

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MAY 3, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 26

SENATE

TUESDAY, May 3, 2005

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

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the Chair.

PRAYER

The Chaplain, Monsignor JOHN P. MURPHY, Pastor of St. Thomas More Church, Allentown, offered the following prayer:

Let us place ourselves in the presence of our Father in heaven. Almighty Father, bless all the Members of this august body with the grace to know Your will, the courage to follow it, the strength to lift the city of man to the city of God, the intelligence to do what is right because it is right in a world of confusion and compromise, the insight to accept Your truth in a world that rejects it, and the humility to realize the love of power forever threatens the power of love.

May our Commonwealth be better because of all our elected officials. Especially we pray today for our newest Member of the Senate, Patrick M. Browne, for his family, his wife, Heather, his parents, Jim and Bernice Browne, and all his family and friends. May each and every Senator look to You, Lord, for guidance in the midst of confusion, strength in the time of despair, and wisdom in the face of indecision.

May each and every Member of this august body be enabled every day by Your powerful protection to discharge their duties with honor and ability. Amen.

The PRESIDENT. The Chair thanks Monsignor Murphy, who is the guest today of Senator-elect Browne.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of May 2, 2005.

The Clerk proceeded to read the Journal of the preceding Session, when, on motion of Senator BRIGHTBILL, and agreed to by voice vote, further reading was dispensed with and the Journal was approved.

LEGISLATIVE LEAVE

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

Senator BRIGHTBILL. Madam President, I ask for a legislative leave for Senator Greenleaf.

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Greenleaf. Without objection, the leave will be granted.

LEAVES OF ABSENCE

Senator BRIGHTBILL asked and obtained a leave of absence for Senator PUNT, for today's Session for personal reasons.

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

CALENDAR

**SENATE RESOLUTION No. 84
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 4 of the Calendar, as a Special Order of Business, **Senate Resolution No. 84**, entitled:

A Resolution designating the month of May 2005 as "School Retiree Appreciation Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

YEA-45

Armstrong	Hughes	Piccola	Vance
Boscola	Jubelirer	Pileggi	Waugh
Brightbill	Kasunic	Pippy	Wenger
Conti	Kitchen	Rafferty	White, Donald
Corman	LaValle	Regola	White, Mary Jo
Costa	Lemmond	Rhoades	Williams, Anthony H.
Earll	Logan	Robbins	Williams, Constance
Erickson	Madigan	Scarnati	Wonderling
Ferlo	Mellow	Stack	Wozniak
Fumo	Musto	Tartaglione	
Gordner	O'Pake	Thompson	
Greenleaf	Orie	Tomlinson	

NAY-0

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

**SPECIAL ORDER OF BUSINESS
SWEARING-IN OF NEW MEMBER**

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

Senator BRIGHTBILL. Madam President, as a special order of business, I ask that the Senate proceed to receive the returns of election for the special election held in the 16th Senatorial District on the 5th day of April 2005, and that the oath of office be administered to Senator-elect Patrick M. Browne.

The PRESIDENT. At the request of Senator Brightbill, and without objection, as a special order of business, the Senate will now proceed to the administration of the oath of office to Senator-elect Browne.

**SPECIAL ORDER OF BUSINESS
DISTINGUISHED GUESTS
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Madam President, before we proceed with this special occasion, I would like to introduce some special guests, colleagues who are here from the House of Representatives, and a former Member who is now a Member of the United States House of Representatives.

If I might, Madam President, I would like to introduce Representative David Argall, Representative Craig Dally, Representative Julie Harhart, Representative Doug Reichley, Representative Mario Scavello, Representative Paul Semmel, Representative Teresa Forcier, and of course, our former colleague and friend and now a Member of the United States Congress in the House of Representatives from the Lehigh Valley, Congressman Charlie Dent.

(Applause.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair would now take this opportunity to politely remind all of our guests that taking still pictures or videotaping in the Senate Chamber is not permitted. So I ask that during the administration of the oath of office, no pictures be taken or videos be taped. At the end of the oath, however, the Senate will be recessing. Senator-elect Browne will remain at the bar of the Senate, and you may take as many pictures as you want.

