

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, NOVEMBER 21, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 69

SENATE

MONDAY, November 21, 2005

The Senate met at 2 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend DAVID D. BISER, of Colonial Park United Methodist Church, Harrisburg, offered the following prayer:

Let us join together in prayer.

O God, our Father, master of the universe, and founder of all nations, we come to You this day with hearts filled with joy and hope, excitement and enthusiasm, expectancy and anticipation. You have blessed us with yet another day to live, to breathe, and to witness the beauty of Your world.

As we prepare for Thanksgiving, Lord, fill up our hearts, that we might be a people who are thankful to You and to You alone. On this ground, in this place, together as one people, together we ask that You continue to bless our nation so that we can stay the course of being a nation that blesses others.

We ask You to care for those who are fighting for peace, justice, and democracy, and who find themselves in harm's way. We lift to You all of our men and women who are serving and who have served in every branch of our country's military.

We offer to You our special requests for our President, our Governor, our Lieutenant Governor, our Senators. Those who lead need Your influence, Lord, more than ever in these days. Pour out upon each one of us, Your servants here today, from the stores of heaven, all that we need to be the men and women, the husbands and wives, the fathers and mothers, the friends, and the leaders that You want us to be. Raise us up to the challenge of the position You have placed us in. Be with us now and always, so that we might stand strong as a mighty nation and as a great State set upon a hilltop shining the light to the world, the light of hope, the light of salvation, the light of peace.

We bring You this prayer. We bring it to Your throne through Your son, Jesus Christ, our Lord and Savior. And all of God's people said, Amen.

The PRESIDENT. The Chair thanks Reverend Biser, who is the guest today of Senator Piccola.

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 November 16, 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.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

**MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS**

November 16, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bennett Goldstein, 25 Linden Drive, Elkins Park 19027, Montgomery County, Fourth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Janice Mannel, Philadelphia, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF PHARMACY**

November 16, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael A. Podgurski, 1125 W. Powderhorn Road, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State

Board of Pharmacy, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF PODIATRY**

November 16, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Steven J. Collina, M.D., 1260 East Woodland Avenue, Suite 200, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned.

EDWARD G. RENDELL
Governor

VICTIM ADVOCATE

November 17, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as Victim Advocate, to serve until May 22, 2007, and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Mary A. Achilles, Mechanicsburg, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE**

November 17, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Lawrence County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Robert Session, New Castle, deceased.

EDWARD G. RENDELL
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:

**MEMBER OF THE STATE BOARD
OF PODIATRY**

November 16, 2005

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 September 9, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Podiatry, to serve until November 14, 2005, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned.

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

EDWARD G. RENDELL
Governor

LEGISLATIVE LEAVES

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

Senator BRIGHTBILL. Madam President, I ask for legislative leaves for Senator Punt and Senator Madigan.

The PRESIDENT. Senator BRIGHTBILL requests legislative leaves for Senator Punt and Senator Madigan.

The Chair recognizes the gentleman from Lackawanna, Senator MELLOW.

Senator MELLOW. Madam President, I ask for legislative leaves for Senator Stout and Senator Tartaglione.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Stout and Senator Tartaglione.

Without objection, all the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, November 21, 2005

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, December 5, 2005, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, December 5, 2005, unless sooner recalled by the Speaker of the House of Representatives

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

NAY-0

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

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

RECESS

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

Senator BRIGHTBILL. Madam President, I ask for a recess of the Senate for the purpose of a Republican caucus, which will begin immediately.

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

Senator O'PAKE. Madam President, I ask the Democrats to report to our caucus room immediately.

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

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 881 and SB 897 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL OVER IN ORDER

HB 111 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 178 (Pr. No. 1374) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for powers and duties of the Office of Victims' Services and for Victims' Services Advisory Committee membership.

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-49

Armstrong	Greenleaf	Pileggi	Vance
Boscola	Hughes	Pippy	Washington
Brightbill	Jubelirer	Punt	Waugh
Browne	Kasunic	Rafferty	Wenger
Conti	Kitchen	Regola	White, Donald
Corman	LaValle	Rhoades	White, Mary Jo
Costa	Logan	Robbins	Williams, Anthony H.
Earl	Madigan	Scarnati	Williams, Constance
Erickson	Mellow	Stack	Wonderling
Ferlo	Musto	Stout	Wozniak
Fontana	O'Pake	Tartaglione	
Fumo	Orie	Thompson	
Gordner	Piccola	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 394 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILLS AMENDED

SB 713 (Pr. No. 1331) -- The Senate proceeded to consideration of the bill, entitled:

An Act prohibiting a provider of commercial mobile service from including the dialing number of any subscriber without first obtaining the express consent of that subscriber.

On the question,
Will the Senate agree to the bill on third consideration?
Senator WONDERLING offered the following amendment
No. A4393:

Amend Sec. 8, page 7, line 11, by striking out "7" and inserting: 6

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.

SB 895 (Pr. No. 1372) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for police animals.

On the question,
Will the Senate agree to the bill on third consideration?
Senator O'PAKE, on behalf of Senator MELLOW, offered the following amendment No. A4398:

Amend Sec. 1 (Sec. 5511.2), page 2, lines 4 and 5, by striking out "THE POLICE DEPARTMENT OF THE PORT AUTHORITY OF ALLEGHENY COUNTY" and inserting: a police department

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 ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 987 (Pr. No. 1297) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Centre County Industrial Development Corporation, certain lands situate in Benner Township, Centre County.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

HB 1049 (Pr. No. 2884) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 19, 1931 (P.L.589, No.202), referred to as the Barbers' License Law, further providing for license application for barber-teacher, for examination and for licensing requirements.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BRIGHTBILL offered the following amendment No. A3560:

Amend Title, page 1, line 10, by striking out all of said line and inserting: requirements for operation of barber shops.

On the question,
Will the Senate agree to the amendment?
It was agreed to.

Senator BRIGHTBILL. Madam President, I move that House Bill No. 1049, as amended, be laid upon the table.

The PRESIDENT. Without objection, the bill, as amended, will be tabled.

HB 1049 TAKEN FROM THE TABLE

Senator BRIGHTBILL. Madam President, I move that House Bill No. 1049, Printer's No. 3153, be taken from the table and placed on the Calendar.

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

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

BILL OVER IN ORDER

HB 1057 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1400 (Pr. No. 1688) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for indecent assault.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 87, SB 170 and HB 213 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 303 (Pr. No. 1356) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for fees for constables.

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 435, SB 563 and SB 618 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 655 (Pr. No. 1354) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, providing for the use of the terms "engineer" and "engineering"; and

providing for continuing professional engineering competency and education requirements.

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

BILL OVER IN ORDER

SB 660 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 733 (Pr. No. 886) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 21, 1939 (P.L.566, No.284), known as The Pennsylvania Occupational Disease Act, providing further benefits; and making an appropriation.

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

BILL ON SECOND CONSIDERATION

SB 798 (Pr. No. 1360) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to bail.

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

BILL OVER IN ORDER

SB 838 -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

BILL REREFERRED

SB 845 (Pr. No. 1355) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for court-appointed child custody health care or behavioral health practitioners.

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 856 and SB 860 -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

BILLS ON SECOND CONSIDERATION

SB 999 (Pr. No. 1327) -- The Senate proceeded to consideration of the bill, entitled:

An Act reenacting and amending the act of October 8, 2004 (P.L.830, No.98), entitled "An act providing for effect of standards adopted by the Voting Standards Development Board in the 2004 general election," expanding the scope to include all elections in 2006 and 2007.

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

HB 1686 (Pr. No. 3116) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offenses of paintball guns and paintball markers, criminal mischief and sale and use of air rifles.

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

**COMMUNICATION 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:

**MEMBER OF THE STATE BOARD
OF PODIATRY**

November 16, 2005

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 September 9, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Podiatry, to serve until November 14, 2005, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned.

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

EDWARD G. RENDELL
Governor

NOMINATION RETURNED TO THE GOVERNOR

Senator ROBBINS. Madam President, I move 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:

**MEMBER OF THE ARCHITECTS
LICENSURE BOARD**

October 6, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pedro J. Rivera, Esquire, (Public Member), 2121 St. Albans Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice John Menapace, Clarks Summit, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE
CONSERVATION COMMISSION**

October 21, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jack A. Dehoff, 400 Kendale Road, Red Lion 17356, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 2009, and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**PROTHONOTARY, CLERK OF THE COURTS AND
CLERK OF THE ORPHANS' COURT OF PIKE COUNTY**

November 1, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Denise Fitzpatrick, 176 Hawthorne Drive, Milford 18337, Pike County, Twentieth Senatorial District, for appointment as Prothonotary, Clerk of the Courts and Clerk of the Orphans' Court, in and for the County of Pike, to serve until the first Monday of January 2008, vice Joyce Z. Helms, resigned.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE ARCHITECTS
LICENSURE BOARD**

October 6, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Pedro J. Rivera, Esquire, (Public Member), 2121 St. Albans Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice John Menapace, Clarks Summit, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE
CONSERVATION COMMISSION**

October 21, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jack A. Dehoff, 400 Kendale Road, Red Lion 17356, York County, Twenty-eighth Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 2009, and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**PROTHONOTARY, CLERK OF THE COURTS AND
CLERK OF THE ORPHANS' COURT OF PIKE COUNTY**

November 1, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Denise Fitzpatrick, 176 Hawthorne Drive, Milford 18337, Pike County, Twentieth Senatorial District, for appointment as Prothonotary, Clerk of the Courts and Clerk of the Orphans' Court, in and for the County of Pike, to serve until the first Monday of January 2008, vice Joyce Z. Helms, resigned.

