

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MARCH 22, 2006

SESSION OF 2006 190TH OF THE GENERAL ASSEMBLY

No. 20

SENATE

WEDNESDAY, March 22, 2006

The Senate met at 11 a.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend DAN KLEIN, of Willow Grove Baptist Church, Willow Grove, offered the following prayer:

Let us pray.

Worthy are You, O Lord our God, to receive glory and honor and power, for You created all things, and by Your will they exist and were created. I thank You, Lord, for the men and women gathered here, servants of the people, but also they are Your servants, Lord, for the good of this Commonwealth.

You fashioned our hearts and observe our deeds, and as You see the challenges before each Senator today, will You grant them courage and remind them that You will be their strength for their holy calling, for there is no authority except that which You have established. Lord, would You bless them also, as You see their hearts and their lives, in whatever personal trials and struggles they may be facing now. Please bless their homes and their families and the communities in which they live.

Lord, help us in our weaknesses, deliver us from jealousy, selfish ambition, and denial of the truth, but let us seek instead that wisdom which is from above, which is pure, peaceable, gentle, open to reason, and impartial, so that in finding this wisdom we will see a harvest of righteousness, the righteousness which exalts a nation.

Lord, call us to remember the foundation upon which this country was built and which made her great. Keep within us a holy desire to seek that law which is perfect, making wise the simple, that law which is right, rejoicing the heart, that commandment which is pure, enlightening the eyes and the fear of the Lord, which is the beginning of true wisdom.

Strengthen and convict us, O Holy Spirit of truth, so that this generation and those still unborn may see and know the reason for the true greatness of this nation and this State, under God.

Help us, Lord, to be that example to the nations. For Your glory, I pray. Amen.

The PRESIDENT. The Chair thanks Reverend Klein, who is the guest today of Senator Greenleaf.

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 March 21, 2006.

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

COMMUNICATIONS FROM THE GOVERNOR

**CORRECTIONS TO 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**

March 21, 2006

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

Please note the nomination dated March 3, 2006, for the appointment of Melvin Witherspoon, 5404 Evans Road, Erie 16509, Erie County, Forty-ninth 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, should be corrected to read:

Melvin Witherspoon, 2324-B East 43rd Street, Apartment #10, Erie 16510, Erie County, Forty-ninth 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.

**MEMBER OF THE STATE BOARD
OF PODIATRY**

March 21, 2006

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

Please note the nomination dated March 10, 2006, for the appointment of Steven J. Collina, M.D., 1260 East Woodland Avenue, Suite 200, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned, should be corrected to read:

Steven J. Collina, M.D., 640 Christopher Lane, Aston 19014, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan B. Tocks, M.D., Mechanicsburg, resigned.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

March 21, 2006

HB 248, 1631, 1928, 2026, 2133 and 2210 -- Committee on Transportation.

HB 617 -- Committee on Consumer Protection and Professional Licensure.

HB 2017 -- Committee on Judiciary.

March 22, 2006

HB 214 -- Committee on Judiciary.

HB 1804 and 2038 -- Committee on Finance.

HB 1983 -- Committee on Law and Justice.

HB 2003 and 2158 -- Committee on Local Government.

HB 2125 -- Committee on Banking and Insurance.

HB 2304 and 2315 -- Committee on Transportation.

HB 2347 -- Committee on Agriculture and Rural Affairs.

HB 2380 -- Committee on Appropriations.

BILLS INTRODUCED AND REFERRED

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

March 22, 2006

Senators O'PAKE, MUSTO, M. WHITE, TARTAGLIONE, BOSCOLA, KITCHEN, FONTANA, FERLO, EARLL, C. WILLIAMS, COSTA, WASHINGTON, RHOADES and STACK presented to the Chair **SB 1146**, entitled:

An Act amending the act of March 28, 2000 (P.L.23, No.7), known as the Fair Credit Extension Uniformity Act, further providing for unfair or deceptive acts or practices.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 22, 2006.

Senators MUSTO, MELLOW, BOSCOLA, FONTANA, STOUT, TARTAGLIONE, COSTA, FERLO, C. WILLIAMS, FUMO, KITCHEN, WASHINGTON, STACK, LOGAN, KASUNIC, HUGHES, O'PAKE, A. WILLIAMS, LAVALLE and WOZNIAK presented to the Chair **SB 1151**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for payments to intermediate units, for special education payments to school districts and for extraordinary special education program expenses.

Which was committed to the Committee on EDUCATION, March 22, 2006.

Senators MUSTO, MELLOW, BOSCOLA, FONTANA, STOUT, TARTAGLIONE, COSTA, FERLO, C. WILLIAMS, FUMO, KITCHEN, WASHINGTON, STACK, LOGAN, KASUNIC, HUGHES, O'PAKE, A. WILLIAMS, LAVALLE and WOZNIAK presented to the Chair **SB 1152**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the definition of "adjusted current expenditure per average daily membership"; further providing for small district assistance; providing for basic education funding for 2005-2006 school year; and further providing for payments on account of limited English proficiency programs.

Which was committed to the Committee on EDUCATION, March 22, 2006.

Senators GREENLEAF, COSTA, LEMMOND, PICCOLA, O'PAKE, RAFFERTY, GORDNER, EARLL, PILEGGI, BROWNE and WASHINGTON presented to the Chair **SB 1153**, entitled:

An Act amending the act of April 24, 1931 (P.L.48, No.40), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto," further providing for the requirements of valid recording of documents.

Which was committed to the Committee on JUDICIARY, March 22, 2006.

Senators BROWNE, ERICKSON, PILEGGI, RAFFERTY, PUNT, ORIE, RHOADES, M. WHITE, REGOLA, BOSCOLA, O'PAKE, C. WILLIAMS and WOZNIAK presented to the Chair **SB 1154**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 22, 2006.

Senators BROWNE, ERICKSON, PILEGGI, ORIE, WENGER, LEMMOND, RHOADES, PIPPY, GREENLEAF, RAFFERTY, ARMSTRONG, BOSCOLA, FERLO, MELLOW, LOGAN, C. WILLIAMS, KITCHEN, COSTA, STACK and FONTANA presented to the Chair **SB 1155**, entitled:

An Act creating a Statewide public awareness education campaign to prevent the occurrence of injuries and deaths to infants and children as a result of shaken baby syndrome.

Which was committed to the Committee on AGING AND YOUTH, March 22, 2006.

Senators PIPPY, MADIGAN, RAFFERTY, WONDERLING, M. WHITE, WAUGH, FERLO, ORIE, LOGAN and REGOLA presented to the Chair **SB 1156**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of unlawful firearm records; and prescribing a penalty.

Which was committed to the Committee on JUDICIARY, March 22, 2006.

Senators GORDNER, REGOLA, JUBELIRER, EARLL, ERICKSON, O'PAKE, PICCOLA and PILEGGI presented to the Chair **SB 1157**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school athletics, publications and organizations.

Which was committed to the Committee on EDUCATION, March 22, 2006.

Senators RHOADES, ORIE, BOSCOLA, RAFFERTY, D. WHITE, LOGAN and KASUNIC presented to the Chair **SB 1167**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for contributions for the purchase of credit for creditable nonstate service by certain mine workers.

Which was committed to the Committee on FINANCE, March 22, 2006.

BILLS REPORTED FROM COMMITTEES

Senator CORMAN, from the Committee on Public Health and Welfare, reported the following bill:

SB 997 (Pr. No. 1629) (Amended)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care.

Senator MADIGAN, from the Committee on Transportation, reported the following bills:

SB 703 (Pr. No. 847)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for passing stopped authorized and emergency vehicles.

SB 758 (Pr. No. 917)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring compliance with Federal Selective Service requirements as part of application for learners' permits or drivers' licenses.

SB 1088 (Pr. No. 1507)

An Act designating the section of State Route 219 that is situated in Somerset County as the Flight 93 Memorial Highway.

SB 1095 (Pr. No. 1563)

An Act amending the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, further providing for definitions and for program authority.

SB 1169 (Pr. No. 1628)

An Act designating a portion of State Route 279 in Allegheny County as the State Police Cpl. Joseph R. Pokorny Memorial Highway.

