

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, DECEMBER 5, 2005

SESSION OF 2005 189TH OF THE GENERAL ASSEMBLY

No. 71

SENATE

MONDAY, December 5, 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:

O God, our Father, You are the King of kings and the Lord of lords, the wonderful counselor, the mighty judge, the everlasting Father, the Prince of Peace. We come to You excited today about the possibilities and encouraged by the hope this season brings to us. We are here today to shine for You, Lord. Your purpose and Your plans have made this day come to pass, and so with humble hearts we offer to You our lives once again. Use us as You see fit.

Continue to bless our nation, so that we can stay the course of being a nation that blesses others. We lift to You all our men and women who are serving and who have served in every branch of the military in our country, and especially we lift up to You, Lord, those who are in harm's way today.

We offer to You our special requests, a prayer for our President, our Governor, our Lieutenant Governor, Senators and Representatives, all the leaders of our State of Pennsylvania and our national government. Raise us up to the challenge of the position You have called us to today. Be with us now and always, so that we might stand strong as a mighty nation set on a hilltop, shining the light of the world, Your light, the light of hope, salvation, and peace.

We bring this prayer to Your throne, Lord, not in our power but by the power of Your son, Jesus Christ, in whom we pray. 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 22, 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 COSMETOLOGY**

November 22, 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, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Karen Donovan, West Chester, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

November 22, 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 Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-3-02, to serve until the first Monday of January 2006, vice Helen B. Shulenberg, deceased.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

November 22, 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, Duane Quinn, 509 Stonehouse Road, Clarion 16214, Clarion County, Twenty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Clarion, Magisterial District 18-3-01, to serve until the first Monday of January 2006, vice Anthony A. Lapinto, deceased.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE**

December 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, Stephanie Moore, (Public Member), 40 Red Barberry Drive, Ethers 17319, York County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Barbara Pinker, Reading, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE
HARNESS RACING COMMISSION**

December 2, 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, Arthur E. Manuel, 410 Lillibridge Street, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice C. Edward Rogers, Jr., Mechanicsburg, whose term expired.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATIONS
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:

MAGISTERIAL DISTRICT JUDGE

November 22, 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 July 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Ethers 17319, York County, Fifteenth Senatorial District, as

Magisterial District Judge, in and for the County of Clarion, Magisterial District 18-3-01, to serve until the first Monday of January 2006, vice Anthony A. Lapinto, deceased.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

December 2, 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, (Public Member), 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Duska, Villanova, whose term expired.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

December 2, 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 July 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice John Berrier, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

December 2, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice L. Jack Bradt, Easton, resigned.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Oleta Amsler, Clarion, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CONSTABLES'
EDUCATION AND TRAINING BOARD

December 2, 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 Constables' Education and Training Board, to serve for a term of three years and until his successor is appointed and qualified, vice The Honorable James E. Russo, Leetsdale, deceased.

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

EDWARD G. RENDELL
Governor

CONTROLLER, CHESTER COUNTY

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as Controller, in and for the County of Chester, to serve until the first Monday of January 2006, vice Carol T. Aichele, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CORONERS'
EDUCATION BOARD

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified, vice Isidore Mihalakis, M.D., Bethlehem, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

December 2, 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 8, 2005, for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Deborah Clark, Harrisburg, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

December 2, 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 Nora Peterman, (Public Member), 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michele Hansarick, Camp Hill, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF DENTISTRY

December 2, 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 August 2, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF EDUCATION

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Education, to serve until October 1, 2010, or until his successor is appointed and qualified, vice The Honorable Sam E. Hayes, Jr., Warriors Mark, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Rachel Rentschler, Hamburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Annabelle Good, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Margaret Breitenstein Papadopoulos, Chincoteague, Virginia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HARRISBURG STATE HOSPITAL

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert Hafer, Harrisburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HARRISBURG STATE HOSPITAL

December 2, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Raymond C. Braun, Jr., Camp Hill, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2007, and until his successor is appointed and qualified, vice Ronald S. Mintz, Esquire, Horsham, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
CARBON COUNTY

December 2, 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 Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Carbon County, to serve until the first Monday of January 2006, vice The Honorable Richard W. Webb, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LANCASTER COUNTY

December 2, 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 August 2, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of

Lancaster County, to serve until the first Monday of January 2006, vice Lawrence F. Stengel, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

December 2, 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 2, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2006, vice The Honorable Alfred J. DiBona, Jr., mandatory retirement.

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

EDWARD G. RENDELL
Governor

JUDGE, TRAFFIC COURT OF PHILADELPHIA

December 2, 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 16, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Judge of the Traffic Court of Philadelphia County, to serve until the first Monday of January 2006, vice The Honorable Joseph A. Howlett, deceased.

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

EDWARD G. RENDELL
Governor

JUDGE, TRAFFIC COURT OF PHILADELPHIA

December 2, 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 16, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Traffic Court of Philadelphia County, to serve until the first Monday of January 2008, vice The Honorable Francis E. Kelly, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF MAYVIEW STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Frances Cohen-Knoerdel, Venetia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF MAYVIEW STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Dale M. Miller, Bridgeville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve until November 12, 2005, and until her successor is appointed and qualified, vice Ed Connor, Petersburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

December 2, 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 August 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Mark H. Dambly, Media, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF NURSING

December 2, 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 6, 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 Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Richard Kerr, Philadelphia, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

December 2, 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 August 2, 2005, for the appointment of Sam Cohn, (Public Member), 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, 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 William McIlwaine, Millersville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Anastasia Valimont, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OPTOMETRY

December 2, 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 21, 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 Optometry, 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 Kurt J. Moody, O.D., Dallas, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

December 2, 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 Nora Peterman, (Public Member), 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Pharmacy, to serve until March 19, 2008, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Elizabeth A. Kroutch, Hershey, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

December 2, 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 July 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Irrgang, Murrysville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE PLANNING BOARD

December 2, 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 July 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Planning Board, to serve until June 8, 2008, and until her successor is appointed and qualified, vice Dennis Puko, Farrell, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ADVISORY
COMMITTEE ON PROBATION

December 2, 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 2, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Robert Galardy, Pittsburgh, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ADVISORY COMMITTEE
ON PROBATION

December 2, 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 August 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Lawrence Murray, Fayetteville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE

December 2, 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 12, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Allen Castor, Lansdale, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

December 2, 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 August 2, 2005, for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Psychology, to serve until November 26, 2006, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Kendra A. Pfautz, Mechanicsburg, declined appointment.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2007, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick Toole, Lewisburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES FOR
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

December 2, 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 August 8, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees for Scotland School for Veterans' Children, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice William Brantley, Ed.D., West Chester, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING

December 2, 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 Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice F. Irene Graybill, Duncannon, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
EXAMINERS IN SPEECH-LANGUAGE AND HEARING

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve until September 29, 2006, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michele Wallace, Mount Wolf, resigned.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 July 18, 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 Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dina Lomas, Bethlehem, whose term expired.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 August 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Domingo Quintero-Martinez, Carlisle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Robert Ferguson, Blairsville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Robert Seabol, Latrobe, resigned.

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

EDWARD G. RENDELL
Governor

TREASURER, JEFFERSON COUNTY

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Treasurer, in and for the County of Jefferson, to serve until the first Monday of January 2006, vice Paul Corbin, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE WESTERN YOUTH DEVELOPMENT CENTERS

December 2, 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 July 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Thomas Fee, New Castle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE WESTERN YOUTH DEVELOPMENT CENTERS

December 2, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Zimmerman, Mechanicsburg, whose term expired.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 July

18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-13, to serve until the first Monday of January 2006, vice Daniel R. Diven, deceased.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 26, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as Magisterial District Judge, in and for the County of Cambria, Magisterial District 47-3-06, to serve until the first Monday of January 2006, vice Allan C. Berkhimer, removed from office.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 July 28, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Lancaster, Magisterial District 02-2-04, to serve until the first Monday of January 2008, vice Richard W. Musser, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as Magisterial District Judge, in and for the County of Monroe, Magisterial District 43-4-01, to serve until the first Monday of January 2006, vice Charles P. Eyer, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 August 30, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-08, to serve until the first Monday of January 2008, vice Elmo Frey, Jr., resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as Magisterial District Judge, in and for the County of Washington, Magisterial District 27-1-02, to serve until the first Monday of January 2006, vice Ronald Amati, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

**HOUSE CONCURS IN SENATE AMENDMENTS
BY AMENDING SAID AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 515**, in which concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, this bill will be referred to the Committee on Rules and Executive Nominations.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 573** and **599**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 5, these bills will be referred to the Committee on Rules and Executive Nominations.

HOUSE BILLS FOR CONCURRENCE

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

November 23, 2005

HB 344 and 1427 -- Committee on Finance.
HB 496 -- Committee on Judiciary.
HB 1350 -- Committee on Transportation.
HB 1528 -- Committee on Game and Fisheries.
HB 2041 -- Committee on Banking and Insurance.

November 30, 2005

HB 1834 -- Committee on Transportation.

BILLS INTRODUCED AND REFERRED

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

November 23, 2005

Senators EARLL, PILEGGI, PICCOLA, WAUGH, D. WHITE, M. WHITE, WOZNIAK and BOSCOLA presented to the Chair **SB 1024**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing, in consolidation and merger of municipalities, for initiative of electors with new home rule charter.

