

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 4, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 33

SENATE

MONDAY, June 4, 2012

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

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

PRAYER

The Chaplain, Reverend DEBORAH REYNOLDS, Pastor of Bethel A.M.E. Church, Kennett Square, offered the following prayer:

Good afternoon. It is my honor to serve today as the guest Chaplain for the Senate of Pennsylvania. Let us look to the Lord in prayer.

Almighty and gracious God, these public servants are gathered once again to labor and study, seeking to work together for the common good. These men and women come from all walks of life, are of many faiths, of many talents, gifts, and abilities. From across this great Commonwealth, we are assembled. Our prayer is that the work before this Senate is undertaken in sincerity and humility, understanding and compassion. We pray for wisdom and clarity, justice tempered with mercy, good works tempered by grace. We ask divine guidance in these human affairs, the guidance of a higher power, the guidance of one greater than each of us and all of us. There will be passionate positions. Let them be presented peaceably. There will be difficult decisions. Let this body seek to do the greatest good for all. Our prayer is that these multi-talented, multi-faithed people work together as Members of one body, being truly of one accord, working in unity for one purpose, the good of the people of the Commonwealth of Pennsylvania. Touch this body, we pray. Bring together the minds, the hearts, and the souls of these women and men. Let the quarrels be good-natured, the work honorable, the laws equitable, and the results just. Hear our prayer, O Lord. Amen.

The PRESIDENT. The Chair thanks Pastor Reynolds, who is the guest today of Senator Pileggi.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the

Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

JUDGE, PHILADELPHIA TRAFFIC COURT

May 24, 2012

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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Philadelphia Traffic Court, to serve until the first Monday of January 2014, vice The Honorable Willie Singletary, resigned.

TOM CORBETT
Governor

**MEMBER OF THE STATE
TRANSPORTATION COMMISSION**

May 24, 2012

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, Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thane Martin, Wilmington, Delaware, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION**

May 25, 2012

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. Pape, 1920 Monterey Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Harry Thomas, Erie, deceased.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

May 25, 2012

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. Ward, Esquire, 266 Jefferson Drive, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable David N. Wecht, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF
VETERINARY MEDICINE

May 29, 2012

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, Meredith A. Odato (Public Member), 4031 Tuxey Avenue, Pittsburgh 15227, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, 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 Maria Romano Marcinko, Steelton, whose term expired.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

May 29, 2012

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northumberland, Magisterial District 08-3-02, to serve until the first Monday of January 2014, vice The Honorable Robert J. Bolton, resigned.

TOM CORBETT
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

May 25, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 29, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable David N. Wecht, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Eric Springman, Atlanta, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Cornelius Pitts, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth

Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Patrick Oates, Plymouth Meeting, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Colena Johnson-Kemp, Ambler, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Andrew J. Behnke, M.D., Carlisle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Margaret Hanna, Quakertown, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Kimberly Gray, Mechanicsburg, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 28, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified, vice Robert G. Sanders, Philadelphia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE ENVIRONMENTAL
HEARING BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until his successor is appointed and qualified, vice The Honorable Michael Krancer, Bryn Mawr, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until her successor is appointed and qualified, vice Christine J. Toretti, Indiana, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE HORSE
RACING COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice John B. Hannum III, Kennett Square, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Renee Cardwell Hughes, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 17, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2014, vice The Honorable Clarence N. Patterson, Jr., deceased.

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

TOM CORBETT
Governor

JUDGE, PHILADELPHIA TRAFFIC COURT

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Traffic Court, to serve until the first Monday of January 2014, vice The Honorable Earlene Green, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Ray Morrow, Pittsburgh, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Optometry, 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 Roberta C. Horwitz, O.D., Pittsburgh, whose term expired.

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

TOM CORBETT
Governor

PHYSICIAN GENERAL

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Physician General, to serve at the pleasure of the Governor, vice The Honorable Robert Muscalus, Harrisburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 16, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Planning Board, to serve until December 16, 2013, and until his successor is appointed and qualified, vice Alan Jennings, Allentown, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Nicholas DeRosa, New Castle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice M. Lee Hartzok, Chambersburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Mitzi C. Smith, Mont Alto, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Transportation Commission, to serve for a term of six years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice John Kazmaier, Hollidaysburg, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 7, 2012, for the appointment of Mike Downing, 123 Stanford

Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Ertley, Dallas, deceased.

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

TOM CORBETT
Governor

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

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Sharon Guise, Dover, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2017,

and until her successor is appointed and qualified, vice Thomas Fee, New Castle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice The Honorable Gerald J. LaValle, Rochester, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Loretta Hogans, New Castle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE WORKERS'
COMPENSATION APPEAL BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Workers' Compensation Appeal Board, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Herbert Hoffman, Harrisburg, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of York, Magisterial District 19-2-04, to serve until the first Monday of January 2014, vice The Honorable Alan G. Naylor, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of York, Magisterial District 19-1-05, to serve until the first Monday of January 2014, vice The Honorable Barbara H. Nixon, resigned.

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

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:

May 29, 2012

HB 626, 1100, 1780 and 2000 -- Committee on Finance.

HB 856, 1289, 2016, 2071 and 2331 -- Committee on Judiciary.

HB 881 and 2293 -- Committee on Game and Fisheries.

HB 1047 and 1484 -- Committee on Local Government.

HB 1767 -- Committee on Urban Affairs and Housing.

HB 2168 -- Committee on Veterans Affairs and Emergency Preparedness.

HB 2199, 2215, 2254, 2289, 2343 and 2345 -- Committee on Transportation.

HB 2346 -- Committee on Labor and Industry.

May 31, 2012

HB 2321 -- Committee on Veterans Affairs and Emergency Preparedness.

HB 2324 -- Committee on Local Government.

HB 2326 -- Committee on Community, Economic and Recreational Development.

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:

May 29, 2012

Senators GREENLEAF, BAKER, RAFFERTY, EICHELBERGER, ERICKSON, SOLOBAY and YUDICHAK presented to the Chair **SB 1520**, entitled:

An Act amending Title 10 (Charities) of the Pennsylvania Consolidated Statutes, consolidating the Solicitation of Funds for Charitable Purposes Act; consolidating the Institutions of Purely Public Charity Act; and making related repeals.

Which was committed to the Committee on STATE GOVERNMENT, May 29, 2012.

Senators COSTA, FONTANA, FERLO, YUDICHAK, SOLOBAY, HUGHES, KITCHEN and TARTAGLIONE presented to the Chair **SB 1525**, entitled:

An Act amending the act of December 20, 2000 (P.L.949, No.130), known as the Neighborhood Improvement District Act, further providing for creation of neighborhood improvement district.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 29, 2012.

Senators YUDICHAK, BAKER, GORDNER, TARTAGLIONE, FARNESE, SOLOBAY, COSTA, BLAKE, STACK, BREWSTER, SCHWANK, ARGALL, BOSCOLA, FONTANA, WASHINGTON, HUGHES, BROWNE and FERLO presented to the Chair **SB 1529**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentencing for offenses committed in association with a criminal street gang.

Which was committed to the Committee on JUDICIARY, May 29, 2012.

Senators YUDICHAK, BAKER, GORDNER, TARTAGLIONE, FARNESE, SOLOBAY, COSTA, BLAKE, STACK, BREWSTER, SCHWANK, ARGALL, BOSCOLA, FONTANA, WASHINGTON, HUGHES, BROWNE and FERLO presented to the Chair **SB 1530**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for Office for Safe Schools.

Which was committed to the Committee on EDUCATION, May 29, 2012.

Senators BAKER, SOLOBAY, TOMLINSON, MENSCH, GORDNER, ERICKSON, VOGEL, TARTAGLIONE, SCHWANK, FONTANA, YUDICHAK, RAFFERTY, STACK, SCARNATI, COSTA, BOSCOLA, BRUBAKER and WARD presented to the Chair **SB 1531**, entitled:

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission

and Deputy Adjutant General for Veterans' Affairs, establishing the Pennsylvania Veterans Trust Fund; and, in registration of vehicles, further providing for special plates for veterans.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 29, 2012.

Senators VOGEL, WOZNIAK, SCARNATI, BAKER, BOSCOLA, DINNIMAN, EARLL, ERICKSON, FERLO, FOLMER, GORDNER, MENSCH, PIPPY, ROBBINS, SOLOBAY, VANCE, WARD, WAUGH, D. WHITE, M. WHITE, YAW, YUDICHAK and ALLOWAY presented to the Chair **SB 1532**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

Which was committed to the Committee on TRANSPORTATION, May 29, 2012.

Senators McILHINNEY, SOLOBAY, STACK, FONTANA, TARTAGLIONE, ALLOWAY, FERLO, RAFFERTY, D. WHITE, COSTA and HUGHES presented to the Chair **SB 1534**, entitled:

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for the regulation of the practice of speech-language pathology and audiology; repealing certain provisions; and making editorial changes.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 29, 2012.

Senators GREENLEAF, FERLO, RAFFERTY, PIPPY, BOSCOLA, ARGALL, YUDICHAK, BAKER and MENSCH presented to the Chair **SB 1535**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in rules of evidence, further providing for subpoena of records.

