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SESSION OF 2006 190TH OF THE GENERAL ASSEMBLY

No. 26

**SENATE**

WEDNESDAY, April 5, 2006

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

**PRAYER**

The Chaplain, Reverend WILLIAM C. FORREY, Secretary for Catholic Life and Evangelism, of the Diocese of Harrisburg, offered the following prayer:

Let us pray.

Eternal God, Creator of the universe, there is no God but You. Great and wonderful are Your works. Wondrous are Your ways. Thank You for the variety of Your creation, thank You for the many ways we affirm Your presence and purpose and the freedom to do so. Help us to be good stewards of Your creation and to sow seeds of concord and harmony.

We stand in awe and gratitude for Your persistent love for each and all of Your children - Christian, Jew, Muslim - as well as those with other faiths. Grant to all, and especially the leaders of this Senate Chamber, attributes of the strong, mutual respect in words and deeds, restraint in the exercise of power, compassion for the poor and needy, and the will for peace and justice for all.

Eternal God, Creator of the universe, we place our trust in You. In Your holy name we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Forrey and his parents, who are the guests today of Senator Piccola.

**PLEDGE OF ALLEGIANCE**

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

**JOURNAL APPROVED**

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding Session of April 4, 2006.

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

**LEGISLATIVE LEAVES**

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

Senator BRIGHTBILL. Madam President, I ask for a temporary Capitol leave for Senator Piccola, and legislative leaves for Senator Tomlinson and Senator Scarnati.

The PRESIDENT. Senator BRIGHTBILL requests a temporary Capitol leave for Senator Piccola, and legislative leaves for Senator Tomlinson and Senator Scarnati.

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

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

The PRESIDENT. Senator O'PAKE requests a legislative leave for Senator Washington.

Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**CALENDAR**

**SENATE RESOLUTION No. 247  
CALLED UP OUT OF ORDER, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, as a Special Order of Business, **Senate Resolution No. 247**, entitled:

A Resolution designating the week of April 16 through 22, 2006, as "Weed and Seed Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

YEA-48

Armstrong	Greenleaf	Orie	Tartaglione
Boscola	Hughes	Piccola	Tomlinson
Brightbill	Jubelirer	Pileggi	Vance
Browne	Kasunic	Pippy	Washington
Conti	Kitchen	Punt	Waugh
Corman	LaValle	Rafferty	Wenger
Costa	Lemmond	Regola	White, Donald
Earll	Logan	Rhoades	White, Mary Jo
Erickson	Madigan	Robbins	Williams, Anthony H.
Ferlo	Mellow	Scarnati	Williams, Constance

Fontana Gordner	Musto O'Pake	Stack Stout	Wonderling Wozniak
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NAY-0

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

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR MICHAEL A.  
O'PAKE PRESENTED TO THE SENATE**

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

Senator O'PAKE. Madam President, it is a great honor to introduce to the Senate two championship basketball teams from Reading Central Catholic High School. It is particularly an honor since this is my alma mater, and for a school with about 360 students, it is amazing, and we are very proud of their record this year.

The Reading Central Catholic High School Boys' Basketball Team won their eighth district PIAA AA championship with a 28-2 record. As a matter of fact, one of their losses came by 5 points to the team that eventually went on to win the State championship in AA. They also won the Berks County championship once again, by beating Reading High School, a school which is 10 times their size in enrollment. Year in and year out we are very proud of the Reading Central Catholic High School Boys' Basketball Team and their coach, Ken "Snip" Esterly, who has been head coach now for I think 17 years.

This year, in addition to the boys' basketball championship, the girls' team won the district championship as well for the second year in a row. Keep in mind, this is a school of about 360 students, so to have both the boys and girls as district basketball champions I think speaks volumes about the quality of the student athlete at Reading Central Catholic High School. The girls' coach, Jeff Cardinal, as well as the assistant coaches for the girls' and boys' teams, the principal, Mr. Tom Mirabella, and an all-State athlete, Alexander Franklin, are here, and I ask that the Chair extend its usual warm welcome to the Reading Central Catholic High School Cardinals boys' and girls' champions. We are very proud of what they have done, and I know that they will continue to make our school very proud of their performance on and off the court.

Thank you, Madam President.

The PRESIDENT. Would the Reading Central Catholic Boys' and Girls' champions, their coaches, principal, and all-State athlete please rise so we can welcome you to the Senate.

(Applause.)

The PRESIDENT. Congratulations.

**GUESTS OF SENATOR SHIRLEY M.  
KITCHEN PRESENTED TO THE SENATE**

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

Senator KITCHEN. Madam President, it gives me a wonderful and delightful pleasure to welcome Youth United for Change, an organization made up of Olney High School students acting

to improve the quality of public education, and I ask the Senate to give them a round of applause.

The PRESIDENT. Would the Youth United for Change students representing Olney High School please rise so we can give you a nice warm welcome.

(Applause.)

**GUESTS OF SENATOR ROBERT C.  
WONDERLING PRESENTED TO THE SENATE**

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

Senator WONDERLING. Madam President, I would like to introduce two interns working in my Lehigh Valley district offices who are spending the day in Harrisburg. First, Karen Salvemini, who is a senior at DeSales University studying English and criminal justice. She is from Forks Township in Northampton County, Pennsylvania, and she attended Notre Dame High School. She has been assisting us in a research project, looking at the proper way to dispose of both physical and e-mail documents as part of an identity theft initiative.

Lauren Schenk is a junior at DeSales University who is studying communications. She is from Sinking Spring, Pennsylvania, attended Holy Name High School in West Reading, and her current research project is statewide cable franchising.

So, Madam President, I ask for a hearty and traditional welcome on behalf of Lauren and Karen.

Thank you.

The PRESIDENT. Would Lauren and Karen please rise so we can give you a nice warm welcome.

(Applause.)

**GUEST OF SENATOR JAMES J.  
RHOADES PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, I have the pleasure of introducing Jessica Lopatic, a guest Page, who is a special person. She is the niece of Keah Tingler, who is a member of Senate Security. Jessica previously lived and attended school in Mechanicsburg, but she currently resides in Louisville, Kentucky, and is a ninth grader at Ballard High School.