Which was committed to the Committee on LOCAL GOVERNMENT, November 23, 2005.

Senators MADIGAN, M. WHITE, BRIGHTBILL, STOUT, PICCOLA, PUNT, PILEGGI, LAVALLE, EARLL, THOMPSON, ORIE, WOZNIAK, SCARNATI, CORMAN, WAUGH, RHOADES, ROBBINS, LEMMOND, WENGER, KASUNIC and ARMSTRONG presented to the Chair **SB 1025**, entitled:

An Act limiting the authority of the Environmental Quality Board over the Pennsylvania Clean Cars Program; and abrogating a regulation.

Which was committed to the Committee on TRANSPORTATION, November 23, 2005.

November 30, 2005

Senators WOZNIAK, MUSTO, KITCHEN, FONTANA, BROWNE, COSTA, STACK, WONDERLING and C. WILLIAMS presented to the Chair **SB 1031**, entitled:

An Act providing for supplemental grants to the Low Income Home Energy Assistance Program from salary increase funds.

Which was committed to the Committee on APPROPRIATIONS, November 30, 2005.

Senators WOZNIAK, KITCHEN, FERLO, LOGAN, C. WILLIAMS, STOUT and KASUNIC presented to the Chair **SB 1032**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for billing procedures; and imposing requirements for public utility call centers.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, November 30, 2005.

Senators WONDERLING, GREENLEAF, PUNT, CONTI, RAFFERTY, BROWNE, FONTANA, BOSCOLA, LEMMOND, C. WILLIAMS, REGOLA, STACK, O'PAKE, PILEGGI, COSTA and KASUNIC presented to the Chair **SB 1033**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for requirements for certain job applicants.

Which was committed to the Committee on AGING AND YOUTH, November 30, 2005.

Senators ORIE, THOMPSON, ERICKSON, BOSCOLA, RAFFERTY, TARTAGLIONE, COSTA, RHOADES, WAUGH, O'PAKE and FUMO presented to the Chair **SB 1034**, entitled:

An Act amending the act of July 7, 2005 (P.L. , No.1A), increasing the State appropriation for payment of law enforcement officers' and emergency response personnel death benefits.

Which was committed to the Committee on APPROPRIATIONS, November 30, 2005.

GENERAL COMMUNICATIONS
REPORT ON PRIMARY HEALTH CARE
ANNUAL REPORT

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

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

November 23, 2005

Secretary Mark R. Corrigan
Senate of Pennsylvania
200 Irvis Office Building [sic]
Harrisburg, Pennsylvania 17120

Dear Mr. Corrigan:

Enclosed for your information is a copy of the 2004-2005 Primary Health Care Practitioner Program Progress Report from the Department of Health. This report is an annual publication, compiled and released by our Bureau of Health Planning. It documents the Department's ongoing efforts to improve access to basic primary health care services in underserved areas of Pennsylvania.

Copies of this report have been delivered to the Chairmen of the House Health and Human Services Committee and the Senate Public Health and Welfare Committee, as well as to select General Assembly

leadership. The Department has also remitted the report to the Office of the Chief Clerk in the House and the Office of the Secretary in the Senate. Additional copies are available from the Department for other members upon request.

I hope that you find this report useful and interesting. If you have any questions, please feel free to contact Mike Yantis, Director of the Office of Legislative Affairs, at 783-3985.

Sincerely,

CALVIN B. JOHNSON, M.D.
Secretary

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

ANNUAL STATISTICAL REPORT
OF THE INSURANCE DEPARTMENT

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

COMMONWEALTH OF PENNSYLVANIA
Insurance Department
1326 Strawberry Square
Harrisburg, PA 17120

November 28, 2005

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: Annual Statistical Report
July 1, 2004 to June 30, 2005

Dear Members:

In accordance with Section 219 of The Insurance Department Act of May 17, 1921, P.L. 789, I am pleased to submit the Annual Statistical Report of the Insurance Department of the Commonwealth of Pennsylvania for the fiscal year ending June 30, 2005.

This report shows the receipts and expenses of companies, associations, exchanges, societies and others doing business in this Commonwealth. The statistics contained in the report were compiled from the December 31, 2004 Annual Statements filed with the Department by these entities.

As the fifth largest insurance marketplace in the nation, we are proud of Pennsylvania's record of expanding services to its citizens while providing a business friendly environment for insurance companies to flourish. For the period covering July 1, 2004 through June 30, 2005, approximately 1,700 companies were licensed to do insurance business in the Commonwealth.

The Insurance Department strives to make Governor Rendell's vision of Pennsylvania a reality by fostering an enlightened insurance marketplace where fair competition spurs better products and better prices for the citizens of the Commonwealth.

Sincerely,

M. DIANE KOKEN
Insurance Commissioner

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

LEGISLATIVE LEAVES

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

Senator PICCOLA. Madam President, I request a legislative leave for Senator Madigan.

The PRESIDENT. Senator Piccola requests a legislative leave for Senator Madigan.

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

Senator O'PAKE. Madam President, I request a legislative leave for Senator Tartaglione.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator PICCOLA asked and obtained leaves of absence for Senator PUNT and Senator EARLL, 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, December 5, 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 12, 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 12, 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-48

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

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.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

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

Senator ROBBINS. Madam President, today I have the pleasure of introducing Jenna Green and Naomi Marshall, who are serving as guest Pages in the Senate today. They are both eighth grade students currently attending St. Michael School in Greenville.

Jenna serves as class treasurer and is a member of the school's coed soccer and volleyball teams and the girls' basketball team. Naomi serves as class vice president and is also a member of the student council. Additionally, she is a member of the school choir and the girl's basketball team. They are accompanied here today by their teacher, Mrs. Nancy Kremm, who is seated in the Senate gallery.

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

The PRESIDENT. Will Jenna, Naomi, and their teacher please rise so we can give you a round of applause.

(Applause.)

2005 PENNSYLVANIA DAIRY PRINCESS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Stout, who will introduce the Dairy Princess.

Senator STOUT. Madam President, it is great to be back.
(Applause.)

Senator STOUT. Thank you. Madam President, I really came back because it is such an honor this afternoon to introduce to the Senate a very special constituent from Washington County. On behalf of the Washington County senatorial delegation - Senator Kasunic, Senator Pippy, and myself - we are honored to have in the Senate gallery Katie Skaggs, who is the 2005 Pennsylvania Dairy Princess. She is not only the Dairy Princess for Washington County, she is for the entire Commonwealth of Pennsylvania. Katie is a senior at Washington High School and very involved in school activities, and she has five brothers, all older than her, who are not going into agriculture, but Katie is going to continue her education in the agricultural profession. She is attending Pennsylvania State University this fall to study agriculture. She has been very active in agriculture, and I think it is in her genes. In fact, her great-grandfather, the late Roy Robinson of Clover Hill, Washington County, was one of my first political backers when I ran in 1970, and I had a long relationship with him. Her aunt, Beth Minor, and her husband operate the Spring House Dairy Farm in Washington County, so she has an interest in agriculture in her genes.

She is accompanied this afternoon by her mother, Susie Skaggs, Junia Isiminger, with the Dairy Princess program, and Bob Lutz, a family relative here today.

She was introduced in the House of Representatives earlier this afternoon by Representative Tim Solobay and the Washington County House delegation, and I would now like to

give a warm Senate welcome to Katie Skaggs, the 2005 Pennsylvania Dairy Princess.

The PRESIDENT. Would Katie and all her guests please rise. (Applause.)

SENATE RESOLUTION ADOPTED

Senators WASHINGTON, KITCHEN, FUMO, O'PAKE, KASUNIC, THOMPSON, CORMAN, BOSCOLA, COSTA, STOUT, FONTANA, EARLL, CONTI, STACK, WONDERLING, RAFFERTY, BROWNE, WAUGH, ERICKSON, PILEGGI, WENGER, GREENLEAF, FERLO and TARTAGLIONE, by unanimous consent, offered Senate Resolution No. 206, entitled:

(The Clerk proceeded to read the resolution.)

WHEREAS, Born Cynthia DeLores Nottage on October 4, 1927, Ms. Tucker first engaged in nonviolent social change in her teens, when the Bellevue Stratford Hotel refused to admit black athletes; and

WHEREAS, Ms. Tucker championed the nonviolent civil rights movement, joining the Reverend Martin Luther King, Jr., in marches and demonstrations across the nation, and in later years challenged the dissemination of misogynist rap lyrics; and

WHEREAS, Ms. Tucker became the highest-ranking African-American woman in State government as Secretary of the Commonwealth from 1971 through 1977; and

WHEREAS, During her tenure Ms. Tucker streamlined voter registration, promoted minority appointments and instituted the first Commission on the Status of Women; and

WHEREAS, Ms. Tucker was the first woman to serve as vice president of the Pennsylvania State Conference of the National Association for the Advancement of Colored People; and

WHEREAS, Ms. Tucker chaired the Black Caucus of the Democratic National Committee for more than a decade and succeeded Shirley Chisholm as chair of the National Political Congress of Black Women, Inc; and

WHEREAS, She inspired women young and old, of all races and ethnic backgrounds to pursue excellence; and

WHEREAS, Ms. Tucker promoted academic excellence, training and leadership of African -American youths as founder and president of The Bethune-DuBois Institute; and

WHEREAS, Through the institute, Ms. Tucker published "Vital Issues: The Journal of African American Speeches" to preserve African-American oratorical heritage; therefore be it

RESOLVED, That the Senate extend condolences and commemorate the achievements of C. DeLores Tucker of the West Mount Airy section of the City of Philadelphia, forceful and indelible activist, public servant and mentor, who died on October 12, 2005, at 78 years of age; and be it further

RESOLVED, That a copy of this resolution be transmitted to her husband William L. Tucker.

