

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, NOVEMBER 21, 2006

SESSION OF 2006 190TH OF THE GENERAL ASSEMBLY

No. 66

**SENATE**

TUESDAY, November 21, 2006

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

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

**PRAYER**

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Let us pray.

Heavenly Father, it is with bittersweet thoughts that we commence this legislative day, which will mark the end of the 190th Session of this Senate. A new interim President pro tempore will soon be elected. Dear Lord, may Your spirit rest with Senator Scarnati. Bless him and grant him the necessary wisdom to properly exercise the powers and duties of this, the Senate's highest office.

Soon, dear Lord, five longtime colleagues and friends - Senators Jubelirer, Brightbill, Wenger, Lemmond, and Conti - will complete their public service as Members of the Senate of Pennsylvania. Today we will bid them a fond public farewell. We ask that You abide with them and all their loved ones. Grant them continued good health, peace, and strength as they go forth. May all their future endeavors be successful and pleasing in Your sight.

Finally, dear Lord, for ourselves, too, we ask a blessing that all of our actions of this day may be inspired by Your grace, and that when our efforts are completed, the fruits of our labor will inure to Your great glory and that of the people of Pennsylvania. Amen.

**PLEDGE OF ALLEGIANCE**

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

**JOURNAL APPROVAL POSTPONED**

The PRESIDENT. Without objection, approval of the Journal of the Session of November 20, 2006, will be postponed until the Journal is in print.

**HOUSE MESSAGES**

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate SB 669 and 1330, with the information the House has

passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 6, these bills will be referred to the Committee on Rules and Executive Nominations.

**HOUSE CONCURS IN SENATE BILLS**

The Clerk of the House of Representatives returned to the Senate SB 628, 665 and 1209, with the information the House has passed the same without amendments.

**RESOLUTION INTRODUCED AND REFERRED**

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

November 20, 2006

Senators GREENLEAF, COSTA, LEMMOND, O'PAKE, BOSCOLA, FERLO, BROWNE, C. WILLIAMS, PILEGGI, MUSTO and DINNIMAN presented to the Chair SR 381, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to study the underlying causes of wrongful convictions and to make findings and recommendations to reduce the possibility that in the future innocent persons will be wrongfully convicted.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, November 20, 2006.

**LEGISLATIVE LEAVES**

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

Senator MELLOW. Madam President, I request legislative leaves for Senator Ferlo, Senator Fumo, and Senator Kasunic, and a temporary Capitol leave for Senator Tartaglione.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Ferlo, Senator Fumo, and Senator Kasunic, and a temporary Capitol leave for Senator Tartaglione. Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**CALENDAR**

**BILL ON CONCURRENCE IN HOUSE  
AMENDMENTS AS AMENDED**

**SENATE CONCURS IN HOUSE AMENDMENTS  
AS AMENDED**

**SB 1206 (Pr. No. 2253)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 15, 2006 (P.L.200, No.47), entitled "An act designating the bridge carrying State Route 1025 over Interstate 79 in North Strabane Township, Washington County, as the Canon-McMillan Alumni Bridge," further providing for the Canon-McMillan Alumni Bridge designation; designating State Route 830 extending from Interstate 80 to the DuBois-Jefferson County Airport in Washington Township, Jefferson County, as the Francis H. "Bud" Scherer Memorial Highway; designating the portion of U.S. 6 in Linesville Borough, Crawford County, as the U.S. 6 "Gateway to the West" and "Gateway to Pennsylvania" and designating the portion of U.S. 6 in Matamoras Borough, Pike County, as the U.S. 6 "Gateway to the East" and "Gateway to Pennsylvania"; designating the bridge on Interstate 79 crossing U.S. Route 6N in Washington Township, Erie County, as the Dr. Ray F. Birchard Memorial Bridge; designating Front Street, from Allegheny Avenue to Rocky Grove Avenue in the Borough of Sugarcreek, Venango County, as the Mayor John D. McClelland Honorary Highway; designating SR 255 from SR 948, Fox Township, Elk County, to the former St. Marys Borough line in Elk County, as the William F. Renwick Memorial Highway; and renaming the portion of State Route 837 in the city limits of Clairton, Allegheny County, as the Dominic P. Serapiglia Memorial Highway.

On the question,  
Will the Senate concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 1206?

Senator BRIGHTBILL: Madam President, I move that the Senate do concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 1206.

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

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

**YEA-49**

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

**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 inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR JAKE CORMAN  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, today is my shadow week. I feel like Punxsutawney Phil, every time I turn around I see my shadow, but today I have a student from West Perry High School, senior Hannah Dell, who has honored me by shadowing me today as part of a class project. Her father, John Dell, is with her today. Hannah is looking forward to hopefully someday going to medical school, and is particularly interested in orthopedics, and obviously has a very, very bright future ahead of her. I ask the Senate to give its usual warm welcome to Hannah and her father, John.

The PRESIDENT. Would Hannah and her father, John Dell, please rise so we can give you a nice warm welcome.

(Applause.)

**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, I ask the Chair to extend its usual warm welcome to guests and students from my district. They are here from the Reading High School Legal Society Club to learn how we make laws, and hopefully some will choose government as a career. They are accompanied by their advisor, Mrs. Hulya Sowerwine. There are 40 of them in the gallery, and I ask the Senate to extend a welcome to the students from the Reading High School Legal Society Club.

The PRESIDENT. Would Senator O'Pake's guests from the Reading High School Legal Society Club and Mrs. Sowerwine please rise so we can welcome you to the Senate.

(Applause.)

**GUESTS OF SENATOR SEAN F.  
LOGAN PRESENTED TO THE SENATE**

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

Senator LOGAN. Madam President, I would like to introduce some guests from my hometown and alma mater, Gateway High School. A few times a year, Barbara Bain brings some great students from Gateway High School to learn what we do in this building, and I think it is remarkable that the teacher does this for her students. The students love it, and if the Senate could give them a warm welcome, I would appreciate it.

The PRESIDENT. Would Senator Logan's guests, Barbara Bain and the students from Gateway High School, please rise so we can welcome you.

(Applause.)

### ELECTION OF INTERIM PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business will be the election of an interim President pro tempore, as required by Article II, Section 9, of the Constitution of the Commonwealth of Pennsylvania, which states in part that "The Senate shall, at the beginning and close of each Regular Session...elect one of its members President pro tempore...."

Before taking up nominations for the office of interim President pro tempore, the Chair would again like to suggest, if there is no objection, in the event there is only one candidate for the office, the Chair will dispense with the calling of the roll and ask for a voice vote on the nomination. The Chair hears no objection.

The Chair will now accept nominations for the office of interim President pro tempore.

The Chair recognizes the gentleman from Blair, President pro tempore, Robert Jubelirer.

The PRESIDENT pro tempore. Well, Madam President, this is kind of a different role for me, but one that, frankly, I am honored to accept. As the clock winds down on my Senate service, it is a special experience to put forward and publicly praise the qualities of my successor in this leadership position.

I am extremely pleased to nominate Joe Scarnati to serve as interim President pro tempore. Our Caucus vote yesterday and Senator Mellow's gracious words last evening showed that Joe has developed wide respect and regard for his character and skills. He has demonstrated both the inclination and the ability to work with Members on each side of the aisle to solve problems and secure Pennsylvania progress. He cares about the quality and reputation of our institution, our beloved institution that all of us work so hard to protect, and has earned the trust of the Members. He is an independent thinker, looking for ways to restore the confidence that people should have in our part of State government. Madam President, this Senate has a long tradition of strong and capable leaders, Republican and Democratic alike, and Joe Scarnati is well suited to carry forward that tradition.

Madam President, Members of the Senate, it is an honor for me, someone who has been blessed to have this honor 31 times, to recommend Joe Scarnati and ask the Senate to support him to serve as your interim President pro tempore.

Thank you, Madam President.

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

Senator MELLOW. Madam President, I rise to second the nomination of Senator Scarnati to serve as the interim President pro tempore, and I look forward to that day in January when I will have the opportunity of rising once again hopefully to second the nomination of Senator Scarnati as our President pro tempore who will serve for the full 2-year term.

The way I view this, Madam President, it that it is a very unique, distinguishing aspect for both Senator Jubelirer and I to be able to nominate another President pro tempore. I have tremendous respect and admiration for Senator Jubelirer, and I will talk about that a little later today, but he did have the opportunity 31 times, as he stated, to be sworn in as President

pro tempore, and that is a record that probably will never be broken in the future of the Senate of Pennsylvania.

For Senator Scarnati today to have been nominated by the current President pro tempore of the Senate and for me to second the nomination, as someone who had the opportunity for a brief period of time to serve as President pro tempore of the Senate, is probably a distinction that has never happened before. I think both of us, Senator Jubelirer far more than I, who have had the awesome opportunity, responsibility, and authority that will be given to Senator Scarnati, feel it is being given to him at the right time because I think we have the opportunity to put individuals in place who can do the job at that particular moment for a job that has to be done, and what we need in this body is an individual who can serve to bring people together. We do not need any division in this Chamber, and if this past election pointed out anything, as far as I am concerned, especially the general election, it is that people want government to work for them, to work for the people who elected the individuals to serve at the will of the voters, not to work against one another. They want unity in trying to bring about solutions to problems, not division based on some ideology or other differences that may have separated us, and I think that Senator Scarnati is in a unique position to be able to bring that together. I think if he follows and takes the lead from Senator Jubelirer and the outstanding job that he has done as President pro tempore, we will be well-served, not only in the interim basis in the month of December, but certainly for a full term when we come back and reconvene in January.

So I am honored and proud to be able to second the nomination of Senator Scarnati to serve as our interim President pro tempore.

### NOMINATIONS CLOSED

The PRESIDENT. Are there any other seconds for the nomination? Are there any other nominations?

The Chair hears none and declares the nominations closed.

The candidate for the office of interim President pro tempore is the Honorable Joseph B. Scarnati of Jefferson County. All those in favor of Senator Joseph B. Scarnati for the office of interim President pro tempore will please say "aye"; those opposed, "no."

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

The PRESIDENT. The Chair takes pleasure in declaring Senator Joseph Scarnati unanimously elected our interim President pro tempore of the Senate.

(Applause.)

### COMMITTEE APPOINTED TO ESCORT INTERIM PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair now takes pleasure in naming a committee to escort the interim President pro tempore-elect, Senator Joseph B. Scarnati, to the rostrum: the gentleman from Lebanon, Senator David J. Brightbill; the gentleman from Indiana, Senator Donald C. White; and the gentleman from Lackawanna, Senator Robert J. Mellow. The committee will proceed to escort Senator Scarnati to the rostrum.

(Whereupon, the interim President pro tempore-elect was escorted to the rostrum of the Senate.)

**ADMINISTRATION OF OATH OF OFFICE  
TO THE INTERIM PRESIDENT  
PRO TEMPORE-ELECT**

The PRESIDENT. It is an honor and privilege to have with us the Honorable Michael J. Eakin, a Justice of our Supreme Court of Pennsylvania. He has kindly consented to be with us today to administer the oath of office to Senator Scarnati.

Please rise.

Justice EAKIN. Raise your right hand and repeat after me:

I, Joseph Scarnati, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of the Commonwealth of Pennsylvania, and that I will discharge the duties of my office as President pro tempore of the Senate of Pennsylvania with fidelity.

Congratulations.

The PRESIDENT pro tempore. Thank you  
(Applause.)