EDWARD G. RENDELL
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-49

Armstrong	Greenleaf	Pileggi	Vance
Boscola	Hughes	Pippy	Washington
Brightbill	Jubelirer	Punt	Waugh
Browne	Kasunic	Rafferty	Wenger
Conti	Kitchen	Regola	White, Donald
Corman	LaValle	Rhoades	White, Mary Jo
Costa	Logan	Robbins	Williams, Anthony H.
Earll	Madigan	Scarnati	Williams, Constance
Erickson	Mellow	Stack	Wonderling
Ferlo	Musto	Stout	Wozniak
Fontana	O'Pake	Tartaglione	
Fumo	Orie	Thompson	
Gordner	Piccola	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. Madam President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators M. J. WHITE, EARLL, WONDERLING, BOSCOLA, MADIGAN, MUSTO, WENGER, STOUT, KITCHEN, LaVALLE, RAFFERTY, GORDNER, ERICKSON, TARTAGLIONE, FONTANA, KASUNIC, GREENLEAF, LEMMOND, BROWNE, PIPPY, THOMPSON, PUNT, O'PAKE, COSTA, CONTI, BRIGHTBILL, SCARNATI, ORIE, MELLOW, ROBBINS, PICCOLA, STACK and ARMSTRONG, by unanimous consent, offered **Senate Resolution No. 204**, entitled:

A Resolution designating the week of January 22 through 28, 2006, as "Certified Registered Nurse Anesthetists Week" in Pennsylvania.

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

Senators C. WILLIAMS, A. WILLIAMS, KITCHEN, HUGHES, WASHINGTON, STACK and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 205**, entitled:

A Resolution remembering Robert Montgomery Scott, on the occasion of his death on October 13, 2005, at 76 years of age, as "The Quintessential Philadelphian."

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Connie Williams.

Senator C. WILLIAMS. Madam President, I have remarks I would like to submit for the record.

The PRESIDENT. The remarks will be spread upon the record.

(The following prepared statement was made a part of the record at the request of the gentlewoman from Montgomery, Senator C. WILLIAMS:)

Madam President, we are about to adopt a resolution honoring the life of Robert Montgomery Scott, who passed away on October 13, 2005, at the age of 76. I would be remiss if I did not offer a few words on the life of this great man.

Robert Montgomery Scott's zest for life and tireless efforts on behalf of the city of Philadelphia earned him the nickname, The Quintessential Philadelphian. Born the son of Edgar Scott, an investment banker and heir to the Pennsylvania Railroad fortune, and Hope Montgomery Scott, a legendary socialite who served as the model for Katherine Hepburn's character in the 1940 classic, "The Philadelphia Story."

Mr. Scott devoted nearly a half-century to Philadelphia's arts and business needs as a member of 17 top trusteeship boards and president of the Academy of Music, though it is perhaps his role as president of the Philadelphia Museum of Art for which he will be most remembered. Under his leadership, the museum's endowment grew from less than \$20 million to \$100 million, and its annual attendance from 400,000 to 950,000. In addition, he oversaw major renovations and acquisitions that make the Museum of Art the world-class institution we have come to appreciate.

Friends and family describe him as a rare mix of urbane and down to earth, a smart opinionated man who never failed to grant dignity to everyone he engaged. He will be missed, but his life's work will forever be imprinted on the civic and cultural landscape of Philadelphia.

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 Nancy Shaw and to the Lebanon Valley Chamber of Commerce by Senator Brightbill.

Congratulations of the Senate were extended to Brian Douglas Walter by Senator Browne.

Congratulations of the Senate were extended to Alan F. Ellis by Senators Browne and O'Pake.

Congratulations of the Senate were extended to Brendan Zaba, Brandon Hill and to Jeremy Hill by Senator Conti.

Congratulations of the Senate were extended to Mr. and Mrs. Howard Lindsey, Ruth M. Dewitt, Edythe Clair, Sean Patrick Day, Nancy A. Estep, Matt Truesdale, Carl J. Daubenspeck, Hironimus Union Church of Weikert and to the Greenwood Mid-

dle/High School FFA Agricultural Issues Forum Team by Senator Corman.

Congratulations of the Senate were extended to the Erie County Office of Drug and Alcohol Abuse by Senator Earll.

Congratulations of the Senate were extended to Scott Marshall by Senator Fontana.

Congratulations of the Senate were extended to Tim Plunkett by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. John Thompson, Mr. and Mrs. John E. Shaffer, Jr., and to Mr. and Mrs. Gerald K. Frederick by Senator Jubelirer.

Congratulations of the Senate were extended to Reverend James J. Christmas, Sr., and to the Reverend Canon H. Gregory Smith by Senator Kitchen.

Congratulations of the Senate were extended to Michael McCarthy by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Ketchem and to Mr. and Mrs. Jim Rinker by Senator Madigan.

Congratulations of the Senate were extended to Albert and Orpha Stallone, Honorable John C. Tecklenburg and to the Reading Berks Chapter of the Pennsylvania Guild of Craftsmen by Senator O'Pake.

Congratulations of the Senate were extended to the Richard H. Lenny 2005 Class of Eagles by Senators Piccola, Corman, and Punt.

Congratulations of the Senate were extended to Alta Baily Bittle by Senator Pileggi.

Congratulations of the Senate were extended to Paul Greco and to Gasper Greco by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Irvin D. Herring by Senator Rhoades.

Congratulations of the Senate were extended to Ewing B. Pollock and to Company C of the 1/110th Infantry, (Mechanized) Pennsylvania Army National Guard, by Senator Stout.

Congratulations of the Senate were extended to Paul E. Deren and to Jaret Hostetter by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Goldstrohm by Senator D. White.

Congratulations of the Senate were extended to Peg Beers by Senator M.J. White.

Congratulations of the Senate were extended to Mamie Chavous Smith by Senator A.H. Williams.

Congratulations of the Senate were extended to Daniel Sibley by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Alex Vargo, Mr. and Mrs. Robert E. Trimble, Mr. and Mrs. Robert Wolfinger and to the Spring Garden Children's Center of Easton by Senator Wonderling.

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 Ben Thomas, Jr., by Senator Kitchen.

PETITIONS AND REMONSTRANCES

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

Senator O'PAKE. Madam President, I rise to question the process by which we are proceeding to deal with the very important and complex issue of property tax relief. Frankly, I had high hopes, as I assume all Members of the Senate did, with the calling of the Special Session, that we would rise this time above partisan politics to do our jobs in a constructive and bipartisan way. Unfortunately, what we have witnessed of late is a return to what our constituents would call business as usual. Instead of the open, honest process our citizens expect, one where we obtain the public's input before we rush to pass anything, we are moving hastily down the road of passing anything just so we can say we passed something. The public has spoken loud and clear. We have heard them in the last few months. They want an open legislative process without the political gamesmanship.

When the Special Session on tax relief began just a few weeks ago, Republican leaders could not say enough about working together, working constructively, and working openly to find the best possible tax relief plan for all Pennsylvania homeowners. The result of all that talk about good will and openness? Republicans were asking us to vote this week on a \$2.6 billion tax increase that we first learned about last week. This is business as usual. A revised and complex February 3, 2006 plan of questionable constitutionality was hammered out without any Democratic or public input, and then sprung on Senate Democrats and the public with little time to carefully review or debate the merits of this plan. Why not go for the hat trick and do this in the middle of the night?

Conducting our business this way puts politics over the people we serve. Senator Wenger, who serves as chairman of the special tax relief committee, said this at the committee's first meeting, and I quote, Our goal is to work in an open, bipartisan process to build a consensus so that we can give Pennsylvanians the property tax relief they need, end quote. Just weeks later, we have a process without public input and a process that ignores any desire to find a consensus.

Let us heed today's Harrisburg Patriot-News editorial advice that haste makes waste. Together we can do better. Let us get this process back on track and move in the right direction for the taxpayers of Pennsylvania who want a better and fairer way to pay for public education.

Thank you.

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

Senator BRIGHTBILL. Madam President, would the gentleman from Berks stand for interrogation?

The PRESIDENT. Senator O'Pake, will you stand for interrogation?

Senator O'PAKE. Yes, Madam President.

The PRESIDENT. The gentleman indicates he will.

Senator BRIGHTBILL. Madam President, I ask the gentleman to indicate for the record what plan he is for.

Senator O'PAKE. Madam President, there are several Democratic plans sponsored by many Members of this Caucus that have unfortunately not been considered by the Special Session

Committee on Legislation.

Senator BRIGHTBILL. Madam President, I remind the gentleman that there are a number of plans, Republican and Democratic, that as yet have not been considered, at least in terms of a vote, but that does not mean they have not been considered. My question to the gentleman is, what plan is he for? Would he describe the plan, how it works?

The PRESIDENT. Would the gentleman please describe his plan.

Senator O'PAKE. Madam President, there are several plans that many Members of this Caucus have advanced. We would like to explore those plans, we would like to get public input on those plans, but we have not been given that opportunity because of the schedule and the selection of the bills that were done by somebody over there.

Senator BRIGHTBILL. Madam President, I am listening with all ears to learn what plan my colleague from Berks is for, bill number, how it works, how the tax reform works. Tell me, tell me, I want to know.

Senator O'PAKE. Madam President, that is the work of the committee, but we have not been given that opportunity. We have the Senator Mellow plan, we have the Senator Logan plan, we have the Senator Boscola plan. There are good parts in all of those plans, and that is exactly what the committee process should be all about.

Senator BRIGHTBILL. Madam President, but I am asking the gentleman, what plan is he for?

Senator O'PAKE. Madam President, I have cosponsored many of these plans because they are good beginnings of a meaningful bipartisan discussion. Unfortunately, that has been precluded by the actions of the Majority.

Senator BRIGHTBILL. Madam President, I understand that. I have looked at the record and I know the gentleman has sponsored some plans, but my question to the gentleman tonight is, if you had to support a plan that would provide tax reform to the people of the Commonwealth of Pennsylvania, what would it be? Would it be the Commonwealth Caucus plan, would it be Senate Bill No. 30, would it be Senator Wozniak's plan, would it be Senator Logan's plan, your colleague from Pittsburgh? I think you are cosponsoring that. Which plan, and describe how that would work.

Senator O'PAKE. Madam President, there are aspects in many of those plans, and it is the committee's job to sort through them, a plan that does not include a \$2.6 billion tax increase on the people of Pennsylvania.

Senator BRIGHTBILL. Madam President, my look at the record indicates that the Senator from Berks, Senator O'Pake, is a sponsor of Senate Bill No. 23 in Special Session. Am I correct in looking at that record?

Senator O'PAKE. Madam President, there are so many numbers to so many of these bills. What is Senate Bill No. 23?

