

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, MAY 3, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 28

**SENATE**

TUESDAY, May 3, 2011

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

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

**PRAYER**

The Chaplain, Reverend J. LOUIS FELTON, Pastor of Mount Airy Church of God in Christ, Philadelphia, offered the following prayer:

Let us pray together.

Eternal God, our Father, we are thankful to You that You have placed upon us the privilege and the calling to give glory, praise, and honor unto You, as we serve our community, our country, and our God. We thank You for each Senator and for their tremendous commitment to liberty, to justice, and to freedom. We pray for our Governor this day, that You will bless him and his administration as we deal with the critical issues that face the Commonwealth of Pennsylvania.

We especially thank You for our Senator, Senator Leanna Washington, who champions the cause of the underprivileged. We thank You that she has a vision for those who cannot fight for themselves, those who are bullied, those who are abused, those who are imprisoned.

We ask You, God, to remember our soldiers on foreign battlefields. We still feel the pain of terror that struck our nation on September 11, 2001. We thank You for the memory of those who died in Shanksville, Pennsylvania, and we thank You that Your justice has been partially fulfilled, as the enemies of our great nation have been brought to term. We ask that freedom will break out in every heart, in every part of the globe, and that every soul will understand that it is Your will that we all live in a world of freedom.

Bless the families of each Senator as they give so untiring of their service to make this State and this nation a place that all can honor as the bastions of liberty and freedom. We give You all the glory, and we give You all the praise. Amen.

The PRESIDENT. The Chair thanks Pastor Felton, who is the guest today of Senator Washington.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATION REFERRED TO COMMITTEE**

The PRESIDENT 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:

**SECRETARY OF PUBLIC WELFARE**

May 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* Gary Alexander, 2801 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned.

TOM CORBETT  
Governor

**RECALL COMMUNICATION  
REFERRED TO COMMITTEE**

The PRESIDENT 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:

**SECRETARY OF PUBLIC WELFARE**

May 3, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 18, 2011, for the appointment of The Honorable *[sic]* Gary Alexander, 22 Whispering Pine Terrace, Greenville, Rhode Island 02828, as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned.

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

TOM CORBETT  
Governor

## HOUSE MESSAGES

## HOUSE BILLS FOR CONCURRENCE

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

May 3, 2011

**HB 197, 371 and 715** -- Committee on Local Government.  
**HB 396, 804 and 898** -- Committee on Judiciary.  
**HB 293** -- Committee on Transportation.  
**HB 639** -- Committee on Urban Affairs and Housing.  
**HB 1297 and 1312**-- Committee on Public Health and Welfare.

## BILLS INTRODUCED AND REFERRED

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

May 3, 2011

Senators COSTA, HUGHES, KASUNIC, BOSCOLA, FONTANA, TARTAGLIONE, SOLOBAY, WOZNIAK, YUDICHAK, BREWSTER, FARNESE, LEACH and WASHINGTON presented to the Chair **SB 692**, entitled:

An Act establishing the PA Works Fund; and imposing duties on the State Treasurer.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 3, 2011.

Senators WASHINGTON, HUGHES, FERLO, FONTANA, BREWSTER, STACK, YUDICHAK, FARNESE, COSTA, BLAKE, BOSCOLA and KITCHEN presented to the Chair **SB 695**, entitled:

An Act relating to taxpayer return on investment.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 3, 2011.

Senators WASHINGTON, HUGHES, FERLO, FONTANA, KITCHEN, BREWSTER, STACK, YUDICHAK, FARNESE, COSTA, WILLIAMS, BLAKE and BOSCOLA presented to the Chair **SB 696**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for definitions and for Statewide bonding program; providing for mentor-protége program, for Small Business Reserve Program, for reciprocity of certifications, for oversight and responsibility and for prime contractors' performance; further providing for contractors' and subcontractors' payment obligations; and making appropriations.

Which was committed to the Committee on STATE GOVERNMENT, May 3, 2011.

Senators HUGHES, BREWSTER, STACK, FONTANA, TARTAGLIONE, FARNESE, COSTA, SOLOBAY, BOSCOLA, KITCHEN, YUDICHAK, ERICKSON and SCHWANK presented to the Chair **SB 697**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for definitions; further providing for public policy and for tax credit; providing for neighborhood assistance contribution; further providing for grant of tax credit and for decision in writing; and providing for limitations.

Which was committed to the Committee on FINANCE, May 3, 2011.

Senators McILHINNEY, SCARNATI, RAFFERTY, GREENLEAF, SOLOBAY, WAUGH, FOLMER, BREWSTER, MENSCH, ALLOWAY and TOMLINSON presented to the Chair **SB 890**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, prohibiting the enactment of sanctuary ordinances.

Which was committed to the Committee on STATE GOVERNMENT, May 3, 2011.

Senators McILHINNEY, RAFFERTY, ERICKSON, GREENLEAF, BROWNE, FONTANA, WARD, M. WHITE, D. WHITE and PIPPY presented to the Chair **SB 929**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in children and youth, providing for county purchase of services.

Which was committed to the Committee on AGING AND YOUTH, May 3, 2011.