**REMARKS BY THE INTERIM  
PRESIDENT PRO TEMPORE**

The INTERIM PRESIDENT pro tempore. Thank you, Governor, Your Honor, Members, all of you. Senator Jubelirer, thank you for your kind words and your nomination. Senator Mellow, your meaningful statements, I greatly appreciate them. I am really humbled and honored to express my deep appreciation and thanks to each and every one of you for giving me this opportunity to serve as President pro tempore. I will reach out to each and every one of you. We have a lot to do. We have a lot expected of us, and I will work with each of you individually to make sure that not only this Commonwealth but your districts are fairly represented and given every opportunity that you so deserve.

I look forward to working in the coming Session, getting results, bringing us together, and making a real difference for Pennsylvania. I feel a little tall up here today, because the Lieutenant Governor has the platform up a little bit, but at least you can see that I am not as big a guy as some may think. I am a humble person and I thank you all, and I just want to look at each of you here and tell you with my sincere thanks that I will discharge these duties and make each of you proud.

Before I leave, we have to make sure that we recognize the Members who are leaving today: Senator Jubelirer, Senator Conti, Senator Wenger--I am looking around the room for the rest of them, Senator Lemmond--all of you, you have been great. Yes, and Senator Brightbill, who is still the Majority Leader, so let us give a round of applause to these great Members.

(Applause.)

We have work to do, we have a Calendar to take care of and business and tributes, so with that, thank you all, and I will see you after Thanksgiving.

(Applause.)

The PRESIDENT. The Chair wishes to thank Justice Eakin for his services. Thank you for spending time with us.

Justice EAKIN. Madam President, it is always a pleasure.

**RECESS**

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

Senator BRIGHTBILL. Madam President, at this time I ask for a recess of the Senate for the purpose of a Republican caucus, which will be held in the Rules room to the rear of the Chamber. We expect there will be more than one caucus today, but the first caucus will probably be about 15 minutes. We expect to come back to the floor and vote some bills. The ceremonial portion of today will begin at approximately 1 o'clock, and after that, there will be another Republican caucus, which I gather will not be as short, and then we will come back after that to consider other legislation.

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

Senator MELLOW. Madam President, I also ask that the Democratic Members report to our caucus room immediately so we can discuss some issues.

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

**AFTER RECESS**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD  
OF ACCOUNTANCY**

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until April 25, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lynette Horrell, Gibsonia, resigned.

EDWARD G. RENDELL  
Governor

**JUSTICE, SUPERIOR COURT OF PENNSYLVANIA**

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Adrian R. King, Jr., Esquire, 8833

Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, for appointment as Justice of the Superior Court of Pennsylvania, to serve until the first Monday of January 2008, vice The Honorable Joseph A. Del Sole, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WERNERSVILLE STATE HOSPITAL

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2007, and until her successor is appointed and qualified, vice Dennis Louwerse, Lebanon, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BEDFORD COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 40 Red Barberr Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Bedford County Board of Assistance, to serve until December 31, 2008, and until her successor is appointed and qualified, vice Carol Shaffer, Manns Choice, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BUTLER COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 40 Red Barberr Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Butler County Board of Assistance, to serve until December 31, 2006, and until her successor is appointed and qualified, vice Jacqueline Wise, Saxonburg, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Cumberland County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Jeffrey Logan, Mechanicsburg, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE FRANKLIN COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Franklin County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Karl Thompson, Shippensburg, deceased.

EDWARD G. RENDELL  
Governor

MEMBER OF THE LACKAWANNA COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 40 Red Barberr Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2008, and until her successor is appointed and qualified, vice George Yavorek, Eynon, deceased.

EDWARD G. RENDELL  
Governor

MEMBER OF THE LAWRENCE COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Lawrence County Board of Assistance, to serve until December 31, 2007, and until his successor is appointed and qualified, vice Joseph Bullano, New Castle, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE SOMESSET [sic] COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, for appointment as a member of the Somerset County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Joseph Sarsfield, Somerset, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE UNION COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Union County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Catherine Ernst, Lewisburg, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE WARREN COUNTY  
BOARD OF ASSISTANCE

November 21, 2006

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Warren County Board of Assistance, to serve until December 31, 2008, and until her successor is appointed and qualified, vice Nancy Cashman, Warren, resigned.

EDWARD G. RENDELL  
Governor

RECALL COMMUNICATIONS  
REFERRED TO COMMITTEE

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

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

November 21, 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 June 19, 2006, for the appointment of Wrenna L. Watson, Esquire, 1700 Wylie Avenue, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Walter R. Little, resigned.

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

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

November 21, 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 June 19, 2006, for the appointment of Joseph K. Williams, III, Esquire, 1422 Pennsylvania Avenue, Pittsburgh 15233, Allegheny County, Forty-second Senatorial District, as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Cynthia A. Baldwin, appointed to Supreme Court.

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

EDWARD G. RENDELL  
Governor

**BILLS REPORTED FROM COMMITTEES**

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

**SB 514 (Pr. No. 2124) (Rereported) (Concurrence)**

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, expanding the scope of the act; further providing for the short title, for definitions, for applicability and for subjects of taxation; eliminating the office of elected assessor in townships of the second class; providing for valuation of real property used for wind energy generation; and making a related repeal.

**SB 669 (Pr. No. 2250) (Rereported) (Concurrence)**

An Act amending Titles 2 (Administrative Law and Procedure) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for court and administrative proceeding interpreters; and repealing related provisions.

**SB 1054 (Pr. No. 2247) (Rereported) (Concurrence)**

An Act amending Titles 18 (Crimes and Offenses), 23(Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, protecting children from abuse; further providing for endangering the welfare of children; further providing, in child protective services, for definitions, for reporting, for immunity, for penalties and for information on prospective child-care personnel; providing, in child protective services, for information on family day-care home residents and for information on persons having child contact; further providing, in child protective services, for investigation of reports; and further providing for limitation of actions, for sentencing, for assessments and for sex offender information made available on the Internet.

**SB 1139 (Pr. No. 2249) (Rereported) Concurrence)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in personal income tax, for classes of income.

**RESOLUTION REPORTED FROM COMMITTEE**

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

**SR 381 (Pr. No. 2254)**

A Resolution directing the Joint State Government Commission to establish an advisory committee to study the underlying causes of wrongful convictions and to make findings and recommendations to reduce the possibility that in the future innocent persons will be wrongfully convicted.

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Tartaglione has returned, and her temporary Capitol leave is cancelled.

**CONSIDERATION OF CALENDAR RESUMED****BILLS OUT OF ORDER**

Without objection, the bills on today's Calendar were called out of order by Senator BRIGHTBILL, as Special Orders of Business.

**BILL REREPORTED FROM COMMITTEE AS AMENDED, AMENDED**

**HB 2296 (Pr. No. 4939)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for retention of licenses of persons entering military service.

On the question,

Will the Senate agree to the bill on third consideration?

Senator TOMLINSON offered the following amendment No. A10540:

Amend Title, page 1, line 4, by removing the period after "service" and inserting: , for disabled veterans' real estate tax exemption and for duty of commission.

Amend Bill, page 3, line 18, by striking out all of said line and inserting:

Section 3. Sections 8902 and 8904 of Title 51 are amended to read: § 8902. Exemption.

(a) General rule.—Any [citizen or] resident of this Commonwealth shall be exempt from the payment of all real estate taxes levied upon any building, including the land upon which it stands, occupied by that person as a principal dwelling, if all of the following requirements are met:

(1) That person has been honorably discharged or released under honorable circumstances from the armed forces of the United States for service in any war or armed conflict in which this nation was engaged.

(2) As a result of such military service, that person is blind or paraplegic or has sustained the loss of two or more limbs, or has a service-connected disability declared by the United States Veterans' Administration or its successors to be a total or 100% permanent

disability.

(3) The dwelling is owned by that person solely, with his or her spouse or as an estate by the [entirety] entireties.

(4) The need for the exemption from the payment of real estate taxes has been determined by the State Veterans' Commission in compliance with the requirements of this chapter.

(b) Extension of exemption.—The exemption provided in subsection (a) shall be extended to the unmarried surviving spouse upon the death of the eligible veteran provided that the State Veterans' Commission determines that such spouse is in need of an exemption. § 8904. Duty of commission.

The commission shall:

(1) Fix uniform and equitable standards for determining the need for exemption from the payment of real estate taxes granted by this act. In fixing such uniform and equitable standards, the commission shall apply a rebuttable presumption that an applicant with annual income of \$75,000 or less has a need for the exemption. Beginning on January 1, 2009, and every two years thereafter, the commission shall adjust the annual income level qualifying for the rebuttable presumption of need by an amount equal to the change in the Consumer Price Index in the preceding two years. The commission shall publish the adjusted annual income level qualifying for the rebuttable presumption of need as a notice in the Pennsylvania Bulletin.

(2) After submission of proof of need by the applicant for the exemption from payment of real estate taxes, determine the need of the applicant.

(3) Review at least once every [two] five years all determinations of need for exemptions from the payment of real estate taxes which have been granted in order to determine any changes in the economic status of applicants bearing upon the question of need.

(4) Certify the name and address and the need for exemption from payment of real estate taxes, or termination of such need, to the board for the assessment and revision of taxes, or similar board for the assessment of taxes, having jurisdiction of the assessment of the real property owned solely or as an estate by the entirety and occupied as a residence by the person seeking the tax exemption granted by this chapter.

Section 4. This act shall take effect as follows:

(1) The amendment of 51 Pa.C.S. §§ 8902 and 8904 shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**LEGISLATIVE LEAVE**

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

Senator MELLOW. Madam President, I request a legislative leave for Senator Washington.

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

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR RESUMED****BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 183 (Pr. No. 4383)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," further providing for local taxing options; and providing for land trusts.

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

NAY-0

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

Ordered, That the Secretary of the Senate return 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.

**HB 881 (Pr. No. 4940)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further defining "agricultural building"; further providing for administration and enforcement, for applications and inspections, for changes in Uniform Construction Code, for appeals, for education and training programs and for exemptions.

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	Gordner	Orie	Tomlinson
Boscola	Greenleaf	Piccola	Vance
Brightbill	Hughes	Pileggi	Washington
Browne	Jubelirer	Pippy	Waugh
Conti	Kasunic	Punt	Wenger

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

NAY-0

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

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

**HB 1631 (Pr. No. 4941)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for vehicles exempt from registration; and prohibiting operators from using handheld mobile telephones.

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-33

Armstrong	Ferlo	Orie	Vance
Boscola	Fontana	Piccola	Washington
Brightbill	Gordner	Pileggi	Wenger
Browne	Greenleaf	Pippy	White, Donald
Conti	Hughes	Punt	White, Mary Jo
Costa	Jubelirer	Rafferty	Williams, Constance
Dinniman	Lemmond	Regola	
Earll	Logan	Stack	
Erickson	O'Pake	Tomlinson	

NAY-16

Corman	LaValle	Rhoades	Tartaglione
Fumo	Madigan	Robbins	Waugh
Kasunic	Mellow	Scarnati	Williams, Anthony H.
Kitchen	Musto	Stout	Wozniak

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.

**SENATE RESOLUTION No. 382 RECOMMENDED**

Senator BRIGHTBILL, without objection, called up from page 3 of the Calendar, **Senate Resolution No. 382**, entitled:

A Resolution directing the Joint State Government Commission to study the issue of violent crime, to establish an advisory committee to



review proposals that address the issue of violent crime and to report to the Senate with its findings and recommendations.

On the question,  
Will the Senate adopt the resolution?

