

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

TUESDAY, JANUARY 4, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 1

## SENATE

TUESDAY, January 4, 2005

The PRESIDENT. This is the constitutional day and hour of the convening of this 189th Regular Session of the General Assembly.

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) called the Senate to order at 12 m., Eastern Standard Time.

## PRAYER

The Chaplain, The Most Reverend KEVIN C. RHOADES, Bishop of the Roman Catholic Diocese of Harrisburg, offered the following prayer:

Let us pray.

Almighty and eternal God, all things have their beginning, continuation, and end in You. We praise You, Lord of all creation, whose goodness fills our hearts with hope and joy. Grace us with Your presence today, and aid us with Your constant help. In Your goodness, watch over all who serve in public office in the Commonwealth of Pennsylvania. Look upon the Members of this Senate, particularly those who take the oath of office today. Help them to discharge their duties with fidelity and integrity. Fill them with the spirit of Your wisdom, that their decisions will be in accordance with Your will and for the well-being of all. May they be enabled by Your powerful help and protection to serve this Commonwealth with honesty and ability.

Accept the prayers we offer also for all the citizens of Pennsylvania, for those whom our Senators have been elected to serve. Help all citizens to contribute, along with their elected representatives, to the good of our society in a spirit of truth, justice, solidarity, and freedom.

As we begin this new year, we are also mindful of the recent devastating tragedy in south Asia, the powerful tsunamis which took the lives of tens of thousands of people. We pray for those victims and for those who mourn the loss of loved ones, as well as for those who were injured or left homeless by this terrible calamity. Help us to be generous and compassionate to those who are suffering at home or abroad. Inspire us to live in a spirit of solidarity with all our brothers and sisters, especially those who are suffering, disadvantaged, or in special need.

Finally, Lord, God of every grace and blessing, look upon this assembly with kindness, and fill it with Your abiding presence throughout this new Session.

Glory and praise to You, Lord, now and forever. Amen.

The PRESIDENT. The Chair thanks Bishop Rhoades, who is the guest today of Senator Jubelirer and Senator Rhoades, who is his cousin. Bishop Rhoades, who is the youngest Catholic Bishop in the United States, is our new Catholic Bishop in Harrisburg.

## PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled, led by the gentleman from Allegheny, Senator Pippy.)

The PRESIDENT. The National Anthem will be sung by Miss Bridgette Gan.

(Whereupon, the National Anthem was sung by Miss Bridgette Gan.)

(Applause.)

The PRESIDENT. The Chair would like to thank Miss Bridgette Gan for the beautiful rendition of the National Anthem.

## PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Madam President, I have the honor to present the Secretary of the Commonwealth, the Honorable Pedro A. Cortes.

Secretary CORTES. To Her Excellency, the Lieutenant Governor of the Commonwealth of Pennsylvania, the President pro tempore of the Senate, and the Members of the Senate of the Commonwealth of Pennsylvania, greetings, I have the honor to present to you the official returns of the general election held November 2, 2004.

The PRESIDENT. The Chair thanks Secretary Cortes.

## ELECTION RETURNS FOR STATE TREASURER, AUDITOR GENERAL AND ATTORNEY GENERAL LAID ON TABLE

The PRESIDENT. The returns for State Treasurer, Auditor General, and Attorney General will lie upon the table.

## ELECTION RETURNS OF SENATORS

The PRESIDENT. The returns of the Senators will be read by the Clerk.

The Clerk read the election returns as follows:

	FIRST SENATORIAL DISTRICT	
Philadelphia	Vincent J. Fumo (Dem)	88,935
	John H. Morley, Jr. (Rep)	23,073

THIRD SENATORIAL DISTRICT		
Philadelphia	Shirley M. Kitchen (Dem)	87,064
	Philip Kerwick (Rep)	13,207
FIFTH SENATORIAL DISTRICT		
Philadelphia	Mike Stack (Dem)	66,844
	Sam Mirarchi (Rep)	34,829
SEVENTH SENATORIAL DISTRICT		
Philadelphia	Vincent Hughes (Dem)	91,340
	MaryAlice H. Devlin (Rep)	17,980
NINTH SENATORIAL DISTRICT		
Delaware	Dominic F. Pileggi (Rep)	71,379
Chester	Thomas J. Bosak (Dem)	48,784
ELEVENTH SENATORIAL DISTRICT		
Berks	Michael A. O'Pake (Dem)	69,951
	Barbara J. Cummings (Rep)	28,745
THIRTEENTH SENATORIAL DISTRICT		
Lancaster	Gibson E. Armstrong (Rep)	71,925
	John Gouveia (Dem)	37,870
FIFTEENTH SENATORIAL DISTRICT		
Dauphin	Jeffrey E. Piccola (Rep)	70,058
	Eric J. Epstein (Dem)	44,653
SEVENTEENTH SENATORIAL DISTRICT		
Montgomery	Connie Williams (Dem)	80,372
	Ted Barry (Rep)	44,224
NINETEENTH SENATORIAL DISTRICT		
Chester	Robert J. Thompson (Rep)	96,582
TWENTY-FIRST SENATORIAL DISTRICT		
Venango	Mary Jo White (Rep)	66,292
Clarion	Kevan M. Yenerall (Dem)	29,348
Clarion	Michael J. Robertson (Lib)	2,290
TWENTY-THIRD SENATORIAL DISTRICT		
Bradford	Roger A. Madigan (Rep)	73,048
Lycoming	Grant Berry, Jr. (Dem)	26,313
TWENTY-FIFTH SENATORIAL DISTRICT		
Jefferson	Joseph B. Scarnati, III (Rep)	74,383
Warren	Alan Kiser (Cst)	8,694
TWENTY-SEVENTH SENATORIAL DISTRICT		
Columbia	John R. Gordner (Rep)	67,236
Northumberland	John J. Boback (Dem)	28,288
TWENTY-NINTH SENATORIAL DISTRICT		
Schuylkill	James J. Rhoades (Rep)	67,743
	Michael P. Halcovage (Dem)	35,379
THIRTY-FIRST SENATORIAL DISTRICT		
Cumberland	Patricia H. Vance (Rep)	86,741
	Sean Quinlan (Dem)	29,148
	Jeffrey T. Gerace (Ind)	3,027
THIRTY-THIRD SENATORIAL DISTRICT		
Franklin	Terry Punt (Rep)	83,790
	Donald R. Richards (Dem)	25,766
THIRTY-FIFTH SENATORIAL DISTRICT		
Cambria	John N. Wozniak (Dem/Rep)	93,500
THIRTY-SEVENTH SENATORIAL DISTRICT		
Allegheny	John Pippy (Rep)	88,306
	Gianni Floro (Dem)	41,954

THIRTY-NINTH SENATORIAL DISTRICT		
Westmoreland	Bob Regola (Rep)	58,107
	Allen Kukovich (Dem)	52,743
FORTY-FIRST SENATORIAL DISTRICT		
Indiana	Don White (Rep/Dem)	97,941
FORTY-THIRD SENATORIAL DISTRICT		
Allegheny	Jay Costa, Jr. (Dem)	90,408
FORTY-FIFTH SENATORIAL DISTRICT		
Allegheny	Sean F. Logan (Dem)	72,943
FORTY-SEVENTH SENATORIAL DISTRICT		
Beaver	Gerald J. LaValle (Dem/Rep)	95,952
FORTY-NINTH SENATORIAL DISTRICT		
Erie	Jane M. Earll (Rep)	67,658
	Tony Logue (Dem)	35,194

\*Party Designation - (C) Constitutional, (D) Democrat, (G) Green, (I) Independent, (L) Libertarian, (R) Republican

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

First District—Vincent J. Fumo  
 Third District—Shirley M. Kitchen  
 Fifth District—Mike Stack  
 Seventh District—Vincent Hughes  
 Ninth District—Dominic F. Pileggi  
 Eleventh District—Michael A. O'Pake  
 Thirteenth District—Gibson E. Armstrong  
 Fifteenth District—Jeffrey E. Piccola  
 Seventeenth District—Connie Williams  
 Nineteenth District—Robert J. Thompson  
 Twenty-first District—Mary Jo White  
 Twenty-third District—Roger A. Madigan  
 Twenty-fifth District—Joseph B. Scarnati, III  
 Twenty-seventh District—John R. Gordner  
 Twenty-ninth District—James J. Rhoades  
 Thirty-first District—Patricia H. Vance  
 Thirty-third District—Terry Punt  
 Thirty-fifth District—John N. Wozniak  
 Thirty-seventh District—John Pippy  
 Thirty-ninth District—Bob Regola  
 Forty-first District—Don White  
 Forty-third District—Jay Costa, Jr.  
 Forty-fifth District—Sean F. Logan  
 Forty-seventh District—Gerald J. LaValle  
 Forty-ninth District—Jane M. Earll

#### STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Chair has been informed by the Secretary of the Commonwealth that all Senators-elect have filed in his office the accounts and affidavits as required by the Election Code.

I have an announcement on photography, so before proceeding to the administration of the oath of office, the Chair would like to request the cooperation of the news photographers and others who would like to take pictures or videotape during the

swearing-in. During each of the actual ceremonies, there will be no picture-taking. Those Senators who are sworn in are asked to please, at the conclusion of the actual administration of the oath of office, stay at the bar for a few minutes for the convenience of any person who would desire to take pictures. The rest of us will be at ease for a few minutes.