Senators TOMLINSON, ARGALL, ALLOWAY, M. WHITE, FARNESE and BOSCOLA presented to the Chair **SB 957**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for definitions, for State Board of Osteopathic Medicine, for athletic trainers and for reasons for refusal, revocation or suspension of license.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 3, 2011.

Senators TOMLINSON, ARGALL, ALLOWAY, M. WHITE, FARNESE and BOSCOLA presented to the Chair **SB 967**, entitled:

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

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 3, 2011.

Senators WOZNIAK, ROBBINS, ERICKSON, EICHELBERGER and BLAKE presented to the Chair **SB 986**, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in codification and publication of documents, providing for electronic publication of municipal codes; and making an inconsistent repeal.

Which was committed to the Committee on LOCAL GOVERNMENT, May 3, 2011.

Senators STACK, EICHELBERGER, FOLMER and FARNESE presented to the Chair **SB 999**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, providing for mandatory arbitration.

Which was committed to the Committee on BANKING AND INSURANCE, May 3, 2011.

Senator YAW presented to the Chair **SB 1043**, entitled:

An Act designating a bridge crossing Mill Lane in Old Lycoming Township, Lycoming County, as the Trooper Gary Rosenberger Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, May 3, 2011.

### BILLS REPORTED FROM COMMITTEES

Senator ALLOWAY, from the Committee on Game and Fisheries, reported the following bills:

#### **SB 450 (Pr. No. 433)**

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for terms of members of the Pennsylvania Fish and Boat Commission.

#### **SB 473 (Pr. No. 468)**

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

#### **SB 502 (Pr. No. 502)**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for license requirements.

#### **SB 853 (Pr. No. 870)**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions for deployed Pennsylvania National Guard members.

#### **HB 78 (Pr. No. 921)**

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the offense of homicide by watercraft while operating under influence.

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

#### **SB 29 (Pr. No. 14)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, further providing for the offenses of weapons or implements for escape and for contraband; and making a conforming amendment.

#### **SB 411 (Pr. No. 397)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interagency information sharing.

#### **SB 448 (Pr. No. 431)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in provisions relating to minors, further providing for the offense of purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

#### **SB 750 (Pr. No. 819)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, extensively revising provisions on anatomical gifts in the areas of authorizations, procedure, amendment, revocation, refusal, receipt, for rights and duties of hospitals and organ procurement organizations, prohibitions, limited immunity, the Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund, and providing for contributions to the fund; and making editorial changes.

#### **SB 1006 (Pr. No. 1120)**

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for Schedule I controlled substances.

Senator M.J. WHITE, from the Committee on Environmental Resources and Energy, reported the following bills:

#### **SB 292 (Pr. No. 266)**

An Act amending the act of August 7, 1936 (1st Sp.Sess., P.L.106, No.46), referred to as the Flood Control Law, further providing for contracts and acquisition of property; and providing for adjustment and for evasion of advertising requirements.

#### **SB 308 (Pr. No. 285)**

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions and for expenditure of fund.

#### **SB 367 (Pr. No. 1162) (Amended)**

An Act providing for indigenous mineral resource development; and imposing powers and duties on the Department of General Services and the State System of Higher Education.

#### **SB 460 (Pr. No. 1163) (Amended)**

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production; and making editorial changes.

**SB 469 (Pr. No. 1164) (Amended)**

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," providing for a short title; further providing for definitions; and making editorial changes.

**SB 618 (Pr. No. 627)**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Environmental Quality Board.

**SB 791 (Pr. No. 821)**

An Act amending the act of May 13, 1980 (P.L.122, No.48), known as the Bluff Recession and Setback Act, further providing for definitions; and making editorial changes.

**SB 898 (Pr. No. 915)**

An Act amending the act of December 19, 1984 (P.L.1093, No.219), known as the Noncoal Surface Mining Conservation and Reclamation Act, further providing for temporary cessation and for local ordinances.

**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 Gordner.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Tartaglione and Senator Williams.

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

Senator Costa requests legislative leaves for Senator Tartaglione and Senator Williams.

Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS  
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of April 6, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of April 6, 2011.

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

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

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

**YEA-50**

Alloway	Erickson	Orie	Vance
Argall	Farnese	Piccola	Vogel
Baker	Ferlo	Pileggi	Ward
Blake	Folmer	Pippy	Washington
Boscola	Fontana	Rafferty	Waugh
Brewster	Gordner	Robbins	White Donald

Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	Hughes	Schwank	Williams
Corman	Kasunic	Smucker	Wozniak
Costa	Kitchen	Solobay	Yaw
Dinniman	Leach	Stack	Yudichak
Earll	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	

**NAY-0**

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS  
GUEST OF SENATOR PATRICIA H. VANCE  
PRESENTED TO THE SENATE**

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

Senator VANCE. Mr. President, I am very pleased to introduce Molly Elvin, who is a junior at Big Spring High School. She enjoys student government at her school, has an interest in politics, and is very active in many school activities. She is shadowing me today. I hope that you all give her a very warm welcome.

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

(Applause.)