Which was committed to the Committee on JUDICIARY, May 29, 2012.

Senators WOZNIAK, FONTANA, SOLOBAY, FOLMER, FERLO and EARLL presented to the Chair **SB 1536**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, abolishing the Department of Drug and Alcohol Programs and transferring its powers and duties to the Department of Health.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 29, 2012.

May 31, 2012

Senators WARD, BAKER, EARLL, WAUGH, SOLOBAY, FOLMER, ALLOWAY, McILHINNEY, EICHELBERGER, FONTANA, FERLO, SMUCKER, MENSCH and RAFFERTY presented to the Chair **SB 1495**, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for right to lien and amount and for discharge of lien on payment into court or entry of security.

Which was committed to the Committee on LABOR AND INDUSTRY, May 31, 2012.

Senators STACK, M. WHITE, FARNESE and FERLO presented to the Chair **SB 1504**, entitled:

An Act amending the act of December 13, 1988 (P.L.1190, No.146), known as the First and Second Class County Property Tax Relief Act, further providing for conditions of deferral or exemption.

Which was committed to the Committee on FINANCE, May 31, 2012.

Senators FARNESE, STACK, TARTAGLIONE, BREWSTER, EARLL and FERLO presented to the Chair **SB 1516**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for assessments in cities of the first class.

Which was committed to the Committee on FINANCE, May 31, 2012.

Senators WOZNIAK, FONTANA, SOLOBAY, BOSCOLA, WAUGH and TARTAGLIONE presented to the Chair **SB 1537**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for exemptions from taxation.

Which was committed to the Committee on FINANCE, May 31, 2012.

Senators D. WHITE, FERLO, ALLOWAY, RAFFERTY, WAUGH, SCARNATI, EARLL, YUDICHAK, WARD and BRUBAKER presented to the Chair **SB 1538**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, providing for punitive damages study; and imposing duties on the Insurance Commissioner.

Which was committed to the Committee on BANKING AND INSURANCE, May 31, 2012.

Senators BAKER, SOLOBAY, ALLOWAY, RAFFERTY, D. WHITE, YAW, SCHWANK, MENSCH, BOSCOLA, COSTA, ERICKSON, FERLO and YUDICHAK presented to the Chair **SB 1539**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency management services, further providing for definitions and for purposes of part; providing for penalty for false application; extensively revising provisions relating to Commonwealth services and to local organizations and services; further providing for disaster duties, for acceptance, for interstate arrangements, for immunity, for special powers, for workers' compensation and for penalties; providing for authority of Federal law enforcement officers, for confidentiality, for adverse interests and for public health emergency measures; and making a related repeal.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 31, 2012.

Senator BROWNE presented to the Chair **SB 1541**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, further providing for licenses; in payment of tax, further providing for discount; in assess-

ment and collection of tax, further providing for assessment; in interest, additions, penalties and crimes, providing for failure to timely remit tax collected; in personal income tax, further providing for definitions and for taxability of partners, providing for tax treatment determined at partnership level and for tax imposed at partnership level, further providing for income of a Pennsylvania S corporation, for tax withheld and for requirement of withholding tax, providing for requirement of withholding tax for nonemployers, further providing for information statement, providing for information statement for nonemployer payors and for information statement for nonemployer payees, further providing for time for filing employers' returns, for payment of taxes withheld, for employers liability for withheld taxes, for employer's failure to withhold, for designation of third parties to perform acts required of employers, for general rule, for amount of withholding tax and for treatment of nonresident partners, members or shareholders, providing for withholding on income from oil and gas interests and for annual withholding statement, further providing for return of Pennsylvania S corporation, for requirements concerning returns, notices, records and statements, for assessment, for additions, penalties and fees and providing for failure to timely remit tax withheld; in corporate net income tax, further providing for assessments; in realty transfer tax, further providing for assessment and notice of tax and review; in cigarette tax, further providing for disposition of certain funds; in malt beverage tax, further providing for assessment by department; in general provisions, providing for administrative bank attachment for accounts of obligors to the Commonwealth, for tax delinquent placard and for additional citation authority; and providing for applicability.

Which was committed to the Committee on FINANCE, May 31, 2012.

Senators FERLO, FONTANA, TARTAGLIONE, BOSCOLA and EARLL presented to the Chair **SB 1542**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, making extensive reenactments, revisions and additions by: in preliminary provisions, further providing for definitions; in administrative provisions, further providing for the Department of Health; in health systems, further providing for the Health Policy Board and its functions and for Statewide planning; establishing the Certificate of Need Review Board; in administration, further providing for regulations and for orders; in certificate of need, further providing for requirement and review, for operation, for procedure, for public meetings, for good cause, for information, for review criteria, for monitoring and expiration, for emergencies, for notice of termination, for review of activities and for sanctions; in health care facility licensing, further providing for issuance; and in miscellaneous provisions, further providing for existing facilities and institutions, for fees and for expiration.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 31, 2012.

June 1, 2012

Senators D. WHITE, PILEGGI, SCHWANK, YUDICHAK, FOLMER, BOSCOLA, ALLOWAY, RAFFERTY, EARLL, BAKER and WARD presented to the Chair **SB 1545**, entitled:

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, amending the title of the act; further providing for conflicts of interest and penalty; reorganizing the Department of Banking and the Pennsylvania Securities Commission; and making related repeals.

Which was committed to the Committee on INTERGOVERNMENTAL OPERATIONS, June 1, 2012.

Senators GORDNER, YAW, RAFFERTY, PILEGGI, YUDICHAK, MENSCH, ARGALL, D. WHITE, EARLL, SCHWANK and WARD presented to the Chair **SB 1546**, entitled:

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, codifying the State Tax Equalization Board Law into the act; and making a related repeal.

Which was committed to the Committee on INTERGOVERNMENTAL OPERATIONS, June 1, 2012.

RESOLUTION INTRODUCED AND REFERRED

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

May 31, 2012

Senators VANCE, SCARNATI, PILEGGI, GORDNER, SCHWANK, BAKER, ERICKSON, RAFFERTY, ARGALL, WAUGH, D. WHITE, ALLOWAY, BOSCOLA, EARLL, MENSCH, WARD and BRUBAKER presented to the Chair **SR 322**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the Department of Public Welfare's usage of electronic benefit transfer cards as a means of conveying benefits and to analyze whether biometric smart cards containing a photograph and other identifying information would generate State savings, deter fraudulent activities and more efficiently transfer the payment to the recipient.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 31, 2012.

GENERAL COMMUNICATIONS REPORT PURSUANT TO ACT 3 OF 2008

UNIVERSITY OF PITTSBURGH

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

UNIVERSITY OF PITTSBURGH
Office of the Chief Financial Officer
1817 Cathedral of Learning
4200 Fifth Avenue
Pittsburgh, PA 15260

May 25, 2012

Mr. W. Russell Faber, Chief Clerk
Senate of Pennsylvania
Senate Box 203052
89E Capitol East Wing
Harrisburg, PA 17120-3052

Dear Mr. Faber:

As required by the Right-to-Know legislation please find enclosed the University of Pittsburgh's Federal Form 990 and the 25 highest paid non-officers for the year-ended June 30, 2011.

If you should require additional information, please do not hesitate to contact my office at 412-624-6576.

Yours truly,

ARTHUR G. RAMICONE

The PRESIDENT. This report will be filed in the Library.

REPORT PURSUANT TO ACT 3 OF 2008

TEMPLE UNIVERSITY

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

TEMPLE UNIVERSITY
Office of the Secretary
3 Mezzanine, Sullivan Hall
1330 Polett Walk
Philadelphia, PA 19122-6087

May 29, 2012

VIA OVERNIGHT DELIVERY

Robert F. Teplitz
Chief Counsel/Policy Director
Open Records Officer
Department of the Auditor General
Commonwealth of Pennsylvania
229 Finance Building
Harrisburg, PA 17109-0018

Re: Right-to-Know Law Annual Filing

Dear Mr. Teplitz:

Pursuant to Chapter 15 of the Right-to-Know Law, I enclosed for filing a copy of the following:

(1) University's Form 990 of the United States Department of the Treasury, Internal Revenue Service. The Form 990 includes the salaries of all officers and trustees of Temple University.

(2) A listing of the 25 highest salaried employees who are not officers or trustees.

This information is being or has been posted at the University's website at www.temple.edu.

Very truly yours,

GEORGE E. MOORE

The PRESIDENT. This report will be filed in the Library.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Leach and Senator Yudichak, and a legislative leave for Senator Washington.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola, and legislative leaves for Senator Brubaker, Senator Ward, Senator McIlhinney, and Senator Tomlinson.

Senator Costa requests temporary Capitol leaves for Senator Leach and Senator Yudichak, and a legislative leave for Senator Washington.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator COSTA asked and obtained leaves of absence for Senator HUGHES, Senator KITCHEN and Senator WILLIAMS, for today's Session, for personal reasons.

Senator PILEGGI asked and obtained a military leave of absence, pursuant to Senate Rule XX.2(c), for Senator PIPPY.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, June 4, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 11, 2012, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 11, 2012, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate adopt the resolution?