Senator BRIGHTBILL. Madam President, I am not listed as a sponsor, but the gentleman from Berks is, and I thought that being a veteran, knowledgeable Senator, he would be happy to describe the elements of Senate Bill No. 23, which is prime sponsored by our colleague, Senator Logan.

Senator O'PAKE. Madam President, perhaps Senator Logan would like to discuss his plan. There are many plans. Our com-

plaint is that none of our plans have had a public airing, or there has been no opportunity by the committee to discuss any plans except the \$2.6 billion tax increase which Republicans are suggesting.

The PRESIDENT. Senator Brightbill, can we let Senator Logan discuss it?

Senator BRIGHTBILL. Madam President, I would like Senator O'Pake to discuss it, because he is a sponsor of Senate Bill No. 23.

Senator O'PAKE. Madam President, Senator Logan is the prime sponsor and author.

Senator BRIGHTBILL. Madam President, is the gentleman yielding to Senator Logan?

The PRESIDENT. Are you yielding to Senator Logan, Senator Brightbill?

Senator BRIGHTBILL. Madam President, I thank the gentleman.

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

Senator HUGHES. Madam President, I would like to have the opportunity to have Senator Logan's plan discussed, and all the other Senators' plans discussed, in a forum that allows full participation through the committee structure, through the public hearing structure, through full conversation in an aggressive manner that gets the job done, not by a process that is steamrolled on one side, and for the most part close to the middle of the night. Now, we all found out what happened when we did the pay raise situation in the middle of the night, and that did not work, and now we are hearing about a plan that has a \$2.6 billion tax increase. Now, I do not think anyone wants to vote for something that has a \$2.6 billion tax increase. But what we are hearing is that the plan offered by the Majority, or getting ready to be steamrolled by the Majority, has a \$2.6 billion tax increase.

Now, my real reason for standing up here at this moment is to talk about another matter that we seem to fail to want to discuss, and that is the opportunity to raise the minimum wage. Now, everybody is going to say, ugh, but guess what, folks? Guess what? There are probably a million working people in this Commonwealth, and since we are in Petitions and Remonstrances, I can talk about anything that I want to talk about right now. There are probably about a million people in this Commonwealth who would love to have their paychecks increased, and all the folks on the other side who say that it is not worthy, say that it is not a good thing, all they can say is that it is going to be a job-losing situation. Well, unfortunately, they have no facts, information, studies, or research to prove that. What they do have is an attitude that says, and I was on a debate program on PCN one time and I asked one of the prime research individuals about why we should raise the minimum wage. I said, well, you basically do not think we should raise the minimum wage going back to 1968, and he could not say no. That is what we need to be talking about, Madam President.

In the few short days that we have before we adjourn here, the Governor has asked us to get this done by Christmas. Our hope is that the Majority would take their Majority power and move this issue prior to Christmas, or do they intend to just sit on their legislative haunches and let the people of this Commonwealth not get the opportunity to make the money that they need to make

and that they deserve? Should we wait for the Federal government to take action on this? Well, we have waited a long time, and what they have done is what? Sit on their legislative haunches and allow people to work beneath the poverty level. I remind the Members that a minimum-wage salary is \$2,000 less than the Federal poverty level. When those individuals who sit in this body, in this Chamber, moved aggressively, I mean aggressively in the light of day to repeal the pay raise, they moved fast, like butter running through a duck. They moved like I do not know what to push that thing back, in the light of day, because their legislative haunches were on the line. Their political rear ends were on the line, because the people, or at least a certain number of people, decided to make it a political issue. But because folks who are working at the minimum wage, low-income workers, do not have the political voice to make known their concerns, to make known their issues, we just want to dally around, year after year, year after year, and wait around, and maybe we will address it. Well, maybe we should get some guts and courage to take on the real issues of the people of this Commonwealth, the real issues of the people who are in need, and raise their pay scale, give them a chance to have a little light at the end of the tunnel, give them an opportunity to have a nice Christmas with a few extra dollars in their pocket. Because you know what? The other thing that we are being confronted with right now, if you have not gotten your gas or energy bill lately, those increases are going right out the roof, but we do not want to take any action on that, but we can ramrod, in just about the middle of the night, some phony-baloney property tax measure that has a \$2.6 billion increase.

For all my good friends in the media, all my brothers and sisters in the media, who decided they want to ghost around about this and not spend any time really researching something, researching the information, read the details in this phony-baloney property tax reform that is coming down the pike, a \$2.6 billion increase. Basically, it is on the backs of the folks who cannot afford it, basically on the backs of the people who cannot handle it, and absolutely on the backs of the people who have not gotten their minimum wage increased and have not gotten expansion in LIHEAP. We need to act like we have some guts in this place. We need to do the business of the people of the Commonwealth of Pennsylvania in an express and aggressive manner, and not just do the business of our own political behinds and repeal the pay raise, which we did quick, fast, in a hurry, in the light of day.

Madam President, let us come here and take care of the business that needs to be taken care of. Let us increase the people's minimum wage. Let us give these folks a chance, and not sit and lollygag around here and not handle the people's business. There is a bunch of hypocrisy going on in this Chamber, a bunch of people who say they care but take no action, who want to utilize the political reality and try to take advantage of it. Well, we used a lot of political reality in repealing the pay raise, and everybody thinks they are going home to glory now because, hey, we did it, we did it, we did it. Actually, it is not going to amount to a hill of beans politically. But the fact is that you have over a million working people making below the poverty level, and if you think that is something you can stand on, if you think that is something to be worthy of, if you think that is something to be high and

mighty on how you did the will of the people, then you are morally and policy-wise and economic-development wise wrong. Paying people at a government scale below the Federal poverty level is wrong. Let us take some action, let us do something that is right for these people of the Commonwealth. Let us do what we were sent here to do, to lead, not to follow, but to lead, or as one person said to me, Senator, lead, follow, or get out of the way, but do something for the people of this Commonwealth.

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

Senator BRIGHTBILL. Madam President, would the gentleman from Philadelphia stand for interrogation?

The PRESIDENT. Would the gentleman stand for interrogation?

Senator HUGHES. Absolutely, Madam President.

The PRESIDENT. The gentleman indicates he will.

Senator BRIGHTBILL. Madam President, would the gentleman indicate what plan he supports?

Senator HUGHES. Madam President, whatever plan that does not have a \$2.6 billion tax increase in it.

Senator BRIGHTBILL. Madam President, would the gentleman indicate whether he would support a plan that has a 1-percent PIT increase and a 2-percent sales tax increase?

Senator HUGHES. Madam President, when I have the opportunity to have a full discussion to get input from the officials of the city of Philadelphia, Montgomery County, the places that I represent, and have a broader dialogue with my Members on this side and that side of the aisle, then I can tell the gentleman exactly what plan I am for. However, I am told that there is a vote coming with a plan that the Majority Leader is proposing that has not fully been discussed in the context of all the other plans here, so consequently, I am not for it.

Senator BRIGHTBILL. Madam President, I thank the gentleman.

Senator HUGHES. Madam President, thank you. Are there any more questions from the Majority Leader?

Senator BRIGHTBILL. No, Madam President. I particularly appreciated the comments from the Senator that indicated that he had not fully discussed this with his constituents.

Senator HUGHES. No, Madam President, I want more discussion based on all of the information that is laid out--

Senator BRIGHTBILL. Madam President, the gentleman is out of order.

Senator HUGHES. --including the concepts I am supposed to be voting for--

Senator BRIGHTBILL. Madam President, the gentleman is out of order.

Senator HUGHES. --by the concept that he apparently wants to thrust down our throats.

Senator BRIGHTBILL. Madam President, the Chair is supposed to maintain order.

Senator HUGHES. I would like my constituents in my senatorial district to have a chance to read what it is that the Majority Leader is going to force down our throats.

Senator BRIGHTBILL. Madam President, the Chair is supposed to maintain order here.

Senator HUGHES. I think that is appropriate. I think that is an order. In fact, I would like all 12 million people of the Common-

wealth to have the opportunity to read--

Senator BRIGHTBILL. Madam President, the Chair is supposed to maintain order here.

Senator HUGHES. --what the Majority Leader is going to be thrusting down our throats.

Senator BRIGHTBILL. Madam President, the Chair is supposed to maintain order here.

The PRESIDENT. Senator, would you please yield the floor so Senator Brightbill--

Senator HUGHES. No, I do not think I want to yield the floor, Madam President. I do not think I want to yield the floor. I think I want to continue the gentleman's line of questioning. I think everyone in this State should have the opportunity to read. I think the newspapers should have an opportunity to fully discuss it. I do not think we should have to be forced to vote on something just in a short amount of time.

The PRESIDENT. You must give Senator Brightbill a chance to respond to you.

Senator HUGHES. Go right ahead, Madam President.

The PRESIDENT. Thank you.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. I note for the record, Madam President, that unlike the gentleman from Philadelphia who needs time to consult with his constituents, I have been consulting with my constituents on this issue for a long, long time, and in great detail since the spring of this year when Act 72 became a failure. It is clear to me, Madam President, that this is a very difficult issue. We are moving toward the possibility of a vote tomorrow, and the gentleman is becoming nervous. We have posted everything we can, all the information available about Senate Bill No. 30, on the Internet. I note that the gentleman refers to this as a \$2.6 billion tax increase. Well, I am looking at Senate Bill No. 23, sponsored by Senator O'Pake, who was the previous speaker, who apparently does not have a plan yet because he cannot tell us what he is for, and my reading of that is that it is a 1-percent personal income tax increase, 2-percent sales, which comes to \$5.7 billion of new taxes. Now, we have not condemned that plan, we have not been critical of that plan, we have not been up here trying to start fights. What we are trying to do is move through this process. My recollection, very clearly, very clearly, was that we moved Senator Wozniak's bill when we moved our bill, Senate Bill No. 30. Now what is interesting is that Senator Logan tomorrow, if we bring Senate Bill No. 30 out of committee and put it on the Calendar tomorrow, we will then have the opportunity to offer as an amendment Senate Bill No. 23, and Senator Hughes, who did not like a \$2.6 billion tax increase, which he said Senate Bill No. 30 does, will then have an opportunity to deliberate on a \$5.7 billion tax increase.

