

COMMONWEALTH OF PENNSYLVANIA
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MONDAY, MARCH 22, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 17

SENATE

MONDAY, March 22, 2010

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

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

PRAYER

The Chaplain, Reverend MATTHEW RICHARDSON, of Central Presbyterian Church, Chambersburg, offered the following prayer:

Let us be together, hearts and minds, in prayer. Let us pray.

You know, Lord, we are not here for power. We are not here for status. We are not here for money. We are here to serve the Commonwealth and the common good. As we have discovered and will discover anew, in some ways, that is an unbearable task. We are too imperfect, the choices are too difficult, and the consequences, Lord, are never without risk. And so, once again, we turn to You. We need Your wisdom and Your grace. It is a grace and a wisdom that comes from heaven that lifts us beyond our flawed minds to something higher, to something better, something, we pray, that will bring blessing to all.

We are here, Lord, to serve the common good. And this moment, this pause for reflection and petition before the motions are made and the codes are considered, it reminds us that we always ever do so in Your presence. To forget this is to fall, and to remember this is the beginning of all wisdom. And so, in Your gracious mercy, visit us now. For above all else, these hours, Lord, it is You we seek to serve, and Your people. In Your name, the name that is beyond every name, do we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Richardson, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 126**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE BILLS FOR CONCURRENCE

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

March 18, 2010

HB 689, 705 and 870 -- Committee on Education.
HB 740 and 1324 -- Committee on State Government.
HB 1795 -- Committee on Labor and Industry.
HB 2161 -- Committee on Game and Fisheries.

March 19, 2010

HB 816 -- Committee on Public Health and Welfare.
HB 2026 -- Committee on Education.
HB 2285 -- Committee on Appropriations.

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:

March 18, 2010

Senators LEACH, WASHINGTON, FERLO and FARNESE presented to the Chair **SB 1281**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting use of the death penalty.

Which was committed to the Committee on JUDICIARY, March 18, 2010.

Senators ERICKSON, PILEGGI, MUSTO, FONTANA, O'PAKE, ARGALL, BAKER, PIPPY, RAFFERTY, BRUBAKER, ALLOWAY, FARNESE, McILHINNEY, D. WHITE, GORDNER, LEACH, MELLOW, EARLL, BROWNE, GREENLEAF, TOMLINSON, VANCE, VOGEL, YAW, BOSCOLA, FOLMER, DINNIMAN, WASHINGTON, STACK, MENSCH and COSTA presented to the Chair **SB 1282**, entitled:

An Act amending the act of July 10, 2008 (P.L.1009, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for definitions, for biodiesel content in diesel fuel sold for on-road use, for agency responsibilities and for infrastructure reports; and providing for Biofuel Development Fund.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 18, 2010.

Senators YAW, FARNESE and O'PAKE presented to the Chair **SB 1283**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in accidents and accident reports, further providing for duty to give information and render aid.

Which was committed to the Committee on TRANSPORTATION, March 18, 2010.

March 19, 2010

Senators RAFFERTY, ERICKSON, ORIE, WARD, ARGALL, KASUNIC, WASHINGTON, ALLOWAY, GREENLEAF, LEACH, TOMLINSON, PIPPY, MENSCH, BOSCOLA, O'PAKE, BAKER, STACK, LOGAN and FONTANA presented to the Chair **SB 1280**, 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, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data.

Which was committed to the Committee on BANKING AND INSURANCE, March 19, 2010.

RESOLUTIONS INTRODUCED AND REFERRED

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

March 19, 2010

Senators EICHELBERGER, ROBBINS, MUSTO, PILEGGI, O'PAKE, DINNIMAN, WAUGH, STACK, KASUNIC, FONTANA, BAKER, TARTAGLIONE, ARGALL, ALLOWAY, WASHINGTON, COSTA, PIPPY, BRUBAKER, LOGAN, FERLO, RAFFERTY, M. WHITE, ORIE, VOGEL, BOSCOLA, MENSCH, GREENLEAF, EARLL, ERICKSON, WOZNIAK and D. WHITE presented to the Chair **SR 275**, entitled:

A Resolution designating the week of April 11 through 17, 2010, as "Local Government Week" in Pennsylvania.

Which was committed to the Committee on LOCAL GOVERNMENT, March 19, 2010.

March 22, 2010

Senators PILEGGI, CORMAN and MELLOW presented to the Chair **SR 277**, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2010, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 22, 2010.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Stewart J. Greenleaf as a member of the State Council for Interstate Adult Offender Supervision.

Senator Lloyd K. Smucker as a member of the Pennsylvania Workforce Investment Board.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Joseph B. Scarnati III) in the presence of the Senate signed the following bill:

HB 421.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to meet during today's Session to consider certain nominations.

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.

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

Senator O'PAKE. Mr. President, I request a legislative leave for Senator Farnese.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

Senator O'Pake requests a legislative leave for Senator Farnese.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

Senator O'PAKE asked and obtained a leave of absence for Senator WASHINGTON, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, March 22, 2010

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, April 12, 2010, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses the week of April 12th, it reconvene on Monday, April 19, 2010, 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, April 19, 2010, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

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 LEAVE CANCELLED

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR MICHAEL A. O'PAKE
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, we are very fortunate to have in our midst today an outstanding young rising star from Reading, Pennsylvania. She is not only Berks County's but also Pennsylvania's Outstanding Young Woman of the year. She is 17-year-old Diamante White, who is the daughter of Tracey and Andrea White of Reading, Pennsylvania. Diamante is a senior at Reading High School. She is captain of the varsity cheerleading squad, is the secretary of the National Honor Society, and is a member of the Key Club. She is also the coordinator of the high school's Relay for Life event. She is a volunteer with the Special Olympics and a volunteer at Saint Joseph's Medical Center in Reading. Ms. White is ranked in the top 2 percent of her graduating class at Reading High School and plans to attend Millersville University, where she will study secondary education with a concentration in biology. In her spare time, Diamante enjoys shopping, dancing, listening to her iPod, and attending church with her family. I hope that the Senate will extend its usual warm welcome to Diamante, who has a few words. And then, after that, I would like to introduce her family and her chaperones, who are with her today.

The PRESIDENT. The Chair thanks the gentleman. Will the Senate join in welcoming Senator O'Pake's guest to the podium.

(Applause.)