HB 15 (Pr. No. 3448)

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Substance Abuse Education and Demand Reduction Fund, for driving under influence of alcohol or controlled substance and for penalties.

HB 137 (Pr. No. 2311)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for lighted lamp requirements for motorcycles and for restrictions on highway and bridge use.

HB 601 (Pr. No. 3758) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for period of disqualification, revocation or suspension of operating privilege and for chemical testing to determine amount of alcohol or controlled substance.

HB 1014 (Pr. No. 2310)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for application for certificate of title, for transfer of ownership of vehicle, for application for certificate of title by agent, for an electronic titling program and for restrictions on use of highways and bridges.

HB 1834 (Pr. No. 3169)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for electronic access to driver records to confirm organ donor status.

LEGISLATIVE LEAVES

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

Senator MELLOW. Madam President, I request legislative leaves for Senator Fumo and Senator Washington.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Fumo and Senator Washington. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

Senator CONTI asked and obtained a leave of absence for Senator D. WHITE, for today's Session, for personal reasons.

CALENDAR

**SENATE RESOLUTION No. 232
CALLED UP OUT OF ORDER, ADOPTED**

Senator CONTI, without objection, called up from page 6 of the Calendar, as a Special Order of Business, **Senate Resolution No. 232**, entitled:

A Resolution memorializing the Congress of the United States to provide funding to the National Park Service to expedite repairs of damage caused by vandalism at Gettysburg National Military Park and urging the National Park Service to work with Federal, State and local law enforcement officials to apprehend and prosecute to the fullest extent available under statute the perpetrators of the vandalism.

On the question,
Will the Senate adopt the resolution?

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

YEA-48

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

NAY-0

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR PATRICIA H. VANCE,
SENATOR JEFFREY E. PICCOLA, AND
SENATOR MIKE WAUGH PRESENTED
TO THE SENATE**

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

Senator VANCE. Madam President, on behalf of Senator Piccola, Senator Waugh, and myself, we are delighted to introduce to the Senate three very outstanding young ladies, Casey Morrison, Kelsie, Maloney, and Cassie Pecht. They are the winners of the World Championship of 3V3 Soccer for the second year in a row for girls 12 and under. They won their most recent championship at Disney World's World of Sports, and we are very, very proud to welcome them to the floor of the Senate, as well as their parents and grandma.

So I would appreciate it if the Senate would welcome them to the Chamber. Would the young ladies please stand up.

The PRESIDENT. On behalf of Senator Waugh, Senator Piccola, and Senator Vance, please rise.

(Applause.)

The PRESIDENT. Will your coaches and your parents also please rise so we can thank you. We are so proud of you, the world champions.

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

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

SB 874 (Pr. No. 1618) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, itemizing additional local and State bridge projects.

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

**PREFERRED APPROPRIATION BILL
OVER IN ORDER**

SB 1159 -- Without objection, the bill was passed over in its order at the request of Senator CONTI.

PREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1160 (Pr. No. 1599) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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

Table listing names of senators who voted 'YEA' for SB 1160, including Armstrong, Gordner, O'Pake, Stout, etc.

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.

PREFERRED APPROPRIATION BILLS OVER IN ORDER

SB 1161 and SB 1162 -- Without objection, the bills were passed over in their order at the request of Senator CONTI.

PREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1163 (Pr. No. 1602) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

Table listing names of senators who voted 'YEA' for SB 1163, including Armstrong, Gordner, O'Pake, Stout, etc.

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 1164 (Pr. No. 1603) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

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

Table listing names of senators who voted 'YEA' for SB 1164, including Armstrong, Gordner, O'Pake, Stout, etc.

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 1165 (Pr. No. 1604) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

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

BILL OVER IN ORDER

SB 563 -- Without objection, the bill was passed over in its order at the request of Senator CONTI.

BILLS LAID ON THE TABLE

HB 750 (Pr. No. 841) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 935 (Pr. No. 1226) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to provide identification to law enforcement authorities.

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

SB 957 (Pr. No. 1550) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of robbery on the premises of a financial institution.

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

BILL OVER IN ORDER

SB 1050 -- Without objection, the bill was passed over in its order at the request of Senator CONTI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1166 (Pr. No. 1605) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2006-2007.

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

SECOND CONSIDERATION CALENDAR

BILL REREFERRED

HB 58 (Pr. No. 2674) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing a bonus to Pennsylvanians who are United States Merchant Marine veterans who served during World War II; imposing certain duties on the Adjutant General; providing penalties; and making an appropriation.

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

BILLS OVER IN ORDER

HB 153 and SB 668 -- Without objection, the bills were passed over in their order at the request of Senator CONTI.

BILL REREFERRED

SB 691 (Pr. No. 1622) -- 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 credit against tax and, in gross receipts tax, for the imposition of tax; and making a related repeal.

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

BILL ON SECOND CONSIDERATION

SB 866 (Pr. No. 1124) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of firearms not to be carried without a license and for license to carry firearm.

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

BILL REREFERRED

SB 944 (Pr. No. 1624) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for rape and for involuntary deviate sexual intercourse; providing for loss of property rights by certain offenders and for conduct relating to sex offenders; further providing for failure to comply with sexual offender registration requirements; defining "GPS" and "GPS tracking device"; further providing for registration and for registration procedures and applicability; providing for GPS tracking, for restricted travel, for alert system and for child protective zones; further providing for verification of residence and for information made available on the Internet; and making an appropriation.

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

BILL ON SECOND CONSIDERATION

SB 1000 (Pr. No. 1626) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the regulation of home improvement contracts and for the registration of certain contractors; prohibiting certain acts; and providing for penalties.

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

BILLS REREFERRED

SB 1043 (Pr. No. 1621) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for tuition costs and fees for children and spouses of deceased soldiers.

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

SB 1054 (Pr. No. 1443) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sex offender information made available on the Internet.

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

BILLS OVER IN ORDER

SB 1076, HB 1277 and HB 1618 -- Without objection, the bills were passed over in their order at the request of Senator CONTI.

BILL REREFERRED

HB 1621 (Pr. No. 3304) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the duty of the State Veterans' Commission.

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

BILLS OVER IN ORDER

HB 1725 and HB 1820 -- Without objection, the bills were passed over in their order at the request of Senator CONTI.

BILL REREFERRED

HB 2157 (Pr. No. 2980) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for certain duty for emergencies.

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

BILL OVER IN ORDER

HB 2296 -- Without objection, the bill was passed over in its order at the request of Senator CONTI.

UNFINISHED BUSINESS 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 Glenn Higbie by Senators Boscola and Rhoades.

Congratulations of the Senate were extended to Joan L. Matterness by Senator Brightbill.

Congratulations of the Senate were extended to Mike Cook, Bald Eagle High School Boys' Basketball Team of Wingate, Bald Eagle High School Wrestling Team of Wingate and to the Bellefonte Area High School Girls' Basketball Team by Senator Corman.

Congratulations of the Senate were extended to Gerald J. Mulville by Senator Erickson.

Congratulations of the Senate were extended to the Highlands School District of Natrona Heights by Senator Ferlo.

Congratulations of the Senate were extended to Casandra Pasquerell by Senators Fontana and LaValle.

Congratulations of the Senate were extended to the Masonic Library and Museum of Pennsylvania by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Ray Matter, Mr. and Mrs. Robert Wright, Mabel Gardner, John Miller and to Terry Strohecker by Senator Gardner.

Congratulations of the Senate were extended to Mr. and Mrs. David E. Potter, Mr. and Mrs. Walter Hurliman and to Huntingdon County PRIDE, Incorporated, by Senator Jubelirer.

Congratulations of the Senate were extended to Warren Gordon McIvor by Senator Kitchen.

Congratulations of the Senate were extended to Zachary Hubbard and to David D. Schatteman by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Howard P. Reisdorf, Mark Allen Messner, Peter Michael Brown and to Mary Althea Zarr by Senator Madigan.

Congratulations of the Senate were extended to the Honorable Christopher A. Doherty by Senator Mellow.

Congratulations of the Senate were extended to the Honorable Sandra Schultz Newman by Senators Mellow and Greenleaf.