What is so significant about Jessica is something she has done, which is so nice for a young lady in ninth grade to make this kind of commitment and follow through on it. She has been letting her hair grow long, specifically for kids with cancer, and yesterday, they cut off over 10 inches of her hair to send to the Locks of Love Program, and here is her hair and here is the envelope and here is where it is going to go.

So I would like to introduce Jessica, and I would like to say thank you to her for her dedication and commitment in recognizing there are other people besides her, and for doing something for them. So, for cutting your hair and sending it to the kids for cancer program, Locks of Love, thank you, and I ask the Senate to extend a warm welcome to Jessica Lopatic.

The PRESIDENT. Jessica, would you please rise so we can thank you.

(Applause.)

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR****BILL REREPORTED FROM COMMITTEE AS  
AMENDED, AMENDED**

**HB 1820 (Pr. No. 3820)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing compensation to persons in active service in connection with the Persian Gulf Conflict or their beneficiaries; authorizing the incurring of indebtedness and the issue and sale of bonds by the Commonwealth for the payment of compensation contingent upon electorate approval; creating a special fund in the State Treasury to be known as the Persian Gulf Conflict Veterans' Compensation Bond Fund; imposing powers and duties on the Department of General Services; making appropriations; and making a related repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator O'PAKE, on behalf of Senator MELLOW, offered the following amendment No. A7225:

Amend Sec. 15, page 21, lines 7 and 8, by striking out all of said lines and inserting:

Section 15. Repeals.

Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate this act.

(2) The act of November 24, 1992 (P.L.703, No.106), known as the

On the question,

Will the Senate agree to the amendment?

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

Senator BRIGHTBILL. Madam President, for the information of the Members, the amendment is considered technical in nature and is agreed to.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

**BILL REREPORTED FROM COMMITTEE AS  
AMENDED OVER IN ORDER TEMPORARILY**

**HB 2054** -- Without objection, the bill was passed over in its temporarily order at the request of Senator BRIGHTBILL.

**PREFERRED APPROPRIATION BILLS  
OVER IN ORDER**

**SB 1159, SB 1161 and SB 1162** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILLS OVER IN ORDER**

**SB 513 and SB 514** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**RECESS**

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

Senator O'PAKE. Madam President, I ask for a very brief recess of the Senate for the purpose of a Democratic caucus, and I ask that the Democratic Members report immediately to our caucus room. It should not take more than 5 or 10 minutes.

The PRESIDENT. For the purpose of a brief Democratic caucus, without objection, the Senate will stand in recess.

**AFTER RECESS**

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

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR RESUMED****BILL ON FINAL PASSAGE**

**SB 691 (Pr. No. 1675)** -- 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 phaseout of mobile telecommunications and certain telephone taxes; and making a related repeal.

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?

**LEAVE CHANGE**

Senator O'PAKE. Madam President, I request that Senator Fumo's personal leave be changed to a legislative leave.

The PRESIDENT. Senator O'Pake requests that Senator Fumo's personal leave be changed to a legislative leave. Without objection, the leave will be changed from a personal leave to a legislative leave.

**LEGISLATIVE LEAVE**

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

Senator BRIGHTBILL. Madam President, I request a temporary Capitol leave for Senator Corman.

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

And the question recurring,  
Shall the bill pass finally?

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

Senator HUGHES. Madam President, as we go forward on this, the Members will make their determinations on how they want to vote on this, but what we are faced with on this legislation, with Senate Bill No. 691, is a potential \$300 million hole in our State budget. I did not say \$300,000, I did not say \$3 million, I said a \$300 million hole in our State budget, and that is a lot of money when we are trying to expand our investment in public education, and that is a lot of money, especially when we are trying to find a resolution to the issue of property taxes, which everyone says is the biggest issue that they want us to confront in Harrisburg. That is a lot of money when we are trying to invest and rebuild our State and do extensive economic development at all levels and neighborhoods with housing and large economic development projects, and \$300 million is a lot of money, Madam President.

When we vote and support Senate Bill No. 691, if that is the case, if this bill passes, should it happen, we are going to eat into, in a very significant way, some very significant policies that this side and the other side of the aisle have said they want to have happen in the State of Pennsylvania, and the House has said the same thing. So I would just caution folks that should they vote "yes" for Senate Bill No. 691, they are voting to support a \$300 million hole in the budget. There has been no decision, no motion, no promulgation of any opportunity or option of where to find the money to fill this hole.

So I just urge the Members to be very careful, very cautious, that should they vote in the affirmative on Senate Bill No. 691, we would essentially be causing a \$300 million hole in the State budget, one that I am not sure that this State can withstand right now, especially when we talk about expanding our investment for folks who need help the most, like public education.

Thank you very much, Madam President.

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

Senator WONDERLING. Madam President, I will be brief in encouraging my colleagues to support Senate Bill No. 691 today by reframing the matter in terms of exactly what we will be doing on the Senate floor today, the specifics of the bill, and the facts on why this is the best time to do this for working men and women in the Commonwealth.

First, Senate Bill No. 691 is not an immediate repeal of the cell phone tax. What we have done in trying to balance the needs of many interests in this Commonwealth is propose a phase-out over several years, and so the impact on the budget, as proposed in Senate Bill No. 691, is approximately \$40 million.

Second, I think it is important to recognize who is the beneficiary of this tax cut, this repeal. It is the approximately 6 million Pennsylvanians, young and old, who use cell phones, and I think if there is ever an opportunity to return dollars back to hardworking men and women in this Commonwealth, now is the time to do it.

Third, we are currently running a surplus in the people's treasury. During the month of March, revenues exceeded the expecta-

tations by almost \$200 million. We are currently running a surplus, and therefore, it is the time for us to support Senate Bill No. 691.

Thank you.

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

Senator COSTA. Madam President, I want to follow up on the comments of my good friend and colleague from Philadelphia County about this very, very important issue. Senator Hughes spoke about the fact that it is going to be \$300 million, and it will in fact be \$300 million at some point in time in the very immediate future.

Madam President, it is a question of priorities, and if we vote "yes" on this piece of legislation today, we are saying to the people in Pennsylvania that we think it is a higher priority for some folks who have cell phones, and a number of families have multiple cell phones, I recognize that, we are saying that it is a higher priority for this Senate today to say we are going to provide significant tax relief, put a significant hole in our State budget at the expense of addressing the issue of property tax relief.