Ms. WHITE. Good afternoon, Senators. When I was competing in Pennsylvania's Outstanding Young Woman competition, my on-stage question was, "What effect does the rising cost of a college education have on your generation?" My answer to this question was, "The rising cost of a college education often times has a negative impact on my generation. It is keeping people from enrolling in college, and is forcing others to go to community colleges. For others, scholarships are not available and students must take out loans which means they are graduating with excessive debt."

I am speaking to you today on behalf of many families and students in Pennsylvania. Please do not take away funding from the 14 State-owned universities. I implore you to increase funding. Due to funding cuts, universities are faced with raising fees and cutting programs. There was an article in the Reading Eagle on March 5, 2010, about Kutztown University having to cut their expenses by 10 percent. Kenn Marshall, spokesman for the State System of Higher Education, said, "All...14 state-owned universities are facing similar financial troubles." Kutztown's main reason for budget cuts was the lack of an increase in State funding this year. Kutztown has had to eliminate their men's swimming and soccer teams to cut costs. If funding continues to be taken away, they might begin taking away majors. The State used to provide \$7,000 per year per student a decade ago, but now, it only gives about \$5,000 per student.

In the fall, I will be attending Millersville University, where I will be majoring in secondary education with a concentration in biology. I am fortunate that my tuition will be paid for by a Board of Governors Scholarship. I will also have to take out loans to completely pay for my educational costs. However, if funding of State schools is continually being cut, who is to say that scholarships will not be the next things to be cut, and universities will be forced to raise their fees? Continued funding of State-owned universities is very important. For students like me, the funding will help to keep our tuition and fees reasonable. If funding continues to be cut, then student loan debt will continue to increase. Please do not cut any more funding from State universities, but consider increasing funding, because every student deserves the chance to further their education. Thank you.

(Applause.)

Senator O'PAKE. Mr. President, may I introduce the other members of the party? Diamante, thank you very much for your words of wisdom. We will try to do that, and I know that your plea will not fall on deaf ears here in the Senate.

She is accompanied, Mr. President, by her lovely mother, Andrea White, who is an instructional coach for K-2 at 10th & Penn Elementary School in Reading; by her grandmother--believe it or not, this is her grandmother--Loretta Boyd, who works at Saint Joseph's Medical Center in Reading; by her aunt, Kristin Boyd, who is a journalist at Stevens Institute of Technology in Hoboken, New Jersey; and by the Adam family. Mrs. Luci Adam is the State chaperone, she is from the Kutztown Area Middle School; Norman Adam, the husband of Luci, works at Atlas Minerals and Chemicals in Kutztown; and Luci and Norman's daughter, Yvette Adam, who works at Threshold Rehabilitation Services in Kutztown, Pennsylvania. Mr. President, if the body would give my guests its usual warm welcome, with thanks to the Adam family for again chaperoning this event, and to the proud family of Diamante.

The PRESIDENT. Would the Senate join in welcoming Senator O'Pake's guests.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senators FONTANA, ALLOWAY, ARGALL, BAKER, BOSCOLA, BRUBAKER, COSTA, DINNIMAN, EARLL, ERICKSON, HUGHES, KASUNIC, KITCHEN, LEACH, LOGAN, MELLOW, O'PAKE, ORIE, PILEGGI, PIPPY, RAFFERTY, STACK, TARTAGLIONE, WASHINGTON and WAUGH, by unanimous consent, offered **Senate Resolution No. 276**, entitled:

A Resolution recognizing March 21, 2010, as "World Down Syndrome Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, the resolution that I offer today recognizes March 21, 2010, as "World Down Syndrome Day" in Pennsylvania. This is the fourth year of this international celebration organized by Down Syndrome International.

Mr. President, the number 21, ironically, of course, has a special significance for those with Down syndrome because it is the 21st chromosome that a person with Down syndrome has three of, and it is that 21st chromosome that makes those individuals so unique. The annual observance of World Down Syndrome Day aims to promote awareness and understanding of Down syndrome and related issues, and to mobilize support and recognition of the dignity, rights, and well-being of persons with Down syndrome.

**GUESTS OF SENATOR WAYNE D. FONTANA
PRESENTED TO THE SENATE**

Senator FONTANA. Mr. President, I am proud to know a young lady who does that each and every day of the year, not just on World Down Syndrome Day. Her name is Chloe Kondrich, and she has joined us here today with her family in recognition of this resolution. Chloe is 6 years old and is a first-grade student at Eisenhower Elementary School in Allegheny County. She is a celebrity in her own right. She plays for the Angels, a team in the Miracle League of southwestern Pennsylvania. She hangs out with the Pittsburgh Pirates and has made a special friend in Andy LaRoche. He has even taught her how to bat and to hit the ball. Her photo has been shown on Panasonic's Astrovision screen in New York's Times Square. She is on the cover of a book. She even got married in December to one of her young friends. She met her U.S. Congressman and got a personal tour of the Capitol. She met U.S. Senator John McCain and former Alaska Governor Sarah Palin when the two were campaigning. And today, she is here to visit all of us.

Chloe is a testimony to the importance of early intervention services in the lives of children such as her. She reminds us to focus on the possibilities and capabilities of individuals with Down syndrome and other special needs rather than their disabil-

ities. Many of us know people with Down syndrome. They could be our children, our brothers, our sisters, our classmates, our teammates, and our friends. We can learn a lesson from each one of them. I am proud to ask the Senate to recognize March 21, 2010, as "World Down Syndrome Day" in Pennsylvania, and I commend individuals with Down syndrome, their friends, and their families for celebrating the uniqueness of Down syndrome through daily actions and interactions. I thank Chloe, Mr. President, and her family for reminding us of our blessings in allowing us to see that there are angels among us.

Mr. President, I would like to recognize the guests with Chloe: Todd Klunk, the deputy secretary of the Office of Child Development and Early Learning; Chloe's parents, Kurt and Margie; Chloe's brother, Nolan; and, of course, Chloe. They are all in the gallery today, and I would like the Senate to give them a warm welcome.

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

(Applause.)

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR DONALD C. WHITE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Don White.

Senator D. WHITE. Mr. President, I am pleased to have a distinguished guest from my district visiting us here today in Harrisburg. Serving as our guest Page is Chris Alman. Chris is an eighth-grade student at Saint Edmund's Academy. He was a Lead Student at Saint Edmund's in 2008 and attended a Junior National Young Leaders Conference in Washington, D.C., in the summer of 2008. He plays basketball and soccer and performed in the seventh-grade musical. Having a very keen interest in politics, Chris contacted my office for opportunities to volunteer, and that is why he joins us here today, to serve. Joining Chris on his tour of our Capitol is his mother, Dr. Sue Alman, seated in the gallery. Dr. Alman is director of online education for the School of Information Sciences at the University of Pittsburgh. Please join me in extending our usual warm welcome to my guests.