Congratulations of the Senate were extended to Robert J. Soper by Senators Mellow and Lemmond.

Congratulations of the Senate were extended to Clifford K. and Ruth Melberger by Senators Mellow and Musto.

Congratulations of the Senate were extended to Joseph Sando, Andrew William St. Clair, Timothy Ryan Powell, William Pfeffer and to the Jenkins Township Little League by Senator Musto.

Congratulations of the Senate were extended to Gary W. Rubright by Senator O'Pake.

Congratulations of the Senate were extended to Jason Sebastian Kuklinski by Senator Pileggi.

Congratulations of the Senate were extended to the 325th Committee of the Delaware County Heritage Commission and the Brandywine Conference and Visitors Bureau of Chadds Ford by Senators Pileggi and Erickson.

Congratulations of the Senate were extended to the Ringing Hill Fire Company of Pottstown by Senator Rafferty.

Congratulations of the Senate were extended to Gordon Vanscoy by Senator Regola.

Congratulations of the Senate were extended to John J. Rogers and to the 2005-2006 Minersville Area Junior-Senior High School Senior Class Project Team by Senator Rhoades.

Congratulations of the Senate were extended to Charles Paul Brown and to Matthew Carl Brown by Senator Robbins.

Congratulations of the Senate were extended to Brian Collins, Kyle B. Smith and to Dane Holding by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. Raymond T. Macko by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Hoy, Mr. and Mrs. Michael Herilla, Mr. and Mrs. Daniel Levi and to Laura Hatfield by Senator Stout.

Congratulations of the Senate were extended to the Northeast Chapter, Order of DeMolay, of Philadelphia, by Senator Tartaglione.

Congratulations of the Senate were extended to Blair R. W. Harman and to the Holy Ghost Preparatory School Boys' Varsity Basketball Team of Bensalem by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. George Rafferty, Mr. and Mrs. Kenneth Danner, Mr. and Mrs. Vincent Clarke, Katheryne T. Spera, Elizabeth Engle, Edna King, Hunter Fisler and to Brian Vogt by Senator Vance.

Congratulations of the Senate were extended to Sylvester M. Johnson by Senator Washington.

Congratulations of the Senate were extended to Jessica F. Gordon and to Daniel E. Orwig by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. David Kelly, Mr. and Mrs. Harold Miller, Mr. and Mrs. Harry L. Dunmire and to Mr. and Mrs. Walter Boosel by Senator D. White.

Congratulations of the Senate were extended to Lauren Ashley Christmann by Senator M.J. White.

Congratulations of the Senate were extended to the Sharon Hill Fire Company by Senator A.H. Williams.

Congratulations of the Senate were extended to Roy R. Wise, Cody Knarr, Gregory Christina and to Windber Medical Center by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

Senator TARTAGLIONE. 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 by voice vote.

The bills were as follows:

SB 703, SB 758, SB 997, SB 1088, SB 1095, SB 1169, HB 15, HB 137, HB 601, HB 1014 and HB 1834.

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

PETITIONS AND REMONSTRANCES

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

Senator TARTAGLIONE. Madam President, once again we come to the close of another legislative week, and we have had no vote on minimum wage. Eighty percent of the citizens of Pennsylvania are in favor of raising the minimum wage. We need to have a vote, Madam President.

Eighty percent of the citizens of Pennsylvania are in favor of raising the minimum wage. Their voices are not being heard. My bill is in committee. We could move that bill out of committee and take a vote on the floor, and the people of Pennsylvania will have what they want, their voices will be heard. We need a vote on minimum wage.

Thank you, Madam President.

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

Senator SCARNATI. Madam President, with all due respect to my colleagues on the other side of the aisle, we are working on minimum wage, and we have been working on minimum wage since last December when I stood on the floor and we discussed and debated the issue of poverty. To my esteemed colleague, Senator Hughes, without any debate, we do have poverty in this State and we have poverty in this country, and how to best deal with that poverty is a matter of question.

I had proposed at that time that this Chamber and the administration look seriously at a statewide earned income tax credit. I waited anxiously for the Governor's budget report, but it did not include any statewide earned income tax credit. It was proven over and over, and it has been supported by both Democratic Presidents and Republican Presidents, that it is the best way to address poverty for working families, but it was not in the Budget Address. What the Governor said was he wants to see a minimum wage increase on January 1, 2007, to \$7.15 an hour.

We have been working, and I have been working with my colleague, Senator Tartaglione, and we have made, I think, significant progress in moving forward on the minimum wage issue for this Commonwealth, but we have an issue that we need to debate. We have an issue that we need to give due diligence to, and that is doing our best to protect jobs. We can argue back and forth about data, polls, business views, labor views, however we want to argue it, but something that this Caucus is interested in doing is protecting jobs, and without a doubt, if we raise the minimum wage too high, too quickly, we jeopardize jobs in this Commonwealth, and, Madam President, I do not think any of us want to do that. All this Caucus and myself as chairman have been doing is trying to get real facts, real numbers on who the minimum wage will affect and how many jobs it could affect.

We have asked the Secretary of Labor and Industry for that information, but we have not received it. I have put in the request again for that information, and I have asked him to give that to us by Friday. If we do not have that information on small employers and whether that goes by gross sales or by payroll, then we are

going to work to get that through other means. But we need to give it due diligence, and that is all we are asking for, time to get it done and get it done right. After all, it is the Governor who said it does not have to be done until January 1, 2007.

So please, I am not here to debate the merits of minimum wage, whether it is good or bad. I am not here to debate poverty. We can all agree it exists. But I am here to debate the fact we do not want to lose jobs, we do not want to put people out of work who are the least skilled, and those whom we want to protect the most. So give us our time, we need the information, and we will be ready to work together on some form of increase in the minimum wage that is not going to lose jobs and break the backs of business. There is a balance here. It is an issue of fairness, and that is what I ask for, some fairness.

Thank you, Madam President.

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

Senator TARTAGLIONE. Madam President, I, too, have been in negotiations, as was my esteemed colleague on the other side. The request for these numbers is really just a stalling tactic. I have introduced this bill three times in the last legislative Sessions. There has been plenty of time to find out how this would work, so I would ask that we please just get the bill on the floor and let us take a vote.

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

Senator HUGHES. Madam President, I originally approached the microphone to take the opportunity to speak about the passing of arguably the greatest legislator who ever served in the history of the Commonwealth of Pennsylvania, K. Leroy Irvis, and I will speak about him, his life, his legacy, and all of the great things that he accomplished on so many different fronts.

But I could not stand here after hearing Senator Tartaglione and our good friend on the other side, Senator Scarnati, discussing the minimum wage. As you know, I have stood at this microphone on numerous occasions requesting a vote, a vote that was promised us in January that has still not occurred. But I want to speak not about numbers, not about statistics, but I want to speak about yesterday's trip. Yesterday, I took a very early bus ride to Pittsburgh to the services for Speaker Irvis on the campus of the University of Pittsburgh, and the bus ride down the Turnpike takes you through all kinds of communities, takes you, if you will, through the heartland, as I guess you would say, of the Commonwealth of Pennsylvania. All you have to do is look out the window of the bus riding I-76 west, and of course coming back I-76 east, and you can see, you can see clearly, unequivocally, without any fear of rebuke, why we need to put more money in the pockets of the people of Pennsylvania. You see devastation along the highway, you see old homes that did not have successor generations because the children left because there was no future for them in their community when this country failed them and giant industries walked away and went overseas, and they have nothing left. You see vast tracts of land where old homes stood or where some homes still barely stand with people struggling, trying to figure out a way.

In our attempts to try to revitalize this economy, we are doing a lot, more than in the history of any other Governor in the Commonwealth of Pennsylvania. In the last few years, we put

more money into economic development, but that alone is not sufficient until we raise the income for the people who work there. We must put more money in the pockets of the people of this Commonwealth. We cannot allow poverty to exist month in and month out, year in and year out, without doing anything about it. Take the trip, and I feel for my colleagues who have to ride back and forth, to go through these communities and see the devastation and see what exists, and see that all those great jobs left this country, all of them gone, steel, coal, all of it is gone. We play around here and try to invest in new economies and new jobs. The Governor wants to create a whole, exciting biotech industry, and everybody just pooh-poohed, ha-ha, we do not need to do that. That is crazy, we do not need to do that right away.