Madam President, we have a Special Session on property tax relief, and unfortunately, not because of the efforts of my colleagues, Senator Mellow, the Minority Leader, and the Majority Leader, Senator Brightbill, who have worked very, very hard to push the Special Session to do something, but they have not been successful in that regard. Madam President, we have an opportunity today to say that it is not appropriate for us, that this sales tax repeal should not be the number one priority for the people of Pennsylvania. We all know, everyone in this room knows, that the number one priority facing families in Pennsylvania is property tax, school district property tax, to be more specific. What we are going to do today by passing this legislation, hopefully, we will not, but it looks like we will be, is that we will be taking \$46.1 million out of the 2006-07 budget. In addition, Madam President, I think it is important to let my colleagues know that we will be continuing the sales tax special exemption that the wireless companies get in Pennsylvania. I know there has been a lot of talk about double taxation, but let us not lose sight of the fact that this is a question of priorities, and what we are going to be deciding today is we are going to put a greater priority on giving people tax relief in the form of cell phone taxes, as opposed to trying to do something today, or in the upcoming weeks, to try to provide something for property tax relief for our Commonwealth residents. We have failed to do something there. We have tried, but we have not been successful. So, today we will step up and say if we cannot do property tax relief, why do we not do cell phone tax relief.

It is not appropriate, Madam President. People across this Commonwealth are struggling, struggling to pay their property taxes, and we are saying to them that we know they are struggling, but we are going to take care of cell phone users because we think their tax is too much.

Madam President, this is a very serious issue. I hope my colleagues appreciate and understand that they are saying "yes" to cell phone tax relief, but they are saying "no" to the people in this Commonwealth who want property tax relief. We have failed to act, and we are extracting from the budget this first year somewhere in the neighborhood of \$50 million, which will ramp up to

\$100 million next year. I think Senator Wonderling provided information, as well as the administration, which indicates that in the second year it will be \$103 million, in third year it will be nearly \$165 million, and then it finally ramps up to \$300 million. That is significant. That money will not be replaced in the budget in years to come, and again, we have not addressed property tax relief. People need property tax relief, Madam President, and that is what we need to be doing today and giving it to them.

This item, Senate Bill No. 691, is more appropriately addressed in the budget discussions that will take place later in June. This is a gross receipts tax item that was put into place in June of 2003, if I am not mistaken. If it needs to come out, and it was part of the budget discussions then, it needs to come out at that particular point in time when we are addressing the budget issues.

So, I really want to impress upon my colleagues, please, please say "no" to the cell phone tax repeal at this point in time and discuss it maybe during the budget cycle, and say "yes" to providing some property tax relief or preserving some of the money we need to provide property tax relief today by saying "no" to this particular legislation.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Madam President, this has nothing to do with property taxes, this is a fairness issue. We are taxing cell phones twice. We charge a sales tax and a gross receipts tax, and if everyone looks at their bill, they see both of those items are directly passed on to the consumer. There is no reason, no logical reason to tax it twice. I applaud Senator Wonderling for trying to phase this out over time. Not every issue here that involves money is resolved in the budget process, and the property tax relief issue is a totally separate issue that has been going on for a very, very long time. We have a conference committee trying to work out a proposal between the House and the Senate. Everyone is working on property taxes, and that is a very difficult issue, but this is a fairness issue, and I urge my colleagues to vote "yes."

Thank you.

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

Senator COSTA. Madam President, I disagree with my distinguished colleague. I do, in fact, think it is a very important part of this discussion. The discussion here today is about carving out significant amounts of money from the budget. That is what we are talking about today. Senator Wonderling said in his remarks that it is about providing savings to people in this Commonwealth, and I want to provide savings to people in the Commonwealth as well. But what I am saying is that I do not want to provide it today to cell phone users, I want to provide it to people who want property tax relief. That is my number one priority, and I think that is a question we all have to ask ourselves, what is our number one priority with respect to helping families save money? I believe it is property tax relief that we need to work on. It clearly is related. Our responsibility is to provide relief to our Commonwealth residents. I believe, and hope my colleagues would share this with me, that we want to do it by providing property tax relief, saving those cuts, those huge dollars, \$300

million as Senator Hughes said earlier, saving those resources and some \$50 million in next year's budget. Let us provide that towards property tax relief and not cell phone tax relief at this time.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Madam President, I think we need to look at the history of this tax. Back in 2002, Pennsylvania, like most States around the country, was facing a large deficit because of what was going on in the country. Actually, this General Assembly faced a situation in 2002 with a good amount of responsibility. If I recall, there was about a \$2 billion deficit that needed to be addressed in that year's budget. What happened was, one, there was a Rainy Day Fund that had been building up throughout the 1990s and the early part of 2000, and we dipped into the Rainy Day Fund in order to help bridge that gap. Also, I was serving in the House at the time, and I remember very distinctly that we passed a budget that actually spent less than the previous year's budget. I remember Speaker Matt Ryan, who had been there I think since 1962, saying that that budget was about the only one that he ever remembered where we actually passed a budget that spent less than the previous year's budget. So we took money out of the Rainy Day Fund, we passed a responsible budget that spent a little less, and a tax was raised on cell phone use, a gross receipts tax, to fill that gap.

Now, the clear intent was that when our State's economy and revenues got better, that tax would be repealed and the money would go back into the pockets of the taxpayers. What is happening now, we just had a tremendous month of March, from what I read, \$200 million more was collected than what was anticipated in this year's budget. We are now running around \$500 million more than what was anticipated through the first three-quarters of this year's budget, so what should we do? Should we spend it, or should we give it back to the taxpayers whose pockets it was taken out of in 2000? I think the consensus of this Senate and this body should be that we should give the money back to the taxpayers and let them use it the way that they want to use it, to the betterment of our entire economy. I ask for a positive vote on this bill.