The PRESIDENT. Would the guests of Senator Don White please rise to be welcomed by the Senate.

(Applause.)

**GUESTS OF SENATOR JANE C. ORIE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Mr. President, I rise to welcome the Pine-Richland Middle School Orchestra, which is performing right now in the Rotunda. I would like to acknowledge the Pine-Richland Middle School Orchestra from Gibsonia, Allegheny County, as March has been designated as Music In Our Schools Month by the National Association for Music Education.

The Pine-Richland Middle School String Orchestra was se-

lected to perform today in the State Capitol. It is directed by Elisa Mata and string teachers David Belchik and Susan Wager. The orchestra has been in existence for 9 years and has over 56 students participating. This opportunity to perform in our State Capitol is the highlight of their year. The Pine-Richland Middle School Orchestra is a great example of young people, parents, teachers, and school administrators working together to build and support a successful strings program.

Mr. President, I ask all of my colleagues to welcome Pine-Richland here to the Capitol today.

The PRESIDENT. Would the Senate join in welcoming Senator Orié's guests to the Capitol.

(Applause.)

GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

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

Senator MENSCH. Mr. President, it is my pleasure to greet, today, the Emmaus High School Green Hornets Girls' Cross Country Team. As I look in the gallery, I believe they are still across the hall in the House, but we need to recognize them because they are the 2009 PIAA State Class AAA girls' cross country champions. It is the third straight title for the Emmaus High School team.

For the record, I would like to read their names. On the roster were Amanda Faust, Brianna Faust, Christina Faust, Kelsey Coates, Lydia Brough, Kelli Steinert, Juliet Dodd-o, and Megan Smolinski, and their head coach was Dan Wessner, along with their assistant coach, Doug Finley. The Emmaus girls' cross country team has made the trip to Hershey for each of the last 4 years, and each visit to Chocolate Town has been a little sweeter than the last. The Lady Hornets won their third straight title Saturday, capping the careers of four seniors, who have earned one State silver and now three State gold medals.

Mr. President, it is my pleasure to recognize the Green Hornets from Emmaus High School.

The PRESIDENT. Would the Senate join in welcoming Senator Mensch's guests to the Capitol.

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, we have two sets of visitors today. First is Dr. and Mrs. Leon Kehr of Souderton, Pennsylvania, who are from Senator Greenleaf's district. I will explain why I am introducing these people in a second. And the second is Robert and Joanne Perrone of Kennett Township, who are from Senator Pileggi's district.

I was won in an auction, and actually, it is a great auction, because what I do is, for charity, I contribute a book by Violet Oakley about the famed murals that we have in this Chamber and then take people on a tour of those murals. The money that was contributed goes toward the Muhlenberg House in Trappe, Pennsylvania. You know, Muhlenberg was the first Speaker of the U.S. Congress, as Senator Rafferty and Senator Mensch well know.

So, without further ado, Mr. President, if you could welcome Dr. and Mrs. Kehr of Souderton and Robert and Joanne Perrone of Kennett Township, I would appreciate that.

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

(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, first, of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator HUGHES. Mr. President, I ask all Democratic Members to report to caucus immediately after the meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. 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 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.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 87, SB 109 and HB 602 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1019 (Pr. No. 1289) -- The Senate proceeded to consideration of the bill, entitled:

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

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-49

Alloway	Ferlo	Musto	Tomlinson
Argall	Folmer	O'Pake	Vance
Baker	Fontana	Orie	Vogel
Boscola	Gordner	Piccola	Ward

Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Robbins	Williams
Dinniman	Leach	Scarnati	Wozniak
Earll	Logan	Smucker	Yaw
Eichelberger	McIlhinney	Stack	
Erickson	Mellow	Stout	
Farnese	Mensch	Tartaglione	

NAY-0

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

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

SB 1020 (Pr. No. 1290) -- The Senate proceeded to consideration of the bill, entitled:

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

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-49

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

NAY-0

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

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

SB 1021 (Pr. No. 1291) -- The Senate proceeded to consideration of the bill, entitled:

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

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-49

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

NAY-0

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

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

SB 1022 (Pr. No. 1292) -- The Senate proceeded to consideration of the bill, entitled:

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

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-49

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

NAY-0

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

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

BILLS LAID ON THE TABLE

SB 1023 (Pr. No. 1293) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for vacancy in the office of county commissioner.

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

SB 1024 (Pr. No. 1294) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1023 AND SB 1024 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1023, Printer's No. 1293, and Senate Bill No. 1024, Printer's No. 1294, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL OVER IN ORDER

SB 1200 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 85, SB 174, SB 214, SB 351, HB 464, SB 825 and SB 964 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 990 (Pr. No. 1226) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for qualifications for license.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1147, SB 1198, SB 1202, SB 1238, SB 1252 and HB 1720 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

HB 1300 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that House Bill No. 1300, Printer's No. 2702, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED**SENATE RESOLUTION No. 243, ADOPTED**

Senator PILEGGI, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 243**, entitled:

A Resolution directing the Joint State Government Commission to conduct a study of efficiency in public school funding and directing the State Board of Education to provide documents and assistance to the Joint State Government Commission in its conduct of this study.

On the question,

Will the Senate adopt the resolution?

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

Senator LEACH. Mr. President, we had a discussion about this resolution in caucus, and my good friend, Senator Dinniman, to whom I look for guidance on many things, made a very compelling case to me about the merits of the resolution. However, I still have a couple of concerns, which I would just like to take a moment to articulate, despite Senator Dinniman's fine and best efforts.

First of all, I want to say that as a general proposition, knowledge and information are good things. It is good to know things. But being as there are limited resources and limited and finite opportunities to study the many, many questions to which we seek answers in this legislature, we have to, I think, be somewhat selective about what we seek to create new studies to study. And this resolution creates a new study to study a study, in essence.

We just completed a major study called the costing-out study of how we fund public education in the Commonwealth of Pennsylvania. This resolution, as I understand it, would commission a major study to study the methodology of the previous study and to study 82 school districts and to see how they are doing things that were studied by the previous study. I am concerned about, A, the allocation of resources. I am also concerned that as a re-

sult of this costing-out study, we have enacted certain policies which have resulted in Pennsylvania, I think, to my knowledge, being the only State in the nation that has improved in terms of all grades and all subjects. It does not sound like, given that track record, this is a subject which is crying out for yet another large study.