Now, Madam President, they are accusing us of being political and politicking, and everything else, and that is the furthest from the truth. We have worked very hard to build a consensus. We have sent a lot of printouts over, we have posted our information on the Internet, and we have had four public hearings. I think Senator Logan himself has testified once, twice, is that correct? I testified. I think it is the first time I have testified. I filed written statements, Senator Erickson and others have testified, and anyone who has come to us to testify, we have taken

their testimony. We have been through these issues for a long, long time, Madam President, and now, because we are moving in the direction of adopting a bill, they are getting very nervous. They have been talking about tax reform for years, and everybody has. But you know what it is? It is a tax shift, and our constituents need to understand that. There are a lot of people who do not, and God bless them because it is complicated, but it is a tax shift, and if we are going to reduce real estate taxes, we have to find a tax source from someplace else.

Now, all I have heard from the Democrats is gambling money, gambling money, gambling money, as if that is free. It is not free. It comes from addicted souls, but if that is what they want for tax reform, that is fine. Of course, the Democrats tell us, oh, this is going to produce a billion dollars. When? Oh, any day now, any day now. Well, we are going to wait, Madam President, and in the meantime, our constituents are waiting for tax reform. The only way we can deliver tax reform by next July 1 is to do something that has the effect, ultimately, of raising a tax, and if the gentleman from Philadelphia, Senator Hughes, does not know that, he has not been doing his homework.

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

Senator HUGHES. Madam President, would the gentleman stand for interrogation?

Senator BRIGHTBILL. Madam President, the gentleman is out of order. I will stand for interrogation when I am ready to yield the floor, but I am not ready to yield the floor.

Senator HUGHES. Okay, Madam President.

POINT OF ORDER

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

Senator MELLOW. Madam President, I rise for a point of order.

The PRESIDENT. The gentleman will state his point.

Senator BRIGHTBILL. Madam President, I would be happy to yield to Senator Mellow.

Senator MELLOW. Madam President, I think it is important that the Chair advise the Majority Leader that he basically is attacking the credibility of a Member on this floor by mentioning him by name, number one, and secondly, by saying what he will and will not do. Now, I can understand the frustrations of the Majority Leader because things have not gone his way today, and I can appreciate when he is sitting on 30 votes how that might be a little disturbing, but nevertheless, Madam President, it does not give him any right to attack Senator O'Pake the way he did, and now Senator Hughes the way he did. If his problem is the fact that he has to justify a \$2.6 billion tax increase, and also an increase on businesses, subchapter S, sole proprietorships, and partnerships that also have to pay this particular cost, he is frustrated about that, but I do not believe he should be able to impugn the character of two distinguished Members of this body.

Senator BRIGHTBILL. Madam President--

The PRESIDENT. The Chair would ask all of you to avoid personalities, if possible.

Senator BRIGHTBILL. That is fair, Madam President, but let me just say this, it was the gentleman from Berks who got up and

yelled politics. It was not me. We are ready to go here, to take amendments, to do whatever we have to do to report a bill that provides tax reform next year, and it is not an easy process. That is true, and I admittedly am finding this to be frustrating because people are not moving along as quickly as I would like, but that is fine, too. That is this process, and I accept that, Madam President, but it was Senator O'Pake and Senator Hughes who got up and impugned my integrity.

REQUEST FOR RECESS

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

Senator BRIGHTBILL. Madam President, since it is now just about 7:05, I ask that we recess for a meeting of the Committee on Appropriations. We are going to move a bill out of the Committee on Appropriations and hopefully vote it today.

Senator MELLOW. Madam President, Madam President--

Senator BRIGHTBILL. That is fine, Madam President. I am willing to stay here.

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

Senator MELLOW. Madam President, I did not hear Senator O'Pake once mention Senator Brightbill's name in the comments he made. I think Senator O'Pake expressed a frustration that many Members have in this body with the way the Committee on Legislation has been handled, not by Senator Wenger, because I think he did a very, very good job in having meetings, having input by the Members who have sponsored proposals, but that is where it ended.

No, Madam President, you cannot go this way and ask me to speed it up, because we are getting paid a substantial amount of money to do the work of the people's business, and people should have the opportunity of understanding what is happening and if things are not being taken care of. If the Majority Leader is concerned about how slow committees are working, then he should be concerned about his own committee chairman, because basically what he is saying is his committee chairman has worked very slow with regard to how Senator Brightbill would have liked to have this proposal brought to the floor of the Senate. What we are saying is that we would like an open process--

POINT OF ORDER

Senator BRIGHTBILL. Madam President, point of order.

The PRESIDENT. The gentleman from Lebanon will state his point.

Senator BRIGHTBILL. Madam President, I think my remarks are on the record. I think Senator Mellow is misconstruing my remarks intentionally, and I would just ask him to--

Senator MELLOW. Madam President, it is not up to the gentleman from Lebanon to say what I am misconstruing or what I am trying to interpret. I am stating the facts about what the gentleman said on the floor. He did say that he was frustrated about the way the committees were working and how things were not--

Senator BRIGHTBILL. That is not true, Madam President.

Senator MELLOW. --processing properly. They were his words, not mine. I am paraphrasing, Madam President. He con-

trols the operation of the floor of the Pennsylvania Senate. We do not, Madam President. The operation of the special committee, the Committee on Legislation in Special Session, should have been an open operation. It, in fact, was open until last Wednesday. Then all of a sudden the operation was closed. It was closed because we did not have the proper type of input from our constituencies as to what they would like to see take place. There are a number of good proposals. The question was asked, what proposal do you support? Well, I think, quite frankly, most of us support parts of every proposal, including the one that he introduced. The part we do not support is the tax increase on the people of Pennsylvania of \$2.6 billion, the same thing that the Senator voted against several years ago when I offered on the floor of the Senate an amendment to a bill that would have increased the personal income tax for the sole purpose of reducing real estate taxes for funding education, and he voted against it, and he said it was a tax increase. It was a tax increase then, Madam President, it is a major tax increase tonight, and it is important that we do have open discussion and open dialogue. If it has to take place tomorrow afternoon or tomorrow morning, or Wednesday, so be it. That is in fact what should take place, but we should do the right thing for the people of Pennsylvania.

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

Senator LOGAN. Madam President, a number of times the Majority Leader referenced my bill, which is Senate Bill No. 717 in the Regular Session, and in the Special Session it is Senate Bill No. 23. I am happy to stand and talk about the bill, and I am happy to stand to answer any questions the Majority Leader or any Member of his party has on the bill, because I am proud to stand up for 117,000 Pennsylvanians who signed a petition in support of the bill. I am proud to stand up to talk about the bill in support of numerous local governments, which this bill impacts, that passed resolutions in support of the bill, school boards that passed resolutions in support of the bill, and counties that passed resolutions in support of the bill. I am proud to have Democrats support the bill, and I am proud to have people like Senator Orie, Senator Pippy, and Senator Don White support the bill. One hundred seventeen thousand people signed a petition in support of this bill.

I remember just a few weeks ago we had that many people sign a petition about the pay raise, and, boom, that went overnight. The key component, now I know where the Majority Leader is going with it, that my bill is a tax increase also, and it absolutely is, Madam President, it absolutely is a tax increase. But do you know the main difference between my bill and Senate Bill No. 30? The main difference why I have local governments supporting it, the main difference why I have counties supporting it, the main difference why I have school boards supporting it, the main difference why I have 117,000 Pennsylvanians sign a petition in support of it is because it eliminates property taxes. It is not some magical dust that does some hocus-pocus like Senate Bill No. 30 that gives you a reduction. That is what Senate Bill No. 30 is, it is a reduction in your property taxes, and people do not want that. They know the difference. Senate Bill No. 30 raises the sales tax, and let me clarify the record, because the Majority Leader is playing fast and loose with my numbers. If you review the testimony from that Special Session hearing, I

said those numbers are outdated. We have new numbers, we have new numbers from the Census Bureau and we have new numbers from the Department of Revenue, and I knew at some point somebody was going to misconstrue my words, so I handed out a nice flow chart that showed the old bill and showed the new bill. I know the Majority Leader received it, and I said, through the process, and I was guaranteed that we would be debating these bills in an open format, and that has not happened, that I did not immediately have to rush in to introduce a new bill, to get new numbers and to confuse people. The Majority Leader is playing fast and loose when he said it is a 1-percent increase in the PIT and a 2-percent increase in the sales tax. That is absolutely wrong.

Senate Bill No. 30 raises the sales tax 1 percent. It raises your personal income tax .43 percent, and through some cockamamie formula, it raises your earned income tax at your school district level anywhere from .5 percent to 2.5 percent. That is where they get the \$2.6 billion tax increase, and it roughly reduces your property taxes by about 30 percent, 35 percent of just your school district portion of your property tax. That is your reduction versus my elimination. Now, let us compare those two plans. My proposal, the S.T.O.P. plan, has a constitutional change. So once the voters go in, if they choose to eliminate the property tax, that property taxes cannot be levied on primary residences, it changes it, and the property tax cannot be collected. People are smart enough to know if you are reducing property taxes, regardless of what they say, it is coming back someday. This bill changes the Constitution so on your primary residence they can no longer levy the property tax. It eliminates the property tax for all three sources. Yes, it does use gaming dollars, but I believe we dealt with some amendment over there that when gaming dollars start rolling in, we are going to be using gaming dollars for Senate Bill No. 30. Gaming dollars, it is going to happen at some point. When it happens, let us reduce or eliminate people's property taxes. My plan does have an increase in the PIT. It is 1 percent, but it is not a 2-percent increase in the sales tax. For the Majority Leader's information, it is a .2-percent increase in the sales tax. It is a big difference from a 2 percent to a .2 percent.

Now I see their staffers scurrying over to the computer, and they are going to say no, no, Senator Logan is misrepresenting, he is lying, he is lying, but again, please refer to the chart that I handed out in the Special Session hearing. I said we have new numbers from the Census Bureau, we have new numbers from the Department of Revenue, so it is not a 2-percent, it is a .2-percent increase.