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

Senator WOZNIAK. Madam President, I rise to oppose the legislation. I fully understand that we have a surplus in Pennsylvania today. I understand what Senator Wonderling is attempting to do to take that money back, and all I know is when you point a finger, three point back at you. Everybody here wants to talk about reducing government spending, and at the same time they are talking to their leadership, asking for more for their particular projects, or they are telling their constituents that they want to get them more for education or they want to help out with their hospital over here. We are real good at telling one story and saying another. It is disingenuous, I guess, to say that with any tax reduction, nothing goes toward property tax relief. It goes to what is called the general operating fund, a big, huge treasury, and you can use every single tax you have to try to explain where it goes, but it does not. It is all in a big pile and gets disseminated. We can honestly say that on the negotiating table we get to look at

that \$40 million or \$50 million annually, depending on whom you are talking to, that could potentially go right back to the cell phone users, or could, in negotiations, go back to property tax relief. From now until the end of the budget, and probably now until the end of the next general election, I sit as a Democratic chair of the Committee on Finance. The conservative party is going to consistently bring legislation to the forefront to reduce taxes. Everybody is for it, but I do not see anybody standing up and saying where they are going to reduce the budget. It is a difficult operation. Two hundred and three people attempted to make a decision on a budget yesterday, it is coming over to us, and it will end up in a conference committee and be negotiated. If you want to reduce taxes, I think you have to look at the ones that stimulate the economy. The cell phone industry right now is exponentially growing. Families have two, three, four cell phones. More and more people have them. Eventually, land line phones will be something of the past, and at the same time, competition is driving those prices down tremendously. If you want to do something about budget cuts in Pennsylvania, if you want to talk about giving money back to society, it is time to look at budget cuts that create jobs and opportunities, and that is with business taxes. But, if you want to do that, at the same time, you are taking an opportunity away to reduce property taxes. One hand washes the other. It is about priorities, it is about what you want to do with the people's money.

In this instance right now, I think if the Governor wants to negotiate that and bring that to the table, that is something that could be brought to a conference committee report. This is going to be passed overwhelmingly because I know the make-up of the Senate, but I think right now is not the time to sit here and send a message that, one, is an embarrassment and, two, next week we will be down here with another tax reduction bill, and the week after that there will be another, and that is going to be the MO from now until election day.

Thank you.

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

Senator BRIGHTBILL. Madam President, I would note that Governor Rendell, in his State of the State Address, proposed tax cuts, \$145 million in tax cuts, so this is twice what he has proposed. And I would also note that this does not in any way jeopardize the ability of the Senate, the General Assembly, and the Governor to sign property tax reform. The bill that the Senate passed, which to date is the only viable vehicle in existence, is funded, and if the funding stream is available, it is just a question of arriving at a consensus used in the conference process. We took another step today, we are a little closer. We have another meeting coming up on Wednesday, so that an "aye" vote to repeal this cell phone tax in no way jeopardizes our ability to pass property tax reform. The reason that property tax reform is in this, I think, is what is called a red herring. I think that is a technical term. It means that you throw something in that has nothing to do with it, but it is intended to excite the issue. I would simply ask for an "aye" vote. I think that Senator Gordner's comments were very well-taken in terms of the history, and I ask the Members for an affirmative vote.

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Madam President, I know that in this body there is not a single person, no Senator on either side of this aisle, who does not know that I have fought for property tax relief, advocating for it continuously, relentlessly, and everybody in this room knows that. This bill has nothing to do with property tax relief, and I take offense at the fact that we are trying to use this issue of property tax relief to defeat this bill today, and I want everybody who is watching PCN today to know that what this side of the aisle is doing is disingenuous, and it is my side of the aisle.

Madam President, this bill is important to consumers, it is an important bill, and I just want people to know back home it has nothing to do with property tax relief, it is a cell phone tax repeal bill, quite simply.

Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, after Senator Boscola's comments, maybe I should sit down and let it go, because I think the point was very well made. But one of the things I want to add to this is in looking back, this Chamber, I think unanimously, approved Senator Brightbill's bill, which called for a limit on State spending. Part of it is if we want to continue to spend, we are going to add, too. Since 1970-71, up to but not including the last two budgets, our State spending has increased over 700 percent. When you use Federal dollars, it is 1000 percent. I look at returning tax dollars, and that is just exactly what it is to taxpayers.

Economically, we should look at the multiplier effect, because that money will be spent somewhere else, which will help the economy and in turn drive X amount of dollars back into the State coffers. That is what happens. The other thing, too, is we are talking about property taxes. Senator Logan proposed property tax reform a couple of months ago, and it was defeated. I proposed property tax reform before him and after him, and it was defeated, so we are talking about property tax reform in its total effect. We had opportunities to do something. What we are doing now is taking money that we paid twice for cell phone use and turning it back to the people who paid it for them to spend. This is basically and purely giving the money back to the taxpayers and letting them spend it the way they want. There is enough money in the budget to do this.

I am now going to refer to Senator Brightbill's comments. If the Governor can cut \$140 million and propose that, that means there is enough of a surplus that we can put the money back in the taxpayers' hands.

Thank you.

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

Senator LOGAN. Madam President, would the Majority Leader or the sponsor of the bill or the chair of the Committee on Finance stand for brief interrogation?

Senator BRIGHTBILL. Madam President, how about Senator Wonderling?

Senator LOGAN. Madam President, any or all.

Senator BRIGHTBILL. Madam President, I am always willing to volunteer a younger Member.

The PRESIDENT. Senator Wonderling indicates he will stand for interrogation.

Senator LOGAN. Madam President, it is my understanding when this tax, if repealed, is completely phased in, it is about \$301 million.

Senator WONDERLING. Madam President, that is correct.

Senator LOGAN. Madam President, the Majority Leader referenced the Senate version of the property tax cut bill. Could somebody tell me if we took that \$300 million and added that to the bill that we already have, the bill that is in place, how much would the average taxpayer in Pennsylvania realize? If we did not send it back in a cell phone repeal, if we put that \$301.2 million in the property tax pool, how much would the average Pennsylvanian get? It is a simple question. I know somebody over there has to be able to do the math very quickly.

Senator WONDERLING. Madam President, well, the question is not specific to the language in the bill.

Senator LOGAN. Madam President, that is why I asked for the Majority Leader or chairman of the Committee on Finance.

Senator WONDERLING. Madam President, let me try to answer the question by going back to the math. Approximately \$10 million is required annually to fund the current property tax system in the Commonwealth. The bill that is currently in the conference committee in Special Session addresses the matter to the tune of roughly \$1 billion to \$1.2 billion, so it would be a \$300 million addition to that, and that is the simple math. But I think it is important to note, Madam President, when this tax was imposed on the working men and women of this Commonwealth, it was not earmarked for some specific purpose, which usually happens in a budget process, it went, as Senator Gordner said, to close a gap in the deficit.