On the question,

Will the Senate adopt the resolution?

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

Senator WASHINGTON. Madam President, to my distinguished and esteemed colleagues in the Senate, to visitors, family, and friends of the late Dr. C. DeLores Tucker, I bid you a good afternoon.

Madam President, I stand here today to introduce a resolution honoring one of this century's most renowned and prolific visionaries and civil rights activists, Dr. C. DeLores Tucker. She was a friend, a mentor, an Alpha Kappa Alpha soror, a crusader

for women's rights, a formidable opponent of injustice, a proponent of equality, a friend to our youth and our children, an elegant, captivating, and deeply spiritual woman. A stirring orator, and intrepid leader, Dr. Tucker was venerated and acclaimed the world over. This resolution is a fitting tribute to honor the life of a remarkable woman whose life was personified by her dedication to public service. She was the wife of a successful businessman and entrepreneur, Mr. William L. Tucker, who continues to be her avid and loyal supporter.

Please join me in welcoming here today with Mr. Tucker his guests, Mr. and Mrs. Paul and Sylvia Waters, friends of the family; the Honorable Commissioner Ethel Barnett, a friend of the family; the Honorable LeRoy Zimmerman, a friend of the family; Mrs. Captilda Lane, niece of Mr. Tucker; Mr. Samuel Evans, a friend of the family; his nephew, Mr. Raymond Lane; Mrs. Kittura Dior, a niece; Ms. Pamela Ross, a niece; Ms. Rebecca Jackson, a niece; Ms. Joy Nottage, a niece; Mr. Steve Glassman, chairman of the Pennsylvania Human Relations Commission; and Dr. Michelle Battle, CEO of NCBW.

Dr. Tucker, a consummate public servant, left a great and lasting legacy to the citizens of Pennsylvania and the entire nation. She was the first African-American woman in the nation to serve as Secretary of State from 1971 to 1977, during which time she instituted the first Commission on the Status of Women in Pennsylvania. Dr. Tucker was also responsible for the Governor's appointments of more women judges and more women and African-Americans to boards and commissions than ever before in the history of the Commonwealth of Pennsylvania. She also led the effort to make Pennsylvania one of the first States to pass the Equal Rights Amendment. As chief of the electorate of Pennsylvania, she was a leader in instituting voter registration by mail and reducing the age from 21 to 18 years of age.

Dr. Tucker received over 400 awards from numerous organizations and institutes, including the NAACP and many others. She was a truly remarkable woman, a woman ahead of her time, born at a time of tumult and challenge, but for all the challenges that faced this warrior, this queen, this public servant and activist, she met the challenges with fitness, courage, resolve, and faith.

Thank you, Madam President.

(Applause.)

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

Senator KITCHEN. Madam President, I rise today to honor one of the greatest women in Pennsylvania politics, Dr. Cynthia DeLores Tucker. With her passing in October, we all had the occasion to grieve and regret her moving on from this world. Today we celebrate her extraordinary life. There has never been a woman like C. DeLores Tucker, and I suspect there never will be another like her. Dr. Tucker walked with Dr. Martin Luther King, Jr., on his famous march from Selma to Montgomery, Alabama, in 1965. She served as this State's top election official in the 1970s. She made voting easier for everyone by instituting registration by mail, and she brought young people into the political process by lowering the voting age to 18. She fought for women's rights, and won passage of the Equal Rights Amendment in Pennsylvania.

As a woman of color, Dr. Tucker helped open up the stuffy back rooms and organizing halls of Pennsylvania politics. She offered wise counsel, and her own unique perspective to the great leaders of the day. She inspired a new generation of young people to enter public service.

Madam President, I surely would not be here today without the sacrifices and dedication of C. Dolores Tucker. She paved the way for women of every race, creed, and culture to achieve her dreams. She was a Pennsylvania treasure, and she will be missed.

Thank you, Madam President.

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

Senator PICCOLA. Madam President, I rise to join with Senator Washington and Senator Kitchen to urge the unanimous adoption of this resolution honoring the passing of C. DeLores Tucker. The Honorable C. DeLores Tucker was the Secretary of the Commonwealth when I was first elected to the House of Representatives in 1976, and for those of us involved in politics and elective office, there is no more prized or valued piece of paper than that first certification of election, and C. DeLores Tucker signed mine and I am very proud of that. At that time she was at the height of a very great and distinguished career, and we knew then and we know now even more that she was a great lady and a great Pennsylvanian.

To her family and friends, some of whom are gathered here today, we extend our collective institutional and personal sympathy on their loss, but we hope that the knowledge of the great legacy that she left Pennsylvania and individual Pennsylvanians does a little bit to lessen the hurt of that loss. We thank God for C. DeLores Tucker.

Thank you, Madam President.

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

Senator A.H. WILLIAMS. Madam President, one, I want to say thank you to our two female Senators of color from Pennsylvania, Senator Washington and Senator Kitchen, and the reason I want to honor them is because they went through the effort of making sure that not just friends but legends could be with us today.

It was kind of interesting to hear Sam Evans described as a family friend. I have never heard him described as that before. I want people to note that while some have left us, there are some still doing the Lord's work while they are here, and Mr. Evans, we would like him to rise, if he would be so kind, so we can recognize him publicly for all the work he has done, 103 years old and still kicking.

(Applause.)

I would also draw attention to someone who does not necessarily draw attention to himself. Much has been said about C. DeLores Tucker, and that is appropriate, but frequently it is a man who stands up and a woman stands to the side and does not get recognized, but I want you to understand that C. DeLores Tucker was a magnificent warrior, a mother, and a person of great magnitude and all the things we have talked about, but she could not have done any of that, and she would tell you that, if she did not have the partner she had. Her husband is with us, and I ask him to stand so we can also honor him.

(Applause.)

I am not going to start talking about C. DeLores Tucker because the last time I did that I got a little emotional, and I am not going to worry about tears today, but I want to say this to you as I make these comments today, C. DeLores Tucker's spirit will not be forgotten because Shirley Kitchen will not let us forget it, LeAnna Washington will not let us forget it. Their lives, their current stories exemplify all that C. DeLores Tucker fought for, and that means from places that some of us have never traveled, had never seen, will never see, they are here in the Senate with us today. I hope in the bipartisan spirit that we are now passing this resolution that some considerations of the next budget we do, the next social issue we have to debate, the next economic discussion and conclusion we have, that we be just as passionate, just as fervent, but frankly, just as mindful of the comments we are making today, because it is easy for us on a day like today to cast wonderful aspersions and commentary about those who passed on. It is difficult when we live in reality and Shirley Kitchen stands up and says, look, it is unfair what we are doing, and when LeAnna Washington has to fight for some people we have never met before, that is a burden that no two people should have to carry. C. DeLores Tucker should not have had to carry it in her time of grandness, and Shirley Kitchen and LeAnna Washington should not have to carry that burden as we do the work of this current legislative body.

So we thank C. DeLores Tucker, her friends and family, for all the work she has done and the legacies that she has laid out for us, but those who have to carry and deliver that message home need her support. We need their support, and I do not want to leave it solely the responsibility of these two great Senators. It is our collective will, our collective effort that will make C. DeLores Tucker's life mean something.

Thank you very much, Madam President.

The PRESIDENT. I also want to recognize Roy Zimmerman, who was C. DeLores' good friend and supporter, and the first elected Attorney General in Pennsylvania.

(Applause.)

She stood for four Cs, we used to call it - courage, commitment, character, and conscience. I had the privilege of knowing her for a lot of years.

I would like all her family and friends to please rise so we can give you a round of applause for coming here in tribute to C. DeLores Tucker today.

(Applause.)

And the question recurring,

Will the Senate adopt the resolution?

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

RECESS

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

Senator PICCOLA. Madam President, I request a recess of the Senate for an immediate meeting of the Committee on Rules and Executive Nominations in the Rules room, to be followed immediately thereafter by a Republican caucus.

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

Senator MELLOW. Madam President, I make the same request, that upon conclusion of the meeting of the Committee on Rules and Executive Nominations, that the Democratic Members meet in our caucus room immediately at the rear of the Chamber.

The PRESIDENT. For a meeting of the Committee on Rules and Executive Nominations, to be followed by Republican and Democratic caucuses, without objection, the Senate will stand in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE

Senator BRIGHTBILL, from the Committee on Rules and Executive Nominations, reported the following bills:

SB 573 (Pr. No. 1382) (Rereported) (Concurrence)

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

HB 515 (Pr. No. 3173) (Rereported) (Concurrence)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "manufacture"; and further providing, in personal income tax, for imposition and, in corporate net income, for definitions.