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

YEA-45

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

NAY-0

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Piccola and Senator Yudichak have returned, and their temporary Capitol leaves are cancelled.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR MICHAEL L. WAUGH
AND SENATOR MICHAEL W. BRUBAKER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I have a special guest on the Senate floor today whom I would like to introduce, if I may, on behalf of Senator Brubaker. As you know, Mr. President, Senator Brubaker and I serve on the Chesapeake Bay Commission, and it was during our time of service on the commission that we had the pleasure of meeting and working with Virginia State Senator Mary Margaret Whipple. Senator Whipple is with us today. Actually, she is here on the floor. She is now retired from the Virginia State Senate, but she represented the 31st District from 1996 to 2011. It was sort of interesting to watch her and Senator Vance interact. Senator Vance, as you know, also represents the 31st District here in the great Commonwealth of Pennsylvania.

Senator Whipple began her public service career, like many of us in this Chamber, as a member of a local government agency, in her case, a local school board. She then served as a member of her county board before her election to the Senate. Although she is retired from the Virginia Legislature, which she did, and I believe this is important to note, in order to spend more time with her family, especially her five grandchildren, but she also wanted to take a more active role in the National Caucus of Environmental Legislators, better known as NCEL, a non-profit environmental organization established by legislators specifically for legislators, and it is a nonpartisan, nondenominational, if you will, organization that works on behalf of environmental matters.

Senator Whipple is here in Harrisburg for an NCEL breakfast, which will be held tomorrow morning in the East Wing Rotunda. If you are looking for breakfast tomorrow, all Members of the General Assembly are invited to drop by between the hours of 8 a.m. and 11 a.m. to meet Senator Whipple and the NCEL president and Maryland Delegate Jim Hubbard, with whom, I might add, Senator Brubaker and I also serve on the Chesapeake Bay Commission. They are here to meet us, to meet the legislators of Pennsylvania, to learn more about environmental issues facing our Commonwealth, and to share information with you and answer questions about NCEL. I should add, she is joined by the executive director for NCEL, J.R. Tolbert, who is here with her on the floor. Mr. President, I ask the Members to give her a warm welcome to our Senate Chamber. Thank you very much.

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

(Applause.)

**GUESTS OF SENATOR CHRISTINE M.
TARTAGLIONE PRESENTED TO THE SENATE**

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

Senator TARTAGLIONE. Mr. President, today in the gallery I am honored to have some very, very dear friends joining us. Forty-five students and five chaperones from the Excel Academy

at 6600 Bustleton Avenue in Philadelphia are here in Harrisburg today. Excel Academy is the first program of its kind authorized by the School District of Philadelphia to address the dropout rate of at-risk students. All of those students are part of the Honor Society, having received honor roll marks during this marking period or throughout the entire year.

Among the group are student government members who, on a daily basis, represent their school, peers, staff, and themselves to the best of their ability. Additionally, this group is mostly comprised of seniors who will be graduating on June 15. I commend these students for all of their hard work and accomplishments. Mr. President, I would appreciate a warm Senate welcome for my special guests from Excel Academy.

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

(Applause.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Appropriations also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meetings of the Committee on Rules and Executive Nominations and the Committee on Appropriations, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Appropriations, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Leach and Senator Washington have returned, and their respective leaves are cancelled.

LEAVE CANCELLED

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

LEGISLATIVE LEAVE

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

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

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

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senators BAKER, ALLOWAY, ARGALL, BLAKE, BOSCOLA, BREWSTER, BROWNE, BRUBAKER, CORMAN, COSTA, DINNIMAN, EARLL, EICHELBERGER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, KITCHEN, LEACH, McILHINNEY, MENSCH, PICCOLA, PILEGGI, PIPPY, RAFFERTY, ROBBINS, SCARNATI, SCHWANK, SMUCKER, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, VANCE, VOGEL, WARD, WASHINGTON, WAUGH, D. WHITE, M. WHITE, WILLIAMS, WOZNIAK, YAW and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 323**, entitled:

A Resolution honoring the life of former Senator Charles D. Lemmond, Jr., and extending condolences to his family.

On the question,
Will the Senate adopt the resolution?

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

Senator BAKER. Mr. President, it is always a sad moment when a distinguished former Member passes, but this one hits closer to home. From the time of my first memories, Charlie Lemmond has been part of my life. Over the years, he was a neighbor, a father figure, a role model, a mentor, a catalyst, a counselor, a boss, and finally, my predecessor. Always, he was a dear and devoted friend. So my reflection today comes with deep respect and a healthy dash of reverence.

As a measure of the change within the Senate, only Senator Greenleaf was here in 1985 to greet Charlie, the winner of a special election to replace the legendary Senator Frank O'Connell. Across 21 years of Senate service, Charlie's impact was more personal than political. He was a man of moderate views and temperament, not a partisan warrior craving the spotlight. He preferred reasonable practicality over rigid philosophy.

We will encounter few individuals as committed as Charlie was to doing the right thing, in the right way, for the right reasons. For him, public office was really a simple equation: civic duty plus integrity equals quality leadership. His approach to public service was decidedly old-fashioned, rooted in the many ways of more agreeable times, when common courtesy and civility were the norm, was results-oriented, where bipartisanship was a custom, negotiation was the tried-and-true way of working things out, and consensus-building was a standard practice. Whether he was in the legislature or in the community, team play was the rule. When it needed to be, he would work with those whom he held in a less exalted view.

Attorney. Judge. State Senator. These titles meant a lot to Charles Lemmond. He endeavored to live up to the professional and public standards of conduct that came with them. When the legislature or the legal profession fell short, he took the misconduct personally because he believed in the team. When the Senate had to confront its responsibilities during the impeachment of

Supreme Court Justice Rolf Larsen, Charlie Lemmond was a natural pick to be part of the group managing the process. Sure, he had judicial experience, but it was much more than the judicious manner in which he thought and acted that recommended him. In this serious charge, he was at his diligent and dependable best.

He was not a frequent speaker on the Senate floor, but when he spoke, there was a clear purpose, there was an important message, and his words were always well-chosen. In the district, he was a popular and much-sought-after speaker. His combination of insight, intelligence, and humor carried him through celebrations, ceremonies, legislative updates, roasts, and every occasion imaginable.

Nor was he an extensive introducer of bills. When he put his name on something, it was to effect. Pennsylvanians take for granted the guarantee of public comment periods during open meetings. This was not part of the original Sunshine Law, nor was it included in the modern rewrite, but Charlie Lemmond set out to correct this, and working with both the Republican and Democratic Leaders, he accomplished it, negotiated it with those pushing it, and those for whom it would apply.

No piece of legislation gave him more personal satisfaction than the law requiring hearing screenings for newborns.

His contemplative and deliberative style was legendary. With two or more sides to these issues, he did not want to disappoint. Thus, he was always looking for more information or a fresh angle that might just conflict into something closer to settlement. Facing a difficult choice, he asked more questions than the SAT.

Consistent with other aspects of his character, Charlie Lemmond was a man of faith. There was his personal faith, but there was also his faith in family, in community, and in the future.

All who knew Charlie will find many times and many ways of remembering him. We will hear his voice and his chuckle, we will picture how his face lit up when he was pleased or amused, the twinkle in his eye, and we will recall advice he gave and when he asked for ours.

Whenever someone pronounces themselves to be delighted, we will think of Charlie Lemmond. Whenever we see a bottle of Hank's root beer, we will remember that is what Charlie gave to every visitor in his Senate office. Whenever a citizen stands up at a school board meeting or a council meeting and says their piece, we will thank Charlie Lemmond. Whenever a child benefits from early diagnosis and treatment of hearing impairment, we will be grateful to Charlie Lemmond. And whenever someone acts distinctly statesmanlike, we will say, just like Charlie.

These are the lessons and legacy of a learned and influential man. We are grateful for his service, his example, and his friendship. We wish him eternal peace and extend deepest sympathies to his wife, Barbara; his children, Chuck, Judy, John, and David; his brother, George; and their families. So I would ask all of you to do me one last favor in raising a bottle of Hank's root beer in tribute to Senator Charlie Lemmond. Thank you.

The PRESIDENT. All those in favor of the resolution will please rise for a moment of silence. Staff and guests will also please rise.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of THE HONORABLE CHARLES D. LEMMOND, JR.)

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

Senator COSTA. Mr. President, I rise to share in the wonderful comments by our colleague, Senator Baker, in reference to, I think, a gentleman who epitomized the perfect gentleman in many respects. Often throughout her remarks and throughout the remarks of the resolution read a few moments ago, you heard a number of times the phrase "bipartisan," and I will tell you, in the period of time, 10 years, that I had the privilege of serving with Senator Lemmond, and spending a lot of time in the Committee on Judiciary with Senator Greenleaf and Senator Lemmond and so many others, he truly was someone who was bipartisan in his approach and wanted to work and negotiate, almost as if he were continuing to serve in his capacity as a judge to settle matters and do the consensus-building, as was described.

He was one of those individuals who, I think, brought the temperament to this Chamber. I believe he brought it, in my opinion, from the court, yet it was one that was very fitting for this Chamber because it allowed us the opportunity to see an individual who conducted himself in such a manner that was a great example for all of us, as we conducted our business, as we went forward, and as we continue to conduct our business here in this Chamber.