But while we are doing that, while we are investing significant amounts of money in that new industry, we need to raise the minimum wage, because those people along I-76, represented by Republicans and Democrats, need our help, and they have been abandoned, they have been abandoned. Who stands for them? Look along the highway. Drive along there. If the government is not trying to do something, not trying to build highways, not trying to do something, there is nothing else there for them. If we do not generate it, who is going to generate it? Who will? The private sector? The private sector would love to keep them below minimum wage salaries. If we do not step up for them, who is going to step up for them? If you watch on PCN, private sector, e-mail me all you want, because the facts are the facts. Who is going to stand for these people? If we do not step up, if we do not force their salaries up, because everybody else wants to ignore them, who will speak for them?

We are sent here to do the best for the least of these, to create an environment so that they can succeed, and we walk away. Drive along that route during the daytime, not at nighttime, during the daytime and see what you need to see. Left, locked out, and what do they have available for them? What is available for them? Wal-Mart. They cannot even get health insurance at Wal-Mart. Oh, yeah, they can. You know where they get it from? They get it from the State of Pennsylvania, because we have to put them on Medical Assistance. Kmart, all the rest of them, \$5, \$6, \$7, it is ridiculous, and we stand here debating month in, month out, year in, year out, well, why should we do this, why should we work on this, what is the reason? Well, I have to analyze it a little bit more, blah, blah, blah, blah, blah, blah, blah. Ask the people along I-76 what they need, and they will tell you unequivocally it is not time to study it anymore, it is time to put more money in their pocket. It is time to do it. They need it. They deserve it. We have walked away from them. They have been left to hang, and what do they have available for them?

So I stood up here, Madam President, to talk about K. Leroy Irvis. That is why I stood up here. He was arguably the greatest legislator in the history of the Commonwealth, and got more done just by the eloquence of his argument, not by backroom politicking, but by standing up for his convictions, seeing the high prize, being a visionary. Any kid who goes to college in the Commonwealth of Pennsylvania and gets money from PHEAA needs to kiss K. Leroy Irvis's gravesite, because he created that program. Any kid who goes to a community college in Pennsylvania needs to send praises up to K. Leroy Irvis, because he made that happen. The Human Relations Commission, on and

on and on and on, fighting for dignity, fighting for what is right, fighting to invest in people's lives. He did more for so many.

That is why I stood up here, Madam President, to speak about him. I served with him for 2 years. It was an incredible tutelage that I got under him, just by observing him and what he could do. He served in the legislature for 30 years, 30 years. He was the first African American in the history of this country to become a Speaker of any General Assembly. That is not because he lined people's pockets with WAMs or anything like that, it was because he stood up with excellence and integrity and made a difference in people's lives, instead of this playing around stuff that we seem to want to do with people's lives and not pay attention to their needs. He was a great man, and he deserved every accolade that was due him and brought to him yesterday at his services, and he deserved so much more. If we do anything, if we do anything as legislators, Madam President, it would be to stand like him, fight like he fought, speak up like he spoke up, demand the best out of all of us. He saw character before he saw color, and that is how we need to operate. Drive toward the character in each one of us. Be conscious of the differences, but look to those things that unite us. He was a great man, Madam President, a great man.

I had the privilege of serving with him, I had the privilege of being at his service yesterday with his family, and many legislators and elected officials from around the Commonwealth and country were there. People called in from all over to sing honors of K. Leroy Irvis because he deserved every amount of praise. He took nothing for himself, took nothing for himself. He did not leave the General Assembly a millionaire. He did not come in as one, and he did not leave as one. He was all for the people whom he represented, and the rights and causes that he felt were just and deserved.

So that is why I stood up here, Madam President, not to talk about minimum wage, but it was put out there, so I had to respond. But we all owe K. Leroy Irvis, in the Senate and the House, we all owe him every respect that we can provide him because he deserved every minute of it. He was a great man, and he was, in my estimation, arguably the greatest legislator, the greatest individual to serve in the House of Representatives in the history of the Commonwealth, and there will never be another one like him. To rise to the position of Speaker is no easy task, to rise to the position of Speaker as an African American in the 1950s, 1960s, 1970s, and 1980s is an incredible feat beyond any of our comprehension or ability. In those days, too many of our colleagues did not even think that we deserved to be in this hall, did not even think that we had the right to serve, and would do anything to prevent us from serving. But he found a way through his conviction and moved to leadership, and then to Speaker. That, Madam President, is significant. The context in which he served, the context in which he led, the time in which he carried out his service, was not known for inclusiveness and diversity, not known for acceptance of legislators of color or female elected officials, as you very well know, and we still wait for the time when true equity and equality are available to all of us. But K. Leroy Irvis was the distinguished gentleman who served in this great building and took care of so many other people in ways that will be counted for years and generations and centuries to come.

I thank you, Madam President.

The PRESIDENT. Thank you, Senator Hughes, for your meaningful comments on minimum wage and, above all, on our beloved friend, the Honorable Speaker K. Leroy Irvis.

The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Madam President, over the last few months I have been listening to the debate on the minimum wage, and while I am a Member of the Committee on Labor and Industry, I am not engaged in that debate. But last week during this part of our agenda, the lady from Philadelphia challenged those of us on this side of the aisle who do not support minimum wage to, I believe her words were, search your souls. I took her challenge to heart, Madam President, and I searched my soul. I looked in every nook and cranny, I turned it inside out, and I also searched the library, because this is not just about feeling good, this is about facts, this is about economics, it is about reality, and it is about jobs. After I did that search of my soul in the library, I found that I am on the side of the angels, at least in my view.

Now, the allegation is that the people of Pennsylvania support raising the minimum wage, and a number of polls have been cited. I do not know, I have heard 70, 80 percent support raising the minimum wage. Unfortunately, Madam President, what they do not tell you is when you ask the next question to the people of Pennsylvania, or any jurisdiction, for that matter, if raising the minimum wage would cause the cost of goods and services to go up, do you still support it? At that point in time, Madam President, the support for raising the minimum wage drops by about one-half. Then, if you ask the second follow-up question, if raising the minimum wage would result in the loss of jobs for low-income workers, do you still support raising the minimum wage? The support for raising the minimum wage continues to drop.

So the notion that this is an overwhelmingly popular idea I think is a popular myth, but it continues to be good politics, and I guess we are going to hear the politics of the question from now until something is done. But, Madam President, it is dumb economics, and it is bad public policy. Now, why do I say it is dumb economics? Well, if it were smart economics, Madam President, why stop at \$7.15 an hour? Let us raise the minimum wage to \$20 or \$30 or \$40 an hour and wipe poverty off the map. Well, we all know that would be a ridiculous, inflationary disaster for Pennsylvania or for any jurisdiction. It would not make any sense whatsoever. But that does not mean incremental increases in the minimum wage are good economics. They are not. It is bad public policy, particularly for a State like Pennsylvania, which is not competitive. We cannot compete with many of our sister States because the cost of doing business in this State is just too high, and by raising the minimum wage, particularly higher than the Federal minimum wage, simply exacerbates that lack of competitiveness for job creation. Ironically, Madam President, it is most harmful to the very people whom we are ostensibly trying to help, the low-income workers.

Madam President, it is important, I think, to remember who pays the minimum wage. It just does not come out of the air. It has to be paid by the employer. What types of businesses are paying the minimum wage? Well, I am interested in getting that

information that Senator Scarnati is requesting from the Department of Labor and Industry because that will give us specific information as to Pennsylvania. But in doing my research, I found out a couple of years ago that the Small Business Administration discovered that predominantly the employers who pay the minimum wage are not the large corporations, they are the small business men and women, and I am sure the same applies here in Pennsylvania. The SBA found out that 54 percent of the employers who pay a minimum wage are employers who employ less than 100 people, and 67 percent of those employers who pay the minimum wage employ less than 500 people.