CALENDAR

SB 860 CALLED UP OUT OF ORDER

SB 860 (Pr. No. 1136) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator PICCOLA, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 860 (Pr. No. 1136) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1993 (P.L.128, No.29), known as the Plain Language Consumer Contract Act, further providing for contractual requirements.

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-48

Armstrong	Greenleaf	Orie	Thompson
Boscola	Hughes	Piccola	Tomlinson

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

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.

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

**BILL ON CONCURRENCE IN HOUSE
AMENDMENTS TO SENATE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS**

HB 515 (Pr. No. 3173) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "manufacture"; and further providing, in personal income tax, for imposition and, in corporate net income, for definitions.

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments to House Bill No. 515?

Senator PICCOLA. Madam President, I move that the Senate do concur in the amendments made by the House to Senate amendments to House Bill No. 515.

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

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

Senator FERLO. Madam President, just very briefly, I am going to vote in favor of this legislation. This did come back to the Senate for another consideration, and I want to point out that the previous bill had a significantly larger loss of revenue to the State Treasury, if I am not mistaken, in excess of \$70 million. This is a potential loss, beginning in 2007, of some \$47 million, and it does continue an important trend in support by, I think, both sides of the aisle in terms of recognition of the corporate tax burden that is placed in Pennsylvania on a number of larger businesses.

But I would point out, and I think it is an important observation, because I continually hear from my colleagues on the opposite side of the aisle about the moral issue of the minimum wage and that we cannot really deal with the minimum

wage issue without some recognition of the continued tax burden on major companies and corporations. I think at a time when we are standing here together in a bipartisan fashion, notwithstanding the fact that there will be clearly some objections to this bill on the issue of revenue loss and tax fairness, I think there should be at least some appreciable fairness doctrine here as it relates to a struggling group of workers whom we have in our Commonwealth, who have languished for the last 8 years without any consideration by this Senate body for an increase in the minimum wage. When we say an increase in the minimum wage, let us at least be honest and not disingenuous. It is really not even an increase in the minimum wage when you have a wage that has remained stagnant for 8 years. We are talking about really a lot of significant waste--

POINT OF ORDER

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

Senator PICCOLA. Madam President, point of order.

Senator FERLO. --and purchasing power. So I know the issue is not germane, but on a moral appeal--

Senator PICCOLA. Madam President, point of order.

Senator FERLO. --and fairness, I think it is important if we are going to continue to look at opportunities for business tax cuts, let us at least be, on the opposite side of the ledger, fair and reasonable to the tremendous burden faced by lower-income wage earners--

The PRESIDENT. Senator Ferlo will yield to Senator Piccola for his point of order.

Senator FERLO. Madam President, I am not sure what the response is going to be.

Senator PICCOLA. Madam President, point of order.

The PRESIDENT. State your point of order.

Senator FERLO. What is the point of order, Madam President?

The PRESIDENT. Senator Piccola will state his point of order.

Senator PICCOLA. Madam President, I raise a point of order. The subject before the Senate is House Bill No. 515, which deals with a variety of tax cuts and changes to the Tax Reform Code. It does not refer to or in any way relate to the minimum wage law, and I ask that the gentleman be restricted in his remarks to discussing the contents of the bill.

Senator FERLO. Madam President, with all due respect to my colleague, Senator Piccola, let us at least be fair and honest here. We are discussing loss of revenue to the State Treasury. We are talking about our priorities on who pays and who profits--

Senator PICCOLA. Madam President, I would like a ruling on my point of order.

Senator FERLO. Madam President, it is perfectly germane. I am not introducing an amendment to the bill, in looking at the issue of germaneness. I am raising a moral argument about the revenues of the State, and clearly, if one is going to discuss a tax policy issue--

Senator PICCOLA. Madam President.

Senator FERLO. --clearly, if someone is going to talk about the fact that we are going to give consideration, and I admit

rightfully so, to the heavy burden of Pennsylvania corporations--

Senator PICCOLA. Madam President--

The PRESIDENT. Thank you, Senator.

Senator FERLO. --it is certainly fair and reasonable, as far as this Senator's argument takes it, and I can speak louder than anybody in this room, even my colleague, Senator Hughes, and I do not want to do that because I think what we are having here is a fair and reasonable discussion on the tax codes--

Senator PICCOLA. Madam President.

Senator FERLO. --and I am being supportive of the need for business tax cuts--

The PRESIDENT. That is not germane to this bill.

Senator FERLO. Madam President, but it is certainly germane and relevant for me to make an argument--

Senator PICCOLA. Madam President, can the Senate be at ease?

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

(The Senate was at ease.)

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

Senator FERLO. Madam President, thank you. I assume that I can finish out my comments. I think it is a fair observation that when we are discussing the overall State budget and the issue of revenues that accrue to the fund balance of the State, this is an important issue about continuing a trend and a policy towards the appreciation of the burden of businesses in Pennsylvania, and we are talking about a relative issue, and I think it is certainly germane. I am not talking about legal germaneness, I am talking about moral germaneness for the Majority to recognize that fact.

Madam President, you can wave all you want, and I do not know if you are waving at me, but you cannot wave at me to be quiet or wave at me to slow down, because I will not do that.

The PRESIDENT. Excuse me, Senator.

Senator FERLO. I am going to conclude by asking that the Majority party on the opposite side of the aisle be at least morally cognizant of the need to give consideration to the minimum wage increase, and more important, I would ask for an appeal under this very matter, that we at least be morally cognizant of the need to give consideration to the minimum wage increase. More importantly, I would ask for an appeal on this very issue that we have a right to at least vote on the issue. If there are colleagues on both sides of the aisle who feel a raise in the minimum wage would be burdensome for businesses big or small, at least allow us the opportunity to come to the podium and defend our position on that issue and ask for an up or down vote.

So thank you, Madam President.

The PRESIDENT. Senator, may I please ask that you also bring this up in Petitions and Remonstrances this evening.

Senator FERLO. Madam President, no, this is not Petitions and Remonstrances. This has to do with revenues that we are proposing to either collect or not collect in the State of Pennsylvania. It has to do with a trend that this Senate has supported on both sides of this aisle to be appreciative of the burdens of businesses in Pennsylvania. We are trying to institute tax fairness, so it is a discussion about revenues and loss of revenues in the operation of the State budget and what many of

us perceive as our obligation to provide opportunities for all of our residents. I think it is equally a discussion about values, and I think an equal point of discussion on this issue is the value of allowing an increase in the Pennsylvania State minimum wage.

Thank you.

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

Senator PICCOLA. Madam President, House Bill No. 515 is a tax-cut bill. It will lower taxes in Pennsylvania for some Pennsylvania taxpayers. It does not have anything to do with the minimum wage, although I can make an argument, I suppose, since the gentleman has opened up the topic, that if we would lower these taxes, particularly taxes on job creators a bit more, we might make the minimum wage irrelevant, because Pennsylvania job creators would be creating jobs, good, high-paying, quality jobs, family-sustaining jobs, that would not require the government to stick its nose in and set a minimum wage. Unfortunately, because of the spending proclivities of the Commonwealth, we cannot cut those taxes as much as we would like in this particular bill. In fact, we cannot cut them as much as we wanted to when the Senate passed this bill originally several weeks ago, but it is a good start, it is a good start.

It cuts the PIT rate by a very small amount, the personal income tax. It continues the phase-out of the net operating loss carryforward into ultimately a greater amount than the Senate bill, but it takes a bit longer. The single sales factor, which I described in debate on the floor a few weeks ago on this bill, is actually going to go ultimately to 100 percent sales factor in the year 2010. It takes a little longer to get to where we need to go, but at least we are going in the right direction.

These are the kinds of things, Madam President, that we need to do here in Pennsylvania, and we need to do in larger amounts, because this is not about business tax cuts, this is about tax cuts for the job creators, the people who pay those wages, the people who create the jobs and make it possible for everyday Pennsylvanians to go to work. This is what we need to do, Madam President, in greater amounts than this bill contains, but this is a good start, and I urge concurrence in the House amendments.

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

Senator MELLOW. Madam President, I just heard the gentleman talk about the proclivity of spending. I thought for a moment Bill DeWeese might have been a new Member of the Senate, but I do not think he is, but I would like to remind the gentleman that the make-up of the Pennsylvania Senate is 30 Republicans and 20 Democrats. That means the gentleman who just spoke is in the Majority in the Senate. If the Majority would like to use their leadership to further reduce the tax burden on the consumer and taxpayer of Pennsylvania, then they, in fact, should do that. If the Majority in this body would like to use their political influence by reflecting what the Majority is by cutting back on the spending of the taxpayer in Pennsylvania who is paying for State government, they should do that, but they should not talk about the proclivity of spending in Pennsylvania and try to blame the Minority party, the Democratic party, in Harrisburg when the Republican party soundly controls both the House and the Senate. If they did not want a proper bill to appear on the

Governor's desk for signing, a budget bill that significantly reduced the spending in Pennsylvania, then, in fact, they would have done it. I am sick and tired of hearing the same thing over and over from the Majority, that we have to do things, and we hope we can do them at a greater percentage. If they really want to do it at a reduction, the way the bill passed the Senate here several weeks ago, then what the gentleman should do is revert to the prior printer's number and pass the bill once again the way it was proposed at that particular point in time, and I believe the vote was 31 the 19. They have the same Majority today that they had several weeks ago, so if he really wants to do it, if he really means what he says and he wants to reduce the taxes in Pennsylvania and he wants to cut back on the spending in Pennsylvania, he has every opportunity because of his Majority status to do it. Just put the Majority into place and bring about the results that he says he so badly wants.