Senator Lemmond was just one of those guys who you really grew to like very, very much, and he was a good role model for so many of us. As Senator Baker indicated, there are a number of folks in this Commonwealth who have had the ability now to express their thoughts on various aspects of local government. But today, there are countless numbers of individuals who, because of his efforts on the newborn screening and testing process, may be sitting in some of those council chambers today or in the future who are able to sit and listen, and to hear some of the comments that are taking place, again, because of the efforts of Senator Lemmond. So he has had a profound impact on those individuals today, and for newborns for many, many years to come as it relates to his advocacy on a very, very important issue that was very near and dear to him.

So on behalf of my colleagues on the Senate Democratic side of the aisle, we, too, want to extend sympathy from our colleagues, but also, most importantly, to the family and the many, many friends of Senator Charles Lemmond. Thank you very much for all the work that you have done. We extend our sympathies to his family as well.

Thank you, Mr. President.

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

Senator GREENLEAF. Mr. President, I do remember well Senator Lemmond, with fond memories. He was a gentleman, he was a caring person, a person who you knew cared about you and about what he was doing. I can imagine he was the ideal judge because the question I always ask judges who come before the Committee on Judiciary is, what is your judicial temperament? I think that is one of the most important things, if not the most important attribute a judge should have. Charlie Lemmond had that attitude, and I am sure he demonstrated it when he was a judge, and he demonstrated it when he was a State Senator. I enjoyed working with him, and I will truly miss him. I saw him numerous times after his retirement. I enjoyed those times, and I will miss him.

One story I want to tell you about, recently, now, it has been a couple of years, but he did return, and he came to a meeting of the Senate Committee on Judiciary. He was there to introduce judicial nominees for Luzerne County to find judges who would help transition the county from what happened with the juvenile situation to new judges who were going to be elected. He was there recommending a man who was very qualified, and ultimately did do a wonderful job to help in that transition. During his comments, he looked at me and he said, you know, I always wanted to be the chairman of the Senate Committee on Judiciary, and he pointed at me and he said, but you did not retire. But he did. I thought to myself, tomorrow we are going to have a meeting of the Committee on Judiciary, and one of the things that we are going to vote on is to designate Senator Charles Lemmond as honorary chairman of the Senate Committee on Judiciary. I am sure all of my colleagues will join me in voting for that. That is honorary chairman. We look forward to doing that for Charlie before his service, which, I believe, is on Wednesday. We will remember him in a kind and loving way. I am sure, hopefully, it will put a smile on his face when we do that. Thank you.

The PRESIDENT. With the demonstration of a moment of silence, the Chair declares the resolution unanimously adopted.

LEGISLATIVE LEAVE CANCELLED

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

LEAVE CHANGED

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

Senator COSTA. Mr. President, I request that Senator Hughes' leave be changed from personal leave to temporary Capitol leave.

The PRESIDENT. Senator Costa requests Senator Hughes' leave be changed from personal leave to temporary Capitol leave. Without objection, the leave will be changed.

CALENDAR

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION OVER IN ORDER

SB 1467, SB 1468, SB 1469, SB 1470 and SB 1471 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

HB 761, SB 932 and SB 1090 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1115 (Pr. No. 2203) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definitions; and providing for the distribution of special education funding for student achievement and instruction of eligible students and for special education accountability.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator BROWNE. Mr. President, I rise today to ask my colleagues to support Senate Bill No. 1115. This legislation would update and reform the formula and the system for new special education funding across this Commonwealth. This reform and the changes proposed in Senate Bill No. 1115 are important, and they are long overdue. Governor Casey was Pennsylvania's chief executive the last time the legislature addressed the State's special education funding formula, which just goes to show how long we used the current system.

Unfortunately, this funding formula system is archaic and is basically ineffective in insuring that State money is adequately and equitably distributed to assist Pennsylvania's physically- and mentally-challenged students. Rather, special education funding in Pennsylvania is set based on a rigid formula, solely on generic indefensible assumptions. The current funding formula simply does not take into account the actual number of students needing specialized education services or the type and intensity of assistance that is required by these young people. Instead, Pennsylvania currently distributes special education funding in a cookie-cutter manner. We provide funding based on a fixed percentage of 16 percent of student count, instead of by recognizing actual need. This means local taxpayers must foot the bill for those additional costs and those schools when the actual need for services exceeds this percentage, and receive a windfall of resources when actual need is below it. Senate Bill No. 1115 would change that by allocating any new State special education funding in a manner that recognizes the actual number of physically- and mentally-changed students in a school and the various levels of their need for services.

I want to make it clear that this legislation is not intended to be punitive, and therefore would not impact the current level of special education funding received by local school districts. Instead, Senate Bill No. 1115 would apply to budgetary increases in special education funding, which is above the funding in this base year. In fact, this legislation does not establish the new funding formula. Instead, it empowers a 12-member legislative commission to develop the formula. The panel will be charged with developing a funding formula using a few basic parameters. Understand that in Senate Bill No. 1115, the new funding formula must: recognize three levels of services based on intensity provided to individual students; create weighted factors for each level that reflect range of services needed to educate students; and, third, use the average student count for each school district over a 3-year period in which each of the three levels of services exist. Senate Bill No. 1115 also insures that the public will be

able to provide input on the formula as it is being developed. The bill requires the legislative commission to hold three regional public hearings to give interested parties the opportunity to offer their opinions and their suggestions.

In short, Senate Bill No. 1115 will insure that when Pennsylvania again has the means to increase State spending for special education, that new money will be equitably and officially invested where it is most needed. Senate Bill No. 1115 also updates and improves the system of accountability for special education in Pennsylvania. Currently, school districts often respond in counterproductive ways to the problems with the current State system of special education funding and accountability. Some districts identify too many students for special education, while others identify too few, and the level of services for students often varies greatly between districts. Adopting this bill will establish a common, statewide set of expectations and standards for districts to better anticipate the relationship between special needs, the distribution of State funding, and the connection between funding and accountability.

The bill utilizes the existing State system of accountability, which involves a 3-year plan developed by each school district and approved by the State. The bill does not impose excess or new paperwork, or create mandates on school districts, but instead, streamlines and strengthens the existing accountability system, improving the connection between State funding and oversight. For the first time, school districts will report on the use of two cost-saving options allowed under Federal law: one, transitioning the older students out of special education who no longer require these services; and two, using existing Federal funding to provide academic interventions to bring young students up to grade level and avoid the need for special education in later years. Accountability, Mr. President, is important for special education to insure there is appropriate transparency in the system, and that school districts provide efficient and effective services for qualified students, and that students are appropriately identified. Senate Bill No. 1115 will provide this greater accountability.

Mr. President, in order for our Commonwealth system of public education to effectively serve the needs of our citizens, it must appropriately match program needs and resources and insure that delivery of services meet program goals. In the important area of special education, Senate Bill No. 1115 will accomplish this and insure that our most challenged students will receive the services they require to succeed.

In asking the Members of the Senate for their support, I want to thank the many advocacy groups for children with special needs, Senator Piccola, Senator Dinniman, and all the Senate and House staff who have worked on this measure. Without their leadership and the assistance of many others over the past 14 years of work on this bill, its passage would not be possible. On behalf of them as well, Mr. President, I ask for sincere consideration of Senate Bill No. 1115. Thank you very much.

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

Senator DINNIMAN. Mr. President, I rise to ask my colleagues to support Senator Browne's bill. It is a good bill that people on both sides of the aisle have worked on. It is a bill that will save us money in the long run, and also help each of the students with intellectual disabilities. Currently, we have a 16-percent factor in each school, and if you have more students

or less students, it does not matter, it is a cookie-cutter approach that the State has. This will reflect the actual number of students in need and the difficulty or degree of their need. It will also finally allow us to raise the question of the appropriate spending of special education money in terms of cyber schools and in terms of those schools that are using virtual space for special education.

This commission will, at long last, allow us to ask the key questions and to come up with the best answers. Special education dollars are an immense part of our budget. We have an obligation to make sure that money is spent appropriately, and we also have an obligation to make sure, based on Federal law and based on what our ethical responsibility is, to make sure that each student is educated in the best possible manner.

So, my friends and colleagues, I hope you will support this bill. It is a good bill and one that I think will change the face of how we deliver special education in this Commonwealth in the years ahead, and that is a matter of importance.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-46

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

NAY-1

McIlhinney

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.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 1135 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1237 (Pr. No. 1356) -- 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.

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-47

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

BILLS AMENDED

HB 1264 (Pr. No. 3273) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in depositions and witnesses, providing for expert testimony in certain criminal proceedings.

On the question,
Will the Senate agree to the bill on third consideration?
Senator M.J. WHITE offered the following amendment No. A11048:

Amend Bill, page 1, lines 5 through 14; page 2, lines 1 through 19, by striking out all of said lines on said pages

Amend Bill, page 3, line 9, by striking out "knowledge, skill, experience, training or education that" and inserting: experience with, or specialized training or education in, criminal justice, behavioral sciences or victim services issues, related to sexual violence.

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

It was agreed to.

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

SB 1321 (Pr. No. 2204) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for definitions, for contents, for plan not affected by certain collective bargaining agreements or settlements, for filing municipal debt adjustment under Federal law and for collective bargaining agreements, furlough of employees and disputes.