Senator BRIGHTBILL. Madam President, I move that Senate Resolution No. 382 be recommended to the Committee on Rules and Executive Nominations.

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

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

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

**HB 1427 (Pr. No. 4938)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for delegation of taxing powers.

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

**NAY-0**

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

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

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

**BILLS OUT OF ORDER**

Without objection, the following bills on Supplemental Calendar No. 1, were called out of order by Senator BRIGHTBILL, as Special Orders of Business.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 514 (Pr. No. 2124)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, expanding the scope of the act; further providing for the short title, for definitions, for applicability and for subjects of taxation; eliminating the office of elected assessor in townships of the second class; providing for valuation of real property used for wind energy generation; and making a related repeal.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 514?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 514.

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

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

**YEA-49**

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

**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 inform the House of Representatives accordingly.

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 669 (Pr. No. 2250)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 2 (Administrative Law and Procedure) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for court and administrative proceeding interpreters; and repealing related provisions.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 669?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 669.

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

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

YEA-49

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

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 inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1054 (Pr. No. 2247) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses), 23(Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, protecting children from abuse; further providing for endangering the welfare of children; further providing, in child protective services, for definitions, for reporting, for immunity, for penalties and for information on prospective child-care personnel; providing, in child protective services, for information on family day-care home residents and for information on persons having child contact; further providing, in child protective services, for investigation of reports; and further providing for limitation of actions, for sentencing, for assessments and for sex offender information made available on the Internet.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 1054?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1054.

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

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

YEA-49

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

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 inform the House of Representatives accordingly.

SENATE RESOLUTION No. 381, ADOPTED

Senator BRIGHTBILL without objection, called up from page 2 of Supplemental Calendar No. 1, Senate Resolution No. 381, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to study the underlying causes of wrongful convictions and to make findings and recommendations to reduce the possibility that in the future innocent persons will be wrongfully convicted.

On the question,  
Will the Senate adopt the resolution?

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

SENATE CONCURS IN HOUSE AMENDMENTS AND CORRECTIVE REPRINT 2249

SB 1139 (Pr. No. 2249) -- 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 personal income tax, for classes of income.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 1139, Corrective Reprint 2249?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1139, Corrective Reprint 2249.

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

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

YEA-49

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

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 inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS  
FAREWELL TO MEMBERS**

The PRESIDENT. It is now my pleasure to introduce our President pro tempore to preside over the Senate, Senator Robert Jubelirer.

**The PRESIDENT pro tempore (Robert C. Jubelirer) in the Chair.**

The PRESIDENT pro tempore. Thank you, Lieutenant Governor Knoll. Let me specifically thank Lieutenant Governor Catherine Baker Knoll for her graciousness, cooperation, professionalism, and for being so courteous to permit me to preside one more time. This is the part of the program where I have the opportunity to introduce each of the individual's videos, and you can follow the rest on your program, but it is a special honor for me to be able to do that. It is a rare and sad moment when we confront the reality of how much leadership experience and accomplishments will soon be departing this Senate.

My friends, colleagues, and family, none of these are easy, but the first may be the hardest, and that is Chip Brightbill. Bright, articulate, resourceful, adept; you could run out of adjectives before he runs out of laudable attributes. We had floor leaders who were outstanding at moving an agenda and controlling the action. We had Members who could achieve passage of landmark legislation on difficult and controversial subjects. Chip Brightbill is the rare Senator who has done both incredibly well. As a floor leader, he has been simply superb; as a tactician, as a debater, and as the person responsible for making sure we successfully deliver worthy results after all the fussing is over, he has been exceptional. He could dive deeply into the details of the most complex issue, yet still be able to paint the broad picture.

His middle name should be tenacity, for once in, he would never let an issue go until it was decided. When there was a tough issue mission to be undertaken, he was the go-to guy. From the moment he arrived in the Senate--and I am delighted that I made that phone call to Chip and told him how easy this job would be--he challenged the conventional way of thinking. Early on, he took on Governor Thornburgh and our leaders in changing a discretionary funding program to a fixed formula. When he was told it could not or should not be done, he rounded up the votes and won. That marked him as a force to contend with, and he remained so for 24 years.

Laws are too frequently advertized as landmark legislation, but the brownfields legislation that Chip spearheaded is one of the original achievements of a generation and will pay dividends for workers and communities for further generations. Legislating is a full-time occupation for many, yet I doubt anyone put more time into problem solving than Chip. There is no telling when a call might come with a pitch for a different approach, even if the issue seemed nearly settled. Given the amount of time he devoted to legislating, to being active in the community, and being there for his family, the only thing I can figure out is that he gave up sleeping entirely. Bill Murray has a line in the movie "Stripes" where he says he must read books on the outside just to keep up. Chip does a lot of reading on the outside to stay ahead. He has an admirable sense of intellectual curiosity. The roots of the republic, the lives of great men, the forces that shaped our nation, and the background on Pennsylvania places and personality, he has a deep interest in all, and that probably just scratches the surface.

He has been a tremendous friend, a superb teammate, and I would have him with me in the proverbial foxhole anywhere, anytime in this life. Please roll the video on Chip Brightbill.

(Whereupon, a video tribute of the career of Senator DAVID J. BRIGHTBILL was presented.)

(Applause.)

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

Senator BRIGHTBILL. Mr. President, if I may interrupt, I had just gotten myself to the point where I was happy about leaving, and I would just like to thank everyone who participated. I kept checking my pulse to see if I was really still alive, since people were saying such nice things.

The PRESIDENT pro tempore. We will introduce all the Members and their videos and then we will come back for remarks from them and open it up to all of you.

Remember the old Prudential commercials where the symbol was the Rock of Gibraltar? Ask anyone to begin describing Noah Wenger, and it is assured that the term "rock solid" is coming into play. Noah Wenger epitomized all the virtues that we associate with Lancaster County - the conservative outlook, the common-sense approach to problem solving, and the inclination to keep power in local hands and away from the bureaucrats as much as possible. To say that he was a source of authority on all things agriculture was like saying that Ted Williams knew a bit about the science of hitting. No one has done more to preserve agriculture as a major economic contributor and an appealing way of life. Pennsylvania's aggressive efforts to save prime farmland have Noah's fingerprints all over them. No one has

done more to help agriculture adapt to modern standards so that agricultural policy is not dictated by those whose knowledge of it is nothing more than that it smells.

When Noah plowed the fields of politics, his furrows ran straight and true. Noah was a shrewd negotiator, because on matters of principle, he just was not going to budge. I do not recall anyone rolling Noah Wenger, that is for sure, but there was always humility in his manner, decency in his words, and uprightness in his character. Not many in politics deserve the description of "gentleman," but Noah certainly earned the title. He much prefers common words and a storytelling ability to bring people around, as opposed to the let-us-rip-their-hearts-out approach so many seem to favor these days. In the 1960 movie "The Alamo," Richard Widmark played Jim Bowie, as quick tempered and as impetuous as could be. John Wayne, as Davy Crockett, would use his stories to calm him down and rein him in. Noah had the same sort of soothing effect on our process. For the many years that he served as our Caucus Chairman, the tough issues and hot discussions became much less combustible due to his even-keeled guidance.

Sunday evening or late afternoon, I was privileged to be part of an event honoring Noah in his district. It was truly heartwarming to see the admiration and the reverence that his friends and neighbors have for him, first and foremost for the quality of service he has provided. Noah, it was a great event, and it was certainly a great tribute to you and Barbara that your friends held such an event. I was proud to tell them that we shared such high regard for Noah Wenger and passed on that message from all of you. Will you please roll the video on Noah Wenger.

(Whereupon, a video tribute of the career of Senator NOAH W. WENGER was presented.)

(Applause.)

The PRESIDENT pro tempore. To use his favorite word, no one was more "delighted" to be a Member of our State Senate than Charlie Lemmond. By definition, the Senate is a deliberative body, and Charlie is one of the most intellectual, introspective, and insightful people I know. He is a student of the law, of politics, and of the public interest, and he is always searching for just the right balance between the three. When Charlie took on an issue, you knew it would be done fairly, and done well.

As chairman of the Committee on State Government, he had to handle a series of pressure-cooker issues, and we could be certain they would not blow up on us. He demonstrated how to apply the best legal principles to the legislative process, and to end with a solid layman's result. I suspect the people he served really appreciated his thoroughness. He would try to get all the information he could on an issue, size it up from every angle, double check, triple check all the sources, and then after determining the right thing to do, ask for the bumper sticker slogan that would convey the message. When he spoke, there was a purpose in his message and judiciousness in his choice of words. He was never going to showboat, never going to hip check his way to the spotlight, and was never going to lose everyone in a Bill DeWeese style polysyllabic barrage.

He had the skills of a top-flight plastic surgeon in shaping and contouring the large body of criminal law, being a central figure in the Special Session on crime. People here may not realize how

much he studied the art of public speaking. You see, Charlie is a much sought after speaker in his district, known for going well beyond the standard political fare and offering thoughtful and humor-laced political forecasts. Anyone in politics for any length of time is going to be noted for their individual bottom line. For Charlie, well, the bottom line has always been and will always be integrity. I think if you look up the word "integrity" in the political dictionary, you will find Charlie's picture there. Charles Lemmond proved--remarkably so, Charlie, I am going to steal your line--that Leo Durocher was wrong. You see, nice guys can be winners, and frankly, Charlie, I do not know of a more beloved human being in this body than you. I am so deeply honored and delighted to have him as a colleague and a lifetime friend. What a special human being he is. Please roll the video.

(Whereupon, a video tribute of the career of Senator CHARLES D. LEMMOND was presented.)

(Applause.)

The PRESIDENT pro tempore. Because of the area he represented, and because of his different way of viewing things, Joe Conti added a very useful dimension to our deliberations, to say the least. Now, I could have Don White or Joe Scarnati do this, but I am keeping it myself.

Legendary North Carolina basketball Coach Dean Smith warned that if every game is a matter of life and death, you are going to die a lot of times. Joe Conti gave us a similar step-back perspective of our work. As he would remind us, the fate of the Commonwealth was not riding on every obscure bill, and no one was chiseling our every pontification into stone tablets. He made sure we did not die of excessive somberness or drown in too much righteous indignation. But he was quite earnest in pursuit of legislation that he believed had a compelling public interest behind it, and I think that was demonstrated here today. He was willing to throw out a controversial idea to stir the debate when he felt a subject was warranted.

Joe generated a lot of ideas, the raw material for legislative debate. Some ideas were things that had you wondering why you had not thought of it, others had reactions that made you glad you had not thought of it, or said anything out loud, at least. But that is the nature of the idea business. Our work would be poor if we did not have those who generate the provocative proposals and the novel notions.

Joe and I traded notes on approaches on a few occasions, and while I would be doing the voice of experience routine, he would be teaching me something as well. He had a Sherlock Holmesian knack for ferreting out the story behind the story. He was typically prefacing his observations with, "here is why they are doing that," or "here is what is really going on." Interpreter-in-Chief is not listed as a title anywhere, but it is a valuable skill to have handy.

A profile of Joe would be substantially incomplete without noting his passion for everything Penn State. Some of us share that, Joe. The Senate will indeed miss you, Joe, miss you in a lot of ways, but your brand of congeniality and conviviality will be especially hard to replace. Please roll the video on Joe Conti.

(Whereupon, a video tribute of the career of Senator JOE CONTI was presented.)

(Applause.)

The PRESIDENT pro tempore. I am absolutely amazed at these guys with all that dark hair. I did not realize you fellas had all that dark hair, but then again, at least you have hair.