Now, who are these small business people? Well, if I could bring a little reality into this debate, Madam President, I met one of them over the weekend. I am not going to mention any names or any specific business, but he owns a franchise and is the sole proprietor, legally blind and he cannot drive, so he has to ride his bicycle back and forth to his place of business. He employs about 15 or 20 people, mostly part-time workers, young people, people who otherwise perhaps could not find employment. It is employers like him, and I might add that he devotes his spare time to his volunteer fire company, these kinds of small business people are the convenience store owners, the car wash owners, the mom-and-pop stores, these are the people who are paying the minimum wage. And small business, Madam President, if you have any knowledge about operating a small business, they are perpetually underfinanced. They just do not have the capital to put into a business. They are always a short step from bankruptcy.

In fact, the statistics that the Small Business Administration came up with bear this out. They are constantly threatened with going out of business. In fact, the SBA found out through statistics supplied in 1998 that in the United States of America there were 590,000 new businesses created in the United States, and of that 590,000 created, 565,000 of them employed less than 20 workers. However, Madam President, in the very same year, 1998, and it was not a particularly bad economic year, 541,000 businesses went out of business in that very same year, and of that 541,000, 512,000 of them employed less than 20 workers. So you can see the kind of precarious position that small business is in, not just in Pennsylvania, but all over the country, probably all over the world. And so when you raise that minimum wage, what you are doing, in essence, is putting a tax on small business, and that tax reduces their ability to hire new people, to raise the wages of the people whom they already have working, and possibly cause them to go out of business or lay people off.

Now, the SBA, the Small Business Administration, also had some other interesting statistics. They found that wages actually slowed down for low-wage workers at times when we are raising the minimum wage. It is counterproductive to that person whom we are trying to help by raising the minimum wage. Small firms that employ minimum wage workers slow down the increase in wages at times when we are raising the minimum wage, artificially raising it. In fact, the layoff rate of low-wage earners doubles both for small and large businesses when the minimum wage is being increased.

Now, the next question, after we answer who pays the minimum wage, is who makes the minimum wage? Who are the

people who are earning the minimum wage? Obviously, we look to the small business employees, and they tend to be the people who are making the minimum wage. But there is another statistic that the SBA has in its possession, that half of all workers earning minimum wage are under the age of 25, and 25 percent of them are teenagers, 16 to 19. In fact, there is a very interesting chart that I am going to ask to be submitted for the record that charts the real minimum wage against teenage unemployment. It is remarkable, Madam President, when the real minimum wage is going down, that is we are not raising it, so inflation is bringing it down, teenage unemployment is going up. So teenagers are able to get work more effectively when we are not raising the minimum wage, and when we raise the minimum wage, teenage unemployment goes up almost exactly line for line, and I submit this chart for the record, Madam President. A third of those making the minimum wage have no high school diploma, three-fifths of those making minimum wage are part-time, and frequently they are students who are living at home and have other means of support.

Now, minimum wage jobs are important, there is no doubt about it. Low-income, low-paying jobs are important, and they are important not only for the economy, but they are important for the people who take them, because they are entry-level positions for people who perhaps do not have the training and do not have the skills and do not have the background necessary to get the higher paying jobs. You know, Madam President, wage growth for people who take minimum wage jobs is higher than for people who go in and earn a higher level of wages. SBA statistics bear that out. In fact, there was a study recently in the last couple of years performed by the Employment Policy Institute, which found that the median annual wage growth for minimum wage workers is six times greater than for workers earning higher than the minimum wage. Now, what does that tell us? That tells us that when someone takes that entry-level position at minimum wage, or somewhere in that range, the opportunity, if they stick with it, for growing beyond that minimum wage, getting salary increases, wage increases, is six times greater than someone who comes in at a higher wage.

Madam President, I do not think we should be artificially increasing the minimum wage, because I think it is bad public policy and it is not good economics, and I have outlined the reasons why. The statistics bear this out. I do not think when the people of Pennsylvania understand the real effect of raising the minimum wage, they will support it either. If we are really interested in helping the low-income working families of this State, we will do what Senator Scarnati has suggested, and that is to develop an earned income tax credit program that will really help those working families here in Pennsylvania. Raising the minimum wage will hurt those very same families. It will hurt small business. It will destroy jobs, and I hope we do not do that, Madam President.

Thank you so much.

The PRESIDENT. Thank you for your comments, Senator Piccola, and the chart will be made a part of the record.

(The following chart was made a part of the record at the request of the gentleman from Dauphin, Senator PICCOLA.)

Real Minimum Wage & Teenage Unemployment

| Year | Minimum Wage | % Teenage Unemployment |
|------|--------------|------------------------|
| 1984 | \$5.10 | 22.4% |
| 1985 | \$4.80 | 21.2% |
| 1986 | \$4.75 | 20.1% |
| 1987 | \$4.65 | 19.3% |
| 1988 | \$4.50 | 18.0% |
| 1989 | \$4.25 | 16.1% |
| 1990 | \$4.05 | 14.7% |
| 1991 | \$4.35 | 17.1% |
| 1992 | \$4.75 | 20.2% |
| 1993 | \$4.60 | 19.0% |
| 1994 | \$4.50 | 18.1% |
| 1995 | \$4.30 | 17.0% |
| 1996 | \$4.25 | 16.2% |

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

Senator HUGHES. Madam President, just so we can be clear, I do not have any problem walking down the path of creating an earned income tax credit program here in Pennsylvania. I think it is best served if we do that in partnership with increasing the minimum wage, which I believe is what they have done in the State of New York. I believe that what President Clinton did the last time the minimum wage was increased was increase the minimum wage and also put in an earned income tax program, and that is a positive thing. Understand, however, understand that when you put in an earned income tax program, it is the taxpayers, the rest of us, paying for an increase in the wealth and opportunity for those at the lowest rung of the economic ladder. That is State money invested, as opposed to an increase in the minimum wage, which is private money invested in workers, and the earned income tax program is State money invested in workers. So there is a difference there, and we all need to be clear about it, we need to understand that, and I do not have any problem going down that path and having that conversation and coming up with a policy to make that happen.

What we also know is that Pennsylvania is at a disadvantage, at least that is what the previous gentleman said, that Pennsylvania is at a disadvantage economically in job growth, even though we have moved from 49th to 17th in the last couple of years, we are at a disadvantage compared to the States around us. That is what the gentleman said. It is very interesting to note that the States around us, almost all of the States around us, have a higher minimum wage than we do. So maybe the advantage that we need is to have the same wage that they have so that we will not be at a disadvantage, and we will be at a competitive level, a level playing field. And maybe the lesson that they learned is that by paying higher wages, you attract better employees, better workers. They have more money in their pockets, they can invest in their personal situation, they can invest in their education, they can invest in their households, they can pay their bills. You know, energy bills have gone up by about 30, 40, 50, 60 percent. It will help pay those off, and all the other bills are going up. So putting a few more dollars in people's pockets can help defray some of those costs that they incur, because their costs are going up, but their income is going down.

I do not have a chart. I can make one up real quick on a piece of paper right here, and I will do that. Here is the line for costs. See? That is the line for costs. I do not know if you can see it, but it is going up. The line for income, and I am going to write it out real quick, is going down. You see?

Now, in an administration a few years ago, they had something called voodoo economics, you know, and we probably do not have enough time here to do a full explanation of voodoo economics, but basically I think you understand from the name, "voodoo economics," that it means crazy stuff that does not make sense. So I will apply that to this concept being espoused on the floor today, the argument against raising the minimum wage, that you are better off not having more money in your pocket. I want people listening to really think about that, that there are people on the floor of the General Assembly saying that the average person is better off having less money in their pocket than having more money in their pocket, and I want you to think about that. I want everybody to think about that. I asked if there was another reason why we should not have done the pay raise. We would have been better off having less money in our pocket than more money in our pocket. Now that makes absolute sense. In the great tradition of the United States of America and capitalism at its finest, we believe that you should have less money than more money. I want you to think about that and think about that very clearly.