However, pursuant to Senate Rule XXII, subsections 5 and 6, notice is hereby given that the President pro tempore of the Senate has authorized one photographer from the Allentown Morning Call to take still photographs without flashes in the Senate Chamber only during the swearing-in ceremony for Senator-elect Browne.

ELECTION RETURNS PRESENTED

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

The SERGEANT-AT-ARMS. Madam President, I have the honor to present the Deputy Secretary of the Commonwealth, Kenneth Rapp.

The PRESIDENT. The Chair recognizes the Deputy Secretary of the Commonwealth.

Deputy Secretary RAPP. Madam President, I have the honor to present the official returns for the special election held on April 5, 2005, in the 16th Senatorial District.

The PRESIDENT. The Chair thanks Deputy Secretary Rapp.

The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Sixteenth Senatorial District, as the same has been certified to and filed with my office by the Lehigh, Monroe and Northampton County Boards of Elections. Patrick M. Browne, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this third day of May in the year of our Lord two thousand five and of the Commonwealth the two hundred twenty-ninth.

PEDRO A. CORTES
Secretary of the Commonwealth

SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
16TH SENATORIAL DISTRICT
COUNTIES OF LEHIGH, MONROE AND NORTHAMPTON
APRIL 5, 2005

OFFICIAL RESULTS

		<u>VOTE TOTALS</u>
Democratic -	Jennifer L. Mann	13,161
Republican -	Patrick M. Browne	15,680
Independent -	Drake E. Minder	879

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Secretary of the Commonwealth has also certified that Senator-elect Browne has filed the accounts and affidavits as required by Section 1632(b) of the Pennsylvania Election Code.

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT. It is an honor and a privilege to have with us today the Honorable Renee Cohn Jubelirer, judge of the Commonwealth Court of Pennsylvania. She has kindly consented to be with us today to administer the oath of office to Senator-elect Browne in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present himself, along with his Bible, at the bar of the Senate.

Members and guests will please rise.

Judge Cohn Jubelirer will now administer the oath.

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

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

Congratulations, Senator.

Senator BROWNE. Thank you.

(Applause.)

The PRESIDENT. The Senate will be at ease for photographs for the next 5 minutes.

(The Senate was at ease.)

SPECIAL ORDER OF BUSINESS DISTINGUISHED GUEST PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Jubelirer.

The PRESIDENT pro tempore. Madam President, this gentleman was a little late, but I certainly would be remiss in not introducing former Congressman Pat Toomey, who is on the floor. I would just like to recognize him and thank him for being here.

The PRESIDENT. Thank you, Congressman.

(Applause.)

2004 PENNSYLVANIA BITUMINOUS COAL QUEEN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Madam President, I rise today on behalf of my dear friend and fellow colleague, Senator Barry Stout. It is my pleasure today to introduce a very special guest to the Senate of Pennsylvania. As many of you know, for the past 51 years, the King Coal Association of Carmichaels in Greene County has held a Coal Queen Pageant in conjunction with the King Coal Show, in order to select a young lady to represent the bituminous coal industry of southwestern Pennsylvania.

This year Miss Paige Shlosky, the 2004 Bituminous Coal Queen, is from Carmichaels, Pennsylvania, which is located in Greene County in Senator Stout's district. Miss Shlosky, who is a senior attending Carmichaels Area High School, is a very lovely and gifted young lady. She takes voice lessons at the Center for Performing Arts, where she is a member of the STAR Team, performing in a wide variety of plays. Much to her credit, Paige has performed in an off-Broadway production at the Orpheum Theater. I understand she has a beautiful singing voice. Last year she was one of five Greene County students chosen to attend the Pennsylvania Music Entertainer Association's District I Honors Choir. Paige is the valedictorian of her senior class, as well as being involved in a great many school activities and clubs, including vice president of the National Honor Society. Later today, a dinner will be held in Miss Shlosky's honor hosted by the Pennsylvania Coal Association at the Harrisburg Hilton.

Madam President, I ask that the Senate of Pennsylvania extend its usual warm welcome to Paige Shlosky, the 2004 Pennsylvania Bituminous Coal Queen.

The PRESIDENT. Miss Paige Shlosky is going to address us. Would you please come up.