**GUESTS OF SENATOR RICHARD L. ALLOWAY  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, today I would like to introduce Ashley Buchter, who resides in East Berlin in Adams County. She is the PIAA Class AA swimming and diving State champion for the 2010-11 season, in the girls' 1-meter diving event held in March. Ashley is only a sophomore at Trinity High School in Camp Hill, in Senator Vance's district, and Senator Vance and I did a joint citation for her today and presented it to her. Ashley is accompanied today by her parents, Brad and Shelly Buchter; and her grandparents, Harold and Barb Buchter. They are all in the gallery.

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

(Applause.)

**GUESTS OF SENATOR LEANNA WASHINGTON  
PRESENTED TO THE SENATE**

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

Senator WASHINGTON. Mr. President, I am honored today to have as my guest my spiritual leader, Pastor J. Louis Felton of the Mount Airy Church of God in Christ in Philadelphia, Pennsylvania, in the Fourth Senatorial District, and his lovely wife, Priscilla Felton. Please give them a warm welcome.

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

(Applause.)

### **GUESTS OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE**

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

Senator McILHINNEY. Mr. President, it is my pleasure to introduce constituents of mine, Joe and Nancy Cuozzos, along with their three sons, James, John, and Michael. They won a day at the Capitol through a silent auction at the Pine Run School, where their son James is a fourth-grader, and John and Michael are in third grade. The Cuozzos are from Chalfont, and they have lived there for 19 years. Joe is a director of development at Pickering Manor, and Nancy works as a senior compliance consultant for McHugh Consulting Resources. Please join me in giving them a warm Senate welcome.

The PRESIDENT. Would the guests of Senator McIlhinney please rise so the Senate may give you its usual warm welcome. (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 ask for a warm welcome from my Senate colleagues for my special guests from Oakland Catholic School in the city of Pittsburgh: Karisa Decker, Judy Riegelneegg, Megan Friday, Nathalie Towchik, Katie Lucas, and Alex Benzing. They are all here today participating in the 10th anniversary of the EITC rally, and these ladies are visiting the Pennsylvania State Capitol. Please join me today in welcoming them, as they are very special guests. Thank you.

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

### **GUESTS OF SENATOR KIM L. WARD PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, today I am very happy to have in Harrisburg some members of our 4-H in Westmoreland County. I, along with Senator Don White, also have some constituents in this group: Katie Batronis, Ingrid Boarts, Ollie Hall, Lauren Androstic, Corissa Lute, Sara Rowe, who is on her way to the Kentucky Derby this afternoon, and Courtney Kuzemchak, along with Mrs. Boarts, who has so graciously escorted them here. They are here with 4-H, which is a wonderful--everyone who has an active 4-H in their district knows what a great service 4-H is to getting our kids prepared to enter into the world of work, and it is a great community service. I love the organization. I am really happy they are here, so please join me in welcoming my wonderful guests.

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

### **GUESTS OF SENATOR STEWART GREENLEAF PRESENTED TO THE SENATE**

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

Senator GREENLEAF. Mr. President, I rise to introduce guests from my district, students from the Twin Spring Farm Day School in Ambler, Pennsylvania. Twin Spring Farm Day Camp was founded in 1945 in Blue Bell, and by 1947, the program had outgrown its home, and so it settled in its current location in Ambler. It has been in existence for over 60 years as a camp and 50 years as a day school, and it continues to educate and entertain children from their formative years into adulthood. I ask the Members to give their usual welcome to my guests from the Twin Spring Farm Day School. Thank you very much.

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

### **REQUEST FOR RECESS**

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room immediately.

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

Senator COSTA. Mr. President, I ask that the Senate Democrats meet in the rear of the Senate Chamber for a caucus.

### **SPECIAL ORDER OF BUSINESS 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 gives me great pleasure to introduce Kenneth and Marilynn Mayer of Green Lane, Pennsylvania. Anecdotally, Marilynn happens to be a second cousin of mine. For 43 years, Ken worked as a plant supervisor at Knoll, Inc., in East Greenville, after retiring from the United States Air Force. Marilynn is retired from Knoll and Perkiomen Valley Printing. She works part-time for LiveOps, an outsourcing call center in Santa Clara, California.

Ken and Marilynn enjoy traveling and fishing, and they both volunteer extensively for the American Cancer Society's Relay for Life. They have two beautiful daughters, Anneliese and Dawn-Marie, and two wonderful grandchildren. Please give them our usual warm Senate welcome.

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

### **RECESS**

The PRESIDENT. For purposes of Republican and Democratic caucuses, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVE CANCELLED**

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

**LEGISLATIVE LEAVE**

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

Senator WAUGH. Mr. President, I request a temporary Capitol leave for Senator Corman.

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

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 5 (Pr. No. 989)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,  
Shall the bill pass finally?

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

**YEA-50**

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

**NAY-0**

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

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

**BILL OVER IN ORDER**

**SB 104** -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 109 (Pr. No. 1106)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain notification in certain advertising.

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

On the question,  
Shall the bill pass finally?

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

**YEA-50**

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

**NAY-0**

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

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

**BILL AMENDED**

**SB 224 (Pr. No. 193)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and for conviction of employees of certain offenses.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator PICCOLA offered the following amendment No. A1777:

Amend Bill, page 3, line 1, by striking out "6301(a.1)" and inserting:  
6301(a)(1)

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

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

Senator PICCOLA. Mr. President, this is a technical amendment, and I believe it is agreed to.