On the question,
Will the Senate agree to the bill on third consideration?

Senator EARLL offered the following amendment No. A10774:

Amend Bill, page 9, line 9, by striking out the bracket before "IS" where it occurs the second time

Amend Bill, page 9, lines 9 and 10, by striking out "]" in line 9 and "MUST" in line 10 and inserting:

to
Amend Bill, page 9, line 13, by inserting a bracket before "AFTER"

Amend Bill, page 9, line 15, by inserting a bracket after "(2)"

Amend Bill, page 9, line 20, by inserting a bracket before "(3)"

Amend Bill, page 9, line 20, by inserting after "(3)":

1 (2)

Amend Bill, page 9, line 24, by inserting a bracket before "(4)"

Amend Bill, page 9, line 24, by inserting after "(4)":

1 (3)

Amend Bill, page 9, line 29, by inserting a bracket before "(5)"

Amend Bill, page 9, line 29, by inserting after "(5)":

1 (4)

Amend Bill, page 10, line 7, by inserting after "APPROVE":

or deny

Amend Bill, page 10, lines 8 and 9, by striking out "ON THE BASIS THAT ONE OF THE CRITERIA UNDER" in line 8 and "SUBSECTION (A) HAS BEEN MET" in line 9

Amend Bill, page 10, line 10, by striking out "AN APPROVAL" and inserting:

a denial

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

It was agreed to.

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1410 (Pr. No. 2044) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, reenacting and amending provisions relating to school boards and educational empowerment.

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?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,
Shall the bill pass finally?

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

YEA-47

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

NAY-0

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

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

BILL AMENDED

SB 1464 (Pr. No. 2205) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for definitions, for acquisition of control of or merger or consolidation with domestic insurer, for acquisitions involving insurers not otherwise covered, for registration of insurers, for standards and management of an insurer within a holding company system and for examination; providing for supervisory colleges and for group-wide supervision for international insurance groups; and further providing for confidential treatment, for rules and regulations, for injunctions and certain prohibitions and for sanctions.

On the question,
Will the Senate agree to the bill on third consideration?

Senator D. WHITE offered the following amendment No. A11076:

Amend Bill, page 1, line 11, by inserting after "providing":
for reinsurance credits,

Amend Bill, page 1, lines 23 through 27, by striking out all of said lines and inserting:

Section 1. Section 319.1 of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, amended December 18, 1992 (P.L.1519, No.178), is amended to read:

Section 319.1. Reinsurance Credits.--(a) Unless an unlicensed reinsurer is qualified or certified to accept reinsurance from insurers licensed in this Commonwealth, no credit shall be allowed as an admitted asset or as a reduction of liability relative to risks ceded by such licensed insurers. Qualified or certified reinsurers are those meeting the conditions for reinsurers specified by the commissioner, in his discre-

tion, and included on a list of qualified or certified reinsurers published and periodically reviewed by said commissioner.

(b) A reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer which is not a qualified or certified reinsurer in accordance with this section shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer and such reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with such assuming insurer as security for the payment of obligations thereunder, if such security is held in the United States subject to withdrawal solely by and under the exclusive control of the ceding insurer or, in the case of a trust, held in a qualified United States financial institution, as defined in subsection (g)(2). This security may be in the form of:

(1) Cash.

(2) Securities listed by a securities valuation office of a national association of insurance commissioners or any successor thereto, including those exempted from filing under the Purposes and Procedures Manual of the Securities Valuation Office of the National Association of Insurance Commissioners, and qualifying as admitted assets.

(3) (i) Clean, irrevocable, unconditional and evergreen letters of credit issued or confirmed by a qualified United States financial institution, as defined in subsection (g)(1), no later than the thirty-first day of December in respect of the year for which filing is being made and in the possession of the ceding [company] insurer on or before the filing date of its annual statement.

(ii) Letters of credit meeting applicable standards of issuer acceptability as of the dates of their issuance or confirmation shall, notwithstanding the issuing or confirming institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be acceptable as security until their expiration, extension, renewal, modification or amendment, whichever first occurs.

(4) Funds or letters of credit provided by a noninsurer parent corporation of the ceding insurer, in lieu of the funds to be withheld by the ceding insurer under a reinsurance contract with such assuming insurer as security for payment of obligations thereunder, if the following requirements are met:

(1) The funds or letters of credit are held subject to withdrawal by and under the control of the ceding insurer.

(ii) The type, amount and form of the funds or letters of credit receive the prior approval of the Insurance Commissioner.

(5) Any other form of security acceptable to the Insurance Commissioner.

(c) No credit shall be allowed as an admitted asset or as a deduction from liability, to any ceding company for reinsurance unless the reinsurance is payable to such company or its statutory liquidator by the assuming company on the basis of the liability of the ceding company under contract or contracts reinsured without diminution because of insolvency of the ceding company.

(d) No such credit shall be allowed for reinsurance unless the reinsurance agreement provides that payment by the company shall be made directly to the ceding company or to its liquidator, receiver, or statutory successor.

(e) No credit shall be allowed as an admitted asset or as a reduction in liability if the gross reserves established by the ceding insurer do not include provision for the policy benefits against which the ceding insurer is being indemnified by the reinsurer.

(f) Notwithstanding the provisions of this section, the Insurance Department may promulgate one or more regulations to limit, prohibit or authorize the credit which a domestic insurer may take as an admitted asset or as a reduction in liability with respect to reinsurance ceded on any financial statements filed with the Insurance Department.

(f.1) Credit for reinsurance ceded to a certified reinsurer is allowed only for reinsurance contracts entered into or renewed on or after the effective date of the certification of the assuming insurer by the Insurance Commissioner.

(g) (1) The term "qualified United States financial institution" when used in this section means an institution which meets the following qualifications:

(I) Is organized or, in the case of a United States office of a foreign banking organization, licensed under the laws of the United States or any state thereof.

(ii) Is regulated, supervised and examined by United States Federal or state authorities having regulatory authority over banks and trust

companies.

(iii) Has been determined by either the Insurance Commissioner or the Securities Valuation Office of the National Association of Insurance Commissioners or a successor thereto to meet such standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the Insurance Commissioner.

(2) The term "qualified United States financial institution" also means, for the purposes of the provisions of this act specifying those institutions that are eligible to act as a fiduciary of a trust, an institution that meets the following qualifications:

(I) Is organized or, in the case of a United States branch or agency office of a foreign banking organization, licensed under the laws of the United States or any state thereof and has been granted authority to operate with fiduciary powers.

(ii) Is regulated, supervised and examined by Federal or state authorities having regulatory authority over banks and trust companies.

Section 1.1. The definitions of "control" and "NAIC" in section 1401 of the act, added December 18, 1992 (P.L.1519, No.178), are amended and the section is amended by adding definitions to read:

Amend Bill, page 36, by inserting between lines 9 and 10:

(1) The amendment of section 319.1 of the act shall take effect immediately.

Amend Bill, page 36, line 10, by striking out "(1)" and inserting:

(2)

Amend Bill, page 36, line 12, by striking out "(2)" and inserting:

(3)

Amend Bill, page 36, line 13, by striking out "(3)" and inserting:

(4)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

SB 1480, HB 1682 and HB 2151 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 3 and SB 8 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REVERTED TO PRIOR PRINTER'S No., ON SECOND CONSIDERATION

HB 10 (Pr. No. 2430) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for title, for legislative findings, for definitions, for port authorities, for board, for eminent domain, for conveyance and for integrated operation; providing for exclusive jurisdiction and for report; and making editorial changes.

On the question,

Will the Senate agree to the bill on second consideration?

MOTION TO REVERT TO PRIOR PRINTER'S No.

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

Senator PILEGGI. Mr. President, I move to revert to prior Printer's No. 1957 on House Bill No. 10.

On the question,

Will the Senate agree to the motion?

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

The PRESIDENT. The Senate now has before it House Bill No. 10, Printer's No. 1957.

On the question,

Will the Senate agree to the bill on second consideration?

It was agreed to.

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

BILLS OVER IN ORDER

HB 17, HB 19 and HB 21 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 135 (Pr. No. 1710) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for the Pennsylvania Commission on Crime and Delinquency, for powers and duties of the commission, for duties of the commission relative to criminal statistics, for duties of public agencies and officers in reporting criminal statistics, for the Juvenile Justice and Delinquency Prevention Committee, for powers and duties of the Juvenile Justice and Delinquency Prevention Committee, for Targeted Community Revitalization and Crime Prevention Advisory Committee and for powers and duties of Targeted Community Revitalization and Crime Prevention Advisory Committee.

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

BILL ON SECOND CONSIDERATION

SB 155 (Pr. No. 129) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for securing loads in vehicles.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 156 and SB 161 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 208 (Pr. No. 3491) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked, for duties of drivers in accidents involving death or personal injury and for subsequent convictions of certain offenses.