Thank you.

### **ADMINISTRATION OF OATH OF OFFICE TO REPUBLICAN SENATORS-ELECT**

The PRESIDENT. The next order of business will be the administration of the oath of office to the newly-elected Senators. It is a distinct honor and privilege to have with us today the President Judge of the Superior Court, Judge Joseph A. Del Sole, and from the Commonwealth Court, Judge Renee Cohn Jubelirer. They have kindly consented to administer the oath of office to our Senators-elect and officers in accordance with Article VI, Section 3, of the Constitution of Pennsylvania.

We will now proceed to the administration of the oath of office to the Republican Senators-elect by Judge Del Sole.

Will the Republican Senators-elect please present themselves in front of the rostrum, and please bring with you your Bibles which have been placed on your desks.

Will everyone please rise.

I have the honor of presenting Judge Joseph Del Sole, who will now administer the oath of office to the Republican Senators-elect.

Judge Del Sole.

Judge DEL SOLE. Madam President, this is the date and time set for the administration of the oath of office, continuing a tradition that was begun in Pennsylvania in 1790.

I would ask that each of the newly-elected and re-elected Senators to place your left hand on the Bible and raise your right hand and repeat after me:

I, (state your name), do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. Will everyone be seated while photographs are taken. Thank you.

(The Senate was at ease.)

### **ADMINISTRATION OF OATH OF OFFICE TO DEMOCRATIC SENATORS-ELECT**

The PRESIDENT. The next order of business will be the administration of the oath of office to the Democratic Senators-elect by Judge Del Sole. Will all the Democratic Senators-elect please present themselves in front of the rostrum and bring with you the Bibles which have been placed on your desks.

Will everyone please rise.

I have the honor of presenting Judge Del Sole, who will administer the oath of office to the Democratic Senators-elect.

Judge Del Sole.

Judge DEL SOLE. Thank you, Madam President.

Would you place your left hand on the Bible and raise your right hand and repeat after me:

I, (state your name), do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. You may all be seated while we take some photographs of the Democratic Senators.

Thank you.

(The Senate was at ease.)

## **GENERAL COMMUNICATIONS**

### **RESIGNATION OF SENATOR CHARLES W. DENT**

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

SENATE OF PENNSYLVANIA  
Senate Box 203016  
170 Main Capitol Building  
Harrisburg, PA 17120-3016

December 30, 2004

Lieutenant Governor Catherine Baker Knoll  
President of the Senate  
200 Main Capitol  
Harrisburg, PA 17120-0002

Dear Madame President Knoll:

By this letter I submit my resignation as a member of the Senate of Pennsylvania, effective 11:59 p.m. on 2 January 2005. It has been a high honor and distinct pleasure to serve as a member of this extraordinary institution for the past six years.

As you know, I was recently elected to the United States Congress for the 15th Congressional District of Pennsylvania. During my time in the Senate, I strived to serve the citizens of the 16th Senatorial District professionally and effectively. I am very grateful to the people who have given me this wonderful opportunity and position of public trust. I am also grateful for the privilege of serving as a member of the Senate of Pennsylvania and with my fellow Senators. While many new and exciting challenges of service in Congress await me, I will always remain proud of my time and work in the Senate, and I will forever feel respect and admiration for my colleagues and the institution itself.

Sincerely,

CHARLES W. DENT  
Senator, 16th District

### **RESIGNATION OF SENATOR ALLYSON Y. SCHWARTZ**

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

SENATE OF PENNSYLVANIA  
Senate Box 203004  
Harrisburg, PA 17120-3004

December 21, 2004

The Honorable Catherine Baker Knoll  
Lieutenant Governor and President  
State Senate of Pennsylvania  
200 Main Capitol Bldg.  
Harrisburg, PA 17120

Dear Lieutenant Governor Baker-Knoll:

Please accept my resignation, effective 12:00 noon, on January 4, 2005. I have appreciated the opportunity to serve as State Senator for the 4th District for the past 14 years.

It has truly been an honor and a privilege. Serving in the State Senate has been a challenging and fulfilling experience. I will take this important legislative experience with me to Congress.

I wish you and my colleagues, on both sides of the aisle, continued success as you proceed with your important work. I look forward to continuing to work together to benefit the people of the Commonwealth.

Sincerely,

ALLYSON Y. SCHWARTZ  
Congresswoman-Elect  
13th District

### QUORUM PRESENT

The PRESIDENT. The Clerk will now call the roll to determine if a quorum is present. Will the Senators please answer "present" when your name is called.

The Clerk called the roll and the following Senators were present:

First District—Vincent J. Fumo  
Third District—Shirley M. Kitchen  
Fifth District—Mike Stack  
Seventh District—Vincent J. Hughes  
Ninth District—Dominic F. Pileggi  
Tenth District—Joe Conti  
Eleventh District—Michael A. O'Pake  
Twelfth District—Stewart J. Greenleaf  
Thirteenth District—Gibson E. Armstrong  
Fourteenth District—Raphael J. Musto  
Fifteenth District—Jeffrey E. Piccola  
Seventeenth District—Constance H. Williams  
Eighteenth District—Lisa M. Boscola  
Nineteenth District—Robert J. Thompson  
Twentieth District—Charles D. Lemmond  
Twenty-first District—Mary Jo White  
Twenty-second District—Robert J. Mellow  
Twenty-third District—Roger A. Madigan  
Twenty-fourth District—Robert C. Wonderling  
Twenty-fifth District—Joseph B. Scarnati, III  
Twenty-sixth District—Edwin B. Erickson  
Twenty-seventh District—John R. Gordner  
Twenty-eighth District—Michael L. Waugh  
Twenty-ninth District—James J. Rhoades  
Thirtieth District—Robert C. Jubelirer  
Thirty-first—Patricia H. Vance  
Thirty-second District—Richard A. Kasunic  
Thirty-third District—Terry L. Punt  
Thirty-fourth District—Jake Corman  
Thirty-fifth—John N. Wozniak  
Thirty-sixth District—Noah W. Wenger

Thirty-seventh District—John R. Pippy  
Thirty-eighth District—James Ferlo  
Thirty-ninth District—Bob Regola  
Forty-first District—Don White  
Forty-second District—Jack Wagner  
Forty-third District—Jay Costa, Jr.  
Forty-fourth District—John C. Rafferty, Jr.  
Forty-fifth District—Sean F. Logan  
Forty-seventh District—Gerald J. LaValle  
Forty-eighth District—David J. Brightbill  
Forty-ninth District—Jane M. Earll  
Fiftieth District—Robert E. Robbins

The PRESIDENT. Forty-three Senators are present and have answered to their names, so a quorum is present.

### SPECIAL ORDER OF BUSINESS DISTINGUISHED GUESTS WELCOMED TO THE SENATE

The PRESIDENT. At this time the Chair would like to take a few minutes to introduce a few of our distinguished guests in the Senate Chamber today, and although he is not really a visitor here, we wish hearty congratulations and a happy birthday to our Auditor General-elect, Senator Jack Wagner.

(Applause.)

We have our Allegheny County executive, Dan Onorato, here today.

(Applause.)

We have our former Senator and Lieutenant Governor and Acting Governor, Mark Singel, here today.

(Applause.)

We have a former Senator here, Bob Rovner.

(Applause.)

Are there any other former Senators here?

### GUEST OF SENATOR JEFFREY E. PICCOLA PRESENTED TO THE SENATE

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

Senator PICCOLA. Madam President, Members of the Senate and our guests have already been informally introduced to Bridgette Gan, but I imagine after listening to her render the National Anthem, you would be surprised to learn that she is a 17-year-old senior at Central Dauphin High School here in Dauphin County. She is the daughter of Rich and Clare Flannery-Gan. Clare is video producer with our Senate Republican Communications Office. Bridgette, I am sure you will not be surprised to learn, recently received national recognition from the National Foundation for the Advancement of the Arts in her competition in the area of musical theater. She is the only Pennsylvania winner to receive this honor. She ranked first in the first soprano division of the Pennsylvania Music Education District VII competition this fall and advances to regionals next month.

My wife and I recently had the pleasure, and it was a distinct pleasure, of seeing her star in the lead role of Mabel in the popular operetta "Pirates of Penzance" here at the Whitaker Center in downtown Harrisburg. It was a production that Theater Harris-

burg staged simply to showcase her great talent. Bridgette also had the leading role in her high school production of "The Glass Menagerie" in the role of Amanda Wingfield.

She has been singing and performing since the age of 8 and has been doing this across the State of Pennsylvania at various professional venues, as well as performing in Dublin, Ireland, for the Ancient Order of Hibernians. Clearly and obviously, she plans to pursue a career in classical music and has been invited to audition for the five top music conservatories in the country, and we are very honored to have her here today to perform for the Senate of Pennsylvania.

(Applause.)

### **GUEST OF SENATOR ROBERT J. MELLOW PRESENT TO THE SENATE**

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

Senator MELLOW. Madam President, you actually introduced the individuals I was going to introduce right before you recognized Senator Piccola. But, Madam President, there is one other person I would like to introduce, and I do not believe she expected to be introduced, but since we had the opportunity to hear the wonderful rendition of Bridgette when she sang the National Anthem and now will sing "God Bless America," I would like to introduce Sheryl Lee Ralph, who is the future wife of Senator Hughes. She recently had one of the leading roles in "Thoroughly Modern Millie," which has been on Broadway for quite some time, and she is a wonderful actress on stage and screen. I would like the Senate to acknowledge her in our wonderful Chamber on this beautiful swearing-in day.