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

It was agreed to.

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

#### BILL LAID ON THE TABLE

**SB 328 (Pr. No. 305)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for suspension of operating privilege.

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

#### SB 328 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Senate Bill No. 328, Printer's No. 305, 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.

#### BILLS OVER IN ORDER

**SB 419** and **SB 907** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

#### SECOND CONSIDERATION CALENDAR

##### BILL ON SECOND CONSIDERATION REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

**SB 612** -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

#### BILLS OVER IN ORDER

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

#### BILLS REREFERRED

**SB 118 (Pr. No. 96)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for definitions.

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

**SB 158 (Pr. No. 145)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1986 (P.L.1693, No.202), known as the New Home Construction Local Tax Abatement Act, further providing for procedure for obtaining an exemption.

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

**SB 202 (Pr. No. 970)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for certificates qualifying persons to teach and for kinds of State certificates; and providing for postbaccalaureate certification.

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

**SB 263 (Pr. No. 240)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for criteria for review of regulations.

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

**SB 318 (Pr. No. 295)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for income tax returns.

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

**SB 320 (Pr. No. 297)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for additions to tax.

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

**SB 329 (Pr. No. 973)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 330, SB 386, SB 405, SB 468, SB 552, SB 564, SB 566 and SB 626 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

SB 631 (Pr. No. 1033) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the section of State Route 23 that is situated between Chester County's border with Montgomery County and State Route 100 as the Medal of Honor Grove Highway.

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

SB 631 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Senate Bill No. 631, Printer's No. 1033, 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.

BILL ON SECOND CONSIDERATION

SB 631 (Pr. No. 1033) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the section of State Route 23 that is situated between Chester County's border with Montgomery County and State Route 100 as the Medal of Honor Grove Highway.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 637, SB 704, SB 747, SB 815, SB 816, SB 817 and SB 818 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILLS REREFERRED

SB 828 (Pr. No. 846) -- 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, further providing for township manager.

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

SB 829 (Pr. No. 847) -- 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, further providing for township manager.

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

SB 830 (Pr. No. 848) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 831 (Pr. No. 849) -- 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, further providing for the office of borough manager and for powers and duties of a borough manager.

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

SB 832 (Pr. No. 850) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 834 (Pr. No. 852) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 16 (Counties) of the Pennsylvania Consolidated Statutes, adding provisions for required fiscal security through bonding, blanket bonding and insuring of elected and appointed county officers and employees; providing for determining the form, amount and payment of premiums for and the filing and recording of the required security and for the subsequent issuance of official commissions; and making related repeals.

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

SB 844 (Pr. No. 864) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional education for school or system leaders.

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

BILLS OVER IN ORDER

SB 850, SB 857, SB 858, SB 872 and SB 932 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.



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

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported a communication from His Excellency, the Governor of the Commonwealth, recalling the following nomination, which was read by the Clerk as follows:

**SECRETARY OF PUBLIC WELFARE**

May 3, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 18, 2011, for the appointment of The Honorable *[sic]* Gary Alexander, 22 Whispering Pine Terrace, Greenville, Rhode Island 02828, as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned.

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

**TOM CORBETT**  
Governor

**NOMINATION RETURNED TO THE GOVERNOR**

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

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

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

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

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

**ADJUTANT GENERAL OF PENNSYLVANIA**

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Major General Wesley E. Craig, 1615 Brent Road, Oreland 19075, Montgomery County, Seventh Senatorial District, for appointment as Adjutant General of Pennsylvania, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Jessica L. Wright, Grantville, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF AGING**

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brian M. Duke, 201 Bruce Road, Washington Crossing 18977, Bucks County, Tenth Senatorial District, for appointment as Secretary of Aging, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable John Michael Hall, Dauphin, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF AGRICULTURE**

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George D. Greig, 4854 West Center Road, Linesville 16424, Crawford County, Fiftieth Senatorial District, for appointment as Secretary of Agriculture, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Russell C. Redding, Aspers, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF BANKING**

January 26, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenn Moyer, 331 Limekiln Road, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as Secretary of Banking, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Steven Kaplan, Philadelphia, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF CORRECTIONS**

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* John Wetzel, 19 Edgelea Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as Secretary of Corrections, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Jeffrey A. Beard, Ph.D., Camp Hill, resigned.

**TOM CORBETT**  
Governor

## SECRETARY OF HEALTH

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* Eli Avila, 909 Green Street #110, Harrisburg 17120, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Everette James, West Chester, resigned.

TOM CORBETT  
Governor

## SECRETARY OF REVENUE

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* Daniel Meuser, 100 Oldfield Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as Secretary of Revenue, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable C. Daniel Hassell, Harrisburg, resigned.