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 244, SB 632, HB 728, HB 807, SB 946, HB 970 and HB 1055 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1265 (Pr. No. 2174) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1303, SB 1346, HB 1349 and SB 1460 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1465 (Pr. No. 2059) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 3 in West Chester Borough, Chester County, as the Senator Robert J. Thompson Highway; and designating the Pottstown Pike Bridge over the French Creek in South Coventry Township, Chester County, as the Representative Sam Morris and Eleanor Morris Memorial Bridge.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1490, HB 1548 and HB 1934 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1960 (Pr. No. 2674) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, further providing for definitions and for regulations.

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

SENATE RESOLUTION No. 268, ADOPTED

Senator PILEGGI, without objection, called up from page 8 of the Calendar, **Senate Resolution No. 268**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the museums in this Commonwealth and research and evaluate how funding and resources are allocated for this Commonwealth's museums.

On the question,
Will the Senate adopt the resolution?
A voice vote having been taken, the question was determined in the affirmative.

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

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

May 15, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 29, 2012, for the appointment of Mike Downing (Public Member), 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until *[sic]* for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Maria Mengel, King of Prussia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF DANVILLE STATE HOSPITAL

May 16, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 9, 2011 *[sic]*, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice L. Richard Larcom, Bloomsburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Cornelius Pitts, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Eric Springman, Atlanta, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Gregory E. Dunlap, Esquire,

613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Patrick Oates, Plymouth Meeting, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Colena Johnson-Kemp, Ambler, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Andrew J. Behnke, M.D., Carlisle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Margaret Hanna, Quakertown, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic 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 Kimberly Gray, Mechanicsburg, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 28, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified, vice Robert G. Sanders, Philadelphia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE ENVIRONMENTAL
HEARING BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Environmental Hearing Board, to serve for a term of six years or until his successor is appointed and qualified, vice The Honorable Michael Krancer, Bryn Mawr, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
GAME COMMISSION

May 14, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 27, 2012, for the appointment of Stephanie Moore (District 8), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory Isabella, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

May 16, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice William Zimmerman, Pottsville, deceased.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until her successor is appointed and qualified, vice Christine J. Toretti, Indiana, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE HORSE
RACING COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice John B. Hannum III, Kennett Square, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE INDUSTRIAL BOARD

May 21, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Industrial Board, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Joseph Steward, Philadelphia, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 17, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2014, vice The Honorable Clarence N. Patterson, Jr., deceased.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

May 25, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 29, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable David N. Wecht, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Renee Cardwell Hughes, resigned.

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

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

May 21, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 2, 2012, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Lydia Y. Kirkland, Philadelphia, resigned.

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

TOM CORBETT
Governor

JUDGE, PHILADELPHIA TRAFFIC COURT

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Traffic Court, to serve until the first Monday of January 2014, vice The Honorable Earlene Green, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

May 17, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board of Massage Therapy, to serve until October 9, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Susan Gobreski, Philadelphia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Ray Morrow, Pittsburgh, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Optometry, 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 Roberta C. Horwitz, O.D., Pittsburgh, whose term expired.

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

TOM CORBETT
Governor

PHYSICIAN GENERAL

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Physician General, to serve at the pleasure of the Governor, vice The Honorable Robert Muscalus, Harrisburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 16, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Planning Board, to serve until December 16, 2013, and until his successor is appointed and qualified, vice Alan Jennings, Allentown, resigned.

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

TOM CORBETT
Governor

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

May 18, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 13, 2012, for the appointment of Mike Downing (Public Member), 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve until March 31, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael A. Huwar, Pittsburgh, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

May 21, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-first [sic] Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Weiss, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SLIPPERY ROCK UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Nicholas DeRosa, New Castle, resigned.

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

TOM CORBETT
Governor

SMALL BUSINESS ADVOCATE

May 21, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 26, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as the Small Business Advocate, to serve until his successor is appointed and qualified, vice William R. Lloyd, Jr., Somerset, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial

District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice M. Lee Hartzok, Chambersburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Mitzi C. Smith, Mont Alto, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 7, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Ertley, Dallas, deceased.

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

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 2, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Transportation Commission, to serve for a term of six years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice John Kazmaier, Hollidaysburg, whose term expired.

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

TOM CORBETT
Governor

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

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Sharon Guise, Dover, resigned.

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

TOM CORBETT
Governor

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

May 18, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Zimmerman, Mechanicsburg, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice The Honorable Gerald J. LaValle, Rochester, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Loretta Hogans, New Castle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTERS

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 12, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Thomas Fee, New Castle, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE WORKERS'
COMPENSATION APPEAL BOARD

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Workers' Compensation Appeal Board, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Herbert Hoffman, Harrisburg, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of York, Magisterial District 19-2-04, to serve until the first Monday of January 2014, vice The Honorable Alan G. Naylor, resigned.

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

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

June 4, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 9, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of York, Magisterial District 19-1-05, to serve until the first Monday of January 2014, vice The Honorable Barbara H. Nixon, resigned.

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

TOM CORBETT
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

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

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

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

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

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

March 9, 2012

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, Rae Sprigle Kurland, 908 Mt. Zion Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER**

March 12, 2012

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, Wolfgang Hrabek, 58 Clinton Drive, Mohnton 19540, Berks County, Forty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice John Bastek, Reading, resigned.

TOM CORBETT
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
KUTZTOWN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

March 19, 2012

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 Heck, 535 Lauers Lane, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Ronald H. Frey, Hamburg, whose term expired.

TOM CORBETT
Governor

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

May 14, 2012

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, Ann C. Roman, M.S., CCC-SLP, 153 Butternut Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Amy Goldman, Philadelphia, whose term expired.

TOM CORBETT
Governor

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

March 12, 2012

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, Susan E. Bortz, 500 West Third Avenue, Derry 15627, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Josephine Dumire, Apollo, resigned.

TOM CORBETT
Governor

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

March 12, 2012

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wayne P. McGrew, 105 Kangaroo Hill Road, Irwin 15642, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Robert Seabol, Latrobe, resigned.

TOM CORBETT
Governor

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

March 12, 2012

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, Edward J. Picchiarini, 2172

Brinkerton Road, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Rev. Dr. Roger Petersen, Blairsville, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WARREN STATE HOSPITAL

March 9, 2012

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. McCarthy, 4117 Wood Street, Erie 16509, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

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 BOARD OF TRUSTEES OF
DANVILLE STATE HOSPITAL

March 9, 2012

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, Rae Sprigle Kurland, 908 Mt. Zion Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

March 12, 2012

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, Wolfgang Hrabyk, 58 Clinton Drive, Mohnton 19540, Berks County, Forty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice John Bastek, Reading, resigned.

TOM CORBETT
Governor

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

March 19, 2012

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 Heck, 535 Lauers Lane, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Ronald H. Frey, Hamburg, whose term expired.

TOM CORBETT
Governor

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

May 14, 2012

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, Ann C. Roman, M.S., CCC-SLP, 153 Butternut Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Amy Goldman, Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

March 12, 2012

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, Susan E. Bortz, 500 West Third Ave-

nue, Derry 15627, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Josephine Dumire, Apollo, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

March 12, 2012

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wayne P. McGrew, 105 Kangaroo Hill Road, Irwin 15642, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Robert Seabol, Latrobe, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

March 12, 2012

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, Edward J. Picchiarini, 2172 Brinkerton Road, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Rev. Dr. Roger Petersen, Blairsville, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WARREN STATE HOSPITAL

March 9, 2012

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. McCarthy, 4117 Wood Street, Erie 16509, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

TOM CORBETT
Governor

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

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

YEA-47

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

UNFINISHED BUSINESS

BILLS REPORTED FROM COMMITTEES

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

SB 237 (Pr. No. 722) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in budget and finance, further providing for Commonwealth portion of fines.

SB 866 (Pr. No. 2235) (Amended) (Rereported)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in grants to volunteer fire companies and volunteer services, further providing for scope of chapter; providing for additional funding; further providing for definitions, for establishment, for award of grants, for allocation of appropriated funds and for expiration of authority; and making editorial changes.

SB 941 (Pr. No. 1116) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for public drunkenness and similar misconduct and for purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

SB 943 (Pr. No. 2236) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in financial matters, imposing an alcohol offense prevention fee in certain municipalities.

SB 1255 (Pr. No. 2170) (Rereported)

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, enacting the Uniform Military and Overseas Voters Act.

HB 608 (Pr. No. 592) (Rereported)

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit; providing for bioenergy crop bonding; and making editorial changes.

HB 1720 (Pr. No. 2589) (Rereported)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for uniform adult guardianship and protective proceedings jurisdiction.

HB 1913 (Pr. No. 3211) (Rereported)

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 reassessment of properties retroactive to August 1, 2011, and a limited moratorium on the increase of certain real estate taxes.

HB 1916 (Pr. No. 3634) (Amended)

An Act implementing the provisions of clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania, authorizing the incurring of debt for the rehabilitation of areas affected by Hurricane Irene and Tropical Storm Lee; imposing duties upon the Governor, the Auditor General and the State Treasurer; prescribing the procedures for the issuance, sale and payment of general obligations bonds, the funding of debt and refunding of bonds; exempting said bonds from State and local taxation; creating the Disaster Relief Fund and the Disaster Relief Redemption Fund; providing for allocation of proceeds; making appropriations; providing for highway projects itemization, public bridge projects itemization, disaster mitigation and assistance projects itemization and disaster railroad assistance projects itemization for flood damages; and stating an estimated use.