The PRESIDENT. Sheryl Lee, please rise.

(Applause.)

The PRESIDENT. Before Bridgette sings, I think I missed one more Senator. I think the former Senator from Butler County, Tim Shafer, is here. Tim, stand up.

(Applause.)

The PRESIDENT. There are so many other State and local government officials, the Governor's cabinet, and there are too many to introduce today, but I also want you to know we welcome you and all of the families and friends and supporters who have traveled here to Harrisburg to share this beautiful day with us in this magnificent Senate Chamber.

Thank you so much for coming.

(Whereupon, "God Bless America" was sung by Miss Bridgette Gan.)

(Applause.)

The PRESIDENT. The Chair thanks Miss Bridgette Gan for sharing her beautiful voice with us.

### **STATEMENT BY THE PRESIDENT**

The PRESIDENT. Before taking up the next order of business dealing with the election of the President pro tempore and several officers of the Senate, the Chair would like to continue the practice started a few years ago, that if there is only one candidate for each of the several offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. Is there any objection? The Chair hears none.

### **ELECTION OF PRESIDENT PRO TEMPORE**

The PRESIDENT. The next order of business before the Senate will be the election of the President pro tempore of the Senate for the 2005 Session. This is in accordance with Article II, Section 9, of the Constitution of Pennsylvania.

The Chair now opens the floor for nominations and recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Madam President, today is the 30th anniversary of Senator Robert C. Jubelirer's first swearing-in. That first Tuesday of 1975 was when he took the office as a representative in the Senate of the General Assembly, our official title. I am happy to report that the passion he showed on the campaign trail has never waned or wavered. For Senator Jubelirer as a candidate, it was not all positive. While campaigning in 1974, Bob once was spit on and blamed for the Washington, D.C., scandal of Watergate, simply because he was a Republican nominee. While that was an indignity, the message delivered by that citizen has been taken to heart. Senator Jubelirer leads our institution with honor, dignity, and class. The test is always the same: What is the right thing to do? His energy is simply amazing. We expect young, new Members to come in here full of get-up-and-go. It soon occurs to most of us that we must deal with this process as a runner participates in a marathon. For Bob Jubelirer, it is still a sprint.

Finally, he brings honesty to this position. This term has many ramifications, but I reference it particularly in that he decides issues based upon objective criteria intended to produce a good result for the people of Pennsylvania, our bosses. His decisions are not based upon considerations such as personalities, perhaps likes and dislikes. He is a fair man who is a talented judge of others and their capabilities. Meanwhile, Senator Jubelirer has the rare ability to perfectly balance his advocacy for the 30th Senatorial District with the responsibilities of representing the entire Senate. If, however, someone asks you what is most important to Senator Bob Jubelirer, the answer is simple: his family, his wonderful wife, Renee, his children, and his grandchildren. When you talk about Senator Jubelirer's family, particularly his grandchildren, you know that a smile will come to his face.

My friend Bob Jubelirer became the longest-serving President pro tempore on December 20, 2003, and every day sets a new record. The people of Pennsylvania are indeed fortunate to have someone so committed to the institution, to his district, and to the taxpayers of the entire Commonwealth of Pennsylvania at the helm of the Senate. It is my honor and privilege to nominate Robert C. Jubelirer to serve as President pro tempore of the Senate of Pennsylvania.

Thank you, Madam President.

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

Senator MELLOW. Madam President, I rise to join with Senator Brightbill and second the nomination of Senator Robert Jubelirer to become the President pro tempore of the Senate. I said this before and I will say it again, Madam President, I have the unique understanding of what goes into this job, having had an opportunity for a brief period of time to serve as President pro tempore of the Senate. I believe that Senator Jubelirer has ap-

proached the position and has done an outstanding job in representing the 50 Members of the Senate.

Madam President, there is a great challenge out there, and I did mention this also to Senator Jubelirer back in November when we had the interim swearing-in of the President pro tempore for the month of December 2004. We had just then finished a very contentious Session, a Session that ended on November 30, 2004, and it was a very difficult one, and I hope that we have learned something, not only as individual Members but also as a body. I think the gentleman that we are about to swear in once again to lead us as the President pro tempore of the Senate has the keen ability and the understanding to know just exactly what the problems are and to try to put them together.

Madam President, Senator Jubelirer has to serve in a bipartisan position, representing all 50 Members of this body, and all 50 Members have different likes and dislikes and different wants and different things that they want to accomplish, and I believe under the direction of Senator Jubelirer that he will have the ability to meet the challenge, and I am honored on behalf of the Democratic Members of the Senate to second the nomination of Senator Bob Jubelirer.

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

Senator PICCOLA. Madam President, I, too, have the distinct honor and privilege to stand and second the nomination of Robert Jubelirer to be President pro tempore of the State Senate of Pennsylvania.

You know, I believe when historians sit down in future years to write the history of Pennsylvania for the 1980s and the 1990s and the beginning of the 21st century, they very well might be calling this the Jubelirer era. During that period of time, Bob Jubelirer has provided stability and consistency not just for the Senate of Pennsylvania, but in large measure for the entire Commonwealth government here in Harrisburg. He has done so much for this institution and for State government. Here in the Senate we have improved our professional staff. The decorum of the Senate is something we take very seriously. He takes pride in the institution and he spreads that pride to each and every Member, and he is an example for each and every one of us as we perform our public duties here in the Senate of Pennsylvania, especially the new Members.

It is my pleasure to second the nomination of a colleague and a friend of all of ours, Bob Jubelirer, for the office of President pro tempore of the State Senate.

#### NOMINATIONS CLOSED

The PRESIDENT. Are there other nominations or seconds? If not, the Chair will now declare the nomination for President pro tempore closed.

The candidate for the office of President pro tempore is the Honorable Robert C. Jubelirer of Blair County. All those in favor of the Honorable Robert C. Jubelirer for President pro tempore will please signify by saying "aye"; those opposed, "no."

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

The PRESIDENT. The Chair declares Senator Jubelirer unanimously elected President pro tempore.

(Applause.)

#### COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in appointing the following committee to escort the President pro tempore to the rostrum for the administration of the oath of office: the gentleman from Lebanon, Senator Brightbill; the gentleman from Lackawanna, Senator Mellow; and the gentleman from Dauphin, Senator Piccola. The committee will proceed to the performance of its duties.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

#### ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT

The PRESIDENT. It is a distinct honor and privilege to have another jurist with us today to administer the oath of office to our newly-elected officers. She is the Honorable Renee Cohn Jubelirer, Judge of the Commonwealth Court of Pennsylvania. The Chair might also take the liberty to mention that she is Senator Jubelirer's wife.

The oath of office will now be administered to Senator Jubelirer by Judge Cohn Jubelirer.

Please rise.

Judge COHN JUBELIRER. Place your left hand on the Bible, raise your right hand, and repeat after me:

I, Robert C. Jubelirer, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

#### REMARKS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. It is now my honor and privilege to present the President pro tempore of the Senate, the Honorable Robert C. Jubelirer, of Blair County.

(Applause.)

The PRESIDENT pro tempore. For those of you who asked, are you going to submit your remarks for the record? No, not a chance. Certainly, I want to take the opportunity first of all to introduce the people who drive me, who support me. I have the most wonderful family that I could possibly ever imagine.

First of all, to introduce someone who has already been introduced, someone I love very deeply, who swore me in today and is a remarkable person in her own right, without a doubt, my wife, Judge Renee Cohn Jubelirer.

(Applause.)

And with me today is my daughter, Laurie Jubelirer-Langman, and her husband, Chuck Langman, two of my three grandchildren, Sam Langman and Rebecca Langman, and you are not ready for Andy Langman quite yet, but we think pretty soon he will be ready to come in, and if he does not take over the place, he will be here. A year ago, Laurie and Chuck could not be here

because 2 days later Laurie gave birth to Andy, blessed Andy. Anyhow, I would like my daughter, Laurie, Chuck, and my two grandchildren to stand and be recognized.

(Applause.)

My son, Jeff Jubelirer, would have been here with his wife, Dr. Tracey Jubelirer, who has a remarkable calling. Tracey just passed her medical boards, and she is now a board-certified pediatrician who is finishing up her first year of fellowship in oncology. Tracey will be treating kids with cancer, and what a remarkable person she is. I would like to introduce Jeff, who is here representing both of them today.

(Applause.)

Of course, I have two wonderful people, I call them my in-laws but they are really more special than just in-laws, Dr. Samuel Levine and Trudy Levine from State College. Dr. Samuel Levine is a retired professor of nuclear engineering at Penn State. He ran the nuclear reactor for 18 years. Two wonderful people, Sam and Trudy.

(Applause.)

When I married Renee, there was a bonus, and it really was. I got three new sons, and representing the Cohn family today is my son Michael Cohn, who is here representing not only himself but his brothers, Gideon and Jonathan. So, for Gideon and Jonathan who could not be here, Michael, please stand and be recognized.

(Applause.)

I never cease, obviously, to become emotional over this day. It is a remarkable day for me and for all of you. The oath of office for President pro tempore is a moment of serious intent and heartfelt commitment. Frankly, having a friendly judge administer it makes the moment even more special. I deeply appreciate the trust, the support, and the responsibility that come with this position.