Secondly, if you look at the bills that are currently in Special Session for property tax reform, it is all about distribution through formula, so to answer the question, the bill is silent on the specifics relative to the math and its distribution of a hypothetical \$300 million for property tax relief.

Senator LOGAN. Madam President, I am not sure the gentleman answered my question, but my folks are telling me if we took that \$300 million and put it into the property tax relief fund, it would be about \$100 on average for homeowners in Pennsylvania, and I think that is significant. As Senator Rhoades said, we have been fighting for property tax relief for years and years and years. I know many Members on the Republican side have bills, many of the Members here on the Democratic side have bills. I have been here for 5-plus years, and I think we have had two Special Sessions on property taxes, still not yielding any property tax relief for our folks at home. So I urge the Members just to reconsider, take that money, that \$300 million, when it is completely phased in, and put that into the property tax relief fund. One hundred dollars is very, very significant. I was not here, but I remember when Governor Ridge did that \$100 plan that cost us \$300 million. It was taxable, the editorial boards wrote to him, it was the best thing since sliced bread, you got \$100, so \$100 is significant. Take the money, put it in the property tax relief fund, and let us give the people of Pennsylvania what they are really asking for.

I think if you look at any poll, Madam President, I am sure many Members did polls in their districts on that side, and many

Members did polls in their district on this side. The Governor has done polls. When you read a poll, do you see the cell phone tax repeal as number one? No, you see property tax relief, and that is what we should be delivering to the people of Pennsylvania. I urge the Members on that side of the aisle to take that money, slow down the process, move that money to the property tax relief fund, and give the people of Pennsylvania what they really want.

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

Senator WAUGH. Madam President, I heard a few terms used today during this debate: one, "red herring," and the other, "disingenuous," and I could not agree more with both of those terms. To spin this debate into a local property tax relief discussion is disingenuous, and it is a red herring of the most brilliant color.

Today we have an opportunity to turn back to cell phone users, and, oh yeah, let me say I heard someone on the other side say a couple of cell phone users might get a refund. That is ridiculous. How many people carry cell phones today? Probably 99.9 percent of everyone, from kids in school to elderly senior citizens, to farmers in the field, to business people on the street, everybody has a cell phone, and today we have a chance to cast one vote to give them back what we have been collecting in double taxes for years now, and the problem is, the folks on the other side do not like giving up that \$300 million in taxes that they are talking about. They want to keep it in the war chest because maybe, maybe, just maybe we will be able to turn it into some help with property taxes.

We have been debating property tax reform since I have been here for the last 14 years, just like the leader said. It is covered. Let us just pass that bill and do property tax reform. But today this bill has nothing at all to do with it. It is disingenuous, it is not honest. Let us get on with it, and give the cell phone users, each and every one of them, back the tax that we have been collecting for years now. Let us just do it.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Madam President, when I called what the Democrats are trying to do at this point--and I am a Democrat, by the way--what they are trying to do is disingenuous, but here is the point: if they really, truly cared about property tax relief, they would have put an amendment in this bill that said, let us take the cell phone tax money from the repeal and put it into property tax reform. But did the Democrats do that? No, they did not, Madam President. So how really genuine are they? If they really wanted property tax relief off of this bill, they should have added the amendment to the bill, or even at least offered it.

Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, am I in order to propose an amendment and have it drafted to put a graduated income tax in so we could reduce property taxes, maybe collect the \$10 billion and remove all the tax? I mean, if it has come to that, I just want to know if I am in order to offer that kind of amendment to this bill?

The PRESIDENT. I do not know if that can be added to this.  
 Senator RHOADES. Madam President, I guess the question I am asking is, can I propose that amendment or not?

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

Senator BRIGHTBILL. Madam President, can we stand at ease?

The PRESIDENT. The Senate will stand at ease.

(The Senate was at ease.)

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, I have been advised that this would require a constitutional amendment, so based on that, I will let my rhetoric be reflected on the record, but it is an interesting question.

Thank you.

The PRESIDENT. Senator Rhoades withdraws his question.

The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Madam President, could we go at ease just for a moment, please.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

**BILL OVER IN ORDER TEMPORARILY**

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

Senator BRIGHTBILL. Madam President, I ask that we go over Senate Bill No. 691 temporarily.

The PRESIDENT. Without objection, the bill will go over temporarily.

**BILLS OVER IN ORDER**

**SB 703, HB 750, SB 935, SB 957, SB 1000 and SB 1050 --** Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 1591 (Pr. No. 3761) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, extending patient safety standards to certain abortion facilities.

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?

**LEGISLATIVE LEAVE**

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

Senator HUGHES. Madam President, I request a temporary Capitol leave for Senator Tartaglione.

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

And the question recurring,  
 Shall the bill pass finally?

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

**YEA-41**

Armstrong	Greenleaf	Piccola	Tomlinson
Boscola	Jubelirer	Pileggi	Vance
Brightbill	Kasunic	Pippy	Waugh
Browne	LaValle	Punt	Wenger
Conti	Lemmond	Rafferty	White, Donald
Corman	Logan	Regola	White, Mary Jo
Costa	Madigan	Rhoades	Wonderling
Earl	Mellow	Robbins	Wozniak
Erickson	Musto	Scarnati	
Fontana	O'Pake	Stack	
Gordner	Orie	Stout	

**NAY-8**

Ferlo	Hughes	Tartaglione	Williams, Anthony H.
Fumo	Kitchen	Washington	Williams, Constance

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

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

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

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

**HB 1820 (Pr. No. 3867) --** The Senate proceeded to consideration of the bill, entitled:

An Act providing compensation to persons in active service in connection with the Persian Gulf Conflict or their beneficiaries; authorizing the incurring of indebtedness and the issue and sale of bonds by the Commonwealth for the payment of compensation contingent upon electorate approval; creating a special fund in the State Treasury to be known as the Persian Gulf Conflict Veterans' Compensation Bond Fund; imposing powers and duties on the Department of General Services; making appropriations; and making a related repeal.

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

On the question,  
 Shall the bill pass finally?