(Applause.)

Ms. SHLOSKY. Thank you. Thank you, Senator. Good afternoon, and congratulations, Senator Pat Browne.

First and foremost, I would like to take this opportunity to thank each and every one of you for making my visit here so very special. Your hospitality and warm welcome are greatly appreciated and have made me feel very much at ease. This is truly an honor. An occasion such as this is absolutely awesome.

As the reigning 2004 Bituminous Coal Queen, many people have asked me, what is so significant about being the Coal Queen and what does it mean to you? Well, it means everything to me. This title represents everything that I am as a young woman, as a member of the coal mining community. Ever since I was a little girl I would attend the Bituminous Coal Queen Pageants with my mother, and every year I would say to her, mom, I wonder what it feels like to be her, to be a princess, to be so special that she has the opportunity to parade around with a crown on her head. But the crown is not what makes the Coal Queen so special, it is the emblematic meaning of the crown and what it represents.

To me, the crown represents my family, my community, as well as the coal mining industry. Coal plays a very important role in my family. My father and my late grandfather worked in the mines for years. Also, my maternal grandparents were rivermen who worked on boats that towed barges full of coal up and down the Monongahela River. I have learned that working in the coal industry is not an easy job. They are hard workers, and I am so very proud of them. They have contributed a great deal to the coal mining industry and deserve much recognition. In essence, I would like to think that I am representing my family and its coal mining background as well as my community. In our area, coal is very precious. To some, it simply means employment, but to others, it is their lives. Many men and women have devoted their lives to this industry and can talk about their jobs with much enthusiasm and verve. Therefore, being the 2005 Coal Queen is so significant because I am able to represent the things that are most important in my life, as well as what is most important to my community.

To date, as that representative, I have performed at local retirement homes and senior citizen centers. I have also appeared and participated in various parades, such as the local Christmas and Veterans Day Parades, as well as the annual Coal Show Parade, and have been honored to present awards at the Lion's Club Christmas Basketball Tournament and attend the Lion's Club banquet held for the Carmichaels Area Football Team seniors. In addition, I have had the opportunity to provide entertainment for local talent shows, pageants, and special events.

However, I will never forget seeing the coal mine for the very first time. It was utterly breathtaking, and interesting to see where my father and grandfather had worked. Not only did I get to tour the mine, but I also got to run the long wall. Actually, once we got to that section of the mine, a very nice man taught me how to run it. In order to cut the coal, you press a little red button and the blades begin to turn, but there was a trick to this little red

button, the harder you pushed it, the faster the coal would cut. Unfortunately, I did not know that, and pushed that little red button all the way in. The man began to laugh and quickly took the controller out of my hand. In response, I said I was simply trying to increase today's coal production, sir. I am sure he and the other miners got a laugh out of that one.

On a more personal note, my high school graduation is quickly approaching. I am proud to say I am the valedictorian of the class of 2005, and will be attending Baldwin-Wallace College in the fall. I intend to further my education with a major in musical theater and a future career in musical performance. I am fascinated with the stage lights, and I think I am addicted to audiences' applause. I am looking forward to gaining more knowledge and improving my craft.

It is truly an honor to be here today, and it is a privilege to have obtained the title of Miss Bituminous Coal Queen 2004. I will remember all the experiences I have been exposed to as a result of my reign. Thank you so very much for this wonderful opportunity.

(Applause.)

The PRESIDENT. I am going to introduce Paige's family. Would Peter and Lyn Shlosky please rise. Would Becky Mitchell and Kim Bartley, the Coal Queen Pageant representatives, Mr. Joseph Scaffoni from the Department of Deep Mine Safety, and of course, Mary Flaherty, please rise. Thank you all for being here with Paige today.

(Applause.)

GUESTS OF SENATOR SEAN F. LOGAN AND SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator LOGAN. Madam President, on behalf of myself and Senator Costa, I would like to take a moment to introduce some of the best athletes from a high school in my district. A group of young ladies from Serra Catholic High School traveled to Harrisburg today to be recognized for their accomplishment in winning the 2004-05 PIAA State Class A Girls' Basketball Championship. Under the expert guidance of Head Coach and Athletic Director Bill Cleary and Assistant Coaches Paul Heatherington and Chrissy Manfredi, these ladies worked very hard to finish this past season with an outstanding record of 29 wins and only 1 loss. Besides being the PIAA Class A State Champions, the Serra Catholic Lady Eagles also won the 2004-05 WPIAL Class A Championship and the 2004-05 WPIAL Class A Section 4 Championship.