Sometimes, I think, Mr. President, we need to make a commitment to a policy and follow through on that policy, rather than revisiting policies simply because--and I am not saying anyone in this Chamber feels this way--but simply, for example, because we did not like the answer or the policy recommendations of the previous study.

So, Mr. President, I think I am going to cast a "no" vote on this, unless I am convinced by further debate that there is a compelling need to go back and revisit an issue that we spent so much time not only studying but debating. Not only the original resolution commissioning that study but all of the resultant policy decisions we made were extensively debated when I was in the House and extensively debated here. To go back and revisit that now, again, without a compelling reason, to me, just -- I am not sure I understand why we would do that.

Thank you, Mr. President.

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

Senator PICCOLA. Mr. President, I want to thank the gentleman, Senator Leach, for his interest in this subject. But his assertion that this resolution would require a study of a study is really not quite accurate. Allow me to give a little context to why this resolution is before the Senate today.

Back in 2006, the legislature adopted Act 114, which was a comprehensive amendment to the Education Code. One section of that act created a call for the State Board of Education to conduct a statewide costing-out study to try to determine what the true cost of educating a child in Pennsylvania should be. In fact, the preamble to that section of the law said, "The General Assembly directs the State Board of Education to conduct or provide for a comprehensive Statewide costing-out study to arrive at a determination of the basic cost per pupil to provide an education that will permit a student to meet the State's academic standards and assessments." Specifically, within that section, the General Assembly, in this statute, said that the study, and I quote, "The study shall include examining exemplary school districts that are high-performing and low-spending school districts." That is the only explicit information that the General Assembly asked for within that costing-out study.

The State Board of Education, pursuant to Act 114, contracted with a company in Colorado by the name of Augenblick, Palaich and Associates, and this company, for a fee of \$600,000, performed that costing-out study. Now, the RFP that was presented to them for the study - that is, the specifications that this company would have to comply with in order to conduct the study - included what we would call the exemplary school districts that are referred to in the statute. In the RFP, they are referred to as the successful schools model. But it also included two additional models, one being something called the best evidence model - that is, what procedures and processes in education are the best to achieve success in students. And the other, the third method that was to be studied, was something called the professional judgment method, and that is where panels of educators are put together in rooms and are asked to come up with their hypotheti-

cal school that would best educate students to achieve the success that we are calling for.

APA conducted this study with all three methodologies, and within their report, they combined those three methodologies, and they came up with what is now referred to as the costing-out study. The Senate Committee on Education, last year and this year, conducted a couple of hearings on this subject, and we tried to find out from the contractor what was the result of the methodology involving the successful schools model, what was the cost for students when you used the professional judgment model, what was the cost when you used the best evidence model. We were particularly interested in the successful schools model, because as I said, that was the only thing we asked for in Act 114. The response that we received from the State Board of Education was, we never received that information from the contractor. And the contractor, when they testified, refused to give it to us, because it is what they call proprietary information - that is, information that they own - and they do not think they have to publicize it or give it to the legislature.

It seems to me, Mr. President, that all this resolution is asking is that the Joint State Government Commission be directed to conduct that portion of the study, which has already been performed by the contractor; and that is study those successful schools or those exemplary schools that were identified in the study as being high-performing and low-cost. All we are asking is for that information to be obtained, because we cannot get it from the contractor. We paid for it, \$600,000 worth, but we cannot get it from the contractor because they have cited it as being proprietary.

This resolution calls upon the Joint State Government Commission to analyze the 82 school districts identified in the costing-out study as being successful schools--that is, high-performing at low cost--and identify what the basic cost of education for students who are successful in those schools might be. The Joint State Government Commission has indicated that they can do this study for about \$7,500 and report back to us in November of this year.

It seems to me, Mr. President, that this is important information that the General Assembly needs to have as we go forward into some very trying economic times. The costing-out study calls for huge investments and huge commitments to the dollars in public education, and it seems to me, before we commit those dollars for all time, we need to have every scrap of information we can to analyze them and find out what is best for not only Pennsylvania's students but Pennsylvania's taxpayers.

So I urge that the Senate adopt this resolution and ask the Joint State Government Commission to conduct this very modest analysis of a portion of the costing-out study.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I want to respectfully--as I said in committee to both of the two chairs, the Majority chair, Senator Piccola, and the Democratic chair, Senator Dinniman, I know that the committee has done an extensive amount of work on this issue. I know there has been a lot of review and a lot of analysis about this whole issue. Several hearings have occurred across the Commonwealth. The Committee on Education has been extremely active in terms of its research on this issue and on a number of issues. And as I said in the committee when I

voted in the negative, I had some unreadiness about this particular resolution.

But I think I said in committee that we are making some very, very good progress with respect to where we are going in this Commonwealth in education. As my good friend from Montgomery County said a few moments ago, Pennsylvania's test scores rank us, probably, as the only State in the nation where there is progress in every grade level on every subject matter. The only State in the nation that can tout that. The only State in the nation that can say that. And I am very pleased to be able to say, after having served both in the House and in the Senate for a number of years, that we are at a point right now where we can have such progress, and that is a good thing.

So, my general philosophy is to try not to fix things that do not seem to be broken. I understand the research and the need for more information, but I still stand, at this moment, unready to make the decision to go down this particular path. So I want to make sure that my vote is recorded in the negative only on caution, but would respect, again, the amount of effort and work that has been put into this by our two chairs on the Committee on Education around analyzing this issue and the series of issues that go along with education funding and success, what works in education and what does not work. Thank you.

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

Senator DINNIMAN. Mr. President, I support this resolution and I am a cosponsor. The incredible thing about our discussion is what we are looking at is high-performing districts that do not spend lots of money. It is almost as if some in this Chamber cannot believe that you can have good education without spending more money. But we do have such districts. All we are asking for in this resolution is to let us look at the 80 districts that are high-performing but low-cost. What harm is there to make an examination of that? If we can come out with ideas that we can replicate in other districts and save the taxpayers of this Commonwealth millions of dollars, we should be jumping at that opportunity to do so.

But let me also say, I understand and I respect that in our Caucus, there is some fear, and there is some fear in the administration that this will be used to torpedo the costing-out study, and to the best of my knowledge, that is not the intent of Senator Piccola. It is certainly not my intent. The costing-out study is here. But why would anyone in this Chamber not want information that could save, potentially, millions of dollars for the taxpayers of this Commonwealth? And by the way, the 82 districts we are studying--and I explained this to the administration--are districts that are approximately 15 to 30 percent in poverty. So whatever the conclusion, it in no way factually impinges on those districts such as Philadelphia or Allegheny County or other areas that are over 30 percent in poverty, which those districts are.