The program is moving on. It says remarks by Senator Jubelirer and retiring Members. For those of you who were here for the video when I was recognized as the longest-serving President pro tempore in Pennsylvania history, we felt that you had enough of a video on me, and so I will make my final remarks and then call on the other Members to do the same thing, and then all of you will have that opportunity.

Since there is no video, I am going to take a few minutes just to introduce the special people who are here for me today. I do not know how I could ever get along without them. My wonderful wife, Renee, who so many times swore me in as President pro tempore, is here as a civilian today, with my love to her in her robe or civilian clothing. No, I am not going to say the other thing. Now, you all have bad minds. My daughter, Laurie, my son Jeff, and in spirit, Sam, Becca, Andy, Sofie, Gideon, Michael, Jonathan, and Sam and Trudy Levine, who wanted to be here, but my father-in-law, Sam, had surgery and could not be here.

I am not going to name them, but I have been blessed with a remarkable staff, and you all know them. I am not going to introduce them by name, but I ask that the most incredible staff I think ever put together please rise.

(Applause.)

Thank you for what you have done for me, believe me. Well, Joe, I am emotional, and it says here it is a good thing I am not an emotional sort, otherwise I might have serious trouble getting through this part of the program. It seems to be one of those times when "thank you" seems so very insufficient to express the gratitude I feel toward the Members of the Senate, present and past.

Among the things I enjoy most about this place were the chances for floor debate. Unfortunately, everyone was on to my tendencies. I can recall receiving pointed reminders from my dear friend Dick Tilghman, and he would say, Bob, we have the votes, so you do not need to talk all night about it. I do not intend to take all day now, but give me a break, 32 years does not neatly wrap up in a couple of 30-second sound bites either.

One of the unsavory trends of our time are the individuals who feel compelled to tear down the institution they are leaving and then write a tawdry tell-all book. That is not my style. I prefer to reflect on all that is good and all that is right and memorable about the Senate of Pennsylvania. Not many people in this world have the chance to do a job they love or live out a dream—or live out a dream, can you imagine—much less to work at it for so long. Not many people have the trust extended that I have been privileged to receive. Not many people work with so many talented and publicly-spirited individuals as those who have served in this Senate and those who serve today. Someone figured out that I have served with 147 men and women. Only Bob Mellow and Mike O'Pake remain from when I first started. I could say good words about nearly every one of the 147, and a lot of good words about most. What diversity of backgrounds and interests, what a commonality of commitment to public service that you and they all had. Looking in the rearview mirror, 32 years seems like a long road. You know you have been around

a while when a second generation of students start showing up at your student government seminars. You know you have been around a while when you are hiring staff who were not even a twinkle in their parents' eye when your career began. You know you have been around for a while when your first Pennsylvania Manual photo looks like Civil War vintage. They used to think I had an Afro.

One never forgets the magic moment of taking the oath of office for the very first time, especially when you make it to the Senate on your first try at public office. See, it was on my father's 75th birthday, January 7, 1975. He was quite ill at the time and only lived a few years after that, but boy, he was proud. To serve people, to solve problems, to shape budgets, to craft legislation, to carry out projects, there is nothing like it. It is an opportunity without parallel. I will treasure the countless opportunities for constituent service and community building. For 20 years I had the perfect Senate district, four complete counties geographically compact, just a smidgen off the ideal population. For the rest of the time, it was nearly perfect. The people who lived there value hard work, appreciate the opportunities they endeavor to achieve, and do not collapse at the first sign of adversity.

Teamwork is the indispensable ingredient of success, whether it is solving community problems, securing projects, or pushing through needed legislation. There have been so many talented partners along the way, a special nod must go to former Congressman Bud Shuster, who was an extraordinary leader not just for our congressional district, but for the Commonwealth and for America. There were moments when I was fully employed chasing down State matching funds for all the Federal money that he brought in. I have seen the life and work of the Senate from just about every angle imaginable. I have been part of what many considered a hopeless Minority, I have been part of a healthy Majority, and I have been part of the Senate when the edge was razor thin each way. Ultimately, whatever the partisan margin, we had to come together to produce results. Without elements of trust and respect, it is impossible to conduct the necessary negotiations that produce solid solutions.

To go down memory lane on the Members and issues of note would frankly make the Appalachian Trail seem like a short hike. You know how favorite songs can play over in your mind? Well, I can hear the debate from the leaders and legends: the country-lawyer wisdom of Clarence Bell as he talked about his neighbors. Jim Kelley on a roll, hugely entertaining, even when I was not altogether sure and I would ask, what the hell did he say? The common sense yet scholarly persuasion of Dick Snyder. Ed Zemprelli, who was a master of improvising an argument and raising the volume to convey certitude. The measured, impatient policy explanations offered by Jack Stauffer. Henry Hager, whose commanding presence gave extra punctuation to his forceful points. Jim Ross, whose gravelly voice of authority seemed to rumble up from his toes. Serving in the Senate is a remarkable educational experience. I will never forget Murray's Bar and Grill, where Democrats and Republicans alike would receive top-shelf instruction in the ways of politics and the ways of the world. What a wonderful role model Marty Murray was for me as I followed him after Senator Henry Hager. For many years Jeanette Reibman was the only woman serving here. As more women have been elected, they have added valuable perspective

and depth to our debates. There is every expectation the numbers will continue to build as the level of political involvement increases. On a personal note, I am absolutely thrilled with the election of Lisa Baker, without a doubt, a very special person who many years ago worked with me right out of college. I know she is going to be an invaluable Member of this Senate.

Pennsylvania has a reputation for being a very partisan State. Well, frankly, we got that reputation the old-fashioned way, we earned it. We have a reputation as a parochial State, and we earned that, too. But I am proud of the Senate Republican team that has hung together and achieved legislative and electoral success for so long. Yet, even when the words were most heated, there was a reservoir of trust and respect to draw from so that we could hammer out acceptable agreements. To Bob Mellow and Vince Fumo, and former leaders such as Bill Lincoln, I want to tell you something, I appreciate both sides of the coin. The political competition you provided and the crucial cooperation we achieved, the one thing that I take away from here is your friendship. That will never end, regardless of politics. When you have the chance to look at the Senate from this rostrum as I have, it does not break down simply to allies and adversaries. The diversities and regional interests of the Commonwealth are well reflected and well represented here.

It has been an honor, an honor to work with distinguished Pennsylvania governors. Dick Thornburgh, with his rectitude and no-nonsense approach that restored trust and fiscal reason in State government; Bob Casey, with his deeply-held convictions, his iron will, and his unforgettable display of individual courage, and I was frankly honored to be mentioned in his book as someone who was crying when he came back from his operations. I respected him so much. Tom Ridge, with his earnest and sure-footed challenges to structures and traditions and the notable reforms he achieved; Mark Schweiker, with his irrepressible optimism and can-do spirit; and Ed Rendell, with his outsized political skills, his infectious enthusiasm for engaging, and his unmatched ability to put together deals large and small. Then there was Governor William Warren Scranton, a role model, who kindled my interest and inspired my involvement in politics. As a young, wannabe lawyer just out of law school in 1962, waiting for the results of my bar exam, I had the opportunity to work with the future Governor, who is legendary.

There were memorable dealings with the House, including political giants such as Matt Ryan, Jim Manderino, my dear friend Sam Hayes, Leroy Ivis, and John Perzel. I can remember as a young Majority Leader, Senator Pileggi, sitting across the table from this giant of a man, Jim Manderino, and I had been elected Majority Leader just 6 years after having been elected to the Senate, and frankly, I was petrified. I was afraid I would get my clock cleaned no matter what I did, but he was a very fair man, a very decent man, and fortunately, he gave me a chance to grow in the job.

An old-time syndicated columnist by the name of Sydney Harris wrote that our dilemma is that we hate change and love it at the same time. What we really want is for things to remain the same, but get better. Change is here. I sincerely hope not just better, but the best for you. As a Member and as a leader, I endeavored to improve the Senate. At the same time, I have

ardently defended it against those who would tear it down for their own self-centered reasons. This institution, this wonderful institution that you and I have been privileged to serve in, and the 50 Members who serve here now, should not have their efforts maligned by those who maliciously, maliciously term anything controversial as corrupt.

Despite what we hear and read so often, much has changed constructively in the operation of the Senate. Opening up meetings, and I was the sponsor of the Sunshine Act, disclosing records, professionalizing the Secretary and Chief Clerk offices, and perhaps most importantly, opening our Sessions to television coverage. Senator Mellow and I worked on it together, and it was under his watch that television came into the Senate. Our bipartisan commitment to lobbyist disclosure, where we were long in the forefront and a lonely voice on this hill, is illustrative of this spirit.

Some years ago when the critics were after Joe Paterno, he said, what am I going to do on a beautiful Saturday afternoon without football? I am not going to retire to Florida and go nuts. Well, I have had enough former colleagues convince me that there is a good life to be had after the Senate. I will miss very much the daily challenges and the interaction with the colleagues and constituents. I call it the locker room, because that is what it is in caucus, and I now understand how those professional athletes feel. I understood when I watched the Penn State-Michigan State game last Saturday with Renee, as the seniors came out of the tunnel, knowing it was the last time, the last time they would run through that tunnel. But as they ran on, they ran on to the next phase of their life, and so shall I. You see, I am not going to retire to Florida and go nuts, I intend to stay involved.

I want to read a note to you. It seems kind of fitting right now. When I came in today, it was on my desk, from a very special person. On the front it says, "I love you." It says, "Dear Poppy, I hope you get another job. I think you were a great Senator. I am looking very forward to seeing you. I love you. Love, Sam." Well, folks, that is what I am moving on to, Laurie said, to spend more time with your grandchildren, and Renee said, you will live longer, and I will move on to the next phase of my life. But I will always cherish the time I spent here, the time I served here, not just spent. I am so very grateful for the extended chance to lead, and very proud of what we have done together, you and I. The memories I hold are extensive, emotion-packed, and endless, and most of all, the friendships forged here are forever. Goodbye, and God bless you all.

Thank you.

(Applause.)

The PRESIDENT pro tempore. Catherine wants me to write a book, but maybe some of you would rather I did not.

It is now my privilege to introduce once again a great Majority Leader, Senator Chip Brightbill.

Senator BRIGHTBILL. Mr. President, I just want to say that you are a very difficult act to follow. As I depart this Chamber, my hope is to just leave a few thoughts, things that I learned over the last 6 years. For the most part, the people whom we represent do not like change. Generally, as they go through life, people are able to find a way to work within a system to make their own life more secure, better and easier, and consistent with their own

goals. They want to make their own choices. They accumulate what is important to them. The last thing most people want is for change to devalue the choices that they have made. Legislative bodies have been designed to respond sensibly to these changes brought about by outside influences. Remember, the bicameral legislature was invented not to enable people like us to quickly change things, but to assure that alterations and governmental policy occur more slowly, to keep popular but unwise policies from being adopted.

For example, and this may astound you, in 1977 a bill to lower the alcohol drinking age to 18 passed this body, only to die in the House. Thus, legislatures are generally not the initiator of change but rather the agent of change, the mechanism in our society that has been established to enable our public policies to respond to changes that have occurred in our society. As legislators dealing with change, we seldom get to start our work toward a solution with a blank sheet of paper. We are limited by the decisions made in the past as to how we deal with issues today, and this narrows our options, and most often, we can deal only with problems through incremental change. The famed phrase "sea changes" do not come quickly or easily to legislative bodies.