I am sure that very few of us can comprehend the deep level of commitment and dedication that is needed for a team to work its way to the level of a State championship victory. These ladies have spent countless hours in practice and competition, and are a fine example of what happens when skill and art are combined in a group effort under top-notch leadership. I am honored and proud to have these young ladies, their coaches, and supporters here visiting today, and I wish them well in their future endeavors.

Madam President, I ask that the Senate welcome and congratulate the Serra Catholic Girls' Basketball Team on their hard-earned victories.

The PRESIDENT. Will the students from Serra Catholic and their basketball coaches please rise.

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Madam President, today I have the pleasure of introducing Kathleen Shaughnessy and Catalina Estrada, who are serving as guest Pages in the Senate. They are both eighth graders and currently attend St. Michael School in Greenville, Pennsylvania.

Kathleen is a member of the school choir and band. Additionally, she is a member of the school's cross-country and track teams.

Catalina serves as student council president and class secretary. Additionally, she is a member of the school choir and soccer team. Kathleen and Catalina are accompanied here today by Catalina's mother, Clara Estrada, who is seated in the Senate gallery.

Madam President and fellow Members, please join me in welcoming my special guests to the Senate of Pennsylvania.

The PRESIDENT. Will the guests of Senator Robbins please stand so we can give you a round of applause.

(Applause.)

GUESTS OF SENATOR JOHN N. WOZNIAK PRESENTED TO THE SENATE

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

Senator WOZNIAK. Madam President, just as Punxsutawney Phil has a shadow, on occasion we have the opportunity to have young students shadow us. Today I have a student from Clinton County, a senior, and as a matter of fact, he met my son at regional band, and I know he is a very fine trumpet player. His name is Steve Pecht and he is here with his parents, Dr. Karl and Ruth Ann, who are in the gallery. I would appreciate a fine round of applause for my guests.

I want to compliment our new Member, Pat Browne, and Paige, our Pennsylvania Coal Queen, and perhaps you and Steve might be able to get together since you are both seniors. No, I am just kidding.

Thank you very much for the opportunity to help Steve understand what we do here and a little bit about how government works. I was just having a little fun.

The PRESIDENT. Would our guests please rise so we can give you a nice round of applause.

(Applause.)

GUESTS OF SENATOR JOSEPH B. SCARNATI PRESENTED TO THE SENATE

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

Senator SCARNATI. Madam President, I am very honored and pleased today to have two friends and guests from my district here visiting. They are both retired schoolteachers who spend a tremendous amount of their time not only working in the community but on issues that affect retired schoolteachers. I am also pleased to serve on the PSERS Board with Mrs. Turley. So, I would like to welcome to the Senate Don and Sally Turley of Clearfield.

The PRESIDENT. Would our guests please rise.
(Applause.)

GUESTS OF SENATOR JANE C. ORIE PRESENTED TO THE SENATE

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

Senator ORIE. Madam President, I am proud to announce the winner of the "There Ought To Be A Law" contest from the 40th Senatorial District, Danny DiMattio, a seventh grader from North Hills Junior High School, and he is here with his family. The law that he submitted, and I know he met with Senator Greenleaf, was to put seatbelts on buses. I ask my colleagues to give him a warm welcome to the Senate Chamber.

The PRESIDENT. Would the guests of Senator Orie please rise so we can give you a nice warm welcome.
(Applause.)

RECESS

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

Senator BRIGHTBILL. Madam President, at this time I ask for a recess of the Senate. The Republicans will caucus at 2:45 in the Majority Caucus Room, and I expect that we will be back here at about 3:15 or 3:30.

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

Senator MELLOW. Madam President, I do not believe there is any reason for us to caucus. We will just await the return to Session.