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

**YEA-48**

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

**NAY-1**

Ferlo

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

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL OVER IN ORDER**

**HB 2443** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**SECOND CONSIDERATION CALENDAR**

**BILLS REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER**

**HB 121, HB 601 and SB 707** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILLS OVER IN ORDER**

**HB 249, SB 631, SB 809, SB 810 and SB 1131** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL ON SECOND CONSIDERATION**

**SB 1150 (Pr. No. 1679)** -- 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, providing for offense of protesting at a commemorative service and for commemorative service protest action.

Considered the second time and agreed to,

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

**BILLS OVER IN ORDER**

**SB 1153 and SB 1158** -- Without objection, the bills were passed over in their order at the request of Senator BRIGHTBILL.

**BILL LAID ON THE TABLE**

**HB 1618 (Pr. No. 3724)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for participation by students with disabilities in high school graduation ceremonies.

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

**HB 1618 TAKEN FROM THE TABLE**

Senator BRIGHTBILL. Madam President, I move that House Bill No. 1618, Printer's No. 3724, be taken from the table and placed on the Calendar.

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

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

**SENATE RESOLUTION No. 251, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 251**, entitled:

A Resolution designating the week of April 23 through 29, 2006, as "Pennsylvania One Call System Week."

On the question,

Will the Senate adopt the resolution?

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

**SENATE RESOLUTION No. 258, ADOPTED**

Senator BRIGHTBILL, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 258**, entitled:

A Resolution designating the month of April 2006 as "Alcohol Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

**RECESS**

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

Senator BRIGHTBILL. Madam President, at this time I ask for a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, which will be

held immediately. The meeting will take approximately 5 minutes.

The PRESIDENT. There will be a brief recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations. Without objection, for that purpose, the Senate stands in recess for approximately 5 minutes.

**AFTER RECESS**

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

**CONSIDERATION OF CALENDAR RESUMED**

**SB 691 CALLED UP**

**SB 691 (Pr. No. 1675)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator BRIGHTBILL.

**BILL OVER IN ORDER**

**SB 691** -- Without objection, the bill was passed over in its order at the request of Senator BRIGHTBILL.

**HB 2054 CALLED UP**

**HB 2054 (Pr. No. 3848)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator BRIGHTBILL.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 2054 (Pr. No. 3848)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 26 (Eminent Domain), 42 (Judiciary and Judicial Procedure) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to eminent domain; and making related repeals.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,  
Shall the bill pass finally?

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

**YEA-49**

Armstrong	Greenleaf	Piccola	Vance
Boscola	Hughes	Pileggi	Washington
Brightbill	Jubelirer	Pippy	Waugh
Browne	Kasunic	Punt	Wenger
Conti	Kitchen	Rafferty	White, Donald

Corman	LaValle	Regola	White, Mary Jo
Costa	Lemmond	Rhoades	Williams, Anthony H.
Earll	Logan	Robbins	Williams, Constance
Erickson	Madigan	Scarnati	Wonderling
Ferlo	Mellow	Stack	Wozniak
Fontana	Musto	Stout	
Fumo	O'Pake	Tartaglione	
Gordner	Orie	Tomlinson	

NAY-0

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

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

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

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

**MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION**

April 4, 2006

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 13, 2006, for the appointment of Nora Peterman, (District 5), 3634 [sic] Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve until July 28, 2013, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ted Keir, Athens, whose term expired.

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

EDWARD G. RENDELL  
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF KUTZTOWN UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION**

April 4, 2006

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 22, 2005, for the appointment of Jacob Sayshen, 129 West Walnut Street, Kutztown 19530, Berks County, Eleventh Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2011, and until

his successor is appointed and qualified, vice Roger Schmidt, Leesport, whose term expired.

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

EDWARD G. RENDELL  
Governor

### **NOMINATIONS RETURNED TO THE GOVERNOR**

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

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

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

### **UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED**

Senator JUBELIRER, by unanimous consent, offered **Senate Resolution No. 267**, entitled:

A Resolution designating April 8, 2006, as "Cushing's Syndrome Awareness Day" in Pennsylvania.

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

Senators JUBELIRER and CORMAN, by unanimous consent, offered **Senate Resolution No. 268**, entitled:

A Resolution recognizing April 5, 2006, as "Pennsylvania Patient Assistance Day."

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

Senators MADIGAN, BRIGHTBILL, STOUT, WENGER, SCARNATI, PIPPY, WAUGH, O'PAKE, CONTI, ROBBINS, CORMAN, REGOLA, TARTAGLIONE, EARLL, LOGAN, KASUNIC, LaVALLE, PUNT, RHOADES, GREENLEAF, PICCOLA, ARMSTRONG, PILEGGI and ORIE, by unanimous consent, offered **Senate Resolution No. 269**, entitled:

A Resolution designating the week of April 16, 2006, as "Rural Road Safety Week" in Pennsylvania.

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

### **CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Frank Weghofer, Kenneth W. Shook, David J. Parker and to the Honorable Steve Samuelson by Senator Boscola.

Congratulations of the Senate were extended to Dr. Drew E. Courtney, Marianne Flynn, Cody Weik, Greater Lebanon Refuse Authority and to the Lebanon County Earned Income Tax Bureau by Senator Brightbill.

Congratulations of the Senate were extended to Anthony John Blundetto, Christian Richard Seemayer and to William N. Shafer III by Senator Browne.

Congratulations of the Senate were extended to Daniel Scott Plessl, Alyssa Rae Miller, Matthew P. Maughan, Byunghoon Lim, Leroy Jones, Abbie Cichowski, Courtney Ann Bloss, Laura Bochner, Maureen Chomko, Brandon Dalton, Jacquelyn Elizabeth Freund, Monica A. Fritzinger, Nellie Cunningham Gotebeski, Theresa Christine Henry, Jessica Lynn Harakal, Jennifer M. Johnston, Amy McKeever, Kyne E. Bannar, Mark Alexander Ostapenko, Arif Latif Sorathia, Kristina Ann Snyder, Ryan James Shelly, Jaclyn K. Saliba, Jonathan Adams, Emily Zovko, James David Wolff, Gretchen Verheggen, Shannon Anne Topper, Michael Kenneth Bartlett and to Ryan Ahn by Senator Browne and others.

Congratulations of the Senate were extended to Vernon Wehrung by Senator Conti.