Thank you, Madam President.

LEGISLATIVE LEAVES

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

Senator MELLOW. Madam President, I request temporary Capitol leaves for Senator Fumo, Senator O'Pake, and Senator Hughes.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Fumo, Senator O'Pake and Senator Hughes. Without objection, the leaves will be granted.

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

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

YEA-35

Armstrong	Gordner	Rafferty	Vance
Boscola	Greenleaf	Regola	Waugh
Brightbill	Jubelirer	Rhoades	Wenger
Browne	Lemmond	Robbins	White, Donald
Conti	Madigan	Scarnati	White, Mary Jo
Corman	Orie	Stack	Williams, Constance
Erickson	Piccola	Stout	Wonderling
Ferlo	Pileggi	Thompson	Wozniak
Fontana	Pippy	Tomlinson	

NAY-13

Costa	Kitchen	Musto	Williams, Anthony H.
Fumo	LaValle	O'Pake	
Hughes	Logan	Tartaglione	
Kasunic	Mellow	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 inform the House of Representatives accordingly.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILL AMENDED

HB 111 (Pr. No. 2995) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further defining "case" and "eligible entity"; providing for extension of existing license to cover additional area; and further providing for breweries, for surrender of certain licenses for benefit of licensee, for unlawful acts relative to malt or brewed beverages and licensees, for hours of operation relative to manufacturers, importing distributors and distributors and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

On the question,

Will the Senate agree to the bill on third consideration?

Senator A.H. WILLIAMS offered the following amendment No. A4656:

Amend Sec. 5 (Sec. 492), page 16, line 30, by inserting a bracket before "(4)"

Amend Sec. 5 (Sec. 492), page 17, line 18, by striking out "at any time."

Amend Sec. 5 (Sec. 492), page 18, line 3, by inserting a bracket after "delivery."

Amend Bill, page 18, lines 5 through 23, by striking out all of said lines and inserting:

Section 492.1. Hours of Operation Relative to Manufacturers, Importing Distributors and Distributors.—(a) Manufacturers may sell or deliver malt or brewed beverages between two o'clock antemeridian of any Monday and twelve o'clock midnight of the following Saturday. [Notwithstanding this section, manufacturers operating a brewery pub under section 446 shall be subject to the hours of operation set forth by the board through regulation.]

(b) (1) Importing distributors and distributors may sell or deliver malt or brewed beverages between two o'clock antemeridian of any Monday and twelve o'clock midnight of the following Saturday to holders of a liquor or malt and brewed beverage license or permit issued by the board.

(2) Importing distributors and distributors may sell or deliver malt or brewed beverages between eight o'clock antemeridian and eleven o'clock postmeridian of any day, except Sunday, to persons not licensed or permitted by this act.

(c) In addition to the hours authorized under subsections (a) and (b), manufacturers, importing distributors and distributors, upon purchasing a permit from the board at an annual fee of one hundred dollars (\$100), may sell malt or brewed beverages to persons not licensed under this act or to a holder of a special occasion permit on Sunday between the hours of noon and five o'clock postmeridian.

(d) In addition to the hours authorized under subsections (a) and (b), delivery or receiving of malt or brewed beverages shall be permissible on Sunday after prior arrangement in accordance with the following:

(1) A manufacturer may, at any time, deliver to any importing distributor or distributor to which the manufacturer has granted wholesale distribution rights for the manufacturer's product.

(2) An importing distributor or distributor may deliver to any organization to which a special occasion permit has been issued between the hours of nine o'clock antemeridian and twelve o'clock noon.

(3) An importing distributor or distributor may deliver to persons not licensed under this act between the hours of nine o'clock antemeridian and twelve o'clock noon.

(e) Notwithstanding any provision in this section to the contrary, a brewery pub operating under section 446 shall be subject to the hours of operation set forth by the board through regulation.

(f) The term "prior arrangement" shall mean that malt or brewed beverages having a total sale price, excluding any deposits or credits, exceeding two hundred fifty dollars (\$250) have been ordered, invoiced and paid for in full at the seller's licensed premises before the Sunday of delivery.

Section 6. Section 493(13), (24) and (31) of the act, amended or added December 16, 2002 (P.L.1806, No.221), November 30, 2004 (P.L.1727, No.221) and July 6, 2005 (P.L.135, No.39), are amended to read:

Amend Sec. 6 (Sec. 493), page 20, by inserting between lines 23 and 24:

(31) [Sale or Purchase of Controlled Substance or Drug Paraphernalia. For any licensee, his servants, agents or employees to possess, furnish, sell, offer to sell, or purchase or receive, or aid and abet in the sale or purchase of any controlled substance or drug paraphernalia, as defined in the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," unless the actions of the licensee or person are authorized by law.] Sale of purchase of a Controlled Substance or Drug Paraphernalia on premises. For any licensee who knew or should have known of illegal activity on the premises by his servants, agents or employees to possess, furnish, sell, offer to sell or purchase or receive, or aid and abet in the sale or purchase of any controlled substance or drug paraphernalia, as defined in the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

Amend Sec. 7, page 20, line 24, by striking out "in 60 days" and inserting: immediately

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 PICCOLA.

BILL OVER IN ORDER

SB 170 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

BILL OVER IN ORDER TEMPORARILY

SB 394 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PICCOLA.

BILLS OVER IN ORDER

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 618 (Pr. No. 1359) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for immunity for equine owners, possessors or handlers.

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-48

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

NAY-0

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

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

SB 394 CALLED UP

SB 394 (Pr. No. 401) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PICCOLA.

BILL AMENDED

SB 394 (Pr. No. 401) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 29, 1956 (1955 P.L.1804, No.600), referred to as the Municipal Police Pension Law, further providing for payments under existing pension plans for service increments to pensions of police officers.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CORMAN offered the following amendment No. A4686:

Amend Sec. 2, page 2, line 13, by inserting after "to": employees hired prior to January 24, 2001, of

Amend Sec. 2, page 2, line 16, by striking out "the effective date of this section" and inserting: January 24, 2001,

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 PICCOLA.

BILL OVER IN ORDER

SB 856 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

BILLS AMENDED

SB 881 (Pr. No. 1368) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, providing for limitations on the use of eminent domain; and making a related repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator PICCOLA offered the following amendment No. A4692:

Amend Sec. 1 (Chapter Analysis), page 2, by inserting between lines 1 and 2:

207. Eminent domain of agricultural property.

Amend Sec. 1 (Sec. 202), page 2, by inserting between lines 8 and 9:

"Agricultural commodity." As defined under section 2 of the act of June 10, 1982 (P.L.454, No.133), referred to as the Right-to-Farm Law.

"Agricultural operation." A person engaged commercially in the production of an agricultural commodity that has an anticipated yearly gross income of at least \$2,000.

"Agricultural property." Property that is owned or operated by an agricultural operation in the course of the operation's production, harvesting or preparation for market of an agricultural commodity. The term also includes any residential dwelling or woodlot situated on the property.

Amend Sec. 1 (Sec. 202), page 2, line 27, by striking out "reasonable" and inserting: just

Amend Sec. 1 (Sec. 202), page 3, by inserting between lines 7 and 8:

"Unit of property." A parcel of real estate or condominium unit, including any interest in common elements with improvements thereon, if any, that is identified by a legal description in a recorded deed or a tax identification number.

Amend Sec. 1 (Sec. 203), page 3, lines 18 and 19, by striking out all of said lines and inserting:

(3) The jurisdiction or power of the Philadelphia Regional Port Authority to exercise eminent domain within a designated port zone for a port facility as defined in the act of July 10, 1989 (P.L.291, No.50), known as the Philadelphia Regional Port Authority Act.

Amend Sec. 1 (Sec. 204), page 4, lines 26 through 29, by striking out all of said lines and inserting:

(7) The property taken is acquired for the development of low-income and mixed-income housing projects pursuant to the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, or to be developed using financial incentives available for the development of low-income and mixed-income housing projects under:

(i) section 42 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 42);

(ii) the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633);

(iii) the National Homeownership Trust Act (Public Law 101-625, 104 Stat. 4129);

(iv) 53 Pa.C.S. Ch. 60 (relating to optional affordable housing funding);

(v) the Brownfields for Housing and Redevelopment Assistance programs of the Department of Community and Economic Development;

(vi) the Homeownership Choice Program of the Pennsylvania Housing Finance Agency; and

(vii) any successor program to a program under this paragraph.

Amend Sec. 1 (Sec. 204), page 5, by inserting between lines 4 and 5:

(9) The property is used or to be used for any road, street, highway, trafficway or for property to be acquired to provide access to a public thoroughfare for a property which would be otherwise inaccessible as the result of the use of eminent domain or for ingress, egress or parking of motor vehicles.