So, Mr. President, here is the bottom line. I do not think we have to be afraid of the costing-out study being torpedoed. It is the policy of this Commonwealth. And if those who oppose it are saying, we do not want information, we do not want to know what works because we are afraid that something that is set in stone might be challenged, that is foolishness. First of all, this study only focuses on certain types of school districts that have certain levels of poverty, and it is only relevant to those districts.

Second, I say to those who oppose this, call the Governor's Office. Tell them to release, to have the company to which we paid over \$600,000 release the proprietary information, and then we do not have to go through this at all, because we will have the information which would be available to us. Now, in fairness to the Governor's Office, they cannot do that, because a contract has been signed that makes this information--despite the fact that we paid for it--proprietary, and we cannot get at it. We sat there in the Committee on Education, hour after hour, trying to figure out what the facts were, what the methodology was, what is this based on? And we could not get that information.

So finally, Mr. President, let me say that the original resolution that was passed by this body only asked that the costing-out study be done in one way, and that one way was to examine high-performing but low-cost districts. If that had not been done--and we cannot figure out the methodology--then I believe Senator Piccola's resolution, which I support, is one way to find this out.

Finally, let me say, I believe the costing-out study is correct. But I believe that any study that is done deserves to be reviewed and questioned continuously. Information and knowledge is nothing to fear. Information and knowledge gives us the ability to make good policy, and if this study is correct, then anything we find would simply back it up, and anything we find is limited only to certain school districts. So I will vote in the affirmative and support this resolution. Thank you, Mr. President.

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

Senator LEACH. Mr. President, I appreciate the comments made by my colleague from Chester County. Here is the problem. When my colleague says that this is not designed to undermine the costing-out study, I am a little troubled by the wording of the actual resolution. For example, on page 2, it talks about how much money the costing-out study recommended that we spend on public funding. Then it says that APA, the firm that did the study, "...cannot provide the quantitative numbers used to justify this target." That, to me, implies that there is some doubt about whether the costing-out study has been justified. And then it says, at the end of the resolution, that the report that this resolution calls for will "...serve as the basis for future deliberations by the Senate on the Commonwealth's basic education funding levels and components." So what this resolution says is that we are not sure about this costing-out study, and we may want to change the findings of it based on this second study that we are going to do. So I do not think we can say that this is not aimed at the costing-out study.

Now, we all like information, Mr. President. The point I tried to make previously is, there are a lot of things we can study. I just introduced a bill on the death penalty, and I would love to have a study on how much that would save the Commonwealth. Unfortunately, we cannot get all of the studies that we want. I am just saying that if we are going to be selective, if we are not going to have infinite studies because they cost money, which I will get to in a second, do we want to spend money studying something we just studied a whole bunch, \$600,000 worth, which has resulted in policy decisions that have produced the results that have been described by Senator Hughes from Philadelphia and others today?

We could request the information. That is one resolution we could do if there is some information lacking from the

costing-out study. We could request that in a resolution. I am also a little concerned, frankly, Mr. President, that this was a \$600,000 study upon which this legislature relied in formulating very important public policy, and we are going to do a study where--and I think there is no other way to interpret this resolution than to say this--we are going to second-guess that first study, that first \$600,000 study, by conducting a \$7,500 study now. And it seems to me that if you are going to conduct the study, it should be at least as comprehensive as the first study, or else why did we spend so much money on the first study? I am not sure what we get for \$7,500 in terms of a comprehensive review of 82 school districts whose principles may or may not apply to other school districts based on demographics, based on a million other things, which you would also have to study.

So, what do we do with this when we get this study at the end of the day? We get, I think, sort of a shadow of a study of something we have already studied. I hate to use the word "study" so many times, but it is sort of appropriate here. Then, according to this resolution, we are going to base our policy decisions upon that second shadow study to second-guess a policy which has resulted in our being the only State in the nation to improve in every subject at every grade level. Again, is that the most efficient use of resources? Is that the smartest use of resources? Again, I do not think so.

Thank you, Mr. President.

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

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-43

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

NAY-6

Costa	Fontana	Kitchen	Tartaglione
Farnese	Hughes		

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

SENATE RESOLUTION No. 260, ADOPTED

Senator ORIE, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 260**, entitled:

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

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

**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 PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD**

March 16, 2010

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 14, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the 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 Kimberly Gray, Mechanicsburg, whose term expired.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

March 16, 2010

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 October 14, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, 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.

EDWARD G. RENDELL
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

March 16, 2010

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

October 23, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, 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, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF
TRUSTEES OF POLK CENTER

March 16, 2010

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 October 23, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Josephine Zuck, Oil City, deceased.

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

EDWARD G. RENDELL
Governor

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

March 16, 2010

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 October 23, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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 her successor is appointed and qualified, but not longer than six months beyond that period, vice George Roman, Summerhill, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

March 16, 2010

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 October 7, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first

Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2014, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice C. Chris Exarchos, Lemont, whose term expired.

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

EDWARD G. RENDELL
Governor

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

March 16, 2010

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 October 23, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michael DeStefano, Ridgway, whose term expired.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

March 16, 2010

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 October 23, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Butler, Magisterial District 50-3-01, to serve until the first Monday of January 2012, vice The Honorable Clifford J. Woessner, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

March 16, 2010

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 November 24, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Lancaster, Magisterial District 02-3-03, to serve until the first Monday of January 2012, vice Maynard A. Hamilton, Jr., resigned.

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

EDWARD G. RENDELL
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 PRESIDING OFFICER. The nominations will be returned to the Governor.

CONSIDERATION OF CALENDAR RESUMED

RECONSIDERATION OF SR 243

SR 243 (Pr. No. 1773) -- Senator HUGHES. Mr. President, I move that the Senate do now reconsider the vote by which Senate Resolution No. 243, Printer's No. 1773, was adopted.

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

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

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

YEA-42

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

NAY-7

Costa	Fontana	Kitchen	Tartaglione
Farnese	Hughes	Leach	

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

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

SB 5 (Pr. No. 1791) (Amended) (Rereported)

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

SB 1059 (Pr. No. 1360) (Rereported)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for township manager.

SB 1060 (Pr. No. 1361) (Rereported)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for township manager.

SB 1061 (Pr. No. 1362) (Rereported)

An Act amending the act of May 24, 1956 (1955, P.L.1674, No.566), entitled "An act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties," further providing for the office of town manager and for powers and duties of a town manager.