God bless K. Leroy Irvis. That is why I got up here today to speak about him, but now I am on voodoo economics. Costs are going up. No one argues that the costs are going up. You see my chart: the costs are going up, income is going down. No one argues that income is going down for the low-wage worker. Income is going down. If you are a minimum wage worker, the value of what you made a few years ago at \$5.15 an hour is less now than it was then, so here is the spread. Costs are up, the money in your pocket is down.

Now, let us make it more practical. I have \$20 here in my right pocket, and I have \$5 in my left pocket. Let us try it like that. Now, which pocket is better off, the pocket with more money, or the pocket with less money? Which one is better off, the pocket with the \$20, or the pocket with the \$5? Now, when I go to a restaurant to get a meal, let us say I want to get a Happy Meal at McDonald's, I cannot get one with the \$5 pocket. I can get one with the \$20 pocket. Let us say I want to wash my clothes and I cannot afford to buy a washer and dryer for my house, so I have to go around the corner to the coin-operated laundromat. You all know what I am talking about. Some of you may have had to wash your clothes at the coin-op, you know, where you have to keep feeding quarters in, quarter, quarter, quarter, quarter. All right? You cannot wash a good load, 1-week's worth of clothes, with \$5. You cannot do it. Am I right? You all know what I am talking about. Am I right? You cannot do it with \$5 worth of quarters. You will need \$20. So now I have that \$20 in my right pocket, and I am really flying now because I am in my right pocket. All right? I have \$20 and have to put my quarters in the machine to wash my clothes. Okay? Then I have to buy some food, you see. I can do that with the \$20 pocket. I cannot do that with the \$5 pocket. Now, common sense is common sense.

New York lost no jobs when they increased the minimum wage. New Jersey lost no jobs when they increased minimum

wage. No State has any documentation of job loss when they increased the minimum wage. When we last did it, God knows, 8, 9, 10 years ago nationally, no job losses. Then everything went wrong. You know where the jobs probably went? Overseas, with all the rest of those jobs going overseas. But, it is voodoo economics to say that costs are going up, that income is going down, and I am just a happy chappy. Everything is fine in my house. Rent is going up, because I cannot afford to buy a house, you know, so I cannot have a mortgage. Rents are going up, food costs are going up, transportation costs are going up, utilities are going up. I do not know anything that is going down. The cost of gasoline is going up. Let me see, what did I leave out? Is anything going down? Are any prices going down? Okay, one of my colleagues just mentioned that the cost of a plasma TV is going down. Now he said that in jest, but the reality is that for those who can afford a plasma TV, that group of individuals in that economic stratosphere, they are happy, they are fine, they are doing great, they are living large. In fact, there are more folks making millions of dollars, there are more millionaires, billionaires in this country than ever. If you have it, you are doing better. If you do not have it, you are doing worse. If you are in the middle, you are getting squeezed down. Take that trip along I-76 and see what I am talking about.

So here we have voodoo economics, the costs are going up, the incomes are going down. Look at this spread, look at the spread between the two, and you are telling me that all my people are doing better with less money in their pocket? What kind of drugs are you on? What kind of hallucinates are you doing? What kind of chemical medications are you investing in? That is ridiculous. That is absurd. Okay, if it is that good, you work for less. Why do we not all work for minimum wage around here? Lord knows, if Mr. Diamond and his whole crew had their way, we would be paying people to work this job. Why do we not try that? Let us see how great that would be. Voodoo economics, costs going up, income going down, the spread is greater, the spread is increasing, and I am supposed to be happy. I have \$20 in the right pocket, \$5 in the left pocket, and the left pocket is really going to get me to the promised land. Right? That is the idea?

You know, we can try to increase the minimum wage, we can try the earned income tax credit, we can try all kinds of things. We do a great job in this country of subsidizing those who are already doing very well. We do a great job in this country of making life easy for those who already have; for those who do not have, we should all be ashamed of ourselves, we should all be tragically ashamed of how we perform for those who are the least of these.

Back in November I asked, was there no balm in Gilead, was there no healing for our people? When it comes to straight up cash dollars, money in their pocket, do they not deserve it? Are they not deserving? Are they not in need? Are they not just as equal, just as important, just as relevant as every one of the rest of us around here? Are they not? Do they not deserve to make more than the Federal poverty level, which is \$5.15 an hour, which is now even more than \$2,000 less than the Federal poverty level. It is about \$2,500 to \$3,000 less than the Federal poverty level, because it has just been recalculated, Madam President. That statistic, that reality occurred a couple of weeks

ago, maybe about a month or so ago. So those low-wage workers, those people with less money in their pockets, while the cost of living is going up around them, they deserve somebody to stand up for them, to give them a fighting chance to make their way in the economic reality of this country, of this world.

Thank you, Madam President.

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

Senator PICCOLA. Madam President, very briefly, I just took a couple of Excedrin before I came up, but that is all, no illegal drugs.

Madam President, I cannot disagree at all with the gentleman's assertion that you are better off with more money in your pocket, no question. The question, however, is not whether you are going to have more money in your pocket or not. The question is, are you better off with a job or without a job? Because that is the question that we have to ask. If we raise the minimum wage, people are going to lose their jobs, and they will be low-income workers, period. That is a fact. It happens every time we do it.

Number two, I think the gentleman is practicing a little voodoo economics himself over there with that graph. He is assuming that someone who enters into a job earning the minimum wage, or slightly above it, is going to earn that wage perpetually. That is simply not true. Wages go up for individual workers. In fact, I am going to restate the study that was performed by the Employment Policy Institute that found that the median annual wage growth for minimum wage workers is six times greater than workers earning more than the minimum wage. So not only do minimum wage workers have their wages go up, but they go up faster than everybody else's wages. So his graph, Madam President, I do not believe accurately represents the reality of economics as it exists in this society.

Thank you, Madam President.

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

Senator WONDERLING. Madam President, it dawned on me this afternoon that I actually sit in a unique place on the floor of this Chamber, particularly as it relates to this debate, because I sit right in the middle of the Senate Chamber, and perhaps symbolically and otherwise, that is where we need to move this issue along over the next several weeks. We take the Governor's words to heart in terms of his expectations for an increase in the minimum wage by January 1 of next year. I take to heart the counsel, words, and direction of our chairman of the Committee on Labor and Industry in that if we have data, if we have facts, perhaps we can move this debate from rising rhetoric on both sides to a common middle ground that makes sense for working Pennsylvanians.

Madam President, I would be remiss if I did not make a couple of comments to address what I heard listening to my esteemed colleague from Philadelphia. I agree wholeheartedly that we need to find ways in this day and age to put more money in the pockets of working men and women of Pennsylvania, and I agree wholeheartedly, no matter where you are on the income strata, no matter if you are starting out in this life as a 14-, 15-, 16-year-old working part-time, or if you are in the ranks of a growing number of Pennsylvanians who are well beyond retirement age but still working and making an income, that there

is dignity and respect in work. I think all too often in our society today, Madam President, we put too much of a premium on affluence, and then that creates a political dynamic where it is very easy to address, in very loud voices, the politics of haves versus have-nots, the policy that says that only the most affluent benefit from policy in this Commonwealth. There is no shame in work, there is no shame in us having reasonable debate on the right approach to grow this economy in Pennsylvania, to ensure that people do have jobs, to ensure that our entrepreneurs are continuing to find this Commonwealth as a place to start an enterprise, and to hire folks.

By the way, Madam President, it is worth noting that 85 percent of the folks who work in this Commonwealth today work for enterprises that have 100 or less employees, so this is not esoteric or theoretical. This whole notion, and I think the point of contention in this debate is, will raising the minimum wage, as the gentleman from Philadelphia suggests, not result in job losses, or as the gentleman to my right, Senator Piccola, has said, that indeed it will. Getting the data that we have been requesting from our chairman for weeks is critically important to determine that because 85 percent of the folks who work in this Commonwealth work for small enterprises. We are not talking about engaging in public policy here on a whim that is going to marginally impact just a few individuals, we are talking about a lot of folks, either those who would directly benefit from a potential increase in the minimum wage, or those who employ those folks, and we need to have the facts and the data.