Amend Sec. 1 (Sec. 205), page 7, line 13, by striking out all of said line and inserting:

(c) Multiple properties.—

(1) For purposes of acquiring multiple

Amend Sec. 1 (Sec. 205), page 7, lines 18 through 20, by striking out all of said lines and inserting:

(i) meet any of the requirements under subsection (b)(1) through (11); and

(ii) represent a majority of the geographical area.

(2) A condemnor may use eminent domain to acquire any unit of property within a blighted area so declared pursuant to this subsection.

Amend Sec. 1, page 8, by inserting between lines 1 and 2:

§ 207. Eminent domain of agricultural property.

(a) Approval required.—Notwithstanding any provision of law to the contrary, approval by the Agricultural Lands Condemnation Approval Board shall be required prior to authority of any agency of the Commonwealth or political subdivision or municipal authority to exercise powers of eminent domain on agricultural property. Approval shall be obtained in accordance with section 13 of the act of June 30, 1981 (P.L. 128, No. 43), known as the Agricultural Area Security Law.

(b) Criteria for approval.—In addition to the criteria for approval prescribed in other laws, the Agricultural Lands Condemnation Approval Board shall consider and determine whether the condemnor is authorized under this chapter to take the property by eminent domain.

(c) Determination of blight.—The exercise of eminent domain powers based on a condition of the agricultural property shall not be authorized under section 205 unless the Agricultural Lands Condemnation Approval Board determines the exercise is necessary to protect the health and safety of the community.

(d) Disapproval.—The Agricultural Lands Condemnation Approval Board shall disapprove the proposed condemnation if the board determines the condemnor is not authorized under this chapter to take the agricultural property by eminent domain.

Amend Sec. 3, page 8, line 12, by inserting after "3.": (a)

Amend Sec. 3, page 8, by inserting between lines 14 and 15:

(b) For property acquired pursuant to 26 Pa.C.S. § 205, this act shall not apply to units of property identified in a redevelopment proposal approved by a governing body before the effective date of this section.

On the question,

Will the Senate agree to the amendment?

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

Senator PICCOLA. Madam President, this is an amendment to Senate Bill No. 881. Senate Bill No. 881 is an amendment to the eminent domain law of Pennsylvania in response to the *Kelo* decision handed down last June by the United States Supreme Court. This amendment represents a great deal of work by a large number of people representing a variety of groups throughout the Commonwealth, including the League of Cities, the Housing and Redevelopment Authorities, the Farm Bureau, the Builders Association, the NFIB, and the Port Authority of Philadelphia, to try to put this bill into a form that will protect property rights, but at the same time make sure that our cities and other entities out there are properly empowered to do the kinds of things they need to do to deal with real and legitimate blight within their communities.

We think that this amendment solves the problems. We are hopeful, somewhat exasperated by the process, but we are

hopeful that all the parties will sign off on this amendment, or something very similar to it, within the next 24 hours or so, so that we can finally pass this bill and hopefully get this issue resolved for the Commonwealth of Pennsylvania. We have made great strides, there has been a lot of cooperation, and I urge that the Senate adopt this amendment so that we can reprint the bill for tomorrow's consideration.

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

Senator A.H. WILLIAMS. Madam President, I am concerned about the comments that I am hearing on the floor. I understood this amendment to be substantive with regard to ongoing conversations, not negotiations, but conversations. This is a very complex issue. I come from a county that has rural, urban, and suburban all combined in it, and I have heard from each one concerned about the substance of this. It is my intent to vote for the amendment tonight, but it is also my expectation that we will continue to talk about the details of this, not to rush the passage of this amendment so we can vote upon this tomorrow. I want to make sure I am clear about that and that my understanding is exact, because if not, then that changes the position of not just me, but a number of Members on this floor.

The PRESIDENT. Senator Piccola, are there comments on this?

Senator PICCOLA. I am not sure what the gentleman's question is, Madam President.

Senator A.H. WILLIAMS. Madam President, I will clarify the question. The question is very direct. There is an amendment offered by the gentleman, which is before us tonight. I understand that there are complicated discussions. I also understand that everyone wants to support the amendment so we can continue the conversation, not so we can expedite the bill. What I heard the gentleman say, and maybe I am wrong, is that he is introducing the amendment so we can expedite the bill, so we can vote on it before we leave tomorrow.

Senator PICCOLA. Madam President, when you read a bill, in this case Senate Bill No. 881, and then you have alongside it a comprehensive amendment such as the one that I just offered, amendment A4692, which is supposed to be integrated into this bill, it is very difficult, particularly when you have a very complex subject such as this, to be able to go back and forth between the bill and the amendment, to read them in their entirety. We have worked on a variety of issues that are contained within the subject matter of Senate Bill No. 881, and we have come up with what we believe to be the solution to the issues that have been raised, keeping in mind our paramount interest is to protect private property rights in Pennsylvania, as I believe our Founding Fathers intended them to be protected. By putting this amendment in tonight, Madam President, it becomes easier when the bill is reprinted later this evening for the gentleman and for every Member of the Senate to sit down and comprehensively read the legislation and determine whether additional amendments might be necessary and what they might be. It is possible that we will have resolved the problems with this amendment and it can be run quickly. It is possible that they are not resolved, and then we will have to wait in order to run the bill finally.

Senator A.H. WILLIAMS. Madam President, I tried to be succinct in my response to his comment, but he did not understand my question. I am not quite sure I understand his answer. It is either a "yes" or a "no," and I would like to have clarity before I cast my vote, and I want to tell the gentleman point-blank, there are a number of us, Democrats and Republicans, who come from areas concerned about this, who have heard from their borough managers about how much this is going to cost them in real terms, not the Founding Fathers, but people who live in these houses today. So I want to have a clear response to my question. There is an amendment which was offered, and I believe it was discussed in both caucuses in a similar way. These are the concerns by all of us. It is very complicated. We are offering this amendment so we can continue the discussion. I believe that conversation was held in both caucuses. I do not believe the expectation was that we are offering this so we can solve it and vote upon it tomorrow. I want to be clear that the gentleman's personal expectation is that we will continue this process, not that we are committed to vote the bill immediately. That is either "yes" or "no," to my knowledge.

Senator PICCOLA. Madam President, it is my belief that this bill will not be in a position to run tomorrow, but it may be in a position to consider additional amendments tomorrow if they are properly drafted. I doubt if we are going to be able to run the bill tomorrow, perhaps Wednesday. It is hard to tell. But until you have the opportunity to read the bill in its entirety, it is very difficult to understand where you might be on the proposal.

Senator A.H. WILLIAMS. Madam President, I understand that, and my point is that this one amendment as a final solution concerns me, because it was my understanding there may be additional amendments. That was the first part.

The second part was when I heard the comments about this final solution was being put in position so we could actually move upon the bill, it concerned me, but I think your response clarified it.

Thank you very much.

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

Senator C. WILLIAMS. Madam President, I also share the concerns of my colleague, Senator Williams, on this bill. I think that it is a very important bill and a very serious subject, and I am glad that we have also - the "we" has not been defined - that we are also working on it. We all should be working on it together, because this is not a partisan issue. This is an issue that affects every single one of us in boroughs and towns and townships and cities throughout Pennsylvania, and for some of us, myself specifically, I have communities that are going to be affected both ways by whatever we do. So it is very important, I think, for all of us to reach a solution to this issue that is fair, as fair as we can do it, and so I am delighted that we will have the opportunity to continue. There are some amendments that we are also working on to offer, so I will be voting for this amendment tonight.

Thank you.

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

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

BILL AMENDED AND LAID ON THE TABLE

SB 895 (Pr. No. 1377) -- 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 TOMLINSON offered the following amendment No. A4788:

Amend Sec. 1 (Sec. 5511.2), page 2, lines 2 through 4, by striking out "the" in line 2, all of line 3 and "Police Department" in line 4 and inserting: a police department created by a metropolitan transportation authority operating under 74 Pa.C.S. Ch. 17 (relating to transportation authorities).

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Senator PICCOLA. Madam President, I move that Senate Bill No. 895, as amended, be laid upon the table.

On the question,

Will the Senate agree to the motion?

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

SB 895 TAKEN FROM THE TABLE

Senator PICCOLA. Madam President, I move that Senate Bill No. 895, Printer's No. 1403, as amended, be taken from the table and placed on the Calendar.

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

BILL OVER IN ORDER

SB 897 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1057 (Pr. No. 3103) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the issuance of identification cards for retired law enforcement officers; and providing for the powers and duties of law enforcement agencies and the Municipal Police Officers' Education and Training Commission.

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-48

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

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 with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1686 -- Without objection, the bill was passed over in its order at the request of Senator PICCOLA.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

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

BILL LAID ON THE TABLE

SB 660 (Pr. No. 754) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, adding the Uniform Trust Act; making conforming amendments; and making a repeal.

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

SB 660 TAKEN FROM THE TABLE

Senator PICCOLA. Madam President, I move that Senate Bill No. 660, Printer's No. 754, 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.

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

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

**MEMBER OF THE STATE BOARD
OF ACCOUNTANCY**

December 2, 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, (Public Member), 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Duska, Villanova, whose term expired.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

December 2, 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 July 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice John Berrier, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF ALLENTOWN STATE HOSPITAL**

December 2, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Allentown State

Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice L. Jack Bradt, Easton, resigned.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Oleta Amsler, Clarion, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CONSTABLES'
EDUCATION AND TRAINING BOARD

December 2, 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 Constables' Education and Training Board, to serve for a term of three years and until his successor is appointed and qualified, vice The Honorable James E. Russo, Leetsdale, deceased.