Now, the Majority Leader is going to say it is a \$5 billion, \$6 billion, \$7 billion, whatever he is going to come up with, tax increase. Yes, it is, but the main difference is it changes the State Constitution so that our local governments, our counties, and our school districts cannot levy the property tax anymore, and it eliminates the property tax. It does not reduce it by 30 percent. That is the main difference between our two plans.

Now, I will be happy to take questions from the Majority Leader, their staff people who are scurrying to their computers, or any of the Members of the Republican Party on the other side of the aisle. I have answered a ton of questions from the media on this plan. I answered a ton of questions from the constituents and taxpayers in the Commonwealth of Pennsylvania, but let us

not mislead people here, and that is what the Majority Leader is trying to do, mislead people on my plan. My plan is very straightforward, and it is the only plan, at least I think it is the only plan, in the General Assembly today that eliminates property taxes, eliminates the key component. It just does not reduce it, as Senate Bill No. 30 does.

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

Senator BRIGHTBILL. Madam President, would the gentleman outline again the taxes that would be increased as a result of what he says is his bill as he would amend it?

Senator LOGAN. Madam President, absolutely. A 1-percent increase in the personal income tax and a .205-percent increase in the sales tax, and then gaming dollars. As I said in the Special Session hearing when I testified, which was a joke, because obviously, they are not really taking it seriously, because we are going to run one bill, take it or leave it.

Senator BRIGHTBILL. Madam President, point of order.

Senator LOGAN. I would be happy, as I said, if we could marry some of the proposals. I am not saying this has to be the end result. We can marry some proposals, but people do not want a gimmick, and that is what we are giving them with Senate Bill No. 30, we are giving them a gimmick. I am not a big proponent of Act 72. I supported it, but I think it is a Band-Aid. So many Members on this side of the aisle complained about Act 72, saying, oh, my God, just a 30-percent reduction in property taxes, that is a gimmick. Now we are raising \$2.6 billion worth of taxes, and you are only going to get about a 30-percent reduction in your property taxes. I would rather wait until gaming comes into play. At least we are not raising any taxes there. Yes, it is unfortunate, some people go into a gaming parlor and lose money, but they are going to gamble anyhow. They are gambling in other States. People are leaving the State and taking their entertainment dollars elsewhere. So if we are going to raise people's taxes \$2.6 billion just to reduce it by 30 percent, let us just do Act 72 and wait.

POINT OF ORDER

Senator BRIGHTBILL. Madam President, point of order.

The PRESIDENT. The gentleman will state his point.

Senator BRIGHTBILL. Madam President, the gentleman referred to it as entertainment dollars. I refer to them as addiction dollars.

The PRESIDENT. That is matter for debate.

The Chair recognizes the gentleman from Lebanon, Senator Brightbill.

Senator BRIGHTBILL. Madam President, it is interesting listening to Senator Logan, and honestly, when I mentioned his bill, I did not intend to impugn the bill, just merely to mention that he also raises taxes to accomplish something in tax reform, which is what Senate Bill No. 30 does. Now, if you listen to the gentleman's comments, he references his as a statesman-like effort and ours as a gimmick. We did not do that, I remind the gentleman from Allegheny. We at least gave him credit. In fact, some Republicans got on the bill and thought that it is something that ought to get public exposure, and I applaud the gentleman for doing that. The fact that the bill did not get moved out of

committee does not mean that the bill did not get considered, and it certainly does not mean that it was not a viable set of ideas, and it does not mean that some of the ideas in that bill are not going to be considered in a final product. The important thing here, Madam President, is that what the public sees, beginning with Senator O'Pake's comments, is that this is wrangling, and they do not want us wrangling, they want us working this out, and we are going to try to work this out. We are going to have a committee meeting tomorrow, and we are going to put bills out. We are going to see what we can accomplish tomorrow, and I invite the gentleman from Allegheny to participate in that process.

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

Senator WOZNIAK. Madam President, very quickly, I guess when you get angry, Dear Abby says to count 1, 2, 3, 4, 5, 6, 7, 8, 9, 10. Everybody take a deep breath.

The Kumbayah part of this is over. Obviously, last week we moved some legislation through that we felt was—I do not want to use the word "railroaded", I think the Majority Leader wanted to put something on the table to begin. My concern is that as we begin this process, and one thing I have learned in politics is to never, ever, ever, ever put somebody in a political corner. The gamesmanship we are playing here is painting these two Caucuses into opposing corners. I do not know what the House is doing. They debated on an issue today that I think is going to fail, which leaves that wide open as to what the House is doing. It would be my recommendation, and of course I am not the Majority Leader, we do not have to rush this bill through tomorrow. When we originally started this thing, we talked about having roundtable discussions with the committee that was created. We did not have those roundtable discussions. What we can have is a series of hearings and people explaining their particular proposals. I would like to see us slow this bill down. There is no reason for us to try to rush it through, because I do not think the House has anything either. My concern is not for the Democratic proposals, it is not for the Republican proposals, it is for making the people understand that we are attempting to restructure taxes in Pennsylvania. Right now, they do not trust us, and right now what they are watching is a bunch of guys throwing rocks at each other, and maybe we ought to just take this hot boiling cup of tea, pour it into the saucer of the Senate, and cool down a little bit.

My recommendations are to hang tight. Let us not run this bill tomorrow, but let the Majority Leader be King Arthur and have his round table. Let us have open discussions, so that when we bring something to the floor of this Senate, it is not the old Buffalo Springfield song, "Hooray for our Side," it is, what did we do together to change Pennsylvania's tax structure that is going to benefit everybody? We have to work on language that deals with renters, because under this proposal there is a double whammy against them. The people who own property continue to pay property taxes, and the renters will pay an income tax and a sales tax, so there are a lot of problems with this legislation as it stands now. Can it be corrected? Absolutely. We have the choice to do it on a level that is not going to be haranguing and forcing political sides and uncomfortable feelings between the moderates, conservatives, and liberals to do it correctly. My recommendation, simple as it might be, is just hang ten on this bill, sit down and have that roundtable discussion, and let us see if we

cannot come up with a package that is close enough that the House can take a look at it. Of course, they will have to have at it a little bit, and they will need to tweak it, too. It is going to come back here. We will not like what the House did, it will end up in a conference committee report, and I do not see this being done before Christmas. There is no rush. The people of Pennsylvania have waited over 30 years for tax restructuring, and right here on this floor we have seen why it is so complex. Everybody is trying to posture themselves politically, and Joe and Mary Pffuffina, who are out there waiting for us to do something, are scratching their heads wondering, why do they just fight all the time? Can they not come to a consensus and a compromise, and why does everything have to be one-upmanship? I, for one, am fed up with it, and I think the people listening to me now are, too.

The PRESIDENT. The Chair recognizes the gentlewoman from Montgomery, Senator Connie Williams.

Senator C. WILLIAMS. Madam President, I was happy to hear my colleague's remarks, and as a female voice in this, he was talking about tea, and I believe it was Eleanor Roosevelt who said that a woman is like a tea bag, you never know how strong she is until you stick her in hot water. Well, I do not think we are yet in hot water, Madam President, but I do know that I have been disappointed with this process. I was very eagerly anticipating the opportunity to have a full-blown discussion in our Committee on Legislation on the bills that we heard about. Last Wednesday when we voted out some of the bills, I was disappointed, and a number of us wanted to have a few hours of discussion in a working session, which was dismissed, and also the fact that we were not going to discuss or vote out any of the other bills. There were a certain set of bills that were voted out. Today, Madam President, it is 7:30 at night. We had all day. We could have had a discussion this afternoon, we could have had a discussion at noon, at 1 o'clock, at 2 o'clock when we were supposed to be called into Session. Madam President, we could have started to talk about this and try to figure out what is best for each of our districts and what, in the end, is going to be the best for this Commonwealth on property tax reform.

I have a lot of senior citizens who are getting crushed by their rising property taxes. I have communities where raising EIT and PIT are four-letter words, but we need to do something. We cannot continue to fund our schools on property taxes. We need to find a good solution, Madam President, and before my colleagues from across the aisle ask me what I would suggest, I do not know yet because I think there are some things that are good in every one, but I need to talk and find out what the ramifications are, what the model is. On Senate Bills No. 13 or 14, if we put some in with the ideas that were presented by the Governor and by some of our other colleagues, if we combined that with something from Senator Logan, what would the matrix show us, and what would the model show us as to what is going to be a really important, significant bill? We were told we would have a chance to consider it, but we did not have a chance to consider anything. We had a chance to listen, and that is very good, but we really did not totally have a chance to consider it.

I think we are off to a good start, Madam President, but as the Patriot-News said today, the bills from the House and the Senate are not ready for prime time. So I think tonight what I would like to do is just to welcome everybody to Monday Night Live and

the Not Ready For Prime Time Players, and this legislation is not yet ready for prime time.

Thank you, Madam President.

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

Senator BRIGHTBILL. Madam President, would the gentlewoman stand for interrogation?

The PRESIDENT. Would the gentlewoman please stand for interrogation? She indicates she will.

Senator BRIGHTBILL. Madam President, would the gentlewoman indicate whether my review of the record is correct, that she is a sponsor of Senate Bill No. 17?

Senator C. WILLIAMS. Madam President, yes, I sponsored a lot of them because I thought a lot of them had very good potential and I put my name on a number of bills because I wanted to show that I was willing to consider many alternatives and many suggestions, and that is why I did it. They were both Republican and Democratic bills, Madam President.

Senator BRIGHTBILL. Madam President, would the gentlewoman indicate whether the purpose of the bill is to impose taxes on earned income, net profits, and personal income for the purpose of reducing real property taxes?

Senator C. WILLIAMS. Excuse me, Madam President?

Senator BRIGHTBILL. Madam President, would the gentlewoman indicate whether Senate Bill No. 17, which she sponsored, is to impose taxes on earned income, net profits, and personal income for the purpose of reducing real property taxes?

Senator C. WILLIAMS. Madam President, the bill speaks for itself, and I just wish we had a chance in committee to have a discussion about that, not have interrogation on the floor. We could have accomplished a lot of this in broad daylight in committee, in a roundtable discussion, without being pushed off until now having a debate at 7:30 in the evening, at a time when we were not even scheduled to be in Session.