The PRESIDENT. For the purpose of a Republican caucus, 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

THIRD CONSIDERATION CALENDAR

BILL AMENDED

SB 62 (Pr. No. 406) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part and for definitions; and providing for electronic bidding by local government units.

On the question,

Will the Senate agree to the bill on third consideration?

Senator EARLL offered the following amendment No. A1005:

Amend Title, page 1, lines 2 and 3, by striking out "and for definitions"

Amend Bill, page 1, lines 16 through 18; page 2, lines 1 through 12, by striking out all of said lines on said pages

Amend Sec. 3, page 2, line 13, by striking out "3" and inserting: 2

Amend Sec. 3 (Chapter Analysis), page 2, lines 18 and 19, by striking out all of said lines and inserting:

4602. Definitions.

4603. Electronic bidding.

4604. Competitive electronic auction bidding.

Amend Sec. 3, page 2, by inserting between lines 22 and 23

§ 4602. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Local government unit." A county, city, borough, incorporated town, township, school district, vocational school district, county institution district, home rule municipality, local authority or any joint or cooperative body of local government units or any instrumentality, authority or corporation thereof which has authority to enter into a contract.

Amend Sec. 3 (Sec. 4602), page 2, line 23, by striking out "4602" and inserting: 4603

Amend Sec. 3 (Sec. 4603), page 3, line 1, by striking out "4603" and inserting: 4604

Amend Sec. 4, page 4, line 21, by striking out "4" and inserting: 3

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

SB 607 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 16, SB 70, SB 82 and **SB 197** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL ON SECOND CONSIDERATION

SB 198 (Pr. No. 767) -- The Senate proceeded to consideration of the bill, entitled:

An Act prohibiting a deceptive business practice in the floral industry; and providing for a private cause of action.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 359, SB 386, SB 438 and SB 462 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 464 (Pr. No. 765) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L. 2897, No.1), known as the Unemployment Compensation Law, further providing for the definition of "employer" and for general powers and duties of department, providing for representation in proceedings; further providing for contributions by employers and employees, for successors-in-interest, for appeals, for interest on past due contributions and for limitations upon enforcement of payment of contributions, interest and penalties; providing for registration and other reports; further providing for the Special Administration Fund; providing for the Job Training Fund; further providing for the duties of the State Treasurer as custodian and for offenses relating to false statements and representations to prevent or reduce compensation and other offenses; and providing for monetary penalties.

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

BILLS OVER IN ORDER

SB 502 and SB 503 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS REREFERRED

SB 519 (Pr. No. 551) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 21, 1939 (P.L.626, No.294), referred to as the Second Class County Assessment Law, further providing for powers and duties of the Board of Property Assessment, Appeals and Review.

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

SB 520 (Pr. No. 552) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for appeal notices.

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

SENATE RESOLUTION No. 101, CALLED UP

Senator BRIGHTBILL, without objection, called up from page 4 of the Calendar, **Senate Resolution No. 101**, entitled:

A Resolution congratulating Rotary International on the occasion of the 100th anniversary of its founding.

On the question,
Will the Senate adopt the resolution?

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

Senator WAUGH. Madam President, this year marks the 100th anniversary of Rotary International. The Rotary grew out of meetings held by a group of friends in Chicago, and those meetings grew into an organization that today has 31,000 chapters around the globe, all dedicated to the ideal of service to humanity. These clubs are opened to individuals of every race, every culture, and every creed. Today there are 1.2 million Rotarians around the world.

One of the Rotary's most notable projects has been a drive to eliminate a disease throughout the world that once struck fear in the hearts of Americans, and that disease is polio. Working with government agencies, Rotary International has achieved a 99-percent reduction in the number of cases worldwide since it began this project in the mid-1980s. Rotary International has also increased understanding and appreciation among countries through its exchange programs. Since the 1940s, 35,000 students from 110 countries have studied abroad as Rotary ambassadorial scholars. Rotary's group study exchange program has helped over 45,000 professionals explore their career fields in other countries, and every year there are 8,000 secondary school students participating in the Rotary's youth exchange program.

