle, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

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

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Orie, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Schwank, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, White Donald, White Mary Jo, Williams, Wozniak, Yaw, Yudichak

NAY-0

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED**

Senators PIPPY, FONTANA, COSTA, DINNIMAN, KASUNIC, SOLOBAY, ORIE, KITCHEN, RAFFERTY, BROWNE, PILEGGI, BREWSTER, FERLO, ERICKSON, FARNESE, EARLL, BRUBAKER and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 224**, entitled:

A Resolution recognizing the week of November 13 through 19, 2011, as "Hunger and Homelessness Awareness Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator PIPPY. Mr. President, as was mentioned, this resolution recognizes the week of November 13 as "Hunger and Homelessness Awareness Week." We are looking to advocate and get people to understand that homelessness and hunger is not just an individual but a societal problem. In particular, as we have learned more about it over the years, our children and our military veterans have been greatly impacted. We hope that this resolution will help bring attention to the plight of homeless Pennsylvanians, help gain a greater awareness of the issues, and start working toward common solutions that will be to the betterment of all society.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, KITCHEN, RAFFERTY, COSTA, ORIE, FONTANA, FARNESE, ERICKSON, HUGHES, PILEGGI, PIPPY, BREWSTER, GORDNER, D. WHITE, TOMLINSON, VANCE, BROWNE, FERLO, SCHWANK, ALLOWAY, BRUBAKER and EARLL, by unanimous consent, offered **Senate Resolution No. 225**, entitled:

A Resolution recognizing the month of November 2011 as "Assistive Technology Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, it was disappointing news to recently learn that Pennsylvania's unemployment rate has risen to 8.3 percent. Without a doubt, that many jobless people--with the number on the rise--is a crisis. But if they were

nearly double that, it would be a catastrophe. That is what people with disabilities face as they work to become productive members of society. An unemployment rate of more than 15 percent awaits those who are able and willing to overcome their challenges to return to work. And that number would be even higher without the tremendous advances in assistive technology that have helped not only in the recovery of the disabled but in the rehabilitation of the disabled worker.

From the time when the first battlefield prosthesis was invented 4,000 years ago, up to the latest text-to-speech software, assistive technology has put people back to work, and there has been no time in our history more important for that kind of work. Today, when people need jobs and America needs bright minds working on complex problems, we should encourage the help of every mind, no matter the limitations of the body. That is why I am introducing this resolution and asking my colleagues for their support to declare November as "Assistive Technology Awareness Month" in Pennsylvania.

Every year, the Pennsylvania Assistive Technology Foundation gives thousands of Pennsylvanians the chance to live their lives, fulfill their ambitions, and contribute to their State and nation. I believe it is very important that as we look for ways to put our economy on a sustainable path toward recovery, we remember those who have already set themselves on this path and are ready to assist us on it.

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 LEACH, TARTAGLIONE, STACK, ERICKSON, GREENLEAF, BREWSTER, WARD, HUGHES, SCHWANK, RAFFERTY, BROWNE, FONTANA, PILEGGI, DINNIMAN, WAUGH, FERLO, SOLOBAY, COSTA, ALLOWAY, EARLL, FARNESE and PIPPY, by unanimous consent, offered **Senate Resolution No. 226**, entitled:

A Resolution designating the month of November 2011 as "Hydrocephalus Awareness Month" in Pennsylvania, and urging governmental agencies to collect disease incidence data relating to hydrocephalus.

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

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Jody Charles Eyer, Bailey Rose Deatrick and to Edith Garcia by Senator Alloway.

Congratulations of the Senate were extended to Richard T. Leymeister and to Jarred Michael Wickiser by Senator Argall.

Congratulations of the Senate were extended to Gerald B. Sheldon by Senator Baker.

Congratulations of the Senate were extended to Ella Jane Kunkle by Senators Boscola and Browne.

Congratulations of the Senate were extended to Helene Meissner and to Jason J. Breidinger by Senators Boscola, Argall, and Browne.

Congratulations of the Senate were extended to Douglas M. Scott and to Trevor Graham McCleary by Senator Browne.

Congratulations of the Senate were extended to Kevin Ryczak and to the citizens of Lehigh County by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth Kulp, Mr. and Mrs. Alvin Herr, Mr. and Mrs. David Thompson, Mr. and Mrs. James Riley, Mr. and Mrs. Nevin McMullen, Mr. and Mrs. Kenneth Miller, Mr. and Mrs. Earl Trego, Mr. and Mrs. Andrew Zipfel, Mr. and Mrs. Clarence Gehman and to Donald Johnson by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Leonard Yoder, Mr. and Mrs. Darlington Marks, Jr., Sarah Renee Masters and to Alek Donato Masters by Senator Corman.

Congratulations of the Senate were extended to Caleb Jeffrey Dillinger by Senator Costa.