Right now, like it or not, we live in a time of great change. The international marketplace is rapidly becoming a different place. The changes that started to come at the end of the 20th century and are continuing as we speak are large and fundamental, and are having a dramatic and rapid impact on our day-to-day lives. My pop often reminded me that he had seen great changes in his lifetime. He noted that the world had gone from the horse and buggy to jet transport. The world is still going through great cycles of change, and these are going to create far more challenges to America than cars, airplanes, and transistors. Computers, fiber optics, and bioscience are now the drivers.

In his book, "The World is Flat, A Brief History of the 21st Century," Thomas Friedman ably discusses these changes, and I am going to suggest it be required reading for all legislators. As a result of what is happening, many of the best opportunities in today's world are more and more being enjoyed in a global setting. Two essentials - products created by brain power, and capital - are highly mobile in this worldwide economy, and these worldwide changes impact on the issues facing us in more ways than we often realize. Yet, as I leave the General Assembly, I do so with great faith in both our system and the people who are here to run it, and the Members who will be sent here in the future by the public.

I wish the best to the new leaders, who will be outstanding. There will be ups and downs, but this place will continue to get the job done. The heart and soul of the State Senate are the people who chair our committees, whether as a Majority or Minority Member. Everyone who works here soon acquires significant leadership responsibilities. Good leaders at every level work to recognize solutions around which a consensus can be built among Members, and my observation is that in the final analysis, because of the limitations noted, before solutions generally overpower, that solutions generally overpower the personal philosophies and preferences for those who are here. Most people do not realize that. As a leader, the first rule is that one must deliver a product to the market, a solution to a problem.

This applies whether one is a Majority Leader, Minority Leader, committee chair, or ranking committee Member. As a leader, you know if a solution offered does not work, that the problem will be back, but in a form that will be harder to address, and these solutions are seldom pretty and sometimes amount to allowing Members to only choose between the lesser of evils.

You have heard rule number one, which is to deliver. To accomplish, you have to pay attention to rule number two, and rule number two is you must work with someone. In other words, if the person who is responsible for building a consensus cannot obtain cooperation from one group, then that person must find it necessary to work with another group. The philosophy and preferences of the group with whom one must work will impact on the construct of a solution. To put it another way, one's decision to not be involved in dealing with a legitimate problem has the affect of impacting and empowering a solution, but generally in a way that is averse to the person who chooses not to be involved.

In light of these rules, rule number one and rule number two, my advice to all who come after this is simply this: If you truly want to be a positive agent of change, then work to deal with and resolve those problems that can be solved by the Pennsylvania General Assembly. Become part of the solution, and do not sit on the sideline and criticize.

I would like to make a few personal observations. First, I would like to thank the voters of the 48th Senatorial District who put up with me for 24 years. It has been an honor and privilege, and I enjoyed almost every minute. Next, my eternal thanks to Bob Jubelirer. He came into my life while he was recruiting a candidate for the 48th district a quarter century ago. Despite my great initial resistance, the ever-persistent Bob Jubelirer convinced me to run. Thank you, Bob. You have been a great leader and a great agent of change. Pennsylvania is a far, far better place because you have passed through these halls.

As a young Member, I was constantly working to learn this place and its processes. I talked to other Members in this Chamber, and I was constantly asking questions. Probably the word "pest" would have been appropriate. In addition to Bob Jubelirer, my teachers were Jack Stauffer, who was the whip, Ralph Hess, who was in leadership and an office mate, and Bill Moore, and of course my legislative neighbor, Noah Wenger, who had House experience and told me the key rule for this place is to be effective. My question to these men was always the same: What is going on here? And sometimes I asked that same question to several people, and by doing that I got different slants on the same answer.

I also want to thank and acknowledge Bob Mellow, the Democratic Leader. The relationship of leader to leader is a complex one. We both always needed to develop a solution, but often our view of an appropriate remedy would differ. I learned first that Bob Mellow is a first-rate human being. He has done an outstanding job and is an outspoken and persevering advocate who will, when his interests are adverse to yours, work vigorously to support and advance his point of view. But in the end, Bob works to affect a consensus and develop a solution, and Bob knows rule number one, and when rule number two had us working together, I think we did a good bipartisan job.

Lastly, I want to thank our staff, and maybe I ought to ask these people to stand up, Steve MacNett, come on, everybody.

(Applause.)

These people are just plain terrific. It is the job of Members to provide the vision to serve as a conduit between the people we represent, their goals, objectives, and aspirations. The staff must take these policy concepts, many of which compete, and put them into a statute. It is tedious, time consuming, frustrating, and a very difficult job. We Members leave here at 2 a.m. feeling sorry for ourselves because it is early in the morning. We expect them to work until 6:00, and be bright-eyed and bushy-tailed when we come in at 9:00, ready to roll again at 10:00. Then, just to make their life interesting, when they are just about done, we change our minds. These ladies and gentlemen deserve great respect and thanks.

Finally, my family, Donna is here -- did I wake you?

(Laughter.)

She is with Adam and Christian. There is a historical note here. There is one little boy in the history of the Commonwealth of Pennsylvania who has participated in three caucuses, sat through three caucuses, and that is Christian. I think right now he holds the record for being the only boy who has done that. I never thought that being an elected public official was a difficult job, and I never perceived myself as being under a lot of pressure, perhaps because I spent most of my life practicing law. I really believe that the tough part of this is what your family has to go through. Thanks.

This evening I will leave here, hopefully before 2:00. Steve MacNett tells me 6:30, so we know it is not that early. Tomorrow the sun will rise and shine on me, my family, you, and this great Commonwealth. Several hundred years ago Benjamin Franklin asked a key question regarding a chair that sits in this very Capitol, the chair used by the presiding officer at the National Constitutional Convention in Philadelphia. Is it a rising sun or a setting sun on the back of that chair? With good people like you working here on behalf of me, and because of this dedicated institution and a great constituency, it will continue to be a rising sun.

Thank you.

(Applause.)

The PRESIDENT pro tempore. Before I introduce the next retiring Member, I think it is only appropriate to introduce another great Majority Leader. I noticed former Senator Joe Loeper is back there. Joe, would you stand and be recognized.

(Applause.)

The PRESIDENT pro tempore. Joe Loeper contributed a great deal to this body, and I wanted him to be recognized.

Next, it is my privilege to once again recognize the gentleman from Lancaster County, Senator Noah Wenger.

Senator WENGER. Mr. President, today is a day of mixed emotions. On one hand, we look forward to the future, which will be perhaps a little more leisurely and give us an opportunity to do some things we were not able to do when we were pressed for time. Over the 30 years that I served in the General Assembly, 24 of which were here in this Senate, and which were really the greatest years of my life, we reflect a little bit on the past.

First, I must express my appreciation to those of you who said nice things about me on the video. I was a little flattered, and

then I remembered what our former colleague, the late Senator Snyder, used to say at events like this. He would say, now, ladies and gentlemen, we must remember that at times like this we are not under oath. So I remember my mentor, Dick Snyder.

And I am pleased to do this reflecting. I have been joined by so many people who are important in my life, some have been important in my life before I was in the General Assembly, during that time, and will be in the future, and that is my family. Barbara, my wife of 49 years, is here with us today, and our daughters and grandchildren are here, and it is great to have all of you here today. Perhaps you will see me around the house a little more, Barbara, and I do not know if that is good for you or not, but that may be the case.

In addition to my family, there are many friends here who came to our State Capitol today for this event, and they are people who were important to me from the point when they were campaign chairpersons or campaign treasurers, the people who work behind the scenes many times and make it possible for people like us to serve in this Senate. They are here today, and I think of Terry Kauffman and Reid Wissler. Then there is my staff, current staff and some of the former staff are here, and I really appreciate them taking the time today to reflect with us for just a little bit. When I think of my staff, and I think I have had a great staff over the years, I especially think of my longtime administrative assistant, Dotty Sellers, who was with me for 27 years, and that is a pretty good record, Dotty. I cannot mention all of you by name. It is not that I would not like to, but I am getting older and I do not remember your names, but I do remember all of your great service.

Then I wish to express my appreciation to all of the Members of this great body that we call the Senate of Pennsylvania. There are only 50 of us at any one given time in the whole State of Pennsylvania, 12 million people, 50 Senators, and I have been fortunate to be one for a 24-year period. You know, we like to think of some successes we may have had, we like to think of changes that we made, and we did this collectively, because no one Senator is able to make those changes because Pennsylvania is a very diverse State, and if we are going to move forward, there is some give-and-take, and we have been able to do that and do some good things, not only for 50 Senators, but for the 12 million people of Pennsylvania. That is what really makes it all worthwhile in the years we have spent here. You know, it is that appreciation for what we have been able to do, but it also goes beyond that. There has been an opportunity for friendship and camaraderie that you might not have had in almost any other place, and that spirit of friendship crosses the center aisle. That center aisle is there for a purpose, it is for people to walk through. It is not put there to divide one side of the Senate from the other, and I hope that I have learned that successfully, because I will leave the Senate with admiration, respect, and love for all of the Members with whom I served on both sides of the aisle, and I certainly will keep you in mind as time goes on.

We could talk about some of the things that we have been able to do in the past. As a long time Caucus Chairman, I got to know the Members of my Caucus quite well, and they are some of the finest people that you would meet anywhere. There are certain times, depending on how things are going, that a certain stigma is attached to the term "politician." But I have found that the



integrity among politicians is among the best of any class of people you will find anywhere, because you have to broker the interests and concerns that are brought to you from all across a very diverse State, and we have done that successfully, and I consider myself very fortunate to have had the opportunity to be a part of that. We open our Session and then we take a break to go to caucus, and the Members of my Caucus all go into one room and the Members of the other Caucus go into their room, and I have been in the other Caucus room because we had it for a while when we were in the Minority. So, you know I have been in the Majority Caucus Room and I have been in the Minority Caucus Room. If I had my choice, I would rather be in the Majority Caucus Room, but I have been in the other one, too, and the Members of that Caucus are just as important to the people of Pennsylvania as those in the Majority Caucus.

So you learn those things over a period of 24 years in the Senate, and today is a time to reflect on that and for me to express my appreciation to all of you, to all of you. You know, I mentioned my staff. Well, the leadership staff has many times been of great assistance, and it is an opportunity to express my appreciation and to tell you that I may from time to time just stop by this august body and see what you are doing, and when I do, if I walk down the hall, probably somebody will ask who is that elderly gentleman walking down the hall? I hope it will be as kind as that. They might be saying something else.

Mr. President, it is a day of mixed feelings, and so we reflect on the past and we say it has been pretty good, and we look to the future with optimism, we look to the future with hope, and I think as long as the Senate of Pennsylvania takes the time to be deliberative, takes the time to work together, and takes the time to represent the people who sent them here, there will be a bright future for the Commonwealth of Pennsylvania.

Thank you so much.

(Applause.)

The PRESIDENT pro tempore. The Chair is delighted to recognize the distinguished gentleman from Luzerne County, Senator Charles Lemmond.

Senator LEMMOND. Thank you, Mr. President. I, in turn, am totally delighted to be with you this afternoon and to have spent the last 21 years in your presence, under your leadership, and most especially as your friend. I can only tell you that having experienced a video such as we have seen this afternoon, when you undergo it, it is ego gratification enough for many, many months into the cold winter that is coming up. Thank you, everyone who was a part of it.