Senator BRIGHTBILL. Madam President, is that the gentlewoman's response to my interrogation?

The PRESIDENT. Yes, that is her response.

Senator BRIGHTBILL. Madam President, I thank the gentlewoman.

I will simply mention that Senate Bill No. 17, in fact, imposes taxes on earned income, net profits, and personal income for the purpose of reducing real property taxes. Now I mention that because the gentlewoman indicated in her debate that she no longer supports that, and I respect that very much.

Senator C. WILLIAMS. Madam President, I did not indicate that. I indicated that there are issues and that what we need to do is consider all the factors that are being put on the table. I am willing, as indicated by the bills that I cosponsored, to consider them all.

Thank you, Madam President.

The PRESIDENT. Senator Brightbill has the floor.

Senator BRIGHTBILL. Madam President, I will yield to my good friend from Pittsburgh.

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

Senator FERLO. Madam President, I was not aware that during this period of time we were supposed to have all this interro-

gation. It is not usually the procedure or the rules of the Senate, but if that has changed, I guess that is fine.

I am not sure what this masticatory practice is that the Majority Leader is involved in right now. Clearly, there are winners and losers on every proposal, and I, for one, live next door to Mrs. Pfuffna, and she is for the S.T.O.P. proposal because she wants to eliminate the property tax, and she knows there are going to be winners and losers. And, yes, to the Honorable Majority Leader, I am for that proposal, and there are some losers. There will be a tax shifting and an increased revenue that will be generated from other classes of taxpayers.

I think we are missing the point here today, right now, at least during this discourse, and I would have to stand up and say it is a plague on all of our houses, including my own, because I do not understand why we are squaring off. We are squaring off to some extent because it seems like the Majority Leader is heckbent on proceeding down the path where we are only given one opportunity for debate, discussion, and a vote on a very myopic proposal that the Senate Majority Leader is offering in the Special Session and will bring to fruition in the form of a vote. That is the process that I think we should be debating right now, not any one particular plan. I think all of us could go to the microphone and speak about why we favor a particular plan. I think the issue is to get off this kind of tennis game we are playing here right now and get back to whether or not we are actually going to be afforded an opportunity for intelligent debate and discussion and a vote on specific proposals. I want the right to be able to vote up or down, yes or no, on the S.T.O.P. proposal.

Respectfully, since we are going into this practice of bantering back and forth, would the Senate Majority Leader please respond to my request on that issue? Will we be given an opportunity to have a vote specifically on the merits of Senator Logan's S.T.O.P. proposal?

The PRESIDENT. Will the gentleman please respond to the question?

Senator BRIGHTBILL. Madam President, I will be happy to respond. The gentleman is a State Senator for 4 years?

Senator FERLO. Madam President, not too long.

Senator BRIGHTBILL. Madam President, he knows that I cannot deny him that right.

Senator FERLO. Madam President, deny me the right to vote--

Senator BRIGHTBILL. Madam President, the gentleman has the right to vote on any proposal. The proposal will ultimately result in moving a bill from this Chamber to the House. That is always an open process. He can offer amendments, and if he wants to vote on anything, he can offer the amendment and then we will take a vote in here, and he knows that. I know that the gentleman is relatively new, but the gentleman has been around long enough to know that is the process. I cannot deny him that.

The PRESIDENT. Would the gentleman care to offer an amendment?

Senator FERLO. Madam President, let us be clear on what words we are playing with here. I am asking, with all due respect to the Majority Leader, for the right to specifically debate and vote explicitly on the S.T.O.P. measure, not amendments to the amendments to the amendments to the amendments. That does not mean anything, and everybody knows that.

Senator BRIGHTBILL. Madam President, I think if the gentleman goes to his floor leader, he will explain it to him. Senator Mellow knows how to do it.

Senator FERLO. I did not just fall out of a tree, Madam President. I know what the process is.

The PRESIDENT. I understand that, Senator Ferlo.

Senator FERLO. Madam President, I think that is disingenuous, because what is clearly happening here--

The PRESIDENT. I apologize, Senator.

Senator FERLO. --is that there is a steamrolling effect explicitly for a specific agenda. It has been characterized as a \$2 billion-plus tax increase. I did not call it that, because there are winners and losers in every proposal. I am asking for the right, before we leave Session today or tomorrow, for the ability to debate and discuss and vote on the merits and the legislation known as the Stop Taxing Our Property proposal.

Senator BRIGHTBILL. There is a process here, Madam President, and the gentleman knows the process. We do not just hold things up and say, what do you think?

Senator FERLO. Madam President, I believe there was a motion made in the earlier committee session to move every one of the respective proposals and bills, but I do not believe that saw the light of day, with all due respect to the Honorable Majority Leader, so let us at least be truthful at the podium here today.

Senator BRIGHTBILL. Madam President, perhaps I should explain it to the people who are watching, and I would note that it is 7:30, and while the gentleman or the gentlewoman would reference it as late, it is actually a good time for the people at home to be watching because they were at their jobs during the day. I would also note that the Republican Caucus, the Members of the Republican Caucus, our leadership and our Members, have been in discussion on these issues all day. This is not something that we have not discussed and have not had a lot of discussion about.

For the information of the people who are watching, when a bill is put on the Calendar that deals with an area of legislation, any Member of this Senate can get up and offer an amendment to that bill. We have an open process. We have on our Calendar today, for example, what are called Title 18 bills. Title 18 bills deal with Crimes and Offenses. If I am not happy as a Member with the chairman moving my bill on Title 18 issues, when a Title 18 bill comes to the floor, I can offer that amendment, and it is part of our process. We call it opening the bill, opening the issue, that kind of thing, in terms of our jargon. But there is no way in this process with tax reform in the Special Session that I can foreclose the gentleman at this point.

Now, I note that once we move a bill to the House and the House then does something with it, it can come back on conference, and when it is on conference, it is more difficult to amend because you need a majority of the people in your Chamber to agree with you to make the amendment. And sometimes people will say they like the amendment but they do not always want to open the bill again and offer the amendment and agree to it. The gentleman knows this, and I cannot understand why he is asking these questions, but he asked the question, so I will give what I think is a complete answer.

Senator FERLO. In all due respect, Madam President, I will close, because this is clearly a disingenuous discourse here. The

fact of the matter is, with all due respect to the Honorable Majority Leader, there is a Special Session that has been in place. Even at that level of Special Session, it has been clear that various proposals will not be able to be discussed, voted on, and moved to the Senate floor for an actual vote. We are not talking about a bill being germane and able to discuss and amend it. That is not what the people of Pennsylvania are asking us for. They are asking for us to have the ability to vote up or down various proposals. Each one has strengths and weaknesses, each one has its merits, each one has winners and losers. We are all saying that, we are not naive to that. I just want to be afforded an opportunity to vote on the Stop Taxing Our Property proposal, and it is clear from the discussion by the Senate Majority Leader that, in fact, we will not have that open ability and discussion, and, in fact, he will steamroll away with his myopic proposal and view, as announced earlier by my colleague, Senator Mellow. Let us try not to fool people, please.

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

Senator MELLOW. Madam President, just for a little point of clarification, so that if people are watching this program on PCN--and quite frankly, if I were home, I would rather watch what is taking place on Monday night with the NFL at this hour on ABC, I would not be watching PCN to see sausage being made here tonight--I would just like to point out a few things for clarification, that there are many ways in which a Member on the floor of this Chamber could be deprived of offering an amendment, and every one of those has been utilized by both parties when they have been in the Majority, although we have not had the opportunity to do it as much as the Republican Party has.

Madam President, there is a procedure that is called move the previous question that has been moved on more than one occasion on the floor of this body, including, within my most recent memory was when we had a gaming clean-up proposal, there was a movement of the previous question, which cuts off debate. When you move the previous question, that means there is no opportunity whatsoever to offer an amendment. If the Majority Party wanted to report a bill out of committee from either the Committee on Appropriations or the Special Session Committee on Legislation tomorrow, they could amend that bill in committee, change the printer's number, report it to the floor of the Senate tomorrow, and since there would not be enough time for an amendment to be drafted to the new printer's number, there would be no opportunity for the Member to offer an amendment to that particular proposal.

Madam President, we had the opportunity within the past year or so when there was a proposal on the floor by one of my Republican colleagues on medical malpractice, a constitutional amendment on caps on medical malpractice. On that particular proposal--

Madam President, I will talk when people are prepared to pay attention.

The PRESIDENT. Will the Senate please come to order. You may commence.

Senator MELLOW. Madam President, this is a very, very important issue, and I believe if there are going to be sidebar conversations, they should take place in some other place of the Senate.

I started to talk about the constitutional amendment on medical malpractice that was considered on the floor to establish caps on medical malpractice. In that same amendment, which could have taken place, there was an amendment that was offered to amend the Constitution for the S.T.O.P. proposal. It was offered by Senator Logan. Madam President, basically, on a partisan political vote, that constitutional amendment was not passed here in the Senate. So let us be upfront and clear with what we are talking about.

What has taken place in this particular venue is there has been a hijacking of a committee, and the hijacking is of the Committee on Legislation. It is a committee that is constituted by the Members of the Democratic Caucus and the Republican Caucus for the sole purpose of coming up with legislation to rewrite tax reform in dealing with property taxes in Pennsylvania. If you look at the rhetoric, and if you look at the discussion that took place on this floor after the Governor made his announcement in a Joint Session, people were falling over one another to say how this had to be a bipartisan effort, it had to be done in a nonpartisan way, there had to be communication where all 50 voices were heard. The same thing, Madam President, was said by individuals in front of the Committee on Legislation just several weeks ago when the first input was given by Members of sponsored proposals, that this had to be a bipartisan or nonpartisan proposal. It had to be done with input from all 50 Members for the one set purpose of doing what is right for the people of Pennsylvania, and that is giving them some meaningful form of tax reduction. A meaningful form of tax reduction when you have an available source is not to increase taxes by \$2.6 billion, and that increase not only would take place from the individual taxpayer, but also the business taxpayer who does not file as a corporation for the purpose of shifting the burden of taxes. That is not the charge that was given to us, Madam President.