Welcome, welcome to the guests of the Senate, family, friends, State and local officials, community and political leaders who join us in this ceremony. This is a day of celebrating democracy, a day when there is renewal and commitment of reform and progress, a day when we put the spotlight on the optimism and the opportunities at the heart of public service. We are so honored to have the new Bishop, The Most Reverend Kevin C. Rhoades, offering thoughtful and inspirational prayer. Thank you so much, Bishop. We are quite accustomed, you see, to hearing insightful remarks from a Rhoades from Schuylkill County, but missing in this instance were the colorful expressions, rooted in football, that Senator Jim Rhoades is so fond of.

We are honored to have Superior Court President Judge Joseph A. Del Sole, a very dear friend, administering the oath of office to the newly-elected and re-elected Senators. Joe, thank you so much.

(Applause.)

I think it is a good segue to tell you that Pennsylvania's court system is enjoying a rebirth in esteem, as Chief Justice Ralph Cappy of the Supreme Court and his colleagues have overhauled rules and procedures to reflect the public interest. Judge Del Sole is a significant part of that performance. Progress rarely receives the attention that problems do, so it is important to acknowledge the substantial and constructive leadership being exercised by our judicial branch.

Thank you, Senator Chip Brightbill, Senator Bob Mellow, Senator Jeff Piccola, for your gracious words of nomination. I might add that Senator Brightbill was assisted today by one Adam Brightbill, without whom I doubt he could have done as well as he did. I see, Christian, you were there, too, and I want to thank you both. These Members have given Pennsylvanians a glimpse of the quality and articulate leadership that we see displayed every Session day.

Back before the glory days of Chuck Knoll, Terry Bradshaw, Franco Harris, and Lynn Swann, Steeler fans had a time-honored lament for their frustrations: same old Steelers. Those critical of the Senate tend to use a similar refrain: same old Senate, but it is not. Change is ever-present. Two new Senators were sworn in today, and we are pleased to welcome Senators Pat Vance and Bob Regola. And this is not the end of change. We will have three special elections in the weeks ahead, given the resignations of Senator Charles Dent and Senator Allyson Schwartz to take seats in Congress, and the pending departure of Senator Jack Wagner to begin his service as Pennsylvania's Auditor General.

So, as we see a lot of experience and accomplishment depart, we also see new enthusiasm and fresh perspective arrive. The constant is the high level of capability and commitment among the 50 Members. Marilyn vos Savant, the genius who takes all inquiries in Parade Magazine, keeps lists of the most dumbfounding questions people pose, such as: what is it about a doctor's office that makes you weigh 15 pounds more? Is it some sort of atmospheric pressure change? Why did God make cockroaches? Why are tornadoes attracted to mobile home parks? Why were most of the major Civil War battles fought in national parks? Well, we thankfully do not have to answer these questions through legislation, but we do confront hard questions about the direction Pennsylvania must take, about the priorities that we will set, and about the types of results that will be produced. There are challenges aplenty: restoring public confidence in our process, renewing the push for educational improvement and accountability, reining in the health care costs that are undermining budgets everywhere, rebuilding the job base of manufacturing.

While there has been a great deal done in the name of job creation, economic development, and small business encouragement, this Session will see vigorous attention targeted toward recovering manufacturing. Manufacturing is a pillar of our economy, a cornerstone for the health of many communities, and a key to our reputation and outlook. We must resist the temptation to have State government intrude too often or too heavily into the marketplace. Instead, we should create the conditions for growth and for enterprise to flourish through smart budgeting, through compelling incentives, through competitive infrastructure to retain jobs, to attract jobs, to build on the professions essential to our economic vitality.

Good government will inevitably obtain priority as well. We will again adopt a Senate rule providing for lobbyist disclosure. Since January of 2003, the Senate rule has been the only disclosure mechanism applicable. The benefit to the public is apparent: revealing the dimension of the spending and the heavy concentration of lobbying activity on usually controversial matters. In 2003, nearly \$87 million was reported. In the first 6 months of 2004, over \$64 million was reported. A law will be better still, capturing now unreported spending on lobbying the House and



the executive branch. That reform measure will be Senate Bill No. 1.

If you read enough of the year-end commentaries, you could be convinced there are at least six State Senates. They talk about the one that passed too many bills, the one that did next to nothing, the one that did not stay in Session long enough, the one that never should have been in Session in the first place, the one too easily deadlocked, and the one too quick to compromise. Obviously, there are widely divergent perspectives on our work. I prefer the perspective you see today, with the talent and ability gathered here, the concern and care that mark the work here, the dedication and determination of advocacy brought to bear here.

There are frequent attempts to chalk up every policy dispute and issue deadlocked as partisan politics at work. The truth is more complicated. There are splits over our priorities, over parochial outlooks, over principles, to be sure, and the fault lines move depending on the controversy. Yet, much consensus is indeed built, and much useful and productive legislation is approved overwhelmingly with bipartisan support. Groups are quick to tag those who do not sign up for their agenda wholesale, as anti-this or anti-that. Take a look around at the talented men and women in this Chamber, and you will see advocacy in abundance. There can be disagreements over direction and degree, but nowhere, nowhere is there the inclination to turn back the clock or to turn back progress. What the Members of the Senate stand for are things extremely important to the future of our Commonwealth: the three Rs - reform, responsibility, and results. These concepts matter. They are central to our efforts. Through Republican and Democratic administrations, through periods of liberal and conservative tendencies, the State Senate has sustained a reputation for thoughtful, progressive leadership, testament to the incredible ability and effort of the men and women who serve here.

Again, I want to convey my gratitude to the Members of the Senate for your support. It is something I do not and never will, ever, take for granted. I appreciate your support so very, very much, but most importantly, the collegiality, the friendship, the prayers, and all the support that you have given me and my family, through the good times and the rough times, will never, ever, ever be forgotten by me. To the families and the honored guests, thank you all, thank you all for joining us in this special moment and for the support you show throughout the year. Every one of these Members needs your support, they need their family's support, they need their constituents' support. This is a rough job, let me tell you, and when we have support, when I look out at the full gallery, when I look out to my right or left it does not matter, there is somebody there you care about, there is somebody there you love, there is somebody there you support, and it means so much to have you here and have that support throughout the year.

We intend to make this a productive Session for Pennsylvania's families, workers, and communities, and for making the Commonwealth a leader among States. Make no mistake about it, it is a great challenge, but the challenge is worth it. It is a great Commonwealth that we are privileged and blessed to be a part of. I wish each and every one of you a happy, healthy, and productive New Year. May God bless you and your families, may God bless Pennsylvania, may God bless America.

Thank you.

(Applause.)

The PRESIDENT. The Senate will be at ease for a couple minutes for photographs.

(The Senate was at ease.)

### ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Secretary of the Senate.

The Chair recognizes the gentlewoman from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Madam President, I am honored to once again nominate the Honorable Mark R. Corrigan as Secretary of the Pennsylvania Senate. Mark is only the 11th person who has held this office, and is the longest-serving Secretary in the history of this body. His most visible duty is as Parliamentarian, controlling the flow of paperwork and debate, in what is sometimes a hectic milieu. He fills in as Senate Chaplain on short notice. The less visible duties include certifying documents, preparing and publishing the Calendar, numbering and printing bills, and keeping a record of all Senate action on bills coming out of committees and transmitting them to the House of Representatives. The Secretary also supervises the Sergeant-at-Arms, the Senate Library, the Senate Bill Room, the Senate Print Shop, the Official Reporter's Office, and the Page service.

Mark is an attorney who pays incredible attention to detail. Under his leadership, the Senate functions smoothly and efficiently. He performs his duties with professionalism, integrity, and dedication, and it is truly a pleasure for me to nominate Mark R. Corrigan as Secretary of the Senate of Pennsylvania.

Thank you.

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

Senator O'PAKE. Madam President, no one has served longer in the position of Secretary and Parliamentarian of the Senate of Pennsylvania than Mark Corrigan, and on behalf of the Democratic Caucus, it is my privilege to rise to second his nomination. As this new 2-year Session of the General Assembly proceeds, Mark Corrigan will reach his 25th anniversary, a quarter of a century, of service as Secretary of the Senate on June 30 of next year. But Mark has already achieved a tenure of service that is unmatched, and the Senate as a whole is fortunate to have his dedication, experience, and expertise in what, as we have witnessed, can become a difficult and challenging position from time to time. To serve as Secretary and Parliamentarian of this Senate, as I have said when given the opportunity before, often requires the wisdom of Solomon and the patience of Job. The duties of the office of Secretary of the Senate go well beyond the role of Parliamentarian and that of assisting the Presiding Officer, and just in case you did not hear it from Senator Mary Jo White, let me repeat, the Secretary also certifies all Senate documents, presides over the preparation and publishing of the Senate Calendar, the publishing of the Senate history, the numbering and printing of all bills, and the transmission of all bills passed by this Senate to the House of Representatives. In addition, he oversees and supervises the Senate Library--they have a very good book on tape and CD collection down there to listen to on the way to and from work--the Chief Sergeant-at-Arms, the Senate



Bill Room, the Senate Print Shop, the Official Reporter's Office, and the Senate Page Service. He is also occasionally called upon on short notice to serve as Senate Chaplain, and he gives short prayers. In all that he does to make us look good, Madam President, our Senate Secretary has served with a high degree of integrity and professionalism.