As Rotary marks its centennial, its members continue to uphold its motto: Service above self. In Pennsylvania and around the globe, I am pleased to offer Senate Resolution No. 101 in recognition of Rotary International reaching this milestone, and with your indulgence, Madam President, I would like to give a shout today, I would be remiss if I did not, that the Rotary Club in York has 315 members, it is known to be and claimed as the largest Rotary chapter in our Commonwealth. I would like to say hello to them especially today, and to all Rotarians, happy 100th anniversary.

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

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

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senators RAFFERTY, STACK, ORIE, BRIGHTBILL, JUBELIRER, THOMPSON, PICCOLA, GREENLEAF, BOSCOLA, WONDERLING, ARMSTRONG, CORMAN, LOGAN, KASUNIC, ROBBINS, CONTI, SCARNATI, MUSTO, GORDNER, FERLO, KITCHEN, ERICKSON, O'PAKE, PUNT, WAUGH, M.J. WHITE, WILLIAMS, MELLOW, EARLL, PILEGGI, PIPPY, TOMLINSON, LaVALLE, LEMMOND, RHOADES, D. WHITE and WOZNIAK, by unanimous consent, offered **Senate Resolution No. 110**, entitled:

A Resolution recognizing the week of May 15 through 21, 2005, as "National Police Week" and May 15, 2005, as "Peace Officers' Memorial Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Madam President, I am honored to present this resolution, along with Senator Orié and Senator Stack, for the fallen police officers throughout the Commonwealth of Pennsylvania.

Madam President, 7 police officers were killed in the line of duty last year, 2004, which brings the total Pennsylvania officers honored at the memorial service next Monday to 645. I am sad to say that since the first of this year, 2005, two additional officers have died in the line of duty. It is important for the people of the Commonwealth to realize the significance of this week, where we stand to honor the officers who have paid the ultimate sacrifice to ensure our safety and welfare.

Madam President, the men and women of local police departments, State Troopers, and police agencies throughout the Commonwealth day in and day out put their lives on the line. That is the one job that when they leave their house each morning and say good-bye to their families they are not sure they are going to return to see them. We owe them a great deal of credit and gratitude, and to the fallen members, we owe our heartfelt thanks.

Madam President, I would like to read into the record the names of the seven officers who died in the line of duty last year. They are Chief Douglas A. Shertzer, Sr., from Lititz Borough; Warrant Officer Joseph E. LeClaire, Jr., from the First Pennsylvania Judicial District, Warrant Unit; Bradford County Deputy Sheriffs, Michael Van Kuren and Christopher Burgert; Upper Dublin Police Officer James R. Miller; Reading Police Officer Michael H. Wise II; and Elk Lick Township Police Officer Sheridan Caton. To them we owe a debt of gratitude and heartfelt thanks for their service to us in the Commonwealth. We ask the Almighty to keep their families, and we ask everyone in the Commonwealth of Pennsylvania over the next week to remember the job day in and day out that police officers do for us, and to take the time to remember them and to thank them.

Thank you, Madam President, and I ask you to please recognize my friend and colleague from Philadelphia County.

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

Senator STACK. Madam President, I am pleased to rise today, along with my colleague Senator Rafferty and my colleague Senator Orié, to support this resolution proclaiming the week of May 15 through 21 as "National Police Week," and May 15 as "Peace Officers Memorial Day" in Pennsylvania. As Senator Rafferty said, in 2004, seven Pennsylvania police officers were killed in the line of duty. They were dedicated officers who loved serving their communities, and our Commonwealth is truly diminished by their loss. We felt that loss not only in my city of Philadelphia, but across our great State. Here are two of their stories.

Michael Wise, a 2-year veteran of the Reading Police Department, was working to clean up a high crime area when he was

killed in a gun battle. He is survived by his wife, Denise, and their 2-year-old daughter. Elk Lick Township Police Chief Sheridan Caton, a 40-year veteran of law enforcement, was responding to a call for backup when a drunk driver crashed into his vehicle. He is survived by his son, Brian, and daughter, Roxanne. A total of 654 police officers have been killed in the line of duty in Pennsylvania since our State's founding. "National Police Week" and "Peace Officers Memorial Day" is a traditional time to remember those who have given their lives in the pursuit of justice. President John F. Kennedy established the first national "Peace Officers Memorial Day" in 1962, and in 1984 President Ronald Reagan authorized the building of a monument in Washington, D.C., to honor fallen police men and women. The Memorial Wall today has over 14,000 names of true American heroes who made the greatest sacrifice to protect our communities. I am pleased once again to stand here today with Senator Rafferty and Senator Orié, and I ask the full Senate support of this resolution that honors our fallen police officers.