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

SB 1310 (Pr. No. 2234) (Amended) (Rereported) (*Concurrence*)

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for definitions, for determination of contribution rate and experience rating and for contributions by employees; providing for additional contribution for debt service; further providing for trigger determination, for trigger rate redeterminations, for reports by employers and assessments, for contributions to be liens and entry and enforcement thereof, for collection of contributions and interest and injunctions, for dishonored checks, for qualifications required to secure compensation, for rate and amount of compensation and for Unemployment Compensation Fund; providing for Debt Service Fund and for Reemployment Fund; further providing for State Treasurer as custodian and for recovery and recoupment of compensation; providing for unemployment compensation bonds and for unemployment compensation amnesty program; and making a related repeal.

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 Benjamin Troupe, Mark Troupe, Johnathan St. Clair, Adam Chilcote and to Brent Schreiber by Senator Alloway.

Congratulations of the Senate were extended to William E. Christman and to Stanley L. Nestor by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. James Baloga, Mr. and Mrs. Charles Wall, Andrew Falonk and to June Sorber by Senator Baker.

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

Congratulations of the Senate were extended to Jeffrey B. Sroka, John Sharp Decker and to Albert R. Renn, Jr., by Senator Boscola.

Congratulations of the Senate were extended to Shane Francis Cornuet and to Jessie Brown Soles by Senator Brewster.

Congratulations of the Senate were extended to the Judy Murman, Carol Dean Henn, John Yany Veiszlemlein, Saint Paul's Lutheran Church of Allentown and to Lehigh Valley Academy Regional Charter School by Senator Browne.

Congratulations of the Senate were extended to Monroe Career and Technical High School Hospitality Student Team by Senators Browne, Baker and Blake.

Congratulations of the Senate were extended to Sacred Heart Hospital of Allentown by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. John Martin, Kyle Felpel, Kyle Douglas Hossler, Irma Schlott, Andrew C. Battle, Hope Fire Engine and Hose Company No. 1 of Manheim and to Ken's Gardens of Ronks by Senator Brubaker.

Congratulations of the Senate were extended to Reverend Ronald E. Landis, Timothy Gleason, Gary Klingensmith, Colin James Andrew, Eric Robert Brought, Caleb Kenneth Yoder, Megan Bodgen, Erin Altares, Arimani M. Caprio, Patricia Hillard, Mary Alice Miller, Bona Shirey, Clark Green, Greenwood Middle/High School Rocket Team, Thomas D. Larson Pennsylvania Transportation Institute of The Pennsylvania State University and to Polymics, Ltd., of State College, by Senator Corman.

Congratulations of the Senate were extended to William H. Humphreys III, Thomas E. Cockerham, William H. Humphreys, Jr., Samuel Ryan Cepielik, Nicholas C. Rohleder, Liberty Property Trust of Malvern and to the West Chester Area Day Care Center by Senator Dinniman.

Congratulations of the Senate were extended to Carol Klauss by Senators Dinniman and Leach.

Congratulations of the Senate were extended to Dee Durham by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to Colonel Ricky L. Miller, Matthew S. Conley and to Kennametal, Inc., of Bedford, by Senator Eichelberger.

Congratulations of the Senate were extended to William J. Baraldi by Senator Erickson.

Congratulations of the Senate were extended to Joe Mikulanis by Senator Gordner.

Congratulations of the Senate were extended to James McKenna, Elizabeth A. Hoagland, Evan Mao, Christopher Brunner and to Kyle McKibbin by Senator Greenleaf.

Congratulations of the Senate were extended to Dontae Christopher Dove, Michael Frank Coleman, Jr., Tiffany Bacon, Kimberly C. Roberts, Earl Young, Ursula Rucker, Willard Christopher Smith, Jr., Carlin Marcus Edwards, James Elam and to the Temple Cancer Center of Temple University Hospital by Senator Kitchen.

Congratulations of the Senate were extended to the members and coaches of the Pennsbury High School Varsity Cheerleading Squad and to the members and coaches of the Pennsbury High School Junior Varsity Cheerleading Squad by Senator McIlhinney.

Congratulations of the Senate were extended to Montgomery County 4-H of Colledgeville by Senator Mensch and others.

Congratulations of the Senate were extended to Dr. Melvyn Schiavelli, Avery Jacob Stauffer, Danielle Bigger, Garry L. Pincock and to Cyana Wulfers by Senator Piccola.

Congratulations of the Senate were extended to Jay Devine, Sean Helle, Joshua Langzettel, Kyle Douglas Knox, Salvatore J. Carilla, Benjamin James Johnson, Thomas J. Valentini and to the Rotary Club of Chester by Senator Pileggi.

Congratulations of the Senate were extended to Jacqueline Van Grofski, Michael B. Karwic, Louis N. Teti, Matthew D. Kelly, Wiggle Featherman, Richard Clark and to Bruce E. Flamm by Senator Pileggi and others.

Congratulations of the Senate were extended to Vincent Michael Tonzo, Ryan Alexander Sanguigni, Benjamin Anthony Brownfield, William Stanley, Ross Garret Martin, Kevin Matthew Fleischmann, Corey Thomas Becker, Luke Edward McCurry and to the Heritage Valley Sewickley Auxiliary by Senator Pippy.

Congratulations of the Senate were extended to Chief Jeffrey L. Wentworth by Senator Rafferty.

Congratulations of the Senate were extended to Chief John R. Miller, Shannon M. Gramley, Calista Pierce, Wendall August Forge, Terry Mills, Michael Alexander Fodor, Debra A. Bossard, Debra A. Hays, Janet R. Girardat, Larry B. Andrews, Terri D. Runyan, Alfred J. Castile, Sandra E. Williams, Richard L. Galmish, Julio M. Nieves, Sr., Kathleen R. Custead and to Jennifer D. Alsdorf by Senator Robbins.

Congratulations of the Senate were extended to Wanda K. Lighty by Senators Robbins and Vance.

Congratulations of the Senate were extended to Sandy Ford by Senator Scarnati.

Congratulations of the Senate were extended to Linda S. Yoder and to Sheila Guadagno Simyak by Senator Schwank.

Congratulations of the Senate were extended to Mr. and Mrs. Frederick W. Fischer and to Jason Dye by Senator Solobay.

Congratulations of the Senate were extended to the Reverend Marie O. Johns, Honorable Louise Williams Bishop, Honorable Constance H. Williams, Beverly T. Harris, Linda M. Myers, Linda S. Weiss, Joan Myers Brown, Mary Hurtig, Joseph Williams, Keith Smith, Christine Abdur-Rahim, Second Baptist Church of Frankford, Prevention Point Philadelphia and to the Mayor's Drug and Alcohol Executive Commission of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to the Honorable Joseph DiGirolamo, Anthony D'Alessandro and to the British Officers Club of Philadelphia by Senator Tomlinson.

Congratulations of the Senate were extended to Joseph A. Feola by Senator Tomlinson and others.

Congratulations of the Senate were extended to Nancy J. Chavez, Angela K. Stone, Larry Miller, Keith Rhodes II, Maxwell Wright, George F. Grode and to Fritzi M. Schreffler by Senator Vance.

Congratulations of the Senate were extended to Dr. Nick Trombetta by Senator Vogel.

Congratulations of the Senate were extended to Sergeant First Class Steven Brittan, Robert C. Ellis, Joann Logan, Daniel J. Kolonay and to the Immaculate Conception Church of Irwin by Senator Ward.

Congratulations of the Senate were extended to Bettie Hunt Aycox, Stephen J. Malone, Gregory Malone and to Patty Jackson by Senator Washington.

Congratulations of the Senate were extended to Dustin J. White, Keila M. Zanella, Janice Ora Smith, Nicholas A. Renoll, Luke N. Brown and to the Margaret E. Moul Home of York by Senator Waugh.

Congratulations of the Senate were extended to Jeannette Isabelle Bouch Andre and to Gregory Austin Foust by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Martin by Senator M.J. White.

Congratulations of the Senate were extended to Serita Lachesis, Tiffany Chante McFadden-Joynes and to Faith Suchodolski by Senator Williams.

Congratulations of the Senate were extended to Mary Jane McCready by Senator Wozniak.

Congratulations of the Senate were extended to Bernie Boback and to Ensign Abigail Gesecki Holt by Senator Yudichak.

Congratulations of the Senate were extended to the United Way of Monroe County by Senator Yudichak and others.

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 George Barnard Sordoni by Senator Baker.

Condolences of the Senate were extended to the family of the late Violet Minor Kovach by Senator Solobay.

BILL ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bill was as follows:

HB 1916.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, JUNE 4, 2012

Off the Floor APPROPRIATIONS (to consider Senate Bills No. 237, 866, 941, 943, 1184 and 1255; and House Bills No. 608, 1720, 1913 and 1916) Rules Cmte. Conf. Rm.

Off the Floor RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1310; and certain executive nominations) Rules Cmte. Conf. Rm.