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

EDWARD G. RENDELL
Governor

CONTROLLER, CHESTER COUNTY

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as Controller, in and for the County of Chester, to serve until the first Monday of January 2006, vice Carol T. Aichele, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CORONERS'
EDUCATION BOARD

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified, vice Isidore Mihalakis, M.D., Bethlehem, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

December 2, 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 8, 2005, for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Deborah Clark, Harrisburg, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

December 2, 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 Nora Peterman, (Public Member), 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michele Hansarick, Camp Hill, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF DENTISTRY

December 2, 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 August 2, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF EDUCATION

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Education, to serve until October 1, 2010, or until his successor is appointed and qualified, vice The Honorable Sam E. Hayes, Jr., Warriors Mark, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Rachel Rentschler, Hamburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Annabelle Good, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

December 2, 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 August 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Margaret Breitenstein Papadopoulos, Chincoteague, Virginia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HARRISBURG STATE HOSPITAL

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert Hafer, Harrisburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HARRISBURG STATE HOSPITAL

December 2, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Harrisburg State Hospital, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Raymond C. Braun, Jr., Camp Hill, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HOUSING FINANCE AGENCY

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2007, and until his successor is appointed and qualified, vice Ronald S. Mintz, Esquire, Horsham, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
CARBON COUNTY

December 2, 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 Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Carbon County, to serve until the first Monday of January 2006, vice The Honorable Richard W. Webb, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LANCASTER COUNTY

December 2, 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 August 2, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Lancaster County, to serve until the first Monday of January 2006, vice Lawrence F. Stengel, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

December 2, 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 2, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2006, vice The Honorable Alfred J. DiBona, Jr., mandatory retirement.

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

EDWARD G. RENDELL
Governor

JUDGE, TRAFFIC COURT OF PHILADELPHIA

December 2, 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 16, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Judge of the Traffic Court of Philadelphia County, to serve until the first Monday of January 2006, vice The Honorable Joseph A. Howlett, deceased.

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

EDWARD G. RENDELL
Governor

JUDGE, TRAFFIC COURT OF PHILADELPHIA

December 2, 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 16, 2005, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Traffic Court of Philadelphia County, to serve until the first Monday of January 2008, vice The Honorable Francis E. Kelly, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF MAYVIEW STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Frances Cohen-Knoerdel, Venetia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF MAYVIEW STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of Mayview State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Dale M. Miller, Bridgeville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Eters 17319, York County, Fifteenth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve until November 12, 2005, and until her successor is appointed and qualified, vice Ed Connor, Petersburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF NORRISTOWN STATE HOSPITAL

December 2, 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 August 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Mark H. Dambly, Media, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF NURSING

December 2, 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 6, 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 Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Richard Kerr, Philadelphia, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

December 2, 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 August 2, 2005, for the appointment of Sam Cohn, (Public

Member), 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, 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 William McIlwaine, Millersville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Anastasia Valimont, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OPTOMETRY

December 2, 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 21, 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 Optometry, 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 Kurt J. Moody, O.D., Dallas, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHARMACY

December 2, 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 Nora Peterman,

(Public Member), 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Pharmacy, to serve until March 19, 2008, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Elizabeth A. Kroutch, Hershey, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

December 2, 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 July 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Irrgang, Murrysville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE PLANNING BOARD

December 2, 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 July 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Planning Board, to serve until June 8, 2008, and until her successor is appointed and qualified, vice Dennis Puko, Farrell, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE

December 2, 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 12, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Allen Castor, Lansdale, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ADVISORY
COMMITTEE ON PROBATION

December 2, 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 2, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Robert Galardy, Pittsburgh, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ADVISORY COMMITTEE
ON PROBATION

December 2, 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 August 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Lawrence Murray, Fayetteville, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PSYCHOLOGY

December 2, 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 August 2, 2005, for the appointment of Stephanie Moore, (Public Member), 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Psychology, to serve until November 26, 2006, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Kendra A. Pfautz, Mechanicsburg, declined appointment.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
TELEVISION NETWORK COMMISSION

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2007, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick Toole, Lewisburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES FOR
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

December 2, 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 August 8, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees for Scotland School for Veterans' Children, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice William Brantley, Ed.D., West Chester, resigned.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 July 18, 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 Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dina Lomas, Bethlehem, whose term expired.

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

EDWARD G. RENDELL
Governor

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

December 2, 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 August 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Domingo Quintero-Martinez, Carlisle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
IN SPEECH-LANGUAGE AND HEARING

December 2, 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 Stephanie Moore, (Public Member), 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice F. Irene Graybill, Duncannon, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
EXAMINERS IN SPEECH-LANGUAGE AND HEARING

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve until September 29, 2006, and

until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michele Wallace, Mount Wolf, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Robert Ferguson, Blairsville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF TORRANCE STATE HOSPITAL

December 2, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the Board of Trustees of Torrance State Hospital, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Robert Seabol, Latrobe, resigned.

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

EDWARD G. RENDELL
Governor

TREASURER, JEFFERSON COUNTY

December 2, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Treasurer, in and for the County of Jefferson, to serve until the first Monday of January 2006, vice Paul Corbin, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Zimmerman, Mechanicsburg, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE WESTERN YOUTH DEVELOPMENT CENTERS

December 2, 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 July 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Thomas Fee, New Castle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE WESTERN YOUTH DEVELOPMENT CENTERS

December 2, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-13, to serve until the first Monday of January 2006, vice Daniel R. Diven, deceased.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 26, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as Magisterial District Judge, in and for the County of Cambria, Magisterial District 47-3-06, to serve until the first Monday of January 2006, vice Allan C. Berkhimer, removed from office.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

November 22, 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 July 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as Magisterial District Judge, in and for the County of Clarion, Magisterial District 18-3-01, to serve until the first Monday of January 2006, vice Anthony A. Lapinto, deceased.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 July 28, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Lancaster, Magisterial District 02-2-04, to serve until the first Monday of January 2008, vice Richard W. Musser, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as Magisterial District Judge, in and for the County of Monroe, Magisterial District 43-4-01, to serve until the first Monday of January 2006, vice Charles P. Eyer, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 August 30, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-08, to serve until the first Monday of January 2008, vice Elmo Frey, Jr., resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as Magisterial District Judge, in and for the County of Washington, Magisterial District 27-1-02, to serve until the first Monday of January 2006, vice Ronald Amati, resigned.

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

EDWARD G. RENDELL
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

Senator PICCOLA. Madam President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

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

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

Senator PICCOLA, 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 PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY**

September 26, 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, Mark Schneider, 7522 Graymore Road, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

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, Joseph J. Resta, (Public Member), 11860 Basile Road, Philadelphia 19154, Philadelphia County, Fifth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is

appointed and qualified, but not longer than six months beyond that period, vice James Flanigan, Villanova, 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

NOMINATIONS LAID ON THE TABLE

Senator PICCOLA. 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 PICCOLA,

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

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

September 26, 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, Mark Schneider, 7522 Graymore Road, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

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, Joseph J. Resta, (Public Member), 11860 Basile Road, Philadelphia 19154, Philadelphia County, Fifth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Flanigan, Villanova, 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

On the question,

Will the Senate advise and consent to the nominations?

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

YEA-48

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

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 PICCOLA. Madam President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

RECESS

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

Senator PICCOLA. Madam President, I ask for a recess of the Senate for purposes of a meeting of the Committee on Appropriations in the Rules room, to be followed by a meeting of the Committee on Banking and Insurance, also in the Rules room.

The PRESIDENT. There will be a recess for a meeting of the Committee on Appropriations in the Rules room, to be followed by a meeting of the Committee on Banking and Insurance. Without objection, for those purposes, the Senate stands in recess.

AFTER RECESS

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

UNFINISHED BUSINESS**BILLS REPORTED FROM COMMITTEES**

Senator ARMSTRONG, from the Committee on Banking and Insurance, reported the following bill:

SB 398 (Pr. No. 1404) (Amended)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for life insurance.

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

SB 656 (Pr. No. 1405) (Amended) (Rereported)

An Act providing for dispute resolution procedures relating to residential construction defects between contractors and homeowners or members of associations.

SB 811 (Pr. No. 1234) (Rereported)

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, further providing for transfers between certain classes and for additional class options.

SB 1034 (Pr. No. 1398)

An Act amending the act of July 7, 2005 (P.L. , No.1A), increasing the State appropriation for payment of law enforcement officers' and emergency response personnel death benefits.

HB 894 (Pr. No. 2133) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for program of continuing professional development.

HB 1690 (Pr. No. 3218) (Amended) (Rereported)

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. John J. Krantz and to Paul LaBar by Senator Boscola.

Congratulations of the Senate were extended to Honorable Richard K. Gaver, Margaret Pollich and to Andrew Donohue by Senator Conti.

Congratulations of the Senate were extended to Louise Vento Costa by Senator Costa.

Congratulations of the Senate were extended to Frank Mihalovich by Senator Fontana.