One of our papers at home decried a ceremony in the House last week where certain retiring Members portrayed emotions of sour grapes about the Senate, the General Assembly, the institution, and I want to tell you at the outset that I share none of that. This has been a great experience. For someone who majored in government many years ago and advanced seminars in government for all of these years, I have enjoyed it. To the extent that I agree with them, I adopt as my own all the good words about the Senate of the previous speakers and ask that they be included in the record as though they were my own, without repeating each and every sentiment that was expressed. If you want to reference a book about the Senate, I will not dwell at length on it, read the Federalists Papers 63, 64, 65, and 66, and

you will have all that you need to know on my thoughts. It is excellent reading if you are looking for that.

I start by saying thank you to all of you for everything that you have done, and each one of us has an individual story which I appreciate, but I thank especially all of you who spoke on the television summary performance, it is most gratifying, and I truly do thank you. There are some things that you could pick out that Senator Mellow and Senator Musto, the three of us who represent northeastern Pennsylvania, Ray touched on, and it brings to mind one of the precepts we have had that there is no limit to the amount of good that we can do in the Senate of Pennsylvania for our home districts, in our case, for northeastern Pennsylvania and for all of the Commonwealth, if you do not mind who gets the credit. I think by working together we have been able to do so much for so many, and if we had taken a different tack, it would not have occurred. It is a good lesson, and I thank all of my friends on that side for sharing their experiences with me. The young ladies who spoke were not here, of course, when I came to the Senate. We had none, but I do appreciate their friendship, their support, what they contributed, and they have been and will continue to be a strong part of everything when Lisa Baker arrives, and I appreciate the three of them appearing in that presentation.

When I came here 21 years ago after Frank O'Connell retired, we had a special election, and I received some early advice. It was almost exactly 21 years ago yesterday that I came, and the advice was from Senator Jubelirer and others, that this was an experience that I would enjoy, that this would be fun, that we would make friends, men and women who enjoyed their jobs, who enjoyed getting up in the morning and coming to the Capitol or to their offices, who had like interests, who enjoyed their work, and had diverse challenges that they would share with us, that we would make lifetime friends during our tenure here, and the surprise is that all of that has come true. All of us now have a bevy of lifetime friends. When we see Joe Loeper, as we see so many others who have been in our midst, what a great experience it is. As we travel throughout, we have a commonality of interests that we will enjoy forever. If we travel and visit son number four in California and there happens to be a legislator from California there, fine, it will be fun to talk. We have a community of interests that has engendered itself over these 21 years and resides now, as Senator Jubelirer said, in the group in this room this afternoon. You are in fact the best. I have said this in caucus. We hold no second seat to any other Caucus, to any other group in the country.

Senator Specter, whether you agree with him or not, often says that a big part of his job and of our job is showing up, being there, participating, joining in, and I agree with that. We all do it, and we love it. The other part, he said, that is not quite that big, is the assistance and the support of a superb staff. You have heard the other men talk about their staffs. Well, let me tell you that all of these folks major in government. You know, if you are out there thinking about political science, government, whatever, come and work for one of our Members and you will get so much out of it, you will do so many things. I have been blessed by three women who have been superb over the years as my chiefs of staff, Cynthia Thurston, of course, Shawn Murphy, who is staying warm in the south, and Lisa Baker, who will join you all,

and you will certainly enjoy her. To these three women, I add a fourth. My Master Chief Navy son said, dad, she dresses you every day, she does it all. She does not do that, but Barbara has been a tower of strength, and I certainly have appreciated it. I am sorry that she cannot be here with her children and grandchildren today, but she has been an excellent, superb Senator's wife, if there is a category that that fits.

I thank also the folks who brought me here. I mean, somebody along the line, and you have heard a couple of references to that today, has encouraged us to do this, pick it up, Charlie, would you consider us circulating your name for the Senate, that type of thing, and I was fortunate in that and want to acknowledge those who brought me here. It has been a wonderful game, a wonderful run. Governor Thornburgh has been mentioned. He taught us all that politics is not a bad word, that it is people trying to govern themselves, and that is what we do and we do it for our friends, neighbors, and, by and large, I believe we do it certainly very well. My neighbor up in northeastern Pennsylvania is Governor William Warren Scranton, who is just the ultimate gentleman, the amateur who set the political pros on their heels. He was just superb. He is a role model for us all, and he enjoyed government and he said to all of us that it is a good thing, jump in, enter in, and give it your best effort, and it will be a most rewarding thing.

In addition to that philosophy, the substance of government and the theory of politics, you need someone who can tell you and carry you from day to day about the process of government, and I want to say that he was instrumental in bringing me, and I owe him so much, and he has done so much for all of us, and I want to say Pat Solano, you did a good job, and I have enjoyed it very much.

Let me say finally, there are thanks and we all owe it to the same groups, although not the same group as mine, but my thanks to the people of northeastern Pennsylvania who believed that I represented what they thought, what they did, what their character was, what their morals were, and what they wanted. I quote the Chief Justice from 1964, Supreme Court Justice Earl Warren, "Legislators represent people, not trees or acres. Legislators are elected by voters, not farms or townships or cities or economic interests." If on PCN or anyplace else, if the voters, the people who gave me this opportunity are listening, thank you very much. I have truly enjoyed the opportunity almost as much as I have truly enjoyed the opportunity to work with each and every one of you. I go back to the alma mater of the oldest university in the country, and it says: Farewell, be thy destinies onward and great. To that I add, have a wonderful Thanksgiving, have wonderful memories, and good luck in the challenge of the upcoming years. You are going to enjoy it, and you are going to do well.

(Applause.)

The PRESIDENT pro tempore. The Chair is now pleased to recognize the distinguished gentleman from Bucks County, Senator Conti.

Senator CONTI. Mr. President, I would like to submit my farewell remarks for the record.

(Applause.)

That was for you, Senator Corman. This afternoon seems to be longer than Cher's farewell tour. We have a lot of mentors in Bucks County, and, Senator Jubelirer, you will remember

Congressman Biester, Judge Biester, the second-last appointed Attorney General who, after a ponderous evening at our local art museum, stood up and said, this evening is reminiscent of Lady Melba's farewell tour. She was the famous Australian opera singer, Melba Toast, Peach Melba. She was quite a character, and Judge Biester said she began as a soprano in her farewell tour and ended as a contralto, and I think we are approaching that today.

I want to introduce the very best part of Joe Conti, my wife, Molli.

(Applause.)

I am very proud of the next generation of public servants with the name of Conti, my daughter Trish.

(Applause.)

Then, of course, my thoughts are with my parents and my sons and everybody who could not be here today. But as someone mentioned, it is pretty tough to be the family of an elected official, so thank you all so much.

I want to thank my staff. I have an incredible staff who are all seated in the back. They have been wonderful and outstanding. There is nothing I am more proud of than our constituent service. It has been an outstanding experience. Thank you all so much. I am so pleased that the next Senator from the 10th Senatorial District is able to be with us today, Chuck McIlhinney. Thank you for all your support. I loved working with you. You are going to be a wonderful addition here who will make everybody here forget about me real quick. I also want to thank two people who cannot be here today, that is Speaker Matt Ryan and Representative Roy Cornell. They were dear mentors of mine. Roy Reinard, who was on the video, the three of them took me under their wing, and some guy named Tomlinson in the House, and the rest is history. But you can see the kind of relationship that I have with Roy Reinard to this day.

I want to thank our Senate leader, Senator Jubelirer, and his wife, Judge Renee Cohn Jubelirer, it is so wonderful to be their friend. I want to thank Senator Brightbill, Senator Fumo, Senator Mellow, and everyone. It has been a wonderful experience to be here. I wish all the future leaders who have been elected all the best in the near future. Lieutenant Governor Knoll, thank you so much for leading our Chamber with such class and decorum. You are a joy to work with.

Now I would like to thank the Senators I slept with: Senator Tomlinson, Senator Corman, Senator Don White, Senator Scarnati, and Senator Jane-- oops, I am sorry, wrong speech. I can never miss a cheap joke. But I also want to thank someone who is so dear to me and she was on the video. There are three women in my life - my mother, my wife, and my daughter - and then there is a fourth, and that is Senator Tina Tartaglione. I will never forget being at Temple Hospital after that incredible experience she went through, and her looking up at me a few days after that and saying, Joe, I do not know why this has happened, but it must have happened for a reason, and that kind of courage, determination, and faith is something I will never forget. I love you and I always will, Tina. Thank you so much for that.

(Applause.)

The hour is growing short, but I have a couple thoughts. To all those on the video, to Tommy, my big brother, and Jake, and the

guy in the glasses. You know, he has been dying to tell me about that for 3 weeks. He is like a kid with a secret and he just cannot keep it a secret, but he did. You are very fortunate to make some good friends in this world, and I have made a whole host of them here. Molli and I are blessed to have Don and Ann as dear friends, and I want to thank Don for that last performance.

I want to thank the staff and people in this Chamber, and I want to do something that I think is maybe a little unique, but should not be. Serving as a township supervisor, serving county government, serving the House, there is nothing more important than the advice we receive from our counsel. I was thinking about it over the weekend, and Steve MacNett, Donna Malpezzi, Vicki Wilken in my office, C.J. Hafner, Gladys Brown, and Christopher Craig, you are simply the best at your profession in this country, and it has been a real honor to serve with you, so I want to thank you for that.

(Applause.)

I have two closing thoughts, a challenge, and a hope, and as I was thinking about why I wanted to say these things, late last week it dawned on me, and I had a mentor that I very much wanted to be with me today. So I placed a call late last week, and he is the person who most represents and symbolizes my closing thoughts, and that is my good friend and a good friend to all, Joe Loeper. Thank you so much for being with me.

(Applause.)

The challenge is to be a little less judgmental. I know it is easy to say, and it was difficult for me to do. At this time I would like to apologize to State Senator Don White for saying that he represents more Christmas trees and animals than people. I am not saying I was inaccurate, but I would just like to apologize for it. But I really think when we are judgmental with each other, it kind of limits the debate that we are able to have, and one of the most important precedents of a democracy is perfect information. We all talked about caucus today, which is our most compelling moments of service in the Senate. My hope for you is maybe if you are a little less judgmental, you can bring some of that debate to the Senate floor and let the people of Pennsylvania see it, and in the end, respect when you vote your districts. That is the best part of this job.

And my hope for you is that you can keep things in proportion. I was thinking about the term "balance" or "equilibrium," so I think the future is bright for everyone, but the challenge is to leverage the creative, talented resources of the Members in this Chamber into policy. Not every vote can be unanimous. There are chapters yet to be written that hold so much promise, so I urge you to proceed with confidence yet modesty, pride with humility, and balance the dreams of tomorrow with the realities of today. I am very encouraged by the last week. It is going to be a wonderful Senate of Pennsylvania in the next Session.

This is not my first retirement. I retired from the restaurant business, I retired from local government, I retired from county government, and I guess we will include the House and Senate service in this, and the only person I can think of who retired more times than that was maybe Sinatra. My favorite Sinatra retirement was his first one when he sang "My Way," and everybody thought that was it, and he paused and a pin spot came down and he sang a barroom song.

Thank you forever for thinking of me as a citizen legislator, because I really am nothing more than a bartender by birth, and it has been such a privilege to get to here to serve with all of you, and it has been a very special experience. My thanks to the people of Doylestown Township, to the people of Bucks County, to the people of the 143rd House District and to the people of the 10th Senatorial District. It has been the experience of a lifetime, and now, as Sinatra did when he finished with "Angel Eyes," excuse me while I slip away.

(Applause.)