The unfortunate thing is that good rhetoric that we heard did not last very long, and the hijacking of this committee that I talked about took place last Wednesday when this side of the aisle had no input into what legislation would be considered. The five bills that were reported, I think it was either four or five, some of them were good and some of them were not so good, but they all had some form of merit. Every bill that has been introduced in the Special Session has some good points and some points that are not as good. If we could sit down as a body, if we could sit down as a Committee on Legislation in Special Session with 24 Members, including the President pro tempore as the ex-officio Member, we could come up with some meaningful piece of legislation, not what we are doing here this evening. What we are doing here this evening started off because Senator O'Pake, rightfully so, stated the frustrations that Members have for what took place and what is taking place with regard to the Special Session. It is not productive, and it is not productive because of various reasons that happened last Wednesday, not because of the efforts of the chairman of the committee, who did a very, very good job initially in trying to bring this together, but unfortunately, he was hijacked, and it was taken away from him as to what would happen and how we would follow this thing through.

So let us not be misled when the statements are made that we have the opportunity to offer amendments. All too often that

opportunity is denied to the Members in the Minority on the floor of the Senate to offer amendments through various types of parliamentary procedures that people who are watching PCN tonight would not understand, because they are not aware of what the parliamentary moves are in the Senate. If they had the opportunity to listen, if they had the opportunity to read the rules by which we are governed, they would know what those parliamentary moves are.

Madam President, what is so concerning to me is all too often one thing is said here in the Chamber and another thing is said back in the district on the same issue, and never do the two ends meet, because a completely different thing is said here than what is said back in the districts which the individual Members represent, so all we have to do is refocus. Let us get it back to where it belongs. Let us talk about the issue and the importance of the issue. It has been many, many, many years since this has been an issue in State government. Somebody said it has been 30 years, I think it has been more like 70 years since the reliance of property taxes to fund public education has been a legislative concern. We are now getting to the point where action must be taken, but it must be taken by all Members of this Senate, so that we are all on the same page representing the some 250,000 people whom each one of us has been elected by to represent them in Harrisburg and not being hijacked by just a few people to try to get their point across. That is the point we want to talk about, that is what is so contentious on this floor, and that is the reason why for the past hour we have been talking in Petitions and Remonstrances in Regular Session about something we should be dealing with in Special Session and the Committee on Legislation, not here on the floor of the Senate, but in the committee room where Members can sit around a table, take every proposal, discuss it, and vote on that particular issue and report a solid bill to the floor of this Senate that each Member in this Chamber can support and send over to the House for their evaluation.

Thank you, Madam President.

The PRESIDENT. Would Senator Brightbill agree to a 24-Member committee meeting?

Senator MELLOW. Madam President, I did not suggest that. That would be up to the Majority Leader to do that.

Senator BRIGHTBILL. Madam President, that is an inappropriate suggestion by the Chair.

The PRESIDENT. Excuse me, I did not realize that.

Senator BRIGHTBILL. Madam President, that being said, we will take the request under advisement and discuss it with Senator Wenger. We have never, ever shied away from having an open discussion with anyone, and we will be happy to attempt to accomplish that.

I note, Madam President, that I am being criticized by the Democrats because I am moving too fast on this issue, and I am happy to accept that criticism.

REQUEST FOR RECESS

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

Senator BRIGHTBILL. Madam President, I ask for a recess of the Senate for the purpose of a meeting of the Committee on Appropriations, which will begin immediately. We will then

return to the floor for another vote.

The PRESIDENT. I think Senator Hughes is waiting to speak. Is there an objection to Senator Hughes speaking?

Senator HUGHES. Madam President, I am standing at the microphone.

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

Senator HUGHES. Madam President, would the Majority Leader stand for interrogation, please?

The PRESIDENT. Would the Majority Leader stand for interrogation?

Senator BRIGHTBILL. Madam President, happily.

Senator HUGHES. Madam President, does the Majority Leader or the Majority intend on running a bill to increase the minimum wage in tomorrow's Session?

Senator BRIGHTBILL. No, Madam President.

Senator HUGHES. Madam President, according to the calendar that was sent around, I guess by the Chief Clerk's Office, of proposed Session days for I believe December, the question I have is that I think we are scheduled to be in Session 6 days in December, and does the Majority Leader plan on moving a bill for a vote on the minimum wage on December 5?

Senator BRIGHTBILL. Madam President, I have no present intent on such a bill, period.

Senator HUGHES. Madam President, on December 6?

Senator BRIGHTBILL. Madam President, I have no present intent.

The PRESIDENT. The gentleman states that he does not plan to present the bill.

Senator HUGHES. Madam President, just for the purpose of clarity, December 5, 6, 7, 12, 13, and 14 are the days that the calendar says we are scheduled to be in Session, and we appreciate the advance notice, and tomorrow, but there is no intention by the Majority Leader to move a bill around the issue of the minimum wage, is that correct?

Senator BRIGHTBILL. Madam President, there is no bill on the Calendar, that is correct.

Senator HUGHES. Madam President, does the Majority Leader intend to use the power of his office to have a bill move through the system so that a bill can be on the Calendar for that purpose? The Majority Leader is a very powerful guy, you know. If motivated, he can do a lot of things.

Senator BRIGHTBILL. Madam President, I thank the gentleman for his compliments, but I will state that the power of my office is one of trying to build a consensus on any given issue. What I have seen on the issue of minimum wage is at this point in time there is no consensus. The gentleman from Philadelphia and others, such as the gentleman from Pittsburgh, have been strong advocates. There are others who have strong concerns. The public is weighing in on that issue. So, at this point in time, we intend to listen to the public, listen to the public debate. I have people in my district who are for it, I have people who are against it, and I have people who tell me they do not care.

So, Madam President, we are going to try to do our job on this issue and try to build a consensus as we would with any other issue. It is an important issue, and I respect that.

Senator HUGHES. Madam President, I appreciate the gentleman's respect. I just know I saw a poll that I believe, I could be

wrong, may have been done by your Caucus around the issue of minimum wage and increasing it, and I think it had over an 80-percent approval rating. I know the poll that we did in our Caucus on the minimum wage increase had over an 80-percent approval rating, and I believe nationally the polls on a minimum wage increase have over an 80-percent approval rating. So, I believe the people have spoken on the matter. Since we are the representatives of the people, I assume that the next step would be for us in this body to represent the matter. It concerns me dearly when I know people are being paid \$5.15 an hour and are making a wage \$2,000 less than the poverty level.

I know that— maybe I should not make any assumptions. Does the Majority Leader believe that it is appropriate for folks to be paid less than the poverty level?

Senator BRIGHTBILL. Madam President, I am sorry, I did not understand the gentleman's question.

Senator HUGHES. Madam President, does the Majority Leader believe it is appropriate and in order for people working 40-hour work weeks to be paid less than the Federal poverty level?

Senator BRIGHTBILL. Madam President, I am sorry, I still did not understand the question.

Senator HUGHES. Madam President, does the Majority Leader believe that it is appropriate and in order that workers working a 40-hour work week be paid less than the Federal poverty level?

Senator BRIGHTBILL. Madam President, the answer is that there may be times when that is appropriate. There are different kinds of workers and different settings, and while one does not like to see people paid less, the answer is that there may be a time. For example, somebody who is a part-time worker, somebody who is a full-time worker, or a college student, that kind of thing. In addition, I note for the gentleman, I have asked people who are advocates one very simple question: Does anybody in my district, the 48th Senatorial District, still work for minimum wage? The best evidence I have when I talk to people who do the hiring is that they cannot hire competent employees at higher wages, let alone the minimum wage. When I go out and talk to people who do the hiring, there is nobody telling me that they are cleaning up by hiring minimum-wage employees. What they are telling me is that they are having a very, very difficult time hiring people and finding people who will come to work 2 days in a row, and that they are very, very challenged in terms of paying those people, because many of them like to pay health care benefits, and their health care benefits are skyrocketing, which I consider to be a far larger problem to our community than the problem of minimum wage. If I thought I could solve this with a vote, it would make it something that would be very easy, but there are a lot of things up here in Harrisburg that we cannot solve with a vote, and a lot of those things come out of the economic system.

So, as I said, Madam President, we are happy to take that into consideration and listen to the issue and listen to the points. The gentleman is trying to embarrass me and put me on the spot. That is okay, he gets paid to do that. That is fine, I accept that.

Senator HUGHES. With all due respect, Madam President--

Senator BRIGHTBILL. Madam President, he is interrupting. I said the bill is being considered. It is being looked at by our chairman, and it is being looked at by our staff. Every one of us,

when we go out, you know, we talk to people about these issues. We do not just sit here, we go out in the community and people walk up and they say, hey, Chip, what is going on with the minimum wage? I ask, what do you think? Then they give me an opinion. Then I ask the question, well, do you know anybody who is making minimum wage? Nobody does. What is your biggest problem as an employer? Hiring people. I cannot get people now. Why not? Because I cannot afford to pay what the market in our community pays. That is the kind of work that we do, and that is what is going on out there.

Senator HUGHES. Madam President, with all due respect to the Majority Leader, I was not trying to embarrass him or anyone. That was not my intent. My intent was to find out what the game plan of action is on this legislation, especially--

Senator BRIGHTBILL. I told him--

Senator HUGHES. I am not finished, Madam President, especially since the Governor of our State, the great Commonwealth of Pennsylvania, said in September, I believe at a labor rally in western Pennsylvania, a number of my colleagues were there and I watched it on PCN, that he wanted to have this done by Christmas. He wanted to have this matter taken care of by the end of the year. So consequently, it would be helpful to me and the thousands of constituents whom I represent and the thousands of constituents whom the gentleman represents to know if this matter is being taken care of. I know, and I am sure the Majority Leader knows, that there are people who work at minimum wage or slightly above, \$5.50 an hour, \$5.55 an hour, \$5.60 an hour, who would love to be making a few more dollars to help them deal with survival. I know the majority, and State Department of Labor statistics will prove this, and I know that your researchers have found this information, I am sure, that the majority of minimum-wage workers and low-income workers in this State are heads of households. They are not teenagers or college students, or anything of that nature.