TOM CORBETT  
Governor

***NOMINATIONS LAID ON THE TABLE***

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS*****EXECUTIVE SESSION***

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

***NOMINATIONS TAKEN FROM THE TABLE***

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

## ADJUTANT GENERAL OF PENNSYLVANIA

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Major General Wesley E. Craig, 1615

Brent Road, Oreland 19075, Montgomery County, Seventh Senatorial District, for appointment as Adjutant General of Pennsylvania, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Jessica L. Wright, Grantville, resigned.

TOM CORBETT  
Governor

## SECRETARY OF AGING

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brian M. Duke, 201 Bruce Road, Washington Crossing 18977, Bucks County, Tenth Senatorial District, for appointment as Secretary of Aging, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable John Michael Hall, Dauphin, resigned.

TOM CORBETT  
Governor

## SECRETARY OF AGRICULTURE

February 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George D. Greig, 4854 West Center Road, Linesville 16424, Crawford County, Fiftieth Senatorial District, for appointment as Secretary of Agriculture, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Russell C. Redding, Aspers, resigned.

TOM CORBETT  
Governor

## SECRETARY OF BANKING

January 26, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenn Moyer, 331 Limekiln Road, Reading 19606, Berks County, Eleventh Senatorial District, for appointment as Secretary of Banking, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Steven Kaplan, Philadelphia, resigned.

TOM CORBETT  
Governor

## SECRETARY OF CORRECTIONS

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* John Wetzell, 19

Edgelea Drive, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as Secretary of Corrections, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Jeffrey A. Beard, Ph.D., Camp Hill, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF HEALTH**

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* Eli Avila, 909 Green Street #110, Harrisburg 17120, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable Everette James, West Chester, resigned.

**TOM CORBETT**  
Governor

**SECRETARY OF REVENUE**

January 18, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable *[sic]* Daniel Meuser, 100 Oldfield Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as Secretary of Revenue, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice The Honorable C. Daniel Hassell, Harrisburg, resigned.

**TOM CORBETT**  
Governor

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

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

**YEA-50**

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

**NAY-0**

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED**

Senators GORDNER, SCARNATI, PILEGGI, STACK, WAUGH, RAFFERTY, ERICKSON, HUGHES, TARTAGLIONE, TOMLINSON, ALLOWAY, FONTANA, ROBBINS, VOGEL, YAW, D. WHITE, YUDICHAK, BRUBAKER, WASHINGTON, SOLOBAY, ARGALL, EICHELBERGER, WARD, COSTA, ORIE, BAKER, DINNIMAN, EARLL, GREENLEAF, PIPPY and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 108**, entitled:

A Resolution recognizing May 5, 2011, as the "National Day of Prayer" in Pennsylvania and encouraging the celebration of religious freedom.

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

Senators PIPPY, FONTANA, COSTA, FERLO, KASUNIC, TOMLINSON, ERICKSON, GREENLEAF, BAKER, KITCHEN, RAFFERTY, TARTAGLIONE, YAW, FARNESE, SOLOBAY, BOSCOLA, PILEGGI, EARLL, M. WHITE, ARGALL, ALLOWAY, BRUBAKER and BREWSTER, by unanimous consent, offered **Senate Resolution No. 109**, entitled:

A Resolution recognizing May 2011 as "National Youth Traffic Safety Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator PIPPY. Mr. President, a couple of quick comments. Many may not know, but the number-one cause of death of youths is not drugs or alcohol, it is actually car crashes. It is not guns. So, teens across our country are working to help change that statistic. The "National Youth Traffic Safety Month" is a campaign led by the National Organization for Youth Safety, a nonprofit organization that is a coalition of national youth-led and youth-serving organizations that focus on the safety and health of those individuals. They partner with their neighborhood community leaders, medical professionals, educators, law enforcement, and legislative leaders, and they help develop and implement projects and programs that will help raise awareness and raise the voices for safe teen driving. Community support and the work of the youth involved in these activities is so critical in taking steps to help prevent further tragedies. Mr. President, I ask for a unanimous vote on this resolution. Thank you.

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

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

Senators ORIE, SOLOBAY, SCARNATI, PILEGGI, PIPPY, ALLOWAY, ARGALL, BAKER, BREWSTER, BRUBAKER, COSTA, DINNIMAN, EARLL, ERICKSON, FARNESE, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, KITCHEN, LEACH, McILHINNEY, RAFFERTY, STACK, TARTAGLIONE, TOMLINSON, WARD, WASHINGTON, WAUGH, M. WHITE, YAW, YUDICHAK, SCHWANK, EICHELBERGER, VOGEL and ROBBINS, by unanimous consent, offered **Senate Resolution No. 110**, entitled:

A Resolution recognizing and honoring firefighters throughout this Commonwealth for their bravery, dedication and heroism and designating May 4, 2011, as "Firefighters' Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator ORIE. Mr. President, today I am offering a resolution designating May 4 as "Firefighters' Day" in Pennsylvania. In 1736, Benjamin Franklin founded the first volunteer fire company, the Union Fire Company, in Philadelphia, making Pennsylvania the birthplace of the volunteer fire service. Today, Pennsylvania has the largest number of fire departments in the nation, with approximately 2,400 fire companies.