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

Senator MELLOW. Mr. President, for the last 2-plus hours, I, along with other Members here of the Senate and those who are with us as visitors today, had the opportunity of having a greater insight of five very distinguished Members of the Pennsylvania Senate - the President pro tempore, Senator Brightbill, Senator Wenger, Senator Lemmond, and Senator Conti. What I would like to do is just reflect for a brief moment something about each one of them, not necessarily on behalf of all of the Democratic Members of the Senate, because there may be a Member or two who on their own might want to say something, but I want to reflect upon some of my thoughts about five of the most trusted and distinguished individuals whom I have had the privilege to know and work with for so many years.

First, I would like to start with Senator Conti, who just concluded, because I have known Joe over the last half-dozen years or so in a very nice, warm manner. He is the type of person whom you could work with. There was no question about the fact that he would always try to work through partisan politics, and he was a consensus builder, but he was more than that. At one particular time during this past summer, Joe happened to be in northeastern Pennsylvania with a couple of other Members of the Senate, and they stopped in my office. We talked a little bit and went across the street to a restaurant by the name of Soriano's, and it did not come quite up to the Conti restaurant, but nevertheless, it was rather decent, and I will tell you the three of them, two names will remain unknown, enjoyed some gnocchi, ravioli, and homemade pasta with a couple of different kinds of sauces, so I tried to give them a little bit of a different northeastern Pennsylvania treat.

I am going to miss Joe. I think he is an outstanding individual. He has been a tremendous asset to this Senate, and he is one with whom our Members loved to work and loved to talk about many different issues, and he certainly is going to be missed.

My good friend Charlie Lemmond. Many years ago when Governor Thornburgh nominated Charlie Lemmond to be a judge in Luzerne County, I happened to be the only nonlawyer on the Committee on Judiciary. We had a public hearing, and it was the first time that I had any exposure to then-attorney Lemmond and the opportunity to listen to him. It was a few years ago, but I can remember it like it was yesterday, and I can recall how he handled himself, how he had an overwhelming vote of support with the Members of the Committee on Judiciary, served as a very capable judge in Luzerne County, and then when Senator O'Connell resigned from the Senate, he ran for the office. The only thing I could not completely understand is after he became a Member of the Senate and no longer had the black dress on, he

could not deliberate. He had to vote immediately on the floor of the Senate instead of putting it off for the next 2 or 3 months and have an opinion written and then discuss what the opinion was, of course, with his very trusted friend and advisor, Pat Solano.

In 1992, I was the Democratic Leader of the Senate and Bob Casey was the Governor, and we had a deficit the size of a crater. We had to do something with revenues to make up that deficit, and Charlie came to me in late winter or early spring and said to me, I am going to swear you to secrecy--and I guess I can talk about it now, Charlie--but if you get the 25 votes on a tax increase, I will be your 26th, but do not tell anybody. So on that day in Session, we had a couple of defections on this side of the aisle. I knew that the six Members of the Republican leadership would vote for the tax increase, and Mark Singel was the Lieutenant Governor and he was presiding. There was a lot of give and take and push, because we had 3 defections, and it was not going to get us to 26 votes, so our Members kept saying to me, we cannot vote. I said to Mark Singel, make sure you call the roll, and they looked at me like I had an eye growing out of my forehead because we were only going to have 25 votes, until they called the name of Senator Lemmond, and his vote for the tax increase was "aye." Charlie bailed me out that day, and I will be eternally grateful to him for what he did and also what he did for the people of Pennsylvania, because even though it is very difficult to do those kinds of things, at that point in time it was the right thing to do.

I will always cherish the relationship that you, Senator Musto, and I had because we worked as a team to do what was right for the people whom we collectively represented. You are going to be missed. You are a man with a very even temperament, one who always wants to give the other person the benefit of the doubt and work to bring about a consensus on your own. So with regard to your leaving the Senate, it creates a void. I am sure our Senator-elect Lisa Baker will do an outstanding job, but you are a quality person who will not be easy to replace.

With regard to Senator Wenger, I thought the video was great. I think you did an outstanding job in serving as the chairman of the Committee on Appropriations during a very difficult period of time last year, and as I sat across from you in our negotiations and discussions with regard to the budget considerations, you taught me a little bit about farming, Noah. Every time we would have a little lull in the discussions, I would ask you a question, and you would tell me about farming, what you did on your farm and how you handled certain things. But the one thing I did not realize in watching the video, Senator Mary Jo White said that you are a little bit like Gary Cooper, which I thought was pretty appropriate, but I did not know that farmers were a little like Gary Cooper and drove a Chrysler Prowler convertible in the summertime, which was very nice because the car looked super outside.

You have done an outstanding job, and you are to be admired. You are one of those individuals who could be called the conscience of the Senate because you always tried to do the right thing not only for the people you represented, but for the entire membership of this august body.

My other two friends whom I am going to miss dearly, Senator Brightbill, and of course, Senator Bob Jubelirer, who came into the Senate right after I did. I do not know what the

people of the 48th Senatorial District might think of Senator Brightbill with regard to his accomplishments, but in case they do not know what some of his accomplishments are, I am going to explain just a few of them to them. When you serve as a leader, and I think everyone understands this, you try to represent your Caucus to the best of your ability, and your political ideology and philosophy differs, but that does not mean you have to be indifferent to one another. You can express your point of view without being indifferent to one another and still, with cooperation, have a great relationship. I have what I consider to be an excellent relationship with Senator Brightbill.

He has a great family. I had one of his sons over here with me earlier today and we had a nice discussion, his lovely wife, Donna, and his other little boy was sitting on Donna's lap. He has three grown sons whom I have had the opportunity to meet along the way. They are just wonderful people and a wonderful family.

Senator Brightbill worked very, very hard, and he was extremely capable in bringing about what was right and good about the Senate, and I do not know if people fully realize how hard our Members work, what type of commitment they make, how much time they take away from their families, not on a daily basis, but on a weekly basis, because people will say to me, well, you are not in Session, therefore you do not have any work to do. I say, I have work to do. When I am back in my district, I am busier than when I am in Harrisburg because we are on call, each and every one of us, 7 days a week, 24 hours a day. It does not matter where you go on a weekend, people are asking questions, you have to discuss something, or you are involved in something. But in my opinion, Senator Brightbill carried it to a different level.

Through a little of my own research, I found that he was involved in the Annville Township Streetscape Project, which revitalized a beautiful community in Lebanon County. If it were not for Senator Brightbill, that would not be done. The Lebanon Valley Expo Center and the modern facilities and buildings would not exist if it were not for Senator Brightbill. How many of you have gone to Cabela's? I have been there a number of times just to walk around, to see the place, enjoy what is there, and go upstairs and have lunch. I know that it is located in Berks County. If it were not for the effort and work that Senator Brightbill did to bring that about, and I believe we had to do a couple of things legislatively, or at least we discussed them, to guarantee that it would be there to serve not only as a destination for people from throughout the State, and a lot of people from northeastern Pennsylvania go there on a bus trip just to spend the day, and the number of people that it employs and what it does for the industrial development of central Pennsylvania.

There are beautiful parks in Lebanon County. I can recall, I think it might have been last year, when we were going through the budget and we had to change some legislation to guarantee public access to this particular park, and then to secure some grants. I remember sitting in the office in our discussion, and I believe it was the House of Representatives, and how you pushed to make sure that these particular things were taken care of. And then the downtown Elizabethtown improvement projects, which will bring real improvement and revitalization to Elizabethtown and Lancaster County.

They are just a few of the things that I want to mention that Senator Brightbill was involved in, and he was a champion of the taxpayer. Last year, in a very difficult period of time, very, very difficult, in Special Session he formed a committee, as we all did, and then we appointed Members of the committee to rewrite and try to draw some specific language so that people could understand and recognize it with regard to property tax relief in Pennsylvania, and Senator Brightbill and Senator Erickson were at the forefront of that. We sat and talked and deliberated and discussed. It was not enough to talk, the important thing was to get the job done. We had public hearing after public hearing. They were not public hearings of antagonism. This was not Democrat versus Republican, this was to do the right thing for the people of every senatorial district and the 12-plus million people in Pennsylvania. And if it were not for that gentleman standing across from me at the podium, we would not be in a position today to be able to give property tax relief to the people of Pennsylvania, hopefully within the next year, and if the early success of Mohegan Sun at Pocono Downs is any indication, the kind of money we will have for distribution will be incredible, and in no small part because of the tremendous work by Senator Brightbill, and I, for one, will miss him. Senator Pileggi I know will do a great job as the Republican Leader, but quite frankly, he will have some major shoes to fill, and I know he has the ability to do that, and I look forward to working with him.

Finally, I will talk about my good friend, Senator Bob Jubelirer. Senator Jubelirer and I both came to the Senate as individuals with more hair and fewer wrinkles than we have today, and a lot of commonality, a lot of things of great interest that we worked on together, and I have a tremendous degree of respect and admiration for Senator Jubelirer and his hard work and the way he has endured, the way he has tried to meet the needs of every Member of this Senate. We would sit at a COMO meeting in his conference room to bring about the operation of the Pennsylvania Senate and also to address the issues that all of our Members would have, because collectively, I might have a concern for someone, Senator O'Pake might have one, Senator Fumo, Senator Brightbill, Senator Jubelirer might have one, and in the last few years the way the composition of COMO would change, every Member, Democrat and Republican, would come to us and want to talk about different things, and then it was up to Senator Jubelirer, because the buck stopped there. We were always ready to give away the store, but he would say, wait a minute, let us take a look at it, let us not pass it today, let us put it off until the next meeting. What was good about the way he handled COMO is that we would have one meeting maybe in January or February, and then the next one not until November, and we would not even remember what we talked about in January and February to try to meet the needs of our Members.

The things that Bob Jubelirer is responsible for and the things the people of the 30th Senatorial District should be very grateful for that he has been able to accomplish are just incredible. One of the saddest moments that I had professionally happened to me on primary election day, and I do not want to bring up any sore topics, but I have to mention it. On primary election day of May 2006, in the early hours of the morning, I could not sleep and was watching television. I flipped on PCN to see what was taking place because I knew what some of the results were, and I

watched Senator Jubelirer give a gracious speech admitting that he had lost. It was a concession speech from the Blair County Convention Center, and I could remember when Bob Jubelirer talked to me and others about what we could do to build this Blair County Convention Center, because Blair County was in the midst of a complete revitalization, and he played no small part in making that take place. To me there was poetic justice, and I said, boy, this is a good lesson to learn. This gentleman was making a concession speech in a beautiful convention center that he was solely responsible for, a capital budget item and the construction of that particular facility in his district.

As someone who officiates high school football and has done so for many years, and having worked at a place called Mansion Park, a facility where high school football championships were held for many years until they moved them to Hershey a few years ago, it is a magnificent facility, and I wondered how in the dickens did this beautiful facility get located out here? Then I realized whose district it was in and who was the President pro tempore of the Senate. How much did it cost to locate Mansion Park, an absolutely beautiful high school athletic complex, in Altoona? But then I was not surprised, because if I am not mistaken, it has been well over 20 years since the Altoona School District has had an increase in property taxes. I do not know how those things take place, because I do not think any of us in this room can say that our home school district has not had a tax increase in the last 20 years. That is not to say that the Altoona School District may not be a very, very well run school district, but I think a little had to do with the fact that Senator Jubelirer was involved in negotiations of every one of those budgets, knew exactly how to frame the question to bring some things back into his district, which were appropriate.

The Blair County Baseball Park, where the Altoona Curve plays, is an absolutely magnificent facility. I was there several years ago, and I could not believe how beautiful the facility was.