Congratulations of the Senate were extended to Shanna Elena Lenches by Senator Gordner.

Congratulations of the Senate were extended to Timothy Crowley by Senator Mellow.

Congratulations of the Senate were extended to David Joseph Harris by Senator Orie.

Congratulations of the Senate were extended to the Honorable Rocco Gaspari by Senator Pileggi.

Congratulations of the Senate were extended to Mr. and Mrs. Raymond C. Goron, Mr. and Mrs. Donald J. Haas, Mr. and Mrs. Donald Laughlin and to Mr. and Mrs. Joseph Edward Maline by Senator Regola.

Congratulations of the Senate were extended to Richard G. Wolfe by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Ambrose M. Urbany by Senator Stout.

Congratulations of the Senate were extended to Mr. and Mrs. Bob Henry by Senator Vance.

Congratulations of the Senate were extended to Peter Jellison by Senator Waugh.

Congratulations of the Senate were extended to Andrew William Johnson, William Harold Greider III, Matthew Shawn Ellis, Jevon M. Miller, David W. Burdis, Stephen M. Detz and to Donald A. Brady by Senator Wenger.

Congratulations of the Senate were extended to Mr. and Mrs. Harry Martz, Jr., by Senator M.J. White.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Judith Karen George Shaw by Senator Regola.

Condolences of the Senate were extended to the family of the late Robert L. Ceisler by Senator Stout.

BILLS ON FIRST CONSIDERATION

Senator FONTANA. Madam President, I move that the Senate do now proceed to consideration of all bills reported from

committees for the first time at today's Session.

The motion was agreed to.

The bill was as follows:

SB 398 and SB 1034.

And said bills having been considered for the first time,

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

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

December 5, 2005

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B. J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2007, and until his successor is appointed and qualified, vice Richard Kooman, II, Shipperville, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE ADVISORY COMMITTEE ON PROBATION

December 5, 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, Robert Weldon McCullough, III, 1041 Pleasant Hills Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Lawrence Murray, Fayetteville, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE TRANSPORTATION COMMISSION

December 5, 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, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jacob Bowers, Wernersville, resigned.

EDWARD G. RENDELL
Governor

RECALL COMMUNICATIONS 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 ADAMS COUNTY BOARD OF ASSISTANCE

December 5, 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 October 4, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Adams County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Sharon Price, Gettysburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Allegheny County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Paul Stackhouse, Pittsburgh, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BEAVER COUNTY BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Beaver County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Allen Andrascik, Beaver Falls, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BEDFORD COUNTY
BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the Bedford County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Larry Garlock, Everett, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 8, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Kathie Richardson, Hollidaysburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BLAIR COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice George C. Kelchner, Hollidaysburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BRADFORD COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 8, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Bradford County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice William E. Krause, Canton, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BRADFORD COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Bradford County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice John Brenchley, Canton, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BUTLER COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Butler County Board of Assistance, to serve until December 31, 2006, and until his successor is appointed and qualified, vice Joseph Macurak, Chicora, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CARBON COUNTY
BOARD OF ASSISTANCE

December 5, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Carbon County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Marsha M. Macalush, Nesquehoning, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CENTRE COUNTY
BOARD OF ASSISTANCE

December 5, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Centre County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Robert Shepherd, Pennsylvania Furnace, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CENTRE COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Eters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Centre County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Paul Houck, State College, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CHESTER COUNTY
BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 2006, and until his successor is appointed and qualified, vice Caroline A. Novak, declined appointment.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CHESTER COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Chester County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Rose Middleton, Thorndale, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE CLARION COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial

District, for appointment as a member of the Clarion County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Dorothy Ostrander, Lebanon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE DELAWARE COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Eters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Delaware County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Mary Ellen Balchunis-Harris, Ph.D., Drexel Hill, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Burton Shaver, Ridgway, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Eters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 2006, and until her successor

is appointed and qualified, vice Charles W. Constable, Johnsonburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ELK COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Elk County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Rose Heindl, Ridgway, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE FAYETTE COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Eters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Reverend DewVaul W. Tracy, Jr., Lake Lynn, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE FOREST COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Forest County Board of Assistance, to serve until December 31, 2007, and until her

successor is appointed and qualified, vice Clyde Holmes, Tionesta, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE FRANKLIN COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 21, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Franklin County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Marie Baughman, Shippensburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE FRANKLIN COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Franklin County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Charles W. Frame, III, Waynesboro, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE GREENE COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 21, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Greene County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice William Thomas, Waynesburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Juniata County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Willis E. Kauffman, Mifflintown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Juniata County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Esther E. Rhine, Mifflintown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Juniata County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Carlen D. McClure, Port Royal, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Juniata County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Fred N. Noble, Honey Grove, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LEBANON COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 18, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Lebanon County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Joyce Dissinger, Lebanon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LEHIGH COUNTY
BOARD OF ASSISTANCE

December 5, 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 August 8, 2005, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Lehigh County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Wendy Engler Shade, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LYCOMING COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 21, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Lycoming County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice John Losch, Montoursville, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

December 5, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Marcia Shuman, Rixford, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Shirley Reed, Eldred, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY BOARD OF ASSISTANCE

December 5, 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 October 4, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the McKean County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Vincent Goodrich, Bradford, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

December 5, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Mercer County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Janet McDougall, Grove City, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the Mercer County Board of Assistance, to serve until December 31, 2006, and until his successor is appointed and qualified, vice Michael Reichart, Sharpsville, deceased.

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

EDWARD G. RENDELL Governor

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Mercer County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice David Immonen, Greenville, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Mercer County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Walter Matthews, Sharon, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

December 5, 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 2, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Northumberland County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Allen Dexter Kunkel, Northumberland, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE PHILADELPHIA COUNTY
BOARD OF ASSISTANCE

December 5, 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 B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Philadelphia County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice Lee Roy Harper, Philadelphia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PHILADELPHIA COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 12, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Philadelphia County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Earl Ross, Philadelphia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PIKE COUNTY
BOARD OF ASSISTANCE

December 5, 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 August 30, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Pike County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Helen Gassmann, Matamoras, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE POTTER COUNTY
BOARD OF ASSISTANCE

December 5, 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 October 4, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice William Schweigart, Genesee, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE POTTER COUNTY
BOARD OF ASSISTANCE

December 5, 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 October 4, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Raymond Forsythe, Coudersport, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE POTTER COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Potter County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice William Stavisky, Shinglehouse, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 8, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Robert J. Bozylinski, Lost Creek, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SCHUYLKILL COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 8, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Schuylkill County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice John C. Phillips, Pottsville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SNYDER COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 12, 2005, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Snyder County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Ann Bergstresser, Selinsgrove, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SULLIVAN COUNTY
BOARD OF ASSISTANCE

December 5, 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 October 4, 2005, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Sullivan County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice John Potuck, Dushore, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE SUSQUEHANNA COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Susquehanna County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Nancy Ross, Uniondale, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE UNION COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice W. Earl Dieffenderfer, Lewisburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE VENANGO COUNTY
BOARD OF ASSISTANCE

December 5, 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 8, 2005, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Venango County Board of Assistance, to serve until December 31, 2006, and until his successor is appointed and qualified, vice Evelyn McLaughlin, Oil City, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE WASHINGTON COUNTY
BOARD OF ASSISTANCE

December 5, 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 July 28, 2005, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Washington County Board of Assistance, to serve until December 31, 2005, and until her successor is appointed and qualified, vice Arthur M. Wilson, Amity, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE WAYNE COUNTY
BOARD OF ASSISTANCE

December 5, 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 Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Wayne County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Donn T. Shepard, Honesdale, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE YORK COUNTY
BOARD OF ASSISTANCE

December 5, 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, for appointment as a member of the York County Board of Assistance, to serve until December 31, 2005, and until his successor is appointed and qualified, vice David Hawk, M.D., York, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE YORK COUNTY
BOARD OF ASSISTANCE

December 5, 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 Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the York County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Virginia Hawkins, York, resigned.

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

EDWARD G. RENDELL
Governor

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, DECEMBER 6, 2005

9:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider issues relating to the Landlord and Tenant Act)	Room 8E-A East Wing
9:30 A.M.	BANKING AND INSURANCE (informational hearing on Senate Bill No. 101 and House Bill No. 1478, payday lending)	Senate Maj. Caucus Rm.
11:30 A.M.	COMMUNICATION AND TECHNOLOGY (to consider Senate Bills No. 770, 936 and any other business that may come before the Committee)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 736; and House Bill No. 163)	Rules Com. Conf. Rm.

Off the
Floor

RULES AND EXECUTIVE NOMINA-
TIONS (to consider Senate Bill No. 157;
and certain executive nominations)

Rules Com.
Conf. Rm.

TUESDAY, DECEMBER 13, 2005

9:30 A.M.

ENVIRONMENTAL RESOURCES
AND ENERGY and TRANSPORTA-
TION (joint public hearing on Clean
Vehicle Emission Standards)

Room 8E-A
East Wing

RECESS

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

Senator PICCOLA. Madam President, I move that the Senate do now recess until Tuesday, December 6, 2005, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 7:08 p.m., Eastern Standard Time.