Congratulations of the Senate were extended to Mr. and Mrs. Terry Brett, Mr. and Mrs. Kenneth Rongaus, Dr. Dorothy H. L. Carroll, Dr. James A. Jones, Kevin B. Mahoney, Z. Michael Fell, Deborah Bookstaber, Susan W. Elko, Barbara Masters, Ramona Pluck, James Bell, Cynthia Outlaw, Maria Irene Turse, Leon Thomas, Chuck Benz, J. Craig Fenimore, Gertrude R. Dalton, Joyce Sutton, Erin Clemens, New Eagle Elementary School of Wayne, Upper Main Line YMCA Swim Program of Berwyn, IMC Construction of Malvern, Volunteer Income Tax Assistance program, Devlin-Rosmos-Kepp Funeral Home and Cremation Services, Inc., Sai Temple of Downingtown and to Phoenixville Public Library by Senator Dinniman.

Congratulations of the Senate were extended to Alice M. Thomas by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to Greg Krajewski by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Nicholas Lawrence Pardini by Senator Earll.

Congratulations of the Senate were extended to Elizabeth M. Beckett and to Norman Mattock Callahan IV by Senator Erickson.

Congratulations of the Senate were extended to Bob Gunn, Luis Seda, Linda Smith and to Brett Coles by Senator Farnese.

Congratulations of the Senate were extended to Tyler James Lee, Kyle Joseph Sklareski, Brian Barkley, Lucas Rogers, Nathaniel Smith, Christopher Matthew Berger and to Chad Parker Mentzer by Senator Folmer.

Congratulations of the Senate were extended to Ronald Miller by Senators Folmer and Schwank.

Congratulations of the Senate were extended to Chief Robert L. Lockcuff, Leo Funk and to Cathy J. Keiser by Senator Gordner.

Congratulations of the Senate were extended to Albert Gesullo by Senator Greenleaf.

Congratulations of the Senate were extended to Bishop Richard S. McCray, Michael Scott Livornese, Lance Michael Filippi and to Sean Paul Bray by Senator Leach.

Congratulations of the Senate were extended to Florence E. Ohler, Cole Nunan Rushworth and to the Pennsbury Scholarship Foundation by Senator McIlhinney.

Congratulations of the Senate were extended to Robert J. Moran and to David Francis Schad by Senator Mensch.

Congratulations of the Senate were extended to John Robert Cressman by Senators Mensch and McIlhinney.

Congratulations of the Senate were extended to Reverend Bob Stevens, Donald M. Bernhard, Brenda Barrett, Kostas Kalogeropoulos, Bethlehem City citizens, Bechtel's Pharmacy, Brown Daub Dealerships, PPL Corporation of Allentown, White Haven Area Community Library, Allentown School District, Jim Thorpe Chamber Council, Heritage Conservancy, Lehigh Valley Trail Tenders, American Hairlines, Saucon Valley Bikes, Viamedia and to Sacred Heart Healthcare System by Senator Mensch and others.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Suto, James Beck, Brandon Grupe, Katherine Sabak and to the Unitarian Universalist Church of North Hills by Senator Orie.

Congratulations of the Senate were extended to Patrick Richard Brame and to Garrett E. Richards by Senator Piccola.

Congratulations of the Senate were extended to Thomas Coebourn Elementary School of Aston and to the Mount Olive Baptist Church of Linwood by Senator Pileggi.

Congratulations of the Senate were extended to William Henry Segeleon, Stephen Allan Crane, Nicholas Grande, Timothy Francis Palacios, Benjamin Joseph Grassi and to Saint Paul's Episcopal Church of Mount Lebanon by Senator Pippy.

Congratulations of the Senate were extended to Helen Bradford Gallant and to London Grange No. 1492 by Senator Robbins.

Congratulations of the Senate were extended to Brian J. Gulnac by Senator Scarnati.

Congratulations of the Senate were extended to Joel D. Avram, Craig S. Breneiser, Angel F. Figueroa and to Blue Mountain Eagle Climbing Club volunteers of Bernville by Senator Schwank.

Congratulations of the Senate were extended to Brandon M. Stone by Senator Smucker.

Congratulations of the Senate were extended to Mr. and Mrs. Frank Phillips, Honorable L. Anthony Spossey, William G. Neal, Robert J. Nicoletta, Sarah Craft Wilson, Andrew J. Sontag and to Waste Management of Western Pennsylvania by Senator Solobay.

Congratulations of the Senate were extended to Reverend Joseph Campellone, Nancy Morozin, Peter Kopke, Sr., Rilling's Bakery of Philadelphia, Origlio's Beverage of Philadelphia, Muller Incorporated of Philadelphia, Wawa Corporation of Lansdale and to The Dining Car of Philadelphia by Senator Stack.

Congratulations of the Senate were extended to James Fleming, Ann Fleming, Alfredo Caldern and to Rosemary Kulick by Senator Tartaglione.

Congratulations of the Senate were extended to Rabbi and Mrs. Akiva Gutnicki, Honorable Mike Fitzpatrick, Carole Lear Israel and to Connor Schweikert by Senator Tomlinson.