TUESDAY, JUNE 5, 2012

10:00 A.M. PUBLIC HEALTH AND WELFARE (to consider Senate Resolution No. 322; and House Bill No. 1261) Room 461 Main Capitol

11:00 A.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bills No. 1442, 1488, 1489 and 1531; and the nominations of Brigadier General Roy E. Uptegraff, III, as Major General, PA Air National Guard; Brigadier General John L. Gronski as Major General, PA Army National Guard; and Colonels Carol A. Eggert, Andrew P. Schafer, Jr., George M. Schwartz, and Wilbur E. Wolf, III, as Brigadier Generals, PA Army National Guard) Senate Maj. Caucus Rm.

11:30 A.M. GAME AND FISHERIES (to consider Senate Bills No. 1402, 1484 and 1497; and House Bills No. 881 and 2293) Room 8E-A East Wing

11:30 A.M. JUDICIARY (to consider Senate Bill No. 1535; and House Bill No. 75) Room 8E-B East Wing

12:00 P.M. BANKING AND INSURANCE (to consider Senate Bills No. 1524 and 1538) Room 461 Main Capitol

12:30 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 922 and 1528) Room 461 Main Capitol

Off the Floor EDUCATION (to consider House Bill No. 1343) Rules Cmte. Conf. Rm.

Off the Floor INTERGOVERNMENTAL OPERATIONS (to consider Senate Bills No. 1545 and 1546) Rules Cmte. Conf. Rm.

THURSDAY, JUNE 7, 2012

1:00 P.M. LAW AND JUSTICE (joint public hearing with the House Judiciary Committee on State Police complement and funding) Pa. Colg. of Tech., Mtn. Laurel Rm. Prof'l Dev. Ctr., 1 Colg. Ave., Williamsport, PA

FRIDAY, JUNE 8, 2012

2:00 P.M. LEGISLATIVE REAPPORTIONMENT COMMISSION (Public Administrative Hearing to vote upon the adoption of a Final Plan) Hrg. Rm. 1 North Off.

WEDNESDAY, JUNE 13, 2012

9:30 A.M. COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 1345) Room 8E-B East Wing

WEDNESDAY, JUNE 20, 2012

9:00 A.M. EDUCATION and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing to discuss military-friendly educational programs and policies) Hrg. Rm. 1 North Off.

PETITIONS AND REMONSTRANCES

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

Senator COSTA. Mr. President, several weeks ago, this administration put out a request, for lack of a better word, for a proposal or authorization to privatize our Lottery Fund and our Lottery activities in the Department of Revenue. Mr. President, while there is a realization that the revenues of the Pennsylvania Lottery must grow in order to meet the demands of our seniors over the next decade, we also believe that the Lottery, however, is doing very well and should not be run, quite frankly, by a private manager. We can, however, expand the current Lottery operations and utilize a new marketing plan to renew new revenue targets without jeopardizing programs.

But, if the Governor wants to go in that direction of privatizing the management of the Lottery Fund, there must be parameters and there must be protections afforded to seniors, that the Lottery will not go awry, and that the lifesaving programs will be guaranteed. Mr. President, earlier today, we sent around a memo of cosponsorship asking that my colleagues join us in making sure that those valuable programs that have served seniors and the disabled for generations are not threatened. The legislation that we will introduce will put teeth into the process and will insure that programs are not jeopardized and workers are not threatened, and that there is proper legislative oversight.

Our plan does not interfere with the private management option, that option remains. But what our plan does do, Mr. President, is seek to create guarantees, so that the operations and the programs of the Lottery do not ever become victimized by private, for-profit motives. The measure provides openness, it provides accountability, and it provides scrutiny to the process. The legislation that we have drafted establishes a set of parameters for any private management contract with the Lottery. Some of those provisions are as follows: a contract cannot be longer than 5 years; control is exercised over all significant business decisions; decisions by the private manager may be countermanded; the rights to demand information concerning any aspect of the Lottery will be provided; advanced notice of any operating decisions that impact the public interest, for example Internet gambling, and any fee or bonus structure that will be in place as part of this contract; it is imperative that we have a principal office

which will be located here in Pennsylvania; and we must make certain that we have provisions that allow for minority-owned businesses to set aside a percentage of that particular contract.

Mr. President, the contract must be open and the public bidding must be a part of that process. The selection is through a competitive request for qualifications process based on stringent binding protections. The language further stipulates the tough conflict of interest disclosure provisions, including all financial relationships, and establishes open discourse, discussion, and a disclosure window before and after the contract is, in fact, awarded. The department must select at least two offerers as finalists. We must have a detailed public hearing schedule, which must be outlined as part of the selection process, and that identification in the process of the finalist is assured.

The Governor may accept or reject the department's recommendation. The reason for this selection must be explained publicly, something we think is very important. Mr. President, the private manager should be subjected to complete investigations in the third and fifth year of that particular contract, and the department must submit quarterly reports to the General Assembly on the actions of the private manager.

This version of the Senate Democratic proposal is based on an Illinois statute, which recently went through a very similar process. It is our hope that as we go forward in the next several weeks, we can advance this legislation, but in the interim, we are not able to do so. It is our hope that, independent of the legislation, the administration would recognize some of the key provisions of protecting seniors be part of any particular contract that may come from this request for qualifications proposal as it relates to the Lottery Fund.

Thank you, Mr. President. I appreciate the opportunity to speak on this matter.

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

Senator STACK. Mr. President, I will only be about a half-hour. No, I will be much shorter. Mr. President, a few weeks ago, this Chamber approved the State funding plan. I think many of us know it fell short of adequate funding to much-needed programs and services. I did not support the piece of legislation that passed, but I do acknowledge it is a better product than the one that we first saw early in February. I was encouraged that Senate Bill No. 1466 restored some funding to areas like education, but I am really concerned about many of the other cuts that are still in place. I am not the only one who is concerned. Parents, teachers, and, Mr. President, another group that is starting to chime in, the military, are all worried about the long-term consequences of the proposed budget cuts to early education and nutrition programs.

I have spoken about this issue before, Mr. President, but it is worthy of discussion again. Mission: Readiness is a national security organization of more than 300 retired generals, admirals, and other senior military leaders. One of the prominent members was current Adjutant General Craig, who has been an active participant in this group. They have expressed serious concerns about the disheartening national statistics on our youth. Let me point out that General Craig is not currently involved in this issue, but in the past has been. Currently, 75 percent of our young Americans, ages 17 to 24, are unable to join the military because they are medically or physically unfit, they are poorly educated,

or they have criminal records. That is three out of four young adults, Mr. President.

As a member of the National Guard, I know that the military offers individuals a rewarding career. It builds strength, it builds discipline, and it gives valuable skills. It is a rewarding option for so many men and women, and yet, today, they are being denied because they do not have the right tools and they do not have the preventive measures in place to help them onto a solid path toward adulthood.

The current State budget proposal calls for a 50-percent cut to the Accountability Block Grant program. We talk about the Accountability Block Grant program, and people say, what the heck is that thing? What I can tell you is, one of the key features of the Accountability Block Grant is it helps us to fund full-day kindergarten in many local school districts. I think the reviews on how well it has worked have been close to unanimous. I know there are exceptions, but in this day and age, Mr. President, many youngsters are accustomed to a full-day setting, whether it is day care or preschool. To force school districts to scale back time in the classroom is so detrimental to a child's education, but it is also detrimental to their growth. Mr. President, I ask you, can you think of one parent who wants to see their children with less time in the classroom?

A \$17 million cut to the childcare subsidy is going to hurt Keystone STARS and the accredited early learning programs, which are providing quality early educational experience for toddlers and preschoolers. It will also hurt working families who need support so that they can place their children in a safe childcare environment. There are already 10,000 school kids on the Child Care Works subsidy waiting list, Mr. President, 10,000. So, the cut to this line item will put working families in a bind when they are already struggling, and it is absolutely going to lengthen the waiting list by thousands.

Then, Mr. President, I want to move on, there is an elimination of the School Nutrition Incentive Program, which provides food service funding to school districts that volunteer to offer high-quality food and drinks in schools. The endless media reports about obesity, sugary drinks, and unhealthy food that is offered in schools alone should be a reason to not make these cuts. These programs impact 1 million students in 2,300 schools in Pennsylvania, and these students rely on their schools to provide them with good, nutritious meals.

I know there is a limit about what we can do, Mr. President. We cannot watch that child put the food into their mouth, we cannot follow them around, but there are certain things we can do to make it easier for them to have a healthy lifestyle. We all know that obesity is an epidemic in our youth these days. The elimination of this program will deny school districts an opportunity to provide healthy food and drinks for students. We should be trying to set up our children with good eating habits, we should put them in a situation where they can succeed, not one where they are bound to fail.

Mr. President, the United States is home to the greatest military on the planet. There is still no doubt about that. Our service members are courageous, intelligent, strong, and dedicated. The military has a transformative power where a young person's whole life can be turned around and they can become a hugely important and productive person in our society. If we want to insure that our military remains strong, we must continue to give

our kids the opportunity to succeed on whichever path they chose, including the Armed Forces.

I urge my colleagues to consider fully restoring funding to the Accountability Block Grant program, the Child Care Works subsidy, and the School Nutrition Incentive Program. These are vital programs to our State's future and to our children's future.

Thank you, Mr. President.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Tuesday, June 5, 2012, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

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