SB 1062 (Pr. No. 1363) (Rereported)

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the office of borough manager and for powers and duties of a borough manager.

SB 1063 (Pr. No. 1364) (Rereported)

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for the office and powers and duties of a city administrator or manager.

HB 67 (Pr. No. 3419) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications device"; further providing for junior driver's license and for suspension of operating privilege; prohibiting interactive wireless communications devices; and further providing for accident report forms, for department to compile, tabulate and analyze accident reports, for television equipment, for general requirements for other vehicles transporting school children and for restraint systems.

SENATE RESOLUTION ADOPTED

Senators ORIE, MENSCH, WARD, PILEGGI, ALLOWAY, ARGALL, BAKER, BOSCOLA, BROWNE, BRUBAKER, COSTA, DINNIMAN, EARLL, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, GREENLEAF, KASUNIC, KITCHEN, LEACH, LOGAN, MUSTO, O'PAKE, RAFFERTY, ROBBINS, STACK, STOUT, TARTAGLIONE, TOMLINSON, VOGEL, WASHINGTON, WAUGH, D. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 278**, entitled:

A Resolution designating the month of April 2010 as "Child Abuse Prevention Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Mr. President, I offer my remarks for the record.

The PRESIDING OFFICER. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Allegheny, Senator ORIE:)

Mr. President, today, Senator Mensch and I are offering a resolution designating April as "Child Abuse Prevention Month" in Pennsylvania. Child Abuse Prevention Month began over 20 years ago in April 1986 to collaborate the efforts of agencies, community organizations, and concerned citizens to recognize, educate, and prevent child abuse and neglect. Herbert Ward once said, "Child abuse casts a shadow the length of a lifetime."

Child abuse can be physical, sexual, or emotional, and all three forms of abuse leave terrible scars on their child victims. Child abuse crosses all racial, economic, and geographic boundaries and has reached epidemic proportions across this nation and throughout this Commonwealth. The damaging effects of child abuse include, but are not limited to, school failure, alcohol and drug abuse, and physical and psychological difficulties. Mr. President, each year, more than 2 million children in the United States are documented as victims of child abuse, either through violence or neglect, and at least 2,000 of these children die as a result.

Many of us tend to shy away from the subject because it is so incredibly difficult. We need to consider, however, the anguish and pain of so many of our vulnerable children and do everything we can to help. Child abuse can and must be prevented, and we must raise awareness and public attention so that families learn they have access to community resources which offer support, information, and guidance to help stop or prevent abusive behaviors or conditions.

Finally, I thank the wonderful local community and statewide organizations that share a continuing commitment to work together to create communities with an atmosphere of safety and health for our children, our most sacred trust. Mr. President, I ask for an affirmative vote for Child Abuse Prevention Month.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Gwainn McKeever, William Yommer, William Colligan, Todd Paules, Joseph Wallace, Earl Garner, Shana McKeever, Georgeann Colligan, Arlene Naugle and to Katrina DeLauter by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Guy Peters, Beatrice Ockenhouse and to the Lackawaxen River Conservancy by Senator Baker.

Congratulations of the Senate were extended to Ryan Kobela by Senators Baker and Musto.

Congratulations of the Senate were extended to Kristen Focht, Hilary Lee, Zenia Tatiana Zelechinsky, Jillian Kate Sloand, Emily Hill Palen, Victoria Lynn Zhou, Colleen Anne Barrett, Amanda Michelle Rapp, Ramzy Taylor Burns, Jennifer Anne Schmidt, Kirsten Carmel Osborne, Nicole Oren, Christian Freudenberger, Zachary Maxwell Gayner, Alexander John Wallace, Stephen Prager, Carl Edwin Hughes, Adam Becker, Michael Kustek, Bruce Allen Barnes, Jr., Kelcie A. Zegalia, Gardiner Kreglow, Elizabeth Rutt, Lisa Cronk, Anna Botto, Kristen Gallagher, Shirley Mao, Caroline Hozza and to Meagan Amber Walsh by Senator Boscola and others.

Congratulations of the Senate were extended to the Pennsylvania Extreme All-Stars Cheerleading Mini-Team by Senator Corman.

Congratulations of the Senate were extended to Glenda Shea Calloway Ellison by Senator Costa.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Gunther by Senator Gordner.

Congratulations of the Senate were extended to Barbershop Talk Human Family Day Foundation, Inc., by Senator Hughes.

Congratulations of the Senate were extended to Louise Gaskins by Senator Kitchen.

Congratulations of the Senate were extended to Bryan A. Bennett and to the Haverford High School Girls' Ice Hockey Team by Senator Leach.

Congratulations of the Senate were extended to Nockamixon State Park by Senators McIlhinney and Mensch.

Congratulations of the Senate were extended to the Bucks County Fire Police Association by Senator McIlhinney and others.

Congratulations of the Senate were extended to Nathan J. Klein by Senator O'Pake.

Congratulations of the Senate were extended to Joseph Andrew Vais by Senator Orie.

Congratulations of the Senate were extended to Trent Andrew Ozog, Tyler Daniel Williams and to Union Fire Company No. 1 of Carlisle by Senator Vance.

Congratulations of the Senate were extended to the volunteers and staff of Michaux State Forest by Senators Vance and Alloway.

Congratulations of the Senate were extended to Carolina Buchanan by Senator M.J. White.

Congratulations of the Senate were extended to David White by Senator Yaw.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Bennie Lorene Mallard Winston Allen Miller by Senator Hughes.

Condolences of the Senate were extended to the family of the late Dr. Beutel Canty by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Daniel William Murphy, the family of the late Elaine R. Tyahla and to the family of the late Barbara F. Glick by Senator McIlhinney.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Dr. Bennett L. Johnson, Jr., was extended to the family by Senator Williams.

PETITIONS AND REMONSTRANCES

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

Senator HUGHES. Mr. President, at this moment, I would like to comment on probably one of the most dramatic moments in legislative history that I have witnessed personally, which occurred last night, Sunday evening, somewhere around 11:20 or 11:25 p.m. I witnessed the United States House of Representatives make a bold and courageous stand and move one of the most important pieces of healthcare legislation forward that we have seen in probably 50 years. It was at that time that the Speaker reached the number of 216 votes in the affirmative for the passage of health reform in Washington, D.C. It was an incredible moment for me, personally, to have the opportunity to witness this, and as well, I am sure, for our Representatives in Congress. No matter on which side you stood in that battle, it was a historic and personal moment.