It is my honor to once again second the nomination of Mark R. Corrigan for Secretary of the Senate, and I thank you.

The PRESIDENT. Thank you, Senator O'Pake.

#### NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nomination for Secretary of the Senate closed. The candidate for the office of the Secretary of the Senate is Mark R. Corrigan of Dauphin County. All those in favor of Mark Corrigan for the office of Secretary of the Senate will please say "aye"; those opposed, "no."

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

The PRESIDENT. The Chair declares Mark R. Corrigan unanimously elected Secretary of the Senate.

(Applause.)

#### ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Chief Clerk of the Senate.

The Chair recognizes the gentleman from Chester, Senator Thompson.

Senator THOMPSON. Madam President, it is a high honor and great privilege for me to rise and place in nomination the name of W. Russell Faber, CPA, as the Chief Justice -- Chief Clerk of the Pennsylvania Senate. You will have to get another degree before we can do that nomination, Russ.

(Laughter.)

Russ is a native of Harrisburg and received an excellent education at the former Farmer's High School right up the road, Penn State University, which equipped him well for his position here as the Chief Clerk. He was first elected in 1981, served a few terms and then decided to go out in the real world, and we are not sure whether we wanted him back more than he wanted to come back, but in any event, he came back in 1993 and has been here ever since as the Chief Clerk of the Senate. His expertise, his hard work, his honesty, and his integrity have gained him the friendship and the recognition, and we cannot say enough about you, Russ. You are the kind of guy that when we have a question, we know where to get the answer, and it is especially good to know that we have a CPA whom we can actually talk to and get an answer that we can understand. It does not happen too often.

You really have earned our respect and our friendship, Russ, and we appreciate very much that you are with us. It is my honor to place your name in nomination, and just speaking of length of service, if you are re-elected, and I have not heard of any groundswell of any opposition yet, Russ, but you never know until the gavel is cast here, this will mark your 10th term as the Chief Clerk, and it is my honor to nominate you to that position.

Thank you, Madam President.

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

Senator HUGHES. Madam President, I came in this morning and saw the program and saw that it was my responsibility to second the nomination of Russ Faber, so I did not have the opportunity to prepare long remarks. I can just say this, there is only one guy, one person in all of the State of Pennsylvania that makes every Senator squirm when he walks into the room. It is not the Governor, it is not the Chief Justice, it is none of those folks, and all my colleagues know exactly what I am talking about, right? When Russ Faber walks on the floor of the Senate and starts walking in your direction, everybody puts their head down and squirms, hoping he is not going to come see them. Even Bob Jubelirer turns the other way, because Russ Faber is in town. It is like John Wayne walking out, you know. But I say that, and on behalf of my colleagues, Russ, with a lot of humor but also with a tremendous amount of respect. We put, if you will, our fiscal lives in your hands, the running of this Chamber, the running of our offices financially, and how we carry on our business, and to that end, that we are able to turn to you with confidence, that we can get an honest response and a response with integrity, a thought-out resolve to our issues and concerns, it does a great service to you and to your service here in the Senate.

So without any further adieu, I want to second the nomination of John Wayne -- I mean Russ Faber to the office of Chief Clerk of the Senate of the Commonwealth of Pennsylvania.

#### NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nomination for Chief Clerk of the Senate closed. The candidate for the office of Chief Clerk is W. Russell Faber of Dauphin County. All of those in favor of W. Russell Faber for the office of Chief Clerk say "aye"; opposed, "no."

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

The PRESIDENT. The Chair declares W. Russell Faber unanimously elected Chief Clerk of the Senate.

(Applause.)

#### OATH OF OFFICE ADMINISTERED TO THE SECRETARY-ELECT AND THE CHIEF CLERK-ELECT

The PRESIDENT. We will now have the administration of oath of office for Secretary and Chief Clerk. Please approach the bar of the Senate in order that the oath of office may be administered.

Once again, I will call on Judge Cohn Jubelirer to administer the oath of office to our newly-elected officers.

Please rise.

Judge COHN JUBELIRER. Thank you.

Place your left hand on your Bible, raise your right hand and repeat after me.

I (Mark R. Corrigan and W. Russell Faber), do solemnly swear that I will support, obey, and defend the Constitution of the

United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations, gentlemen.

(Applause.)

### SENATE RESOLUTIONS ADOPTED

Senators BRIGHTBILL and MELLOW, by unanimous consent, offered **Senate Resolution No. 1**, entitled:

A Resolution providing for broadcasting of Senate sessions.

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

Senators BRIGHTBILL and MELLOW, by unanimous consent, offered **Senate Resolution No. 2**, entitled:

A Resolution adopting Rules of the Senate relating to the practice of lobbying.

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

Senator BRIGHTBILL, by unanimous consent, offered **Senate Resolution No. 3**, entitled:

A Resolution providing for the adoption of Financial Operating Rules of the Senate.

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

Senator BRIGHTBILL, by unanimous consent, offered **Senate Resolution No. 4**, entitled:

A Resolution providing for the Rules of the Senate for the 189th and 190th Regular Session.

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

### ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERSHIP

The PRESIDENT. The Chair has been informed by the Majority Caucus that they have elected as Majority Leader, Senator Brightbill of Lebanon County; as Whip, Senator Piccola of Dauphin County; as Caucus Chairman, Senator Wenger of Lancaster County; as Appropriations Chairman, Senator Thompson of Chester County; as Caucus Secretary, Senator Robbins of Mercer County; as Policy Committee Chairman, Senator Conti of Bucks County; as Caucus Administrator, Senator Mary Jo White of Venango County.

The Chair has also been informed by the Minority Caucus that they have elected the following: as Minority Leader, Senator Mellow of Lackawanna County; as Whip, Senator O'Pake of Berks County; as Caucus Chairman, Senator Costa of Allegheny County; as Appropriations Chairman, Senator Fumo of Philadelphia County; as Caucus Secretary, Senator LaValle of Beaver County; as Policy Committee Chairman, Senator Kasunic of Fayette County; and as Caucus Administrator, Senator Constance Williams of Montgomery County.

### COMMITTEE FROM HOUSE TO NOTIFY THE SENATE

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Madam President, I have the honor to present a committee from the House of Representatives.

The PRESIDENT. Thank you. Will you bring the committee forth, please.

The SERGEANT-AT-ARMS. Madam President, I have the honor to present the chairwoman of the committee, Representative Gingrich.

Representative GINGRICH. Madam President, this committee has been appointed by the House of Representatives and sent to inform the Senate that we are officially organized and ready to address the business of this Session.

Thank you.

The PRESIDENT. We are now ready to notify the House that the Senate is organized.

### SENATE RESOLUTION ADOPTED

#### NOTIFICATION TO HOUSE

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

In the Senate, January 4, 2005

RESOLVED, That a committee of three Senators be appointed to inform the House of Representatives that the Senate is organized in Regular Session and ready to proceed to business.

### APPOINTMENT OF COMMITTEE TO NOTIFY THE HOUSE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the House that the Senate is organized: the gentleman from Columbia, Senator Gordner as chairman; the gentlewoman from Cumberland, Senator Vance; and the gentleman from Beaver, Senator LaValle.

The Chair will leave immediately to discharge its duties.

### SENATE RESOLUTION ADOPTED

#### NOTIFICATION TO HIS EXCELLENCY, THE GOVERNOR

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

In the Senate, January 4, 2005

RESOLVED, That a committee of three Senators be appointed to inform His Excellency, the Governor of the Commonwealth of Pennsylvania, that the Senate is convened and organized in Regular Session and ready to receive any communications he may be pleased to make.

### **APPOINTMENT OF COMMITTEE TO NOTIFY THE GOVERNOR**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the Governor that the Senate is organized: the gentleman from Bradford, Senator Madigan, as chairman; the gentleman from Indiana, Senator Don White; and the gentlewoman from Montgomery, Senator Connie Williams.

The committee will now leave and notify the Governor that the Senate is organized.

### **SENATE RESOLUTIONS ADOPTED**

#### **THANKS OF SENATE TENDERED TO THE MOST REVEREND KEVIN C. RHOADES FOR SERVICES AS CHAPLAIN OF THE SENATE**

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

In the Senate, January 4, 2005

RESOLVED That the thanks of the Senate is hereby tendered to The Most Reverend Kevin C. Rhoades, Bishop of the Roman Catholic Diocese of Harrisburg, for his services as Chaplain of the Senate this day.

#### **THANKS OF SENATE TENDERED TO THE HONORABLE JOSEPH A. DEL SOLE FOR ADMINISTERING OATH OF OFFICE TO NEWLY-ELECTED SENATORS**

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

In the Senate, January 4, 2005

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Joseph A. Del Sole, President Judge, Superior Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Republican and Democratic Senators.

#### **THANKS OF SENATE TENDERED TO THE HONORABLE RENEE L. COHN JUBELIRER FOR ADMINISTERING OATH OF OFFICE TO THE PRESIDENT PRO TEMPORE AND OFFICERS OF THE SENATE**

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

In the Senate, January 4, 2005

RESOLVED, That the thanks of the Senate is hereby tendered to the Honorable Renee L. Cohn Jubelirer, Judge, Commonwealth Court of Pennsylvania, for her services in qualifying the President pro tempore and the Officers of the Senate.