Congratulations of the Senate were extended to Alice Ruth Krewson by Senators Conti and Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Robert L. Barber, Honorable Robert E. Lamb, Emily Homan, Timothy I. Miller, Deanalis Resto, Kale Thompson, Jerrod Miller, David H. Hart and to the Greenwood Middle/High School Boys' Basketball Team of Millerstown by Senator Corman.

Congratulations of the Senate were extended to Dr. Edward Sites and to Rodef Shalom Sisterhood of Pittsburgh by Senator Costa.

Congratulations of the Senate were extended to Anthony G. Senita by Senator Earll.

Congratulations of the Senate were extended to Nicholas DeBenedictis and to the Upper Darby Township and Sellers Memorial Free Public Library by Senator Erickson.

Congratulations of the Senate were extended to William Carapucci by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. William Davis, Jr., Mr. and Mrs. Howard Wynn, Mr. and Mrs. Albert Pavalonis, Mr. and Mrs. James MacNeal, Mr. and Mrs. Marlin Rine, Mr. and Mrs. Charles Hoffman, Mr. and Mrs. Homer S. Hagenbuch, Joseph Dowkus, Marissa A. Novack, David Langton, Dr. Victor James Marks, Leonard L. Guarna, Jr., Victor M. Olear, Philip W. Gergen, Thomas R. Breslin, Jr., Robert J. Niglio and to Robert Lewis Marks by Senator Gordner.

Congratulations of the Senate were extended to Benjamin Marshall Ellert by Senator Greenleaf.

Congratulations of the Senate were extended to Matthew Hilferty, Edna M. Barrington and to Health Partners of Philadelphia by Senator Hughes.

Congratulations of the Senate were extended to the Honorable Hardy Williams by Senators Hughes and Kitchen.

Congratulations of the Senate were extended to Mr. and Mrs. Glen Hershey, Mr. and Mrs. Donald Cessna, Mr. and Mrs. David Showalter, Mr. and Mrs. Frank Barr, Dominic Corda, Rita Cupillari, Margaret Dean, Gary W. Dunwoody and to Martha Frances Buchanan by Senator Jubelirer.

Congratulations of the Senate were extended to the Honorable Henry D. Oleyniczak by Senators Jubelirer and Armstrong.

Congratulations of the Senate were extended to Cassandra Petrilla, Hazel Luckey, Ashtin Primus and to Seth Grimm by Senator Kasunic.

Congratulations of the Senate were extended to the Reverend Dr. Carlice Harris-Jackson by Senator Kitchen.

Congratulations of the Senate were extended to James H. Hales, Jr., and to Daniel C. Baker, Jr., by Senator LaValle.

Congratulations of the Senate were extended to Mr. and Mrs. Alvin L. Cragle, Trevin Cowman, Kyle Robert Hazleton, Jessie Gay, John Lloyd and to the Pike County Conservation District by Senator Lemmond.

Congratulations of the Senate were extended to Mr. and Mrs. Stewart H. Herritt, Mr. and Mrs. William G. O'Dell, Mr. and Mrs. Henry Fisher, James, Curt, and Jerrel Brubaker, Joshua Thomas Lilley and to Samuel Eck by Senator Madigan.

Congratulations of the Senate were extended to Paul Hoban by Senator Mellow.

Congratulations of the Senate were extended to Nina Wise by Senator Musto.

Congratulations of the Senate were extended to David L. Eisenhard, Mark A. Chelius, Kyle M. Crabbs, Mike Reid, Geoffrey R. Quinter, Alexandra E. Allen, Todd Millard, Carl D. Herbein, Barry L. Leatherman, Joshua R. Christman, Honorable Marianne V. Deery and to the Kids Wish Network by Senator O'Pake.

Congratulations of the Senate were extended to Anthony Iasiello by Senators O'Pake and Boscola.

Congratulations of the Senate were extended to Larry Sheridan by Senators O'Pake and Browne.

Congratulations of the Senate were extended to Allen R. Fasnacht by Senators O'Pake and Piccola.

Congratulations of the Senate were extended to Bruce A. Hallman and to William C. Cherkasky by Senators O'Pake and Rafferty.

Congratulations of the Senate were extended to Glenn M. Flegal by Senators O'Pake and Vance.

Congratulations of the Senate were extended to John A. Titus by Senators O'Pake and Wenger.

Congratulations of the Senate were extended to Jack Childs by Senators O'Pake and C. Williams.

Congratulations of the Senate were extended to Jordan Alan Underwood, Andrew J. Flugher, Edith Hope, Doyle Springer Schwab, John Haubach and to Veronica DelGreco by Senator Orie.

Congratulations of the Senate were extended to Carol J. Canoy and to Kim A. Weir by Senator Piccola.

Congratulations of the Senate were extended to Joseph Deglar Cloud, Mary Emma Ferguson, Pasquale Colletti, Kyle A. Brown, Stephen Andrew Wayland, Christopher Michael Medykiewicz, Gregory M. Gurtizen, Patrick Maineri, Christopher Morris and to the Container Research Corporation of Glen Riddle by Senator Pileggi.

Congratulations of the Senate were extended to Walter B. Davis, James Bouchard, Benjamin Michael Frable, E.J. Riley, Elmore Lockley, Marvin P. Wallace, Joe Riley, Matthew Donald Krawiec, Justin Weaver, Rob Hess, Broughton Volunteer Fire Department of Pittsburgh and to the Char-West Council of Governments by Senator Pippy.

Congratulations of the Senate were extended to Timothy Joseph Hanslits by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Frank Aretz, Mr. and Mrs. Elmer L. Kramer, Mr. and Mrs. Thomas Weldon, Mr. and Mrs. Merle E. Marsh, Mr. and Mrs. William Bruening, Mr. and Mrs. George Padezan, Honorable Wilbur C. Bussard, Honorable Alfred B. Bell, Mary Ann Stofko Ansick and to Saint Emma Monastery of Greensburg by Senator Regola.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Krankowski, Mr. and Mrs. Ralph Groff, Dr. Larry Palko, Leonard McCormick, Robert S. Nestor and to Patrice Rader by Senator Rhoades.

Congratulations of the Senate were extended to Kellen Harris, Jason John Durish, Andrew Allan Ryckman and to Jordan B. Heberle by Senator Robbins.