Chief Edward F. Croker, who was the chief of the New York Fire Department in the early 1900s, said it best when he described firemen. He said, "When a man becomes a fireman his greatest act of bravery has been accomplished. What he does after that is all in the line of work." Firefighters dedicate their lives to the protection of life and property. That dedication is in the form of many selfless years and countless hours volunteering. In all cases, it risks the ultimate sacrifice of a firefighter's life. Sadly, on average, 10 Pennsylvania firefighters die in the line of duty every year.

These brave men and women perform selfless tasks quietly and often without the recognition they deserve, risking their lives daily to protect the lives and property of the citizens of our Commonwealth, and for this we are all grateful. They are what we call community heroes. In 2009, 90 line-of-duty deaths were recorded among firefighters in the United States of America - 47 of them were volunteers, 36 were careers, and 7 were part of a wildland agency, which included 8 Pennsylvanians.

The resolution is intended to recognize and honor the sacrifice that firefighters make to insure their communities are as safe as possible. Mr. President, I ask for an affirmative vote for all firefighters today, and I believe we have some, even in this hallowed hall, who are before us - Senator Waugh, Senator Solobay, and others - and we want to recognize their service to Pennsylvania.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I join with my friend and colleague, Senator Orie, on the importance of this resolution and the significance of it. We are talking about individuals, selfless individuals, men and women serving us in the Commonwealth, day in and day out, giving of their time, giving of their individual talents to protect us, our lives, and our property. These are men

and women who answer the call 24/7. When many of us are asleep in our beds on a cold winter night, they will respond to the alarm or the page and go out to fight a fire or to rescue someone, one of their own neighbors, living the life that we have all been taught to live, and that is sharing our talents with those in need.

The men and women of our fire companies, both paid and volunteers, deserve a great deal of credit from the people of the Commonwealth of Pennsylvania. I join with my colleague, Senator Orie, in saluting them and recognizing them, not only this day, but every day, for their efforts and thanking them. May God continue to keep them in His care.

Thank you, Mr. President.

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

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

Senators FOLMER, KITCHEN, DINNIMAN, FONTANA, STACK, KASUNIC, TARTAGLIONE, SOLOBAY, PILEGGI, RAFFERTY, WILLIAMS, LEACH, D. WHITE, ERICKSON, BREWSTER, WARD, COSTA, ALLOWAY, GREENLEAF, PIPPY, BRUBAKER, ARGALL, EARLL, FERLO, BROWNE and FARNESE, by unanimous consent, offered **Senate Resolution No. 31**, entitled:

A Resolution designating May 7, 2011, as "Childhood Stroke Awareness Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator FOLMER. Mr. President, I ask for unanimous adoption of this resolution. Pediatric strokes affect 1 in every 3,000 children. Nine percent of children who have strokes will die. More than half of children who suffer a stroke will develop life-long cognitive or motor disabilities. With very little known about childhood strokes, only through medical research and education will effective treatment and prevention techniques be developed.

A constituent of mine, who is a stroke survivor, could not be with us today because he is not feeling well, but he is still an inspiration. His name is Taylor Heath from Mohrsville. Taylor, due to his mother's love and phenomenal care, is an active 12-year-old who loves playing basketball and video games. He is currently in the fifth grade in a cyber charter school. He is a straight-A student who loves pushing himself to excel. When he grows up, he wants to be a doctor so that no other kids have strokes.

While the stroke damaged 97 percent of the left side of his brain, he remains positive, outgoing, and welcomes the opportunity to educate others about his stroke. His mother, Emily, is amazed daily at how much he accomplishes. For a child whom she was told to consider institutionalizing due to the extent of the damage, she is thrilled at what an amazing young man he is becoming. I ask the Senate to designate May 7, 2011, to be "Childhood Stroke Awareness Day" in Pennsylvania.

Thank you, Mr. President.

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

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

### 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 MI Windows and Doors, Hegins Manufacturing Facility, by Senator Argall.

Congratulations of the Senate were extended to James Fox by Senator Brewster.

Congratulations of the Senate were extended to Plastikos, Inc., of Erie, by Senator Earll.

Congratulations of the Senate were extended to Jacob F. Krupa by Senator Eichelberger.

Congratulations of the Senate were extended to CardWorks Servicing of Pittsburgh by Senator Fontana.

Congratulations of the Senate were extended to Trinity Evangelical Lutheran Church of Wexford by Senator Orié.

Congratulations of the Senate were extended to Donna L. Wagenseller by Senator Piccola.

Congratulations of the Senate were extended to Unity Center, Inc., of Media, by Senator Pileggi.

Congratulations of the Senate were extended to Nicklaus Andrew McCoy, Michelle E. Eck, Kyndra M. Miller and to Veronica K. Campbell by Senator Rafferty.

Congratulations of the Senate were extended to Dr. Connie R. Kindler and to Ryan J. Smith by Senator Vance.

Congratulations of the Senate were extended to Penn United Technologies, Inc., by Senator M.J. White.

Congratulations of the Senate were extended to Robert Crowder by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald J. Vogel, Mr. and Mrs. William John Reddecliff, Jr., Mr. and Mrs. Edward Saloka and to Mr. and Mrs. Donald Rutledge by Senator Wozniak.

Congratulations of the Senate were extended to Private First Class David L. Matos by Senator Yudichak.