I know that I can now say to many individuals that help is on the way. Help is on the way in a dramatic fashion. If you own a small business employing 50 or fewer, you will now almost immediately be eligible for significant tax credits toward the health insurance premium payments that you make. If you are a senior in Medicare and you are impacted by the Medicare Part D doughnut hole, before the year is over, a \$250 rebate will be available to you, and the process will begin soon afterward for discounts on brand-name drugs. Also, if you are a senior and are involved in Medicare for preventive care services, your copayments will be eliminated. Your copayments for preventive services will be eliminated. Exempted services from deductibles under the Medicare program, help for retirees. If you are a young person, you can stay on your parents' health insurance program all the way up to 26 years of age. If you are a child, you will be able to get healthcare no matter what kinds of pre-existing conditions you have, and over the next several years, adults will be able to move into a very similar program of coverage by Federal law.

On and on and on, Mr. President. On and on and on, Mr. President. There are significant initiatives that were passed last night and, hopefully, by tomorrow afternoon, will be passed by the United States Senate into law. We will finally take a significant and dramatic stance to take care of the 32 million people in this nation who have no health insurance, the 32 million people in this nation who have no health insurance. We will begin to shut down the incredible premium increases that have gone on in this nation and in this State, premium increases that have averaged, every year for the last 7 to 10 years, 15 percent a year. We will be able to get our hands around them and control them. We will be able to do something that some of our colleagues—I will speak specifically and will call out his name, my good friend and colleague, Senator Erickson from Delaware County, who moved legislation when he was chairman of the Committee on Public Health and Welfare alongside myself, with significant funding in the bill for the expansion of community health centers. We will be able to begin the process of providing full healthcare services for women, because, you see, Mr. President, if you were pregnant, that was called a pre-existing condition, and you could not get health insurance. Well, that is now going to be eliminated.

On and on and on, Mr. President. Policies and programs were put in place last night, which will hopefully be confirmed by the United States Senate, that will finally move this nation forward with respect to providing high-quality healthcare for the millions of people in this country who did not have it and to rein in the incredible increases in premiums. And in all of that, Mr. Presi-

dent, in all of that, the Congressional Budget Office said that we could do this in a way that would reduce the deficit over 10 years by \$143 billion. Incredible. An incredible moment.

I stand here, Mr. President, because I have stood on this floor a countless number of times and asked for movement here by this General Assembly, by this body. We have had legislation pass the House and come over to the Senate, I guess, 2 years ago, which would have added 250,000 people to the adultBasic program. But it died. It did not move forward. But the Federal government did what we needed it to do - to stand up boldly, to take action, to be courageous, and to move this initiative forward. Ever since the Rough Rider, Teddy Roosevelt, introduced a comprehensive healthcare program before the completion of the Panama Canal—I want to say it was 1912--ever since President Teddy Roosevelt started this conversation from the President's desk, from the President's office, from the President's bully pulpit, through Franklin Delano Roosevelt, Harry Truman, Dwight Eisenhower, John Kennedy, Richard Nixon, Lyndon Baines Johnson, who all made the effort to get something done around the issue of Medicare, to Jimmy Carter, Ronald Reagan, the two Bush Presidents, President Clinton, and now to President Barack Obama, we have waited for decades for this measure to happen. It is finally occurring right before our eyes.

I can now say to those individuals whom I have known and whom I have spoken about on this Senate floor, who have suffered because they had no insurance, that help is on the way for them. I can say to the young ladies whom I have talked about on this floor, who rushed out of an emergency room after getting stabilized with their healthcare treatment, rushed out of the emergency room because they could not afford the impending bills that would be provided to them because they had no insurance, that help is on the way. I can say to the young nurse who takes care of senior citizens, who was offered a policy at her place of work but, because she could not afford that policy, was suffering with no healthcare coverage, that help is on the way. And for millions of American citizens, for our great institutions, our hospitals and our healthcare providers, because we are now doing something courageous, filling in the hole, providing coverage where there was no coverage, providing support where there was no support, those hospitals and those institutions now will be able to get the help that they have been looking for for so many years. Help is on the way.

Is it the perfect measure? No, it is not the perfect measure. It is not the best thing, but it is a good thing. The ball has been advanced. It has been advanced forward, and I am proud of our Representatives in the United States Congress for withstanding some incredible pressure, some pressure that, unfortunately, made some of our fellow brothers and sisters in this nation, our fellow American citizens, reduce themselves to their irreducible selves, to act negatively, to be mean-spirited, to be violent, not just in language, but in behavior. Our Members of Congress stood up last night, and they took a courageous stance, and they did the right thing. We are thankful for that. I am also, if I might add, Mr. President, thankful for our Governor, who has been a historic leader with respect to articulating the issues in the fight for those who have no insurance.

For many of us, we are very happy. For many others, we are very cautious and very careful about what may be coming. No doubt, there will be a responsibility of this General Assembly, this Senate and our colleagues in the House, to put in place a

number of the programs that will be established by the actions this week of the Members of Congress. But I believe, I believe that the Members on this side and I believe the Members on the Majority side will do the right thing, get this done, and provide the help that the people of this State have been looking for for so many years.

I applaud the Members of the United States Congress. I applaud the action, the impending action that will be taken by the United States Senate. And I thank our President, Barack Obama, for his leadership, under very difficult times, in terms of getting this matter done. It is a good day for our State. It is a good day for our nation.

I have said before, Mr. President, that we have, in this nation and especially in our region in southeastern Pennsylvania, the best doctors, the best hospitals, the best research institutions, the best providers of healthcare of anywhere in the world. No one can compete with what we provide in this State and especially in our region in southeastern Pennsylvania. No one can compete. But I also know that the ability for so many people to access those services and access those resources has been limited because the system of care was inadequate.

Last night, progress was made. It will be completed, hopefully, within the next 48 hours, and soon after that, the law of the land will be in place, where we will now find hope and real help for those who need it and have been crying out for it for the longest.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I rise this afternoon to echo many of the comments of my colleague and my friend, the distinguished gentleman from Philadelphia County, Senator Hughes, with respect to his comments regarding the historic nature of yesterday's vote in the U.S. Congress. Mr. President, as someone who stood side by side with Senator Hughes and so many others championing and working to try to address the shortfall or the lack of access to healthcare for so many Pennsylvanians and so many folks across this country, I will tell you, as I sat there and watched C-Span yesterday during the course of the day, I would just hearken back to the days of the conversations we had here in the General Assembly, particularly on this Senate floor, and was very, very happy to see what transpired.