Now, again, I am delighted that the gentleman from Philadelphia feels strongly that we should put more money in individuals' pockets, and I think underlining this whole minimum wage discussion and debate is a clear philosophical distinction about what that means for working men and women in this Commonwealth. I find it interesting and believe and feel wholeheartedly that one way we can provide dollars in individuals' pockets is to return tax dollars to the working men and women of this Commonwealth.

Not too long ago the House and the Senate sent a bill to the Governor that would return tax dollars to working men and women and would repeal a portion of the personal income tax in this Commonwealth, putting dollars back in the pockets of men and women of this Commonwealth, and the Governor chose to veto that. By the way, primary beneficiaries of that repeal in the personal income tax would be small entrepreneurs, employers, sole proprietorships, like Senator Piccola spoke of, who paid that personal income tax as part of their enterprises. The Governor chose to veto that, but it was a great opportunity to return dollars to the pockets of the folks who make this Commonwealth great, and it did not happen.

I was greatly pleased and somewhat optimistic that yesterday the Senate Committee on Finance passed a bill that would phase out over time the double tax on cell phone use in this Commonwealth, which essentially is a double tax on low-income individuals. Back in 2002, when the Treasury was running in the red in this Commonwealth, we raised and imposed a gross receipts tax on cell phone use in this Commonwealth. We have the dubious distinction now, Madam President, we are one of the few States in America that double taxes cell phone use. Six million individuals use cell phones in this Commonwealth, many

of them low-income individuals, many of them relying on the cell phone as their primary tool to start an enterprise and get through their day, and we have double taxed that. There is an opportunity, perhaps to the tune of almost \$200 million, to return some of those hard-earned dollars to the pockets of individuals across this Commonwealth.

We talked here about costs rising for this, that, and the other thing. Why do we not get to a heartfelt and fundamental debate on this floor in this General Assembly about the one aspect of our lives that is growing at a rate more than anything else, and that is the cost of government at the State and local levels. Now, we have done something here in this Chamber in Senate Bill No. 4, under the leadership of our Majority Leader, which would cap the rate of growth of State government so we do not have to continue to tax and take hard-earned money from the pockets and wallets of working men and women to feed a government that is on track to spend itself into oblivion.

Democrats and Republicans alike have now understood that the cost of public education needs to be reined in, and that is why there is bipartisan support, and the Governor has, in previous law, signed into law a concept of backend referendum to control school district spending at the local level. We have school district budgets growing at a rate of 8, 10, 15, 20 percent a year. The pocketbook is open to pay for that education system at a higher rate than any other rate of inflation for commodities, goods, or services that we know. The rate of inflation in public education is far outpacing the rate of consumer goods, for example. So we have means at our disposal. We have a policy at our disposal, and bills that we can vote on that control spending in government and can return, put more money into people's pocketbooks. We can do that, Madam President. We proved we can do that on a bipartisan basis.

But as I began my remarks, I will conclude that in many respects I am not just symbolically in the middle, I am calling on our colleagues on both sides of the aisle to bring a rational approach to the minimum wage debate. I will tell you that barring no facts, no data from the administration to really understand what the impact is on the small business community, I do not think we will get very far in this debate, other than eloquent floor speeches and proverbial political ping-pong with an issue that I think is too important to the people of this Commonwealth.

Thank you, Madam President.

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

Senator SCARNATI. Madam President, I would like to go back to the minimum wage and talk a little bit about some of the comments that were made, that this is a stalling tactic, that we are stalling on moving the minimum wage forward. As chairman, I have asked for 3 months for numbers from the Department of Labor and Industry so that we can make a responsible decision and responsible choices on how high and how broad we raise the minimum wage. I have yet to get those answers. So who is stalling? I think we need to look at the Department of Labor and Industry if we want to look at who is stalling, not the chairman of this committee, nor any Members of this Chamber. To my esteemed colleague who talks about poverty and people who cannot pay their bills, I have people in my district who cannot pay their bills. There is poverty, and I am not going to debate

that, but the point is, how will they pay their bills if they do not have a job? They are not going to have a job if we raise the minimum wage too high, too fast.

The gentleman started his remarks about a great individual who has passed recently who served in this great Capitol. Well, I want to talk about real people, too. I want to talk about real business owners, because I have been a small business owner all my life, as have the three generations before me. I talk to small business owners. I talked to John, a grocery store owner, and asked him what a \$7.15 minimum wage on January 1, 2007, was going to do to him. Well, he said, it is probably going to eliminate at least one position, it will reduce hours, and I will not hire any additional high school or college kids this summer.

These are real people. Pete owns a personal care home. I asked him what is going to happen to him if we raise the minimum wage to \$7.15 an hour on January 1, 2007? He said he will have to cut back; people will lose their jobs.

I asked a friend of mine in the restaurant business, what happens if we raise the minimum wage to \$7.15 an hour on January 1, 2007? Well, he said, my dishwashers will have to cut their hours back and work harder when they come, I will probably eliminate a waitress, and I will eliminate probably one more position to make it happen.

This is a tax on the small business man. We want to talk about jobs, job creation, all we do is run jobs out of this State, run the job creators out of here. We can criticize, we can say we give them this and give them that, and there are people who cannot pay their bills. Well, the people are still going to be there who cannot pay their bills, because there are going to be fewer jobs. That is a fact.

Madam President, all I ask, and all we have been doing is trying to be responsible, trying to take a responsible approach, and if we want to help people in poverty who are working, families in poverty who are working, I keep saying it, I waited for the Governor to say it, but I have not heard it, a statewide earned income tax credit. President Clinton said it himself. That is the best way to help working families. Those are not my words, they are President Clinton's.

So, Madam President, I am working diligently as chairman of the committee, I am working with both sides of the aisle, I am working with the business community and the job creators, and I will not allow something irresponsible to come to this floor and out of my committee.

Thank you, Madam President.

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

Senator CONTI. Madam President, I rise to offer some remarks about Speaker Irvis, if I may, and I always find it enjoyable when my friend from Philadelphia takes the floor and speaks to us, and today was particularly compelling. I will be brief, because I know the hour is running late for a Wednesday. Having my good friend from Philadelphia confide how much money he has in his pocket, which is much more than I have in mine, I would like to meet him for lunch shortly, so I will get through this as quickly as I can.

If one of the fine staff would show my friend from Philadelphia our witty Calendar comment today, I think he is fully accomplishing that mission today.

Back to Speaker Irvis. Last Thursday and Friday I had to be in the city of Pittsburgh for a Penn State trustees meeting administered by confirmed and soon-to-be sworn-in Justice Baldwin, and I had a delightful visit in a wonderful city. We are blessed to have two great anchor cities in this State, are we not, Senator? It was spectacular weather, the kind of weather Pittsburgh would want for their Chamber of Commerce brochures, and I spent Thursday night really visiting some unbelievable architecture in Pittsburgh, as it is just a great place.

I woke up Friday morning and was devastated to read in the paper of the passing of Speaker Irvis. I did not have the privilege of serving as the gentleman did, and I know we are very proud of our service across the way here in the Chamber of our people, but I did get to know the Speaker, and blessedly, we have honored him with a building here in the Capitol complex. But it afforded me an opportunity to read in the Pittsburgh Post-Gazette a story of Speaker Irvis that I would have never read in the eastern part of the State, much more detailed about his background, and I really enjoyed that. It was interesting that he began getting attention in Pittsburgh by fighting for minority and women representation in retail stores, and from that it catapulted into a wonderful career. So I am pleased to continue to serve in this building, now on this side, with fond memories of people like Speaker Ryan and Speaker Irvis.

The gentleman's list of accomplishments of Speaker Irvis, particularly in education, are illustrative, and I think the Human Relations Commission, though, is the one that means the most to me, as one of the members of the Grand Old Party of Lincoln who really believes in civil rights and human rights, and we have a long way to go. I have just introduced legislation offered by the Human Relations Commission to our Committee on Judiciary to address some of the inequities in our workplace and some of our educational facilities, and I thank the gentleman for his support of those things and look forward to getting to them in the future.

But I just wanted to rise also to share my strong emotion on the honor to serve with Speaker Irvis. He certainly was one of the brightest lights of this Assembly, and I want to thank the gentleman for his comments in that regard.