But on another matter, another question for the leader, does the gentleman plan or intend to have a vote on any additional appropriations for the LIHEAP program, either tomorrow or any other scheduled days for the rest of the year?

Senator BRIGHTBILL. Madam President, before I answer that question, the gentleman referenced the Governor. Is that the same Governor who wanted a 3.75 percent PIT in order to support tax reform? Is that the Governor about whom he is talking?

Senator HUGHES. Madam President, I am talking about Governor Rendell, who is my Governor and your Governor, also.

The PRESIDENT. We are covering too many subjects.

Senator BRIGHTBILL. Madam President, the Governor, I remember, supported a 3.75 personal income tax to support tax reform, and that was his plan right out of the box.

On the LIHEAP question, I will just advise the gentleman to stay tuned, we are looking at that, too.

Senator HUGHES. Madam President, okay, that is good news.

The PRESIDENT. There will not be a bill discussed in December of 2005, as the Senate Majority Leader stated, concerning the minimum wage. Can we get on to the next subject?

Senator HUGHES. Madam President, I am currently on this subject, and I do not want to leave this subject right now. I do not want to leave the subject of dealing with the issue of minimum wage, dealing with the issue of the million or some-odd people

who have no health insurance in this State, and I do not want to leave the issue of the LIHEAP program. It is good to know that I should stay tuned, that there is something coming down the pike on LIHEAP. I am very happy to hear that, and I think that bodes well for a lot of folks. I am going to suggest that Members open up their new gas bills that they are just receiving, and they will see clearly why they need to do something for LIHEAP, so I appreciate that. But, Madam President, I think it is important in the 7 remaining days that we have on the legislative Calendar for this year, that issues around LIHEAP, issues around help for the uninsured, issues around the minimum wage do not get lost out in the sunlight somewhere or lost in the driven snow that will be coming in the winter months, in December, and that a commitment be made that those issues get addressed right now, right now, not later, not sometime pie in the sky, but right now. If you are making \$5.15 an hour, you are making barely \$10,000 a year, and you are making \$2,000 less than the Federal poverty level, and that is unacceptable as leaders of the economic drivers of this world that we live in a State where people are making less than the Federal poverty level.

Do people understand what it means to live making less than the poverty level? I think certain Members have forgotten, and hopefully none of us have ever had to live at that level, but I think people have lost sight of what it means to make less than the Federal poverty level. That is poor. That is not what we stand for as a State or a nation. That is not right, and if we continue down this process, well maybe we will deal with it, maybe we will get to it, and maybe someday soon, some day in the future, after we research and we study and we analyze and we think about it and we discuss the issue, and maybe, maybe, maybe we will deal with it. That is unacceptable. You could not survive without minimum wage workers. You could not get your clothes cleaned or eat your food or have your food served to you or get your shoes shined, or whatever it is you do, you could not survive without them, yet we want to take our time and research and analyze the bill. Maybe we will get on with it, maybe, maybe, maybe. Make \$5.15 an hour, work a 40-hour work week, find out how much money that is, find out what it is like to live at that level. Maybe you cannot find folks making minimum wage. Well, try \$6.00 an hour. Lord God, we are in the money now, \$6.00 an hour. Think about it. Think about what that means.

Think about what is right and what is just. We sure took care of our political behinds a week ago when it was on us. Now we have a chance to do something for the people of this Commonwealth like the States around Pennsylvania have done. Every State around Pennsylvania has taken action, but we just want to research, analyze, study, think, discourse, plot, and plan while the rest of this country is moving forward and we are sitting on our political behinds and not moving at all. Madam President, it is not right, it is not right. There are only 7 days left. Shoot, we could stay here today and do something today. Let us be bold, let us be leaders, let us be people who are concerned and care about our people. Let us take action now, let us do something for one of our Members, one of our Members, Senator Tartaglione, who is getting ready to go in for surgery tomorrow, getting ready to go in for serious surgery tomorrow, who has been fighting for the minimum wage, battling for her entire career for increasing the minimum wage. Why not do a service to her and say something

to her, and say in honor of her, as you go through your issues, we are going to move this issue, so when she comes out of surgery and out of the hospital, something is going to be there standing for her as a mark on her legislative career. If we cannot do it for the people who deserve the money, maybe we can do it for one of our Members, maybe. Why not? That is a good thing to do. Why not?

Minimum-wage workers are working every day. They cannot afford health insurance, they cannot afford the increases in their energy bills, they can barely pay their rent, they can hardly afford high-quality child care, but we just want to take our time and analyze and think and discourse, when every Caucus has polled on this issue, the Governor's Office has polled on this issue, the national people have polled on this issue, and it is 80 percent and going out the roof, over 80 percent, but we want to think about it, we want to think about it, we want to think about it.

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

Senator MELLOW. Madam President, I thought that my words tonight on the floor of the Senate would have concluded with the remarks that I gave before with regard to how this committee had been hijacked and how it was important for us to get back to the work of the Committee on Legislation under the direction of Senator Wenger to try to bring all programs together. Then in interrogation by the Majority Leader, he interrogated Senator Hughes and questioned him about the suggested increase of the personal income tax by Governor Rendell to 3.75 percent. That basically was back in 2003. Madam President, that information, I assume, that was given by Senator Brightbill comes from PA GOP, which is the Republican State Committee of Pennsylvania and their Web site. What they say on their Web site is this: "Governor Tax. Governor Ed Rendell wants to raise your taxes. In fact, if he had his way, Pennsylvania residents would be paying this much more in personal income taxes, right now," and what they show, if you go to the Web site, you will see it is calculated from July of 2003 to the current date, and the current time, as of 8 o'clock, which was just 5 minutes ago, it said that if Governor Rendell was able to raise your taxes to 3.75 percent, that the people of Pennsylvania would have by now paid in \$4.4 billion more in extra tax money. It says in a subsequent paragraph, "Despite his repeated claims to the contrary, the facts show that Governor Rendell is cut from the same tax-and-spend cloth as most Democrats. This page will be an ongoing testimony to his push for higher taxes."

I just wonder now if they are going to change that Web site after Senate Bill No. 30 is passed and talk about the fact that Senate Bill No. 30, under the sponsorship I believe of the Republican Leader of the Senate, is cut of the same tax-and-spend cloth as most Democrats, because the same way Governor Rendell wanted to increase the tax to 3.75 percent and then use that money to reduce property taxes, the Republican State Committee took a very strong exception to that, showing the amount of money being raised on a second-by-second basis if that tax increase took place. I wonder what they are now going to say about the \$2.6 billion tax increase that is being offered under Senate Bill No. 30, under the direction of the Republican Leader of the Senate.

Madam President, I am not standing here to accuse Senator Brightbill of anything, because I fully believe that he wants to try to resolve the problem of tax reform. What I am saying is that it is a misguided way of trying to do it. We should not be looking at increasing revenues for the purpose of shifting taxes, charging people more money so some people may get a tax break and other people may not get a tax break, because if you go through the calculation, you will find that in many school districts in Pennsylvania, if you take his 1-percent increase in sales tax, his .43-percent increase in the personal income tax, and combine what that will cost an individual in certain school districts with the median income, and then apply that to the tax reduction, you will find that they are going to pay more in his tax proposal than they will get in a reduction of their property taxes. If you take that same individual and you take the kind of reduction they would get under the gaming money, which I think Senator Brightbill refers to as addiction money, and I do not really look at it as addiction money, I think people have the opportunity to decide for themselves what they want to do. Everything is an addiction. What we have done here for the past hour-and-a-half might be a political addiction. It depends on what floats your boat as to what an addiction might be. That being the case, if we take the addiction money that Senator Brightbill has talked about, those same families whom I am talking about, without any increase in taxes, would have a greater property tax reduction and it would not cost them anything, and it would not be any kind of a tax increase.

So, I think it would be very enlightening for those who are listening on PCN to go to the Republican Web site, PA GOP, the Pennsylvania GOP, and look to see exactly what the Republican Party is currently accusing Governor Rendell of, raising their taxes, and maybe substitute what would happen under Senate Bill No. 30, because what Governor Rendell said will pale in comparison to what Senate Bill No. 30 will cost the people of Pennsylvania.

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

Senator BRIGHTBILL. Madam President, I do appreciate the gentleman's referencing the Republican State Committee's Web site. I will look at it as soon as I get a chance.

RECESS

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

Senator BRIGHTBILL. At this point, Madam President, I ask for a recess of the Senate for the purpose of a meeting of the Committee on Appropriations. Judging from how long it took us to get through Petitions and Remonstrances, we will be back as soon as possible.

The PRESIDENT. For a meeting of the Committee on Appropriations, without objection, the Senate will stand in recess.

AFTER RECESS

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

BILL REPORTED FROM COMMITTEE

Senator THOMPSON, from the Committee on Appropriations, reported the following bill:

HB 2082 (Pr. No. 3152) (Amended) (Rereported)

An Act establishing spending limitations on the Commonwealth; providing for the disposition of surplus funds; and making a repeal of provisions in The Fiscal Code relating to the funding of a stabilization reserve.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

**BILL REREPORTED FROM COMMITTEE AS
AMENDED ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 2082 (Pr. No. 3152) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing spending limitations on the Commonwealth; providing for the disposition of surplus funds; and making a repeal of provisions in The Fiscal Code relating to the funding of a stabilization reserve.

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-31

Armstrong	Fontana	Pippy	Tomlinson
Boscola	Gordner	Punt	Vance
Brightbill	Greenleaf	Rafferty	Waugh
Browne	Jubelirer	Regola	Wenger
Conti	Madigan	Rhoades	White, Donald
Corman	Orie	Robbins	White, Mary Jo
Earl	Piccola	Scarnati	Wonderling
Erickson	Pileggi	Thompson	

NAY-18

Costa	Kitchen	O'Pake	Williams, Anthony H.
Ferlo	LaValle	Stack	Williams, Constance
Fumo	Logan	Stout	Wozniak
Hughes	Mellow	Tartaglione	
Kasunic	Musto	Washington	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, NOVEMBER 22, 2005

Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 995 and House Bill No. 163)	Rules Com. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINA- TIONS (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 Tuesday, November 22, 2005, at 11 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate adjourned at 8:32 p.m., Eastern Standard Time.