Congratulations of the Senate were extended to Reverend Mark S. Swoger, Josh Reiter, Alex Smith, Phillip Myers, Mike Glesk, Bradford City Beers, Inc., and to the Bradford Regional Airport by Senator Scarnati.

Congratulations of the Senate were extended to the Mid Mon Valley All Sports Hall of Fame of Belle Vernon by Senators Stout and Kasunic.

Congratulations of the Senate were extended to Martin G. Bednarek by Senator Tartaglione.

Congratulations of the Senate were extended to St. Ann Roman Catholic Parish of Bristol and to American Legion Levittown Memorial Post 960 by Senator Tomlinson.

Congratulations of the Senate were extended to Andrew Wilson, Leslie Burns, Kristi Thomas Shaffner, Sheldon M. Rodgers, Jonathan Gabriel Arcocha, Andrew Primrose, John J. Gerneth, Nathaniel Wardle, Nicholas Wardle, Richard A. Daldo, Derek Reisinger, Terry Coffman, Pearl I. Nellinger, Mechanicsburg Memorial Veterans of Foreign Wars Post No. 6704 and to the New Cumberland Town Band by Senator Vance.

Congratulations of the Senate were extended to Honorable Lynne Abraham, Dr. Harvey M. Spector and to the Society for Helping Church for the Deaf and Hearing of Philadelphia by Senator Washington.

Congratulations of the Senate were extended to Christopher J. Storm, George Howett, Travis Ort, Sara Warner, Matthew K. Neal, Eric S. Douglas, Barry L. Hess and to St. Jacob's Church of Glenville by Senator Waugh.

Congratulations of the Senate were extended to the Lancaster County Public Safety Training Center by Senators Wenger, Brightbill, and Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Pappal and to Mr. and Mrs. William Blair by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Jack Beighley, Francis and Esther Pries, John and Beth Henry, Thomas M. Rinker, Jeffrey Young, Jr., Melissa Cuzzola and to the Franklin High School Boys' Basketball Team by Senator M.J. White.

Congratulations of the Senate were extended to John Murphy and to the Scottish Rite House of Philadelphia by Senator A.H. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Elbert Lee and to William Henry Gottsch by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Richard S. Schaffer, Carl W.C. Schell, Christopher P. Edwards, William V. Rennie, Cyrus H. Mohr and to William Stahler by Senator Wonderling.

Congratulations of the Senate were extended to Arlene Scheirer by Senators Wonderling and Browne.

Congratulations of the Senate were extended to Mr. and Mrs. William D. Mock, Mr. and Mrs. George Galuska, Mr. and Mrs. Eugene A. Kauffman, Mr. and Mrs. Virgil Szala, Mr. and Mrs. John Vuletic, Mr. and Mrs. John Whatmore, Lacey Behe, Kayla Washko, Lindsey Holby, Stephanie Bukowski, Samantha Takacs, Tamara Hayes, Robyn Simmons, Rachel Brezovic, Nicholas James Krupa, Bishop McCort High School Varsity Cheerleading Squad, Richland High School Varsity Cheerleading Squad, Richland Middle School Cheerleading Squad, Conemaugh Township Junior High School Cheerleading Squad and to the Ferndale Elementary School Pee-Wee Cheerleading Squad by Senator Wozniak.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Jeffrey Philip Toczylowski by Senator Greenleaf.

Condolences of the Senate were extended to the family of the late Honorable Merrill W. Kerlin by Senator Jubelirer.

Condolences of the Senate were extended to the family of the late Geneva B. Hill by Senator Kitchen.

Condolences of the Senate were extended to the family of the late John Paul Kennedy, to the family of the late E.E. Pitschke and to the family of the late John J. Kirby by Senator Orie.

### POSTHUMOUS CITATION

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

A posthumous citation honoring the late Chris Poff was extended to the family by Senators O'Pake and Conti.

### PETITIONS AND REMONSTRANCES

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

The PRESIDENT pro tempore. Madam President, Saturday is a special day in the life of one of our most distinguished Members, Senator Roger Madigan, and I think it would be nice, even though many of the Members have left the floor, if they are in their offices, to remind them how happy we are for Senator Madigan in his forthcoming nuptials with Millie Weaver. I have never seen Roger any happier—that is probably out of order, but I do not think anybody will object—and I know that every Member of the Senate and all the staff and anybody who has been fortunate enough to know Roger Madigan and to be touched by him wishes Roger and Millie many years of health, happiness, and joy, because all of us take great joy in his happiness. What else can I say. We love you, Roger.

The PRESIDENT. Let us all stand up in tribute to Senator Roger Madigan for his forthcoming wedding on Saturday, April 8. Congratulations.

(Applause.)

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

Senator HUGHES. Madam President, we want to also send congratulations out to Senator Madigan, and we appreciate Senator Jubelirer for reminding all of us of this great moment. Congratulations, Senator Madigan, and the best of luck to you in this newfound love and glow that is all over you. It is working for me, so I hope it works as well for you.

This is a departure, Madam President, as we close for this very significant, important holiday season. Unfortunately, we have to be reminded that, again, since we do not return to Session until Tuesday, April 18, we are faced with the reality of not having moved on legislation to increase the minimum wage for the residents of the Commonwealth of Pennsylvania. We watched happily as our friends and brothers and sisters in the great State of Michigan recently increased their minimum wage, and we congratulate them and we salute them and we thank them and the leadership of that great State for taking significant action there.

That is a good thing for Michigan, and it is a great sign for progressive movement all across the country. But unfortunately in our State, there is no action, there is no movement in this body, no movement in the House, and we all wait. The people who are low-income wage earners in this Commonwealth continue to wait for us to take action, and it is so noted that on this day that no action has occurred, and we still wait, and they still wait. Their incomes are declining and costs are going up, and beginning the first of April, as you very well know, utility companies are moving to deal with the issue of shutting off utilities. Incomes are going down, utilities are being shut off, and no increase in people's wages, no increase in their income. This needs to be noted for the public record, Madam President. It just needs to be noted.

Thank you.

The PRESIDENT. Thank you, Senator Hughes, for your comments on the minimum wage.

### BILLS SIGNED

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

**HB 893 and HB 2215.**

### RECESS

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now recess until Tuesday, April 18, 2006, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 2 p.m., Eastern Daylight Saving Time.