The PRESIDENT. Thank you, Senator Conti, for your very meaningful comments on Speaker Irvis.

The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Madam President, as you know, I spent the first 10 years of my legislative service in the House, and the House was very active in this debate on the minimum wage, and actually when I was there, I think we had passed three separate measures that had increased the minimum wage, at least up until the amount of inflation in the marketplace that we have seen recently. I was happy to have supported those measures and want to say, first of all, that I do support the discussion on minimum wage, and hopefully an eventual bill that passes will provide for a minimum wage increase in Pennsylvania. The reason why I believe that is the case is that at least since 1997 we have seen enough growth in the gross State product of Pennsylvania to at least provide, at a minimum, an inflationary increase in the minimum wage, to raise that minimum standard that the Federal government has not raised. The reason why I think that is possible is because as we look across the marketplace, especially

in larger businesses, the market rate for entry-level workers has increased above what the mandated State and Federal minimum is. So, in making sure that people are at least making what the market will bear, I think our public policy here should reflect that, and we should adjust our minimum standard to reflect what the market is bearing.

But in this regard, I think we have to be honest with ourselves in what we are doing here. The fact is that what we are doing is significant, and for many businesses, we will be imposing additional costs, just like we do when we increase taxes here, we are imposing additional costs on business. We realize that when we do that there are some negative effects. Anytime government acts on a broad basis to impose additional costs, there is going to be a negative effect, and that is the reason why we have been trying to cut taxes in the Commonwealth recently.

We realized back in 1991, when we raised individual and business taxes, that it did cause negative effects in the marketplace, so we have to be honest with ourselves in that regard. If we are going to pass something that is this broad, we have to be willing to be honest and look at areas where it is most probable that the negative effects are going to be most significant and try to mitigate them, and I think we know where they are. I think we know, most likely, where these negative effects are, and they are amongst our friends and neighbors who live next to us, who run the flower shops, the grocery stores, the tailors, the dry cleaners, those friends and neighbors who line our Main Streets, our Elm Streets, in our towns and communities of the Commonwealth.

In regard to the moms and pops, these small business people, our friends and neighbors, I do not think we have had an honest discussion, and I have been part of some of the presentations across the State on the minimum wage. A lot of times, I do not think, in regards to these companies, we have been honest. First of all, there were many comments made that the State has increased its economic development package significantly over the last 10 years. In fact, our economic development compendium is absolutely the largest in the country now. And because we have done that, many small businesses have benefitted, so they should be able to return that back into higher wages. But these businesses, our friends and neighbors, do not benefit from these packages. They are not the types of businesses that get those subsidies. So if that is the case, we should not be saying that these types of businesses have additional resources from us that they can turn back higher wages.

Also, it has been said that we have decreased taxes significantly in the Commonwealth over the last several years, so that there are additional resources in their hands to increase wages. Well, when it comes to our small business, mom-and-pop stores, that is not true. What we have done in the Commonwealth is to decrease business taxes that do not apply to them. The only thing they have benefitted from in the last 10 years is the elimination of the minimum tax, the minimum capital stock and franchise tax, which 10 years ago was \$300. The property tax increases across the Commonwealth have more than overcome that.

So, in regard to these businesses, I think we have to be honest, and if we look at them, there are possibly two reasons why or why not we can increase the minimum wage. Probably they say

that they could increase the minimum wage because they have increased their profits. We could say that they will not increase the minimum wage because they want to put the money in their pockets and they do not want to benefit their workers. They want to increase their own economic status, but we know that not to be true. I do not have to look at a study to know what the mom-and-pop stores in my district, my friends and neighbors, make. We know where they live, we know their wealth has not gone up. Their workers see the cash coming across the cash register, and if we ask them, which many of us have, why do you not increase the minimum wage, they are going to say, Browne, you know where I live, you know I do not make any more money than I did 10 years ago. If I could increase the minimum wage to my low-wage workers, I would because, frankly, I care about them more than you do, and I think that is some of the misconception we have out here and why they think sometimes that we have an ivory tower perspective when it comes to small businesses. They care about their people more than we do, they see them every day, they work with their families. So, if they had the cash flow in these communities where the economy is dropping, as Senator Hughes had mentioned, the economy in the west, if they had the growth in the area of additional cash flow, they care enough about their workers, those companies with two or three employees, that they would turn their money around to them and increase wages. The fact is, they just do not have it in some of these economies. In downtown Allentown, the market has not increased enough for them to turn their money over to their workers and increase wages without having some significant consequences from it, either cutting out a simple IRA, a basic health care plan, or, in some cases, possibly cutting payroll. That is the downside risk of what we are looking at, and I do not think we have been honest in this regard in this discussion. I think that is part of the debate and part of the discussion that Senator Scarnati and Senator Tartaglione have to have in regard to what we can do to make sure that the highest possible negative effect of what we are doing is taken care of, either by cutting taxes on these small businesses, or doing what some States have done, and carve out the bottom, the smallest businesses in our economy.

So, Madam President, I am hopeful in our discussion on minimum wage, hopeful that we will look to pass a bill that will provide an increase in the minimum standard in our economy, but when looking to benefit our workers and our businesses in this economy, we have to make sure we do not maximize hardship.

Thank you, Madam President.

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

Senator HUGHES. Madam President, I have been left speechless. How about that. I really only want to respond and say thank you to my good friend and colleague, Senator Conti, for his kind remarks about Speaker Irvis. He was and will remain, because of his work, a very special individual for all of us to model ourselves after in terms of how we carry out our business of public service as elected officials.

My good friend, Senator Costa, reminded me that in the Rotunda there is a photograph and a book you can sign and send messages to the family of Speaker Irvis, and I am encouraging all

the Members on both sides of the aisle, and any staff who may have served or may have heard about this great man's life and legacy, to just go down and take a look, read some of the other messages, and sign your name and send your own message to the family of K. Leroy Irvis, who graduated summa cum laude, went to law school. And I will close on this note, Madam President. He went to law school, and I am not a lawyer, but he had great grades, and they tell me he was given—I will turn to some of my lawyer friends over here—the Order of the Coiff, is that correct? Now, I am told that is a very distinguished honor. Correct? That is what I am told, a very distinguished honor.

Then as you remember, Madam President, from the services yesterday, we were reminded of the story that he was hired sight-unseen at a local Pittsburgh law firm, and just as he was about to show up for his first day of work, they found out that he was an African American, and he was told, sorry, we made a mistake, we already offered the position to someone else. They say that from disgrace there is amazing grace. From those experiences came the greatest legislator in the history of the Commonwealth of Pennsylvania.

We thank him, his legacy, his history, and his sense of integrity. I was telling a reporter yesterday in Pittsburgh, and I will truly end on this story. Madam President, when we think about Speaker Irvis, we think about when we came into the General Assembly, whether it be the Senate or House, or wherever we entered, we think about those great stories and movies about the great orators and how you can change the course of public policy just by standing up on the floor wherever you may serve and make a difference that way. That is really how public policy is supposed to be. You get up and debate on the floor, you talk about it, go round and round and round and round and round and back and forth, and then it is solved here, in that framework, in that context, in that reality. Speaker Irvis was probably the last of his breed who could literally change the course of public policy just from the discourse on the floor. We all think that is the kind of person we would like to be. That is what the legislative process really is supposed to be about, and I am sure the public would really like it to be that way. He set the tone. He was the model. He was the way.

We will miss him. We will not forget, however, his desire to be the best, to stand for the best, and to go out and achieve the best, and not operate on the low ground, but operate on the high ground. I will not forget that, and hopefully, our future actions will be modeled after his leadership and his legacy.

Thank you, Madam President.

HB 750, SB 935 AND SB 957 TAKEN FROM THE TABLE

Senator CONTI. Madam President, I move that House Bill No. 750, Printer's No. 841, Senate Bill No. 935, Printer's No. 1226, and Senate Bill No. 957, Printer's No. 1550, 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 bills will be placed on the Calendar.

RECESS

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

Senator CONTI. Madam President, I move that the Senate do now recess until Monday, March 27, 2006, at 2 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 1:18 p.m., Eastern Standard Time.