Senator Hughes spoke a little bit about some of the very specific benefits that will inure to people in this Commonwealth and in this country, and we are very, very pleased with that, particularly the provisions with regard to pre-existing conditions, particularly as it relates to our children and particularly with respect to being able to cover children beyond 18 years of age, really a measure that we addressed last year with Senator Corman's legislation.

Mr. President, in many respects, I think it is important that we recognize, as Senator Hughes indicated, the courage of so many of our House Members in the U.S. Congress, our congressional delegation, having the courage to stand up and vote in favor of this particular piece of legislation. My hat is off to those men and women who did so. I would like to draw particular reference to somebody from Allegheny County, the Congressman from the 14th District, Congressman Mike Doyle, for the role that he played in helping to shape a compromise, or a position that ultimately resulted in the President being able to put into the record

and making commitments to address some of the concerns that were raised during this debate that, quite frankly, to me, was the linchpin with respect to making certain that there would be a sufficient number of Members who were supportive of the healthcare measure.

Mr. President, as we go through this process, now that the Senate version has been passed by the House and is on its way to the President's desk, we should now turn our attention to the cleanup version, or the reconciliation piece of legislation that is now going over to the U.S. Senate for its final vote, and hopefully, that will take place on Tuesday, and shortly thereafter, the President will be able to sign those bills into law.

Mr. President, I would be remiss, from a Committee on Appropriations standpoint, not to take this opportunity to acknowledge and recognize that there is a significant budget impact to this Commonwealth and, I imagine, to a number of States across this country as it relates to this legislation. Mr. President, as you well know, and I think my colleagues on the floor know, there were a couple of pieces of our budget proposed by our Governor that were relying upon activities and relying upon resources from the Federal government to help assist us through this continuing economic crisis that we are facing here in Pennsylvania.

More specifically, Mr. President, the most significant part of that was the two extra quarters of FMAP funding that will be making its way to the Commonwealth. As you know, Mr. President, the legislation provides for an additional two quarters of funding for the Federal Medical Assistance Program, which will result in about \$850 million making its way to Pennsylvania. But that is not the only thing that is provided in this legislation. There is also a provision that deals with the issue of the pharmacy carve-out, where so many of us in this Chamber have advocated on behalf of this particular issue or against this particular issue when the administration was trying to do certain things with respect to the budget process. But the fact of the matter is, this issue now has been addressed at the Federal level. It allows for the MCOs to have the opportunity to share in the rebates. That will save this Commonwealth in excess of \$102 million, in addition to the \$850 million I made reference to with regard to FMAP.

Finally, Mr. President, there was another position that was really done administratively last week or within the last 2 weeks that addressed the issue of the clawback with respect to the Medicare drug program. It will fully phase out the State payment for that, which will translate into another \$229 million that will impact this year and next year as we go forward. Mr. President, all told, there is in excess of \$1 billion in terms of benefit to this Commonwealth, in addition to the healthcare coverage that will, in time, be provided to so many Pennsylvanians.

As someone who stood on this Senate floor time in and time out, trying to encourage my colleagues to support legislation to arrive at this end, I am very, very pleased at what has taken place at the Federal level. I am very, very pleased about this historic day that took place yesterday. And, Mr. President, I very much look forward to the opportunity for the implementation of this historic legislation, recognizing and knowing the benefits to so many Commonwealth residents.

So many folks around this country will have the opportunity to get something that Senator Hughes made reference to earlier, and that is world-class healthcare. It is wonderful that we have it available to us in this Commonwealth. The large pockets of

healthcare facilities and healthcare services that are provided are some of the best in the world. And as we have said time in and time out, it was tragic that so many Pennsylvanians were not able to avail themselves of access to that coverage. Today, Mr. President, as we go forward with this historic legislation, those Commonwealth residents will have access to the best healthcare coverage in this country, and we are very pleased with that.

Thank you, Mr. President.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

**MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION**

March 22, 2010

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 P. Mascharka III (District 1), 512 California Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Samuel M. Concilla, North East, whose term expired.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

**MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION**

March 22, 2010

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 October 28, 2009, for the appointment of William G. Gordon (District 1), 728 Lakeview Drive, Emlenton 16373, Clarion County, Twenty-first Senatorial District, as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Samuel M. Concilla, North East, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE PLANNING BOARD

March 22, 2010

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 1, 2010, for the reappointment of John A. Westrum, 1545 North Trooper Road, Norristown 19034, Montgomery County, Seventeenth Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, MARCH 22, 2010

- | | | |
|---------------|--|--------------------------|
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider certain nominations) | Rules Cmte.
Conf. Rm. |
| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 5, 1059, 1060, 1061, 1062 and 1063; and House Bill No. 67) | Rules Cmte.
Conf. Rm. |

TUESDAY, MARCH 23, 2010

- | | | |
|---------------|--|--------------------------|
| 10:00 A.M. | TRANSPORTATION (to consider Senate Bills No. 771, 1072, 1144, 1157 and 1180; Senate Resolution No. 146; and House Bills No. 117, 2003 and 2070) | Hrg. Rm. 1
North Off. |
| Off the Floor | LOCAL GOVERNMENT (to consider Senate Resolution No. 275) | Rules Cmte.
Conf. Rm. |
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 277; and certain executive nominations) | Rules Cmte.
Conf. Rm. |

WEDNESDAY, MARCH 24, 2010

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|-----------|---|--------------------------|
| 9:00 A.M. | BANKING AND INSURANCE (to accept testimony on Senate Bill No. 204, legislation to define vision benefits under the scope of unfair methods of competition, acts and practices) | Hrg. Rm. 1
North Off. |
| 9:00 A.M. | COMMUNICATIONS AND TECHNOLOGY and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the "State's 9-1-1 Emergency Response System and its Funding") | Room 8E-B
East Wing |
| 9:00 A.M. | MAJORITY POLICY COMMITTEE (joint public hearing with the House Republican Policy Committee to examine Pennsylvania's public pension systems) | Room 418
Main Capitol |

10:00 A.M. URBAN AFFAIRS AND HOUSING Rules Cmte.
(to consider Senate Bill No. 1245; and Conf. Rm.
House Bill No. 422)

THURSDAY, MARCH 25, 2010

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

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Allegheny, Senator Orié.

Senator ORIE. Mr. President, I move that the Senate do now recess until Tuesday, March 23, 2010, at 2 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 5 p.m., Eastern Daylight Saving Time.