Congratulations of the Senate were extended to John Matusek by Senators Yudichak and Baker.

### CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Dean K. Schleicher by Senator McIlhinney.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 29, SB 292, SB 308, SB 367, SB 411, SB 448, SB 450, SB 460, SB 469, SB 473, SB 502, SB 618, SB 750, SB 791, SB 853, SB 898, SB 1006 and HB 78.**

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

### PETITIONS AND REMONSTRANCES

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

Senator STACK. Mr. President, we are in a crisis here in Pennsylvania. We are facing a \$4 billion deficit, and a Governor who believes the only answer is to cut and slash our way to a balanced budget. I agree that we have to live within our means, and we have to be as efficient in our spending as possible, but the Governor's plan is painful. It includes \$1 billion in cuts to basic education, a 50-percent cut to higher education, and a 10-percent cut to community colleges. Sure, it is true, we must find cuts, but Pennsylvanians cannot afford these particular cuts.

I am standing here today to show you that we do not have to make education a sacrificial lamb to fill the deficit. There are solutions that do not involve raising taxes or decimating good programs. Right now, there are \$1.6 billion in unpaid fines, costs, fees, and restitution owed to the Courts of Common Pleas throughout Pennsylvania. By simply collecting those \$1.6 billion in unpaid fees, fines, and restitution payments, we can cut the deficit nearly in half. We could nearly restore all of the basic education funding, and all of this can be done without raising taxes.

But how do we insure the courts can collect those unpaid payments? My friend and colleague, Senator Rafferty, and I have introduced legislation that could help answer the question. Senate Bill No. 836 would require individuals to pay all outstanding court fees and fines before they can have their car registration. Once a person pays their fines, surcharges, fees, and penalties, the court would send, either by letter or electronically, notification to PennDOT that the individual has paid. Then, PennDOT would renew the person's vehicle registration.

Now, Mr. President, let me make something clear. I am not naive enough to believe that we can collect the entire \$1.6 billion. But even if we got half, that is \$800 million back into the State, once again, without raising taxes. If we are really, truly being fiscally conservative, we have to collect from the deadbeats first. Consider this: There are 8.5 million drivers in Pennsylvania. A large number of those folks own their own cars. This would be an effective tool to force people to pay their costs. These are people who need to get to work, to school, to the store, and more. If that is not an incentive to pay your fees, well, I do not know what is, Mr. President.

It is also going to give judges a way to enforce payments without revoking a person's parole or sending them to jail. We all know we already have another big problem, and that is prison overcrowding and spending way too much money on prisons. My legislation would not only bring in needed revenue, but also potentially save money in corrections costs. Now, I have offered this bill in the past, but I really think it is relevant now, more than ever, in this budget climate.

These are the things we must think about - sensible, swift, commonsense answers that do not waste time and upon which all of us can agree. I think that is how we turn a budget crisis into a budget solution.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, to follow up with some remarks by my colleague, what this administration has repeatedly said throughout this budget cycle is that everything needs to be on the table when we talk about cuts, everything needs to be at issue. I disagree with that, because I do not believe that when people's lives are at stake, those types of cuts, the cuts that will affect the way people make their living, the way they are able to support their families and carry on their day-to-day lives, those are the types of cuts that should never, Mr. President, never be on the table.

I have repeatedly said it, and I will say it again today, there is an extraordinary disconnect in this administration between what it takes to campaign and what it takes to govern the Commonwealth of Pennsylvania. For some reason, the administration either does not get it, or just refuses to get it. And one other example of this disconnect are the proposed cuts to the funding for the Human Services Development Fund and what a mistake those serious cuts would mean to the thousands of Pennsylvanians who depend on these services each and every day just to get by. Local and county governments, Mr. President, those on the front lines of this national recession, use these funds to deliver services and target specific needs to citizens, services like homeless shelters, adult day care, help for victims of domestic violence, drug treatment, drug training, and other critical services that help those most affected by these difficult times.

That is something of which I think we need to be cognizant, because when you pull the rug from under someone, especially at a time when they need it the most, there is nothing more cruel and just simply unexplainable. I think these are literally the types of cuts that this administration is talking about and putting on the table, for which we as Senate Democrats just simply cannot stand.

The Governor has made it clear that it is his intention to zero out the \$23 million allocated for this most serious fund, a decision that, if passed, will have serious implications for human services providers and their clients. We must act to insure that these funds are restored to the final budget and end the uncertainty that these individuals are facing each and every day. The uncertainty that these individuals are facing, the uncertainty that the 40,000-some individuals who had their adultBasic healthcare coverage cut, the rug pulled out from under them, these are the kinds of cuts that are on the table. They do not belong on the table. They do not belong on the table of this administration because, quite frankly, it is cruel and it is unacceptable.

Now, like many speakers have said today, Mr. President, I understand, just like everyone else, that there need to be cuts made. Cuts need to be made somewhere to make up this massive hole in Pennsylvania's budget. Again, these are the types of cuts that are just not an option right now. Cuts like these, in fact, should never be an option. They are cruel and calculated to show an utter disregard for the needs of Pennsylvania's most vulnerable citizens.