### **SENATE CONCURRENT RESOLUTIONS**

#### **WEEKLY RECESS**

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

In the Senate, January 4, 2005

RESOLVED, the House of Representatives concurring, That when the Senate recesses this week, it reconvene on Monday, January 24, 2005, unless sooner recalled by the President pro tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives recesses this week, it reconvene on Tuesday, January 18, 2005, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives recesses the week of January 18th, it reconvene on Monday, January 24, 2005, unless sooner recalled by the Speaker of the House of Representatives.

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

#### **JOINT SESSION**

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

In the Senate, January 4, 2005

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, January 4, 2005, in the Hall of the House of Representatives for the purpose of witnessing the opening, counting, and computing the official returns of the election for Attorney General, Auditor General, and State Treasurer held on Tuesday November 2, 2004, in the several counties of the Commonwealth and to elect a Director of the Legislative Reference Bureau.

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

### **SENATE RESOLUTION ADOPTED**

#### **TELLER TO COMPUTE AND COUNT VOTE FOR ATTORNEY GENERAL, AUDITOR GENERAL AND STATE TREASURER**

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

In the Senate, January 4, 2005

RESOLVED, That the gentleman from Jefferson County, Senator Joseph Scarnati, be appointed Teller on the part of the Senate for the purpose of witnessing the opening, computing, and counting of votes for the Attorney General, Auditor General, and State Treasurer.

### **ANNOUNCEMENT BY PRESIDENT**

The PRESIDENT. The time has come in our order of business to assemble in the hall of the House of Representatives for a Joint Session. The Chair requests that all guests remain seated until the Members of the Senate leave for the House. This will eliminate

considerable confusion and facilitate our movement to the House of Representatives. The Chair thanks our guests.

### RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms and the House committee in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate.

### AFTER RECESS

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

### TELLER'S REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENTATIVES FOR THE OPENING, COUNTING, AND PUBLISHING OF VOTES FOR STATE TREASURER, AUDITOR GENERAL, AND ATTORNEY GENERAL

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

Senator SCARNATI. Madam President, the Members of the Senate and Members of the House of Representatives met in the hall of the House of Representatives, and on this day the President of the Senate, Catherine Baker Knoll, pursuant to the Constitution and laws of the Commonwealth, did then and there proceed to open, count, and publish the official returns of the election of State Treasurer, Auditor General, and Attorney General, held on the second day of November, anno domini two thousand and four, in the city of Philadelphia and several counties of the Commonwealth.

Also, Madam President, I beg to report that the Senate and House of Representatives, in Joint Session today assembled, elected Robert W. Zech as Director of the Legislative Reference Bureau, and that the oath of office was administered to Robert W. Zech.

Thank you, Madam President.

The PRESIDENT. The Chair wishes to thank Senator Scarnati for a job well done.

(Applause.)

### COMMUNICATIONS FROM THE GOVERNOR

#### NOMINATIONS REFERRED TO COMMITTEE

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

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

December 8, 2004

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, Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Robert D. Duggen, Indiana, deceased.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE PLANNING BOARD

December 10, 2004

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, Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the State Planning Board, to serve until June 8, 2008, and until her successor is appointed and qualified, vice Dennis Puko, Farrell resigned.

EDWARD G. RENDELL  
Governor

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

December 15, 2004

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, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Richard Wright, Hershey, whose term expired.

EDWARD G. RENDELL  
Governor

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

December 20, 2004

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, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh 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 2007, and until her successor is appointed and qualified, vice R. Benjamin Wiley, Erie, deceased.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE CORONERS' EDUCATION BOARD

December 21, 2004

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, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified, vice Isadore Mihalakis, M.D., Bethlehem, resigned.

EDWARD G. RENDELL  
Governor

#### JUDGE, COURT OF COMMON PLEAS, WASHINGTON COUNTY

December 29, 2004

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, Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, for appointment as Judge of the Court of Common Pleas of Washington County, to serve until the first Monday of January 2006, vice The Honorable David L. Gilmore, deceased.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE BOARD OF EDUCATION

January 3, 2005

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, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2010, or until his successor is appointed and qualified, vice The Honorable Sam E. Hayes, Jr., Warriors Mark, resigned.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE BOARD OF PSYCHOLOGY

January 3, 2005

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, Stephanie Moore, 40 Red Barberry

Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, 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 Stephen A. Ragusea, Port Matilda, resigned.

EDWARD G. RENDELL  
Governor

#### HOUSE MESSAGE

#### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

Weekly recess.

#### GENERAL COMMUNICATIONS

#### ANNUAL REPORT OF THE PENNSYLVANIA CONSERVATION CORPS

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Labor and Industry  
Room 1700, Labor and Industry Building  
Seventh and Forster Streets  
Harrisburg, PA 17120

December 20, 2004

Mark R. Corrigan, Secretary of the Senate  
and  
Ted Mazia, Chief Clerk of the House of Representatives

Gentlemen:

I am pleased to submit the Pennsylvania Conservation Corps (PCC) annual report for fiscal year 2003-04, the Corps' 20th year of operation.

Last year, 351 young men and women were given the opportunity to gain self-confidence and improve their employability as members of the PCC. More than 60 corpsmembers completed courses at vocational-technical schools, community colleges and other educational institutions; 39 earned high school diplomas or GEDs; and 12 took part in mentoring with local businesses and individuals. Nearly 40 percent of all corpsmembers moved directly into jobs upon leaving the Corps.

During the fiscal year, the PCC completed 44 projects in 27 counties. Corpsmembers constructed or renovated 18 cabins, 16 playgrounds and 50 support buildings; improved or developed 185 miles of trails and 128 acres of wildlife habitat; helped preserve nine historic buildings and 25,000 historical artifacts; and planted more than 37,000 seedlings and trees--to name just a few of their accomplishments.

In summary, FY 03-04 reflected a tradition of challenges, opportunities and accomplishments, all of which are documented in the pages that follow.

Sincerely,

STEPHEN M. SCHMERIN  
Secretary

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

### 2004 ANNUAL REPORT OF THE ORGAN DONATION ADVISORY COMMITTEE

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Health  
Post Office Box 90  
Harrisburg, PA 17108

November 29, 2004

Mr. Mark R. Corrigan  
Secretary of the Senate  
462 Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Mr. Corrigan:

I am pleased to submit the 2004 Annual Report of the Organ Donation Advisory Committee, as mandated by Act 102 of 1994. I hope you find it informative.

Please contact Michael Yantis, Director of the Office of Legislative Affairs, at 783-3985 if you have any questions regarding this report or any other Department of Health issue.

Sincerely,

CALVIN B. JOHNSON  
Secretary

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

### ANNUAL REPORT ON THE STATE FOOD PURCHASE PROGRAM

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Agriculture  
2301 North Cameron St.  
Harrisburg, PA 17110-9408

December 15, 2004

Mark Corrigan, Secretary  
Senate of Pennsylvania  
462 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Mr. Corrigan:

On behalf of the Department of Agriculture, I am pleased to provide your office with a report summarizing the activity under the State Food Purchase Program for the year ended June 30, 2004. This report is in accordance with Section 7(b) of the State Food Purchase Program Act (62 P.S. Section 4047(b)), and its attendant regulations.

The program, which is administered by the Bureau of Food Distribution, Department of Agriculture, provides cash grants to each of the state's 67 counties for the purchase of food for distribution to needy individuals based on the county's weighted percentage of the state's total employment, Medical Assistance Eligibles, and Non-Public Assistance Food Stamp Eligibles.

The report includes:

- Exhibit "A" - Allocation and Expenditure of Funds
- Exhibit "B" - Participation Report
- Exhibit "C" - Variety, Pounds and Cost of Food Purchased

Also provided are the minutes of the March 10, 2004 meeting of the Emergency Food Assistance Advisory Committee.

If you have any questions or require additional information, please contact me.

Sincerely,

DENNIS C. WOLFF  
Secretary

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

### AUDITOR GENERAL'S CERTIFICATE

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

COMMONWEALTH OF PENNSYLVANIA  
Office of the Auditor General  
Harrisburg, PA 17120-0018

December 17, 2004

The Honorable Robert C. Jubelirer  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Jubelirer:

In accordance with the provisions of Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act No. 1999-1, as amended), I am providing you with the accompanying certification in connection with the general obligation bond sale of December 21, 2004. A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

ROBERT P. CASEY, JR.  
Auditor General

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### AUDITOR GENERAL'S CERTIFICATE

Pursuant to  
ARTICLE VIII, Section 7(a) (4)  
of the  
CONSTITUTION OF PENNSYLVANIA  
and

Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

I, Robert P. Casey, Jr., Auditor General of the Commonwealth of Pennsylvania, pursuant to the Pennsylvania Constitution Article VIII, Section 7(a) (4) and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999) certify as follows:

The amount of the outstanding net debt  
as of December 21, 2004 ..... \$ 6,072,926,427

The difference between the limitation  
upon all net debt outstanding as provided  
in Article VIII, Section 7(a) (4) of the  
Constitution of Pennsylvania and the  
amount of outstanding net debt as of  
December 21, 2004 ..... \$37,836,347,776

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 17th day of December 2004.