Congratulations of the Senate were extended to Maureen Cronin, Daniel A. Mack, members of the Cumberland Valley High School Boys' Water Polo Team and to the Cumberland Valley Middle School Girls' Water Polo Team by Senator Vance.

Congratulations of the Senate were extended to Louis James Pallerino by Senator Vogel.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Lago and to Thomas Fitzgerald by Senator Ward.

Congratulations of the Senate were extended to the Honorable Johnny J. Butler by Senator Washington.

Congratulations of the Senate were extended to Debra A. Hoff by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Gerald Libengood, Mr. and Mrs. James Wakefield, Mr. and Mrs. Pete Polenik, Mr. and Mrs. Jerry Dick, Mr. and Mrs. Ed Medvetz, Mr. and Mrs. Doyle Decker and to Mr. and Mrs. Virgil Peightal by Senator D. White.

Congratulations of the Senate were extended to Gary L. Kuhn and to Andrew Charles Barger by Senator M.J. White.

Congratulations of the Senate were extended to Julius Jackson by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Michael Doebler and to James M. De Biase by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Casselbury, Mr. and Mrs. Thomas Waldman, Mr. and Mrs. Ronald Fassett, Sr., and to Preston E. Barto by Senator Yaw.

Congratulations of the Senate were extended to Patricia Mangold, Michael D. Donahue, Alexa Gorski, Janine Olshefski and to Tina Parrish by Senator Yudichak.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Dr. Edmund William McGrath by Senators Baker and Yudichak.

Condolences of the Senate were extended to the family of the late Robert Andrew Stuart by Senator Farnese.

### POSTHUMOUS CITATION

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

A posthumous citation honoring the late Thomas A. Kelly was extended to the family by Senator Pileggi.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 1141, SB 1174, SB 1297, SB 1321, SB 1323, HB 584, HB 1355, HB 1792 and HB 1875.**

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

### BILLS REREFERRED

Upon motion of Senator PILEGGI, and agreed to by voice vote, the following bills just considered were referred to the Committee on Appropriations:

**SB 1297 and SB 1323.**

## ANNOUNCEMENTS BY THE SECRETARY

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

### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### TUESDAY, NOVEMBER 15, 2011

- |            |  |                        |
|------------|--|------------------------|
| 9:00 A.M.  | ENVIRONMENTAL RESOURCES AND ENERGY and MAJORITY POLICY COMMITTEE (joint public hearing on issues related to flood mitigation through stormwater management)  | Senate Maj. Caucus Rm. |
| 10:00 A.M. | COMMUNICATIONS AND TECHNOLOGY and CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (joint public hearing on Act 183)   | Hrg. Rm. 1 North Off.  |
| 10:00 A.M. | GAME AND FISHERIES (public hearing with the House Game and Fisheries Committee and the PA Fish and Boat Commission for a presentation of the organization's "Hatchery Cost Savings Work Group Report") | Room 8E-B East Wing    |
| 10:30 A.M. | EDUCATION (to consider Senate Bills No. 1133, 1211, 1221, 1239, 1308 and 1322)   | Room 8E-A East Wing    |

#### WEDNESDAY, NOVEMBER 16, 2011

- |           |   |                        |
|-----------|---|------------------------|
| 9:00 A.M. | ENVIRONMENTAL RESOURCES AND ENERGY and MAJORITY POLICY COMMITTEE (joint public hearing on issues related to flood mitigation through stormwater management) | Senate Maj. Caucus Rm. |
|-----------|---|------------------------|

#### THURSDAY, NOVEMBER 17, 2011

- |           |   |                                |
|-----------|---|--------------------------------|
| 9:30 A.M. | COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT and LOCAL GOVERNMENT (joint hearing with the House Local Government and House Urban Affairs Committees to continue discussion on Act 47 and the impact on local government, businesses, communities and labor) | Room 140 House Maj. Caucus Rm. |
|-----------|---|--------------------------------|

#### WEDNESDAY, DECEMBER 7, 2011

- |           |   |                     |
|-----------|---|---------------------|
| 9:30 A.M. | COMMUNICATIONS AND TECHNOLOGY (public hearing to review the OIT Strategic Plan) | Room 8E-A East Wing |
|-----------|---|---------------------|

## 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 PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

November 1, 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 Terence Farrell, 345 West Chestnut Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified, vice Daniel L. Woodall, Jr., Pottstown, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

November 1, 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, Pamela L. McGaha, 1120 Yorkshire Road, Bethlehem 18017, Northampton County, Sixteenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until July 1, 2014, or until her successor is appointed and qualified, vice Stephen A. Glassman, Reading, forfeiture of seat.

**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:

November 1, 2011

- HB 1400** -- Committee on Public Health and Welfare.
- HB 1901** -- Committee on Education.
- HB 2007 and 2014** -- Committee on Community, Economic and Recreational Development.

**BILLS SIGNED**

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

- SB 200 and SB 314.**

**RECESS**

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, November 14, 2011, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.  
The Senate recessed at 3 p.m., Eastern Daylight Saving Time.