We all know that the Governor has other options that are available to him. There are other options with which he can move forward. Many, many options have been put forward by the Senate Democrats, plans that are not only effective but are

cost-saving measures in and of themselves. My Senate Democratic colleagues and I have put together an extensive plan that combines commonsense revenue options, cost-saving measures, and truly innovative legislative ideas to save Pennsylvania valuable dollars, boost economic development, create jobs, and help Pennsylvania move past our financial difficulties.

The plan includes fiscal responsibility in public welfare and corrections; tax fairness, including a much-needed, public-supported severance tax on Marcellus Shale; revenue increases in Pennsylvania wine and spirit shops; and closing the Delaware corporate loophole. The new revenue and savings would be used to restore key funding lines in the budget that were slashed by this administration. The funds would also be used to restore basic and higher education funding to fiscal year 2010-11 levels; restore critical county programs such as the Human Services Development Fund; save the HEMAP, the Homeowners' Emergency Mortgage Assistance Program, and mortgage foreclosure assistance programs; and insure that tobacco settlement funds are used for healthcare, the very intent for which those funds were to be used when they were set up. Funds like the adultBasic program can be used and saved with those tobacco settlement funds, an option that for some reason this administration continually closes the door on and refuses to have any debate whatsoever.

These options put forth by the Senate Democrats are a real plan out of this budget crisis facing Pennsylvania right now, and one, most importantly, Mr. President, that does not harm Pennsylvania's most needy citizens. We must begin thinking critically about what impact the cuts in the Governor's budget will have, and we need to think about these items right now, because as we know, it is already May, and this administration has set a very fast agenda to get this budget done. There has been talk that he wants to get it done by Memorial Day, but when you have devastating cuts like this, when you go out with the intention to take money away that is going to literally prevent people from living their lives and supporting and sustaining their families, that is not the way to solve any budgetary problem.

So again, Mr. President, Senate Democrats have been saying it from day one. We are ready, willing, and able to discuss this budget with our colleagues from across the aisle and across this Chamber. We are ready to discuss real-life, reasonable, and responsible alternatives to what Governor Corbett's budget seems to take out on the people of Pennsylvania. We are ready to make these difficult decisions, and we are ready to make these cuts, because we understand that this budget cannot be made without serious decisions, including cuts. But at no time do we believe it is the right thing to do when you literally cut the rug out from under people at a time when they need it the most.

I hope, Mr. President, that this administration is listening. I hope they continue to listen, because folks like me are going to be up here everyday beating this drum and, finally, hoping that at some point, the message will be loud and clear. There is a disconnect in this administration between campaigning and governing. The time is now to govern. This administration, and Governor Corbett is a Governor for the entire Commonwealth of Pennsylvania, not just a specific party, and they have to begin acting like that.

Thank you, Mr. President.

**SPECIAL ORDER OF BUSINESS  
HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

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

May 3, 2011

- HB 208** -- Committee on Judiciary.
- HB 292** -- Committee on Local Government.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 4, 2011

9:00 A.M.	FINANCE (public hearing on the requirements for collecting sales tax on transactions made over the Internet)	Hrg. Rm. 1 North Off.
9:00 A.M.	LAW AND JUSTICE (public hearing to consider Liquor Control Board legislative proposals)	Room 8E-A East Wing
9:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 52, 165 and 728)	Room 8E-B East Wing
9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bills No. 295, 297 and 923; and House Bill No. 442)	Room 461 Main Capitol
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 326, 362, 638 and 732)	Room 461 Main Capitol

FRIDAY, MAY 6, 2011

9:00 A.M.	GAME AND FISHERIES (public hearing to consider testimony regarding classification of waters, fishing license modifications, sources of alternative funding for the PA Fish and Boat Commission and Fishermans Paradise)	HR Stackhouse School of Fisheries Conservation and Watercraft Safety Bellefonte, PA
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WEDNESDAY, MAY 11, 2011

9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing to consider Senate Bills No. 354, 355 and 356)	Room 8E-A East Wing
9:30 A.M.	PUBLIC HEALTH AND WELFARE (to consider the nomination of Gary D. Alexander as Secretary of the Department of Public Welfare)	Senate Maj. Caucus Rm.

THURSDAY, MAY 12, 2011

11:00 A.M.	STATE GOVERNMENT (joint hearing with the House State Government Committee to consider Congressional Redistricting)	PA Convention Ctr., 105AB, 12th St. Concourse 1101 Arch St. Phila., PA
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THURSDAY, JUNE 9, 2011

11:00 A.M.	STATE GOVERNMENT (joint hearing with the House State Government Committee to consider Congressional Redistricting)	Cranberry Twp. Municipal Bldg., 2525 Rochester Road Cranberry Twp., PA
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TUESDAY, JUNE 14, 2011

9:00 A.M.	STATE GOVERNMENT (joint hearing with the House State Government Committee to consider Congressional Redistricting)	Hrg. Rm. 1 North Off.
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**RECESS**

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

Senator WAUGH. Mr. President, I move that the Senate do now recess until Wednesday, May 4, 2011, at 11 a.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 4:05 p.m., Eastern Daylight Saving Time.