Thank you, Madam President.

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

Senator BRIGHTBILL. Madam President, on behalf of Senator Orié, I offer the following remarks for the record.

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

It is a pleasure to be here as we mark May 15 through 21 as "Police Week" in Pennsylvania and May 15 as "Peace Officers Memorial Day." Each year during this week, people across the country gather to honor those who serve their communities through law enforcement and to remember those who made the ultimate sacrifice. Approximately 600 police officers within this Commonwealth have been killed in the line of duty, and many more have been injured on the job.

Given all that police officers are required to do, and the dangers they face every day, it amazes me why anyone would want to take on such an assignment. Fortunately for all of us, there are brave men and women who put on a uniform every day to protect all of us. Members of Pennsylvania's law enforcement community deserve to be recognized and commended for their front-line efforts to fight crime and keep our communities safe. Very few professionals face the incredible dangers that our police officers do every time they report to work. The risk that they take on, for themselves and their families, should be acknowledged and rewarded. Our local police serve on the front line of the criminal justice system and fight each day to make our communities and neighborhoods safer. Their dedication and commitment to public safety are the reason that strong and effective laws do work. I commend the many brave men and women who work each day to implement these laws and fight crime in Pennsylvania communities. It is their dedication that really makes a difference in the war against crime.

We have to make sure that every police officer who has been killed or injured on the job is not forgotten, and that their sacrifices and contributions are remembered every day in every community. That is why we are proud to sponsor this resolution and take part in events such as this. It is one small way that we can say thank you to those brave men and women who put their lives on the line for us every day.

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

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

DISCHARGE PETITIONS

May 3, 2005

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

May 3, 2005

A PETITION

To place before the Senate the nomination of Delbert D. Tyler, CPA, as a member of the State Board of Accountancy.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Delbert D. Tyler, CPA, Monroeville, Pennsylvania, as a member of the State Board of Accountancy, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Rudy N. Battle as a member of the State Athletic Commission.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Rudy N. Battle, Philadelphia, Pennsylvania, as a member of the State Athletic Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Charles P. Bednarik as a member of the State Athletic Commission.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Charles P. Bednarik, Coopersburg, Pennsylvania, as a member of the State Athletic Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

A PETITION

To place before the Senate the nomination of Michael S. Ayes, D.D.S. as a member of the State Board of Dentistry.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Michael S. Ayes, D.D.S., Bala Cynwyd, Pennsylvania, as a member of the State Board of Dentistry, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Leonard L. Lichvar as a member of the Pennsylvania Fish and Boat Commission.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Leonard L. Lichvar, Stoystown, Pennsylvania, as member of the Pennsylvania Fish and Boat Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Laura S. Fisher as a member of the Pennsylvania Historical and Museum Commission.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Laura S. Fisher, Ligonier, Pennsylvania, as a member of the Pennsylvania Historical and Museum Commission, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Jeffery D. Wright, Esq., as Judge, Court of Common Pleas, Lancaster County.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Jeffery D. Wright, Esquire, Lancaster, Pennsylvania, as Judge, Court of Common Pleas, Lancaster County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Matthew T. Mangino, Esquire, as Judge, Court of Common Pleas, Lawrence County.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Matthew T. Mangino, Esquire, New Castle, Pennsylvania, as Judge, Court of Common Pleas, Lawrence County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Jennifer Ann Wise, Esq., as Judge, Court of Common Pleas, Monroe County.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Jennifer Ann Wise, Esquire, Scotrun, Pennsylvania, as Judge, Court of Common Pleas, Monroe County, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Laura M. Baker as a member of the State Board of Examiners of Nursing Home Administrators.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Laura M. Baker, Knox, Pennsylvania, as a member of the State Board of Examiners of Nursing Home Administrators, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of Catherine C. McVey as a member of the Pennsylvania Board of Probation and Parole.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of Catherine C. McVey, Harrisburg, Pennsylvania, as a member of the Pennsylvania Board of Probation and Parole, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

May 3, 2005

A PETITION

To place before the Senate the nomination of L. Jason Small as a member of the State Board of Psychology.