ROBERT P. CASEY, JR.  
Auditor General  
Commonwealth of Pennsylvania

**STANDING COMMITTEES APPOINTED**

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

**SENATE OF PENNSYLVANIA**

TO: The Honorable Mark R. Corrigan  
Secretary of the Senate

FROM: Senator ROBERT C. JUBELIRER  
President Pro Tempore

SUBJECT: Standing Committees of the Senate  
Appointments - 2005-2006 Sessions

DATE: January 4, 2005

Pursuant to Rule XV, as President Pro Tempore, I hereby appoint the following Senators to the Standing Committees of the Senate for the 2005-2006 Sessions of the Senate. The appointment of Minority members is based on the recommendation of the Minority Leader and the naming of Minority chairmen by designation of the Minority Leader.

**STANDING COMMITTEES OF THE  
SENATE OF PENNSYLVANIA  
SESSIONS OF 2005-2006**

**AGING AND YOUTH**

Orie, Chairman  
Vance, Vice Chairman

Wonderleaf	Regola	Stack
Rafferty	Mellow*	C. Williams
Gordner	O'Pake	Jubelirer, ex-officio

**AGRICULTURE AND RURAL AFFAIRS**

Waugh, Chairman  
Wenger, Vice Chairman

Madigan	Regola	Logan
Punt	O'Pake*	Wozniak
Vance	Kitchen	Jubelirer, ex-officio

**APPROPRIATIONS**

Thompson, Chairman  
Tomlinson, Vice Chairman

Greenleaf	Corman	Logan
Rhoades	Scarnati	Mellow
Wenger	Orie	Musto
Brightbill	Erickson	O'Pake
Madigan	Rafferty	Stack
M. J. White	Fumo*	Stout
Waugh	Hughes	Jubelirer, ex-officio

**BANKING AND INSURANCE**

Armstrong, Chairman  
Conti, Vice Chairman

Greenleaf	Scarnati	Mellow
Wenger	D. White	Tartaglione
Robbins	Stack*	A. Williams
Corman	Boscola	Jubelirer, ex-officio

**COMMUNICATIONS AND TECHNOLOGY**

Wonderling, Chairman  
Rafferty, Vice Chairman

Armstrong	Regola	Fumo
Pippy	C. Williams*	Wozniak
Gordner	Costa	Jubelirer, ex-officio

**COMMUNITY AND ECONOMIC DEVELOPMENT**

Punt, Chairman  
D. White, Vice Chairman

Pippy	Regola	Musto
Gordner	LaValle*	Wozniak
Vance	Ferlo	Jubelirer, ex-officio

**CONSUMER PROTECTION AND  
PROFESSIONAL LICENSURE**

Tomlinson, Chairman  
Corman, Vice Chairman

Greenleaf	Wonderling	Kasunic
Piccola	Gordner	LaValle
M. J. White	Boscola*	Wozniak
Erickson	Fumo	Jubelirer, ex-officio

**EDUCATION**

Rhoades, Chairman  
Earll, Vice Chairman

Tomlinson	Pileggi	LaValle
Piccola	Musto*	C. Williams
Orie	Hughes	Jubelirer, ex-officio

**ENVIRONMENTAL RESOURCES AND ENERGY**

M. J. White, Chairman  
Erickson, Vice Chairman

Greenleaf	Pippy	Stout
Rhoades	Musto*	A. Williams
D. White	Costa	Jubelirer, ex-officio

**FINANCE**

Earll, Chairman  
Gordner, Vice Chairman

Armstrong	Vance	A. Williams
Lemmond	Wozniak*	C. Williams
Wonderling	Logan	Jubelirer, ex-officio

**GAME AND FISHERIES**

Conti, Chairman  
Madigan, Vice Chairman

Brightbill	Regola	Fumo
Robbins	O'Pake*	Wozniak
Pippy	Boscola	Jubelirer, ex-officio

**JUDICIARY**

Greenleaf, Chairman  
Lemmond, Chairman

Piccola	Rafferty	O'Pake
M. J. White	Gordner	Stack
Earll	Costa*	Stout



Orie	Boscola	Jubelirer, ex-officio
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**LABOR AND INDUSTRY**

Scarnati, Chairman  
Armstrong, Vice Chairman

Wenger	Thompson	Kasunic
Madigan	Tartaglione*	Logan
Piccola	Ferlo	Jubelirer, ex-officio

**LAW AND JUSTICE**

Rafferty, Chairman  
Pippy, Vice Chairman

Rhoades	Vance	Stack
Corman	Logan*	Tartaglione
Scarnati	LaValle	Jubelirer, ex-officio

**LOCAL GOVERNMENT**

Erickson, Chairman  
Regola, Vice Chairman

Robbins	Wonderling	Mellow
Thompson	Ferlo*	A. Williams
Waugh	Logan	Jubelirer, ex-officio

**PUBLIC HEALTH AND WELFARE**

Corman, Chairman  
Orie, Vice Chairman

M. J. White	Vance	Kitchen
Scarnati	Hughes*	O'Pake
Erickson	Costa	Jubelirer, ex-officio

**RULES AND EXECUTIVE NOMINATIONS**

Brightbill, Chairman  
Piccola, Vice Chairman

Wenger	Earll	Kasunic
Armstrong	Conti	LaValle
Lemmond	Pileggi	Musto
Robbins	Mellow*	O'Pake
Thompson	Fumo	Jubelirer, ex-officio

**STATE GOVERNMENT**

Lemmond, Chairman  
Thompson, Vice Chairman

Wenger	Pileggi	O'Pake
Punt	A. Williams*	Tartaglione
Conti	Logan	Jubelirer, ex-officio

**TRANSPORTATION**

Madigan, Chairman  
Punt, Vice Chairman

Rhoades	Pileggi	Kasunic
Tomlinson	Pippy	LaValle
Earll	Stout*	Tartaglione
D. White	Costa	Jubelirer, ex-officio

**URBAN AFFAIRS AND HOUSING**

Pileggi, Chairman  
Waugh, Vice Chairman

Brightbill	Conti	Ferlo
Piccola	Kitchen*	Fumo
Earll	Costa	Jubelirer, ex-officio

**VETERANS AFFAIRS AND  
EMERGENCY PREPAREDNESS**

D. White, Chairman  
Robbins, Vice Chairman

Lemmond	Waugh	O'Pake
Punt	Costa*	Stack
Tomlinson	Kitchen	Jubelirer, ex-officio

\*Minority Chairperson

**APPOINTMENTS BY THE  
PRESIDENT PRO TEMPORE**

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

Senator Jay Costa as a Commonwealth Trustee of the University of Pittsburgh.

Mr. Walter N. Heine as a member of the Citizens Advisory Council.

Mr. H. Michael Liptak as a member of the State Transportation Advisory Committee.

Mr. Ronald G. Wagenmann as a member of the State Transportation Advisory Committee.

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Wayne Murphy, Mr. and Mrs. Glenn Bailey, Mr. and Mrs. Francis Cassidy, Benjamin J. Reddy, Edith Truxal and to Nathan E. Whatmore by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Darwyn Happel, Mr. and Mrs. John Angelucci, Donald R. Dauphin III, Adam Michael Sankovsky, Rosemarie H. Sweeney, Robert K. Gonzalez and to Immaculate Conception School of Pen Argyl by Senator Boscola.

Congratulations of the Senate were extended to Charles J. Luthar by Senators Boscola and Wonderling.

Congratulations of the Senate were extended to Theodore M. Present by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. H. Albert Campbell, Mr. and Mrs. James L. Wagner, Jared T. Hallahan, Amy M. Brooks, George M. Khoury III, Darren Wood, Bonita C. Leathers and to Janelle Jayne Flanagan by Senator Corman.

Congratulations of the Senate were extended to Robert Barnes by Senator Costa.

Congratulations of the Senate were extended to Brad Schoener by Senator Erickson.

Congratulations of the Senate were extended to Talia Sorce by Senator Ferlo.

Congratulations of the Senate were extended to Robert Grasso, Philadelphia school counselors and to Holy Name of Jesus Church of Philadelphia by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Cecil Bardo, Mr. and Mrs. Norman E. Kline, Michael C. Snyder, Stanley Joseph Kowalchick, Derek John Kishbaugh, Richard Wayne Keefer, Phyllis E. Boyer and to the Elysburg United Methodist Church by Senator Gordner.

Congratulations of the Senate were extended to James and Laura Parto, Walter Grummun, Robert McDowell, Roman Antochy, Scott Ranweiler, Brendan Williams, Derek Yu, Reverend George R. Gunn, Christopher Hoagland, Erin Merkel, Union Library Company of Hatborough and to Hatfield Quality Meats by Senator Greenleaf.

Congratulations of the Senate were extended to Ronald Lee and to The Black History Showcase by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. James Whitfield, Mr. and Mrs. Raymond Rabold, Mr. and Mrs. Arthur M. Wilt, Mr. and Mrs. Boyd W. Runk, Mr. and Mrs. Richard Yokum, Mr. and Mrs. Clair Grove, Mr. and Mrs. Richard Price, Honorable Gerald J. Pappert and to Dolly Brode by Senator Jubelirer.

Congratulations of the Senate were extended to Sarah Ruth Leighty Gomery by Senator Kasunic.

Congratulations of the Senate were extended to Joseph R. Liss and to Dawn Staley by Senator Kitchen.

Congratulations of the Senate were extended to Lloyd C. Goddard by Senator LaValle.

Congratulations of the Senate were extended to Honorable Robert J. Conway, Nancy E. Davis, William Michael Carlo, Elvetta Genski, Richard Wayne Keefer, Sara Hetrick and to the citizens of the Borough of Matamoras by Senator Lemmond.

Congratulations of the Senate were extended to Dr. David and Mrs. Carol Saidman Greenwald by Senators Lemmond and Musto.

Congratulations of the Senate were extended to Matthew B. Lipner, Joseph G. Jenkins, Andy Beck, Robin Rose and to Charles E. Hall by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. David R. Faust, Jr., Mr. and Mrs. Harold E. Bower, Sr., Mr. and Mrs. Eugene H. Barlet, Mr. and Mrs. Richard Greene, Ida E. Beaver, Clay M. Whaley, Bradley David Golder and to Aaron Guffey by Senator Madigan.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony J. Duchnowski, Sr., David M. Sanko, Jean Kania, Moosic Lions Club and to the Pennsylvania Association of Student Assistance Professionals by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Krommes, Clyde L. Graver, Jr., Sophie Porambo, Rita O'Donnell, Assunta Mitchalk, Sophie Malatak, Beverly Kunkel, Mary T. Kulpa, Alverta Bizarre, Carolyn Henry, Ann Marie Sharpe, Robert W. Sipko, Richard E. Forgay, Helen Galgoci, Helen Gyuriscek, Eleanor Watkins and to James R. Somers by Senator Musto.

Congratulations of the Senate were extended to the Reverend Rudolph Libeck by Senators Musto and Lemmond.

Congratulations of the Senate were extended to Michael L. Landis, Christopher S. Uhl, Sean P. Simmons, Jonathan J. Cieniewicz, Brendon D. Thomas, Steven J. Baer, William B. Dalton, Peter E. Smith and to the Bernardine Franciscan Sisters of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Stephen Colella, Robert Waldron, Whitney M. Wilson, Philip L. Belcastro, Sister Rita Yeasted and to Thomas R. Liedke by Senator Orie.

Congratulations of the Senate were extended to Mr. and Mrs. Cesare Salomone, John E. Nelligan, Jr., Jennifer Tetkoskie, Mary Givens, Ronald L. Hoffman, Eugene Smith, Country Meadows of Hershey and to the citizens of the Borough of Steelton by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Jesse Dolinger, Mr. and Mrs. Charles Ward, Adam DiAntonio, Richard Wroblewski and to Patrick Shea by Senator Pileggi.

Congratulations of the Senate were extended to David W. Roof, Joel Buzzard, Edward Greenwald III, Eric Swenson, Nicholas Martin, Reid Bradley Fisher, Daniel Thomas Getkin, Matthew Michael Nalitz, Justin Starr, William Mills, William Davis and to Ed Ruffennach by Senator Pippy.

Congratulations of the Senate were extended to Honorable Dennis D. Parker, Charles Rogovin, Kendall Ashton Miller and to Richard Bealer by Senator Rafferty.

Congratulations of the Senate were extended to Allen Cleaver by Senators Rafferty and Thompson.

Congratulations of the Senate were extended to Honorable John D. W. Reiley, William R. Sullenberger, Julie Verbilla Zubris, Emma D. Hittner, Edward J. Horvath and to the Pottsville Area Development Corporation by Senator Rhoades.

Congratulations of the Senate were extended to Dennis G. Puko, David L. Myers, Robert Frederick Gemmel and to Penn State Shenango by Senator Robbins.

Congratulations of the Senate were extended to Marge Statler, Francis Morelli, Sr., Kurt Baumgratz, Katie June Baumgratz, Stephen Edward Wunderlich, Brandon Marchioni and to the Falls Creek Eagles Aerie of the Fraternal Order of Eagles by Senator Scarnati.

Congratulations of the Senate were extended to Sheila Weisberg and to Barbara Lavinson by Senator Stack.

Congratulations of the Senate were extended to David H. Wilderman by Senator Tartaglione.

Congratulations of the Senate were extended to Rabbi Eric M. Rosin, Joseph E. Boyd, Jr., Brian Michael Quindlen, Daniel C. McCarthy and to the Crime Victims' Center of Chester County by Senator Thompson.

Congratulations of the Senate were extended to the Downingtown High School, West Campus, Girls' Soccer Team, by Senators Thompson and Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Harry Evans Murphy, Vincent A. Kutys and to the Third District Volunteer Fire Company of Bristol by Senator Tomlinson.

Congratulations of the Senate were extended to David M. Sanko by Senator Tomlinson and others.

Congratulations of the Senate were extended to David Walker, Robert W. Reiber, David F. Heckard, Thomas G. Butz, Kenneth E. Fetrow, Walter Emory, Kimberly Badman, Janette Robertson, Kim Pires, John Perdue, Karen Scott, Dixie Brown, Michael Stewart, Diane Keefer, Dennis R. Goodling, Cedar Cliff High School Boys' Cross Country Team of Camp Hill and to the citizens of the Borough of Lemoyne by Senator Vance.

Congratulations of the Senate were extended to Thomas C. Gilles by Senator Wagner.

Congratulations of the Senate were extended to Josh Bosley, Brian Luzier, Heather Marsteller, Sarah Sipe, Leonard Devers, Carolyn Staley and to Ben Grove by Senator Waugh.

Congratulations of the Senate were extended to Paul Wenger by Senator Wenger.

Congratulations of the Senate were extended to St. Joseph Health Ministries of Lancaster by Senators Wenger, Armstrong, and Brightbill.

Congratulations of the Senate were extended to Mr. and Mrs. Glenn Hornberger, Mr. and Mrs. Tom Christy, Mr. and Mrs. LaVerne Protzman, Mr. and Mrs. Elmer Colwell, Mr. and Mrs. Roy Strickland, Mr. and Mrs. Raymond Campbell, Anna M. Willis, Arnold Dinger, Benjamin J. Gandolfi and to Nicole Fairman by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Paul F. Gourley, Mr. and Mrs. Donald F. Heasley, Mr. and Mrs. Fredrick W. Heasley, Mr. and Mrs. Donald L. Miller, Mr. and Mrs. Robert L. Shettler and to Douglas E. Mazzanti by Senator M.J. White.

Congratulations of the Senate were extended to William Neil, Barbara Neil, Donald Brown, William J. Mellix, Gwendolyn Brightful, Stanley Lindner and to Phi Beta Sigma Fraternity, Inc., by Senator A.H. Williams.

Congratulations of the Senate were extended to Adamino Ortiz, Carmen D. Pettine, Dr. Terry L. Mancini, Royal Mitchell, Main Line Chamber of Commerce of Wayne, Main Line Martin Luther King Association and to the Upper Merion Township Girls' 10 and Under Softball Team by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Barty Decker, Mr. and Mrs. Albert J. Kinney, Fay Louise Bean, Frances A. Frey, May Ruth Gerhart, Josephine Snyder, Eric S. Fosbenner, Dr. Harry G. Light, Dr. John J. Hoch, Dr. Lauro S. Geronimo and to Dr. Don C. Follmer by Senator Wonderling.

Congratulations of the Senate were extended to Walter E. Daller, Jr., by Senators Wonderling and Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Frederick H. Vroman, Sr., Reverend and Mrs. R. Wayne Focht, Mr. and Mrs. Fred Granlun, Mr. and Mrs. E. G. Werner, Mr. and Mrs. John Lipari, Mr. and Mrs. Charles Potter, Mr. and Mrs. Paul Gelles, Mr. and Mrs. Joseph Dona, Robert Allison, Eugene F. Wess and to the Polish National Alliance by Senator Wozniak.

### 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 Honorable Douglas W. Pfautz and to the family of the late Honorable Richard M. Scott by Senator Armstrong.

Condolences of the Senate were extended to the family of the late Alfred C. Diomedo by Senator Boscola.

Condolences of the Senate were extended to the family of the late John S. Briody by Senator Brightbill.

Condolences of the Senate were extended to the family of the late Richard Edward Kidd and to the family of the late Dale William Detwiler by Senator Jubelirer.

Condolences of the Senate were extended to the family of the late Paul Daniel Karpowich by Senator Musto.

Condolences of the Senate were extended to the family of the late Sister M. Bernice Rechterik, to the family of the late Mary Carol Bauer, to the family of the late G. Edward Sutter, Jr., to the family of the late James E. Haug, to the family of the late Walter G. Wiegand, to the family of the late Kay J. Scott and to the family of the late Richard D. Caddell by Senator Orie.

Condolences of the Senate were extended to the family of the late C. Frances Jones by Senator Piccola.

Condolences of the Senate were extended to the family of the late Remo C. Bertugli and to the family of the late Harry R. Hall by Senator Stout.

Condolences of the Senate were extended to the family of the late Spencer Gettys and to the family of the late Leonard Amoroso, Sr., by Senator C. Williams.

Condolences of the Senate were extended to the family of the late Honorable Richard J. Green, Jr., by Senator Wozniak.

### POSTHUMOUS CITATION

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

A posthumous citation honoring the late Rodney Wentling was extended to the family by Senator Robbins.

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Madam President, I move that the Senate of Pennsylvania do now recess until January 24, 2005, at 2 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The PRESIDENT. Senator Brightbill moves that the Senate do now recess until January 24, 2005, at 2 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 2:23 p.m.