TO: The Presiding Officer of the Senate:

WE, The undersigned members of the Senate, pursuant to section 8 (b) of Article IV of the Constitution of Pennsylvania, do hereby request that you place the nomination of L. Jason Small, Elkins Park, Pennsylvania, as a member of the State Board of Psychology, before the entire Senate body for a vote, the nomination not having been voted upon within 15 legislative days:

Robert D. Robbins
David J. Brightbill
Jeffrey E. Piccola
Noah W. Wenger
Robert C. Jubelirer

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

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 the Coplay Town Watch by Senator Boscola.

Congratulations of the Senate were extended to Dr. J. Robert and Mrs. Sandy Lovett, Mark Case, Gavin McFarland, Kathleen

Smith, Nishi Dedania and to Jay Werber by Senators Boscola, Browne, and Wonderling.

Congratulations of the Senate were extended to Edward Muschlitz, Edna Smith, Doris Mann, James Goldman, Otto Ehram and to Frederic Dunlap by Senators Boscola and Wonderling.

Congratulations of the Senate were extended to Brandon Michael Leach and to Joseph Hayes Mort by Senator Corman.

Congratulations of the Senate were extended to John N. Johnston and to Dr. Thomas G. Kerr by Senator Erickson.

Congratulations of the Senate were extended to Leigh Ann Sassaman, Jenessa Heywood and to Kelly Hynick by Senator Gordner.

Congratulations of the Senate were extended to the Tree of Concern International Foundation, Inc., by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Franklin Delano Conner by Senator Jubelirer.

Congratulations of the Senate were extended to Samantha Roos, Camille Lore, Patricia Borger, Richard Kistner, Joseph Micko and to Richard Reaman by Senator Musto.

Congratulations of the Senate were extended to the Hershey High School Boys' Swim Team and to the Hershey High School Girls' Swim Team by Senator Piccola.

Congratulations of the Senate were extended to Patrick McHenry and to Lenore McMunigle by Senator Robbins.

Congratulations of the Senate were extended to Rose A. Buterbaugh by Senator Scarnati.

Congratulations of the Senate were extended to Elueterio Lopez by Senator Tartaglione.

Congratulations of the Senate were extended to Brendan Peter Mulligan by Senator Thompson.

Congratulations of the Senate were extended to Rabbi Maurice E. Novoseller by Senator Tomlinson.

Congratulations of the Senate were extended to Phil Harnick, Bradley John Ebright, Jenna Straub, Michael Scott Hotaling, Alexander Jay Eadline and to the coaches and members of the 2004 Warwick High School Girls' Soccer Team of Lititz by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Bruce Steele, Mr. and Mrs. Luther Niel and to Genci Keja by Senator D. White.

Congratulations of the Senate were extended to the Emmaus High School Boys' 200-yard Freestyle Relay Team and to the Emmaus High School Girls' Swimming and Diving Team by Senators Wonderling and Browne.

Congratulations of the Senate were extended to Alex R. Lasorsa, Joseph Judge, Palmer Knickerbocker, Roberta W. Jones and to the Reverend Martin Duffy by Senators Wonderling, Browne, and Boscola.

Congratulations of the Senate were extended to Carol Derstein Caum by Senators Wonderling and Greenleaf.

Congratulations of the Senate were extended to Daniel Hardy, Phyllis Buery, Tina Geyer and to Cynthia Love by Senator Wozniak.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

Weekly recess.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Catherine Baker Knoll) in the presence of the Senate signed the following bill:

HB 486.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 4, 2005

9:00 A.M.	FINANCE (public hearing on earned income tax reform and Senate Bill No. 292)	Room 8E-A East Wing
12:15 P.M.	LAW AND JUSTICE (informational meeting with Liquor Control Board members to discuss LCB issues and their budget)	Room 461 Main Capitol
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Com. Conf. Rm.

RECESS

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now recess until Wednesday, May 4, 2005, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 4:07 p.m., Eastern Daylight Saving Time.