The longest-serving President pro tempore. That says something. I was the shortest-serving and he was the longest, but nevertheless, it was great. He was elected 31 times, when you think about interim President pro tempore slots and also to be elected to a 2-year term. That is probably a record that will stand and never be broken by anyone. The construction of I-99, something that was so badly needed, he continued with that revitalization and was outstanding creating jobs in his district. I am going to miss Bob Jubelirer, but I will tell you who will miss him more than me. I will miss him as a friend, but our friendship will stay, and my friendships with Senator Brightbill, Senator Lemmond, Senator Wenger, and Senator Conti, because they may be around, and hopefully the good Lord will bless us with health for many, many years, like working with Senator Loeper. Those friendships will never end, but the people who will miss these folks the most, especially Senator Brightbill and Senator Jubelirer and also the three who decided on their own to retire, are the people in the 30th Senatorial District of Senator Jubelirer and the people of the 48th Senatorial District of Senator Brightbill, because they worked tirelessly and they gave every bit of energy they had to guarantee the 250,000-plus people who elected them to come to Harrisburg to work on their behalf in the Pennsylvania State Senate. For them to be able to rise to the position of Majority Leader and President pro tempore of the

Senate is a great feat, and the people in their respective senatorial districts should always be very thankful and proud that they gave such a major part of their lives.

So I just want to say to all five on behalf of the Democratic Members of the Senate, congratulations. I know it is not retirement for each and every one of you. It may be for some of you, but not all of you. I can tell you that our offices will always be open for any needs or considerations that you may have, and I am just very, very happy that I had the opportunity to get to know and work with you for so many years. Renee, do not let Bob go to Florida and retire. Do not let him put on the white belt and shoes and play golf every day of the week. Make sure he is back here working in Harrisburg along with his friends, so we can continue to enjoy our friendship and camaraderie. To all five, congratulations and God bless you.

(Applause.)

The PRESIDENT pro tempore. Thank you, Senator Mellow, for your most gracious remarks.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Fumo has returned, and his legislative leave will be cancelled.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Philadelphia, Senator Fumo.

Senator FUMO. Mr. President, you know, the Governor hosted a wonderful dinner last night for the retiring Senators and some that retired even a little bit earlier, and I said to some of the people at my table that I did not understand how this worked, everybody retiring was a Republican, and we were still the Minority, so it is with that that I congratulate the staff.

I want to start out with Senator Jubelirer. Bob, I honestly do not remember coming after you and almost hitting you, but if I did, I apologize. Conversely, I was in that room in the Governor's Office when I was the quietest I have ever been in my career, and you did not strike anybody either. But I talked about this, and I think it has to be said at some point in time, and I think Senator Mellow briefly alluded to it. There was a speaker of the U.S. House at one time by the name of Jim Wright, who was from Seattle, and Bob Mellow and I were out at an NCLC convention, and I was struck by highways that I have never seen in my life, and I said, I cannot believe this, and then I remembered whose district it was, and then I remembered that Speaker Wright was turned out of office over an issue of term limits. After that election they polled the people who voted, and fully 43 percent, I think it was, said that they believed that the next person was also going to be the Speaker of the House, and they were not going to lose anything. Well, there is something to be said for seniority and service and ability, and sadly to the people of the 30th district, I have not met the Senator-elect, but he is not the President pro tempore. You will find out what the difference is, no matter how good the replacement. Senator Jubelirer's efforts on behalf of his district have been phenomenal. Over the years we fought, but we have worked together, we have dealt with the serious personal issues of this Senate, and I can honestly say, Bob, that I am going to miss you deeply. I think Joe Scarnati will do a great job as well, but I am going to miss the personal relationship, the differences of opinion, and the agreements that

we have had, and if you would have listened to me more often, we may have gotten a few more things done. It is great for me after things happen and people say, I know, you said so, but congratulations, and I cannot see you in a white belt and white shoes, the same way I am not going to wear a suit and tie here every day either, but once in a while I do.

To Senator Brightbill, I have an equal message for the people of the 48th district. Your accomplishments in your district at home have been tremendous, and it is going to take a long time for someone to get to the level of seniority and skill that you have reached to able to deliver to that district what they have gotten over these years, and I know it was disappointing for you as it was for us on that primary election night. But fortunately, life goes on and I know that we all will survive, and I know that we have not seen the last of you. I know you have to be coming back as a lobbyist, because you have been too nice to me in the last 6 months. There is just no question about that, and we will welcome you back.

Thank you very much for your service, and thank you for the courtesies. I remember one time, and it is over now, so I guess I can say this, I argued with Senator Brightbill about gaming and I said, you do not understand, it really will do a billion dollars. And at the time he said, I do not know if it is going to generate anything, maybe \$200 million, and then I got him aside and he said, yeah, our stuff says \$750 million. I said, thanks a lot. But he stuck to his guns and did not support it, but in the end, like I predicted, he wanted to spend it, and we made some changes to help him out, although the House straightened some of that out, but I promise you we will find a way to reverse that eventually, I hope. When things became reality, Chip was always right there, and when I asked him a question, I got an honest answer. Many times it was "no," but there were times it was "yes," and there were times when we had made commitments and deals, which are not a bad thing to make, and he stuck by them and I stuck by them, and I thank him for that. I wish him great success in the future, and I know we will be seeing him back here soon.

Noah has been my Majority chairman for the last couple of months due to the unfortunate passing of Bob Thompson. I have to tell you all that during the last budget negotiation, I enjoyed more than anything watching Noah's eyes open up, because he never knew that was what went on in that room, and I think he got a phenomenal education at the end of his career, but he was always true to his cause. He and I, and I know there are not many Members on this side of the aisle, in fact, I look around and there are none, and I know there are none from Philadelphia, who can honestly talk about farming issues, and we do, and I have learned from him and I intend to learn more from my little farm out in Halifax, Pennsylvania. And I do like that sporty car you have, and maybe I will get one, too, someday, after my cows start producing some money though.

Charlie Lemmond, it has been a great pleasure to serve with you. I remember watching the video, and believe me, a lot that was said could be said about you by anybody, and it should be, that when it comes to a person of dignity and class and honesty and fair play, that is the definition of the Charlie Lemmond that I will always remember. We served together closer on PHEAA than we did in this Chamber, and Charlie did a phenomenal job as chairman of the executive committee, and I know there were

some tough times there. I know he got mad at me for some things I may have let him down on, but I know we worked together and I will always respect you and respect your judgment, and I thank you very much for letting me be your friend.

Lastly, to Senator Conti, I have to preface this by saying that I never saw Don White look better. But Joe has become a great friend over the years, and he does truly understand bipartisan cooperation. We have worked closely together. He is a guy of great integrity, a very fun guy. I did not have the advantage of getting all the jokes that you guys got on that side of the aisle, but I got my share with him, too. I will never forget him, and I understand that he has been looking in my district. Please come and live there, but do not run for office. We will welcome you with open arms.

And to everyone, these times are certainly sad, and every transition is sad and scary, as we all go forth, as you leave, as new people come, as leadership changes, but in the end, I hope that we can all work together despite our disparate views toward the good of this Commonwealth and toward trying to make the quality of life here better for all people, and I know we all have that in mind. Hopefully, we will see compromise and bipartisanship to a greater level, because no one has a lock or monopoly on good ideas, or bad ones, for that matter, but when we work them out and we truly listen to each other, we produce a much better product than we could with just one side's views going into that.

To Senator Loeper, my good friend, I do not think we did a video for you, Joe, but I would have loved to have been in it, and I would have said that I respect you tremendously, always did, always will, and I will always consider you my friend.

Thank you all, God bless, and Godspeed.

(Applause.)

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

Senator A.H. WILLIAMS. Mr. President, I recognize that usually these moments are specific in nature to those Members who are in leadership and usually are more interactive, but I have to confess, I was moved by the collection of Members who are retiring, and for me, it is not about the bridges you brought back home or the money you brought back to your constituents, but frankly, this moment is for your families, your friends, and colleagues, because on these days we have grown to respect you. This place is about respect and about relationships and the way the men who are being honored here today have led us.

Bob Jubelirer and Chip, you have represented not only Republicans, but Pennsylvanians as well, because through the many years that you have spent here, you have been persistent and consistent with your philosophy, but you have actually been fair in your application. I mean, I have to say for those who follow Chip, please remember when he has let me down, which was about 9 times out of 10, he has at least left me with the belief that I was actually going to succeed on the 11th try, so I go back.

My father was here today, and Bob Jubelirer meant a lot to me and my family, and I am sorry that you are leaving. I am sorry because it represents not the advancement of your district, but frankly, the decline and removal of substance for all Pennsylvanians.

To Joe Conti, I will be glad that you are going to leave. I am tired of seeing -- we cry in our beer every Eagle season together. He grew a beard last year when Donovan McNabb broke his leg, or did something. So, Joe, I enjoyed serving with you, but I am glad we will not be here to remind each other that the bane of our existence is the Philadelphia Eagles.

Two men to whom I really want to speak quite clearly are Senator Wenger and Senator Lemmond. They serve on a committee together, and I have to say this, many of us come here with limitations in regard to how we see each other. We see each other as men or women, black or white, old or young, Democrat or Republican. The fact is if you serve with any time and you really serve your constituents well, you learn a lot about people. I heard Senator Fumo say that Philadelphians do not necessarily know about farms, but what he does not know is that my grandfather was a farmer. He also was a carpenter and eventually became a postal service worker, and his grandchild went to a Quaker school, so we knew a lot about cow manure and cleaning out stalls, and one of my great activities and hobbies is riding horses.

When I joined that committee, I was infected by Senator Lemmond's dignity and class and I was affected by Senator Wenger's ability to communicate with those who sometimes have limitations, and I will tell you, I was the person with the limitations. I was the guy with the chip on his shoulder from Philadelphia who felt that people from those communities did not understand us. I simply felt that their time in the Senate may have limited their ability to be more compassionate and fair.

I will tell you that Senator Lemmond and Senator Wenger have left an imprint, not only in my mind but my heart. The way you treated me and my constituents, I cannot tell you how much we appreciated that. I cannot tell you how many times I have come and asked you to consider a viewpoint that was not common to anybody in this body, and how many times we won on those issues. But the way you have treated me I will never forget, I will never forget. Senator Wenger, I cannot tell you how much that video represented who you really are. Your gentleness, your fairness, your compassion, your consideration, your ability to communicate. Even when I walked into the committee meeting and said something off the wall and totally ridiculous, Senator Wenger had a way to bring it back to center.

I will tell you, you two men represent the bridge for Pennsylvania. As vast as it is, as diverse as it is, as different as it is, you represent to me and to the people I represent the possibility of the future, not the past of Pennsylvania, but the future of Pennsylvania. Those differences which we think we cannot resolve, if any of us, when we are thinking about a bridge or an appropriation, about a ballpark or something that we think is parochial in nature to us, if we slow our role and understand Senator Wenger and Senator Lemmond made it work and found a way for it to work and represented people as far away on farms or on the streets of Philadelphia, that we come from a Commonwealth of greatness and consideration and compassion. You taught me that, and I hope when I leave this place that people will feel about me the way they feel about the two of you. We love you here. We hope you come back and visit us. I hope you come back and visit me. God bless you and your families.

(Applause.)

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

Senator RHOADES. Mr. President, today I bid farewell to five quality human beings who are extra special men, each special, each unique, but most important, each one a friend. It was interesting to look at the videos, and I will tell you, I got scared, because I saw, as you said, Mr. President, full heads of hair that had color, and then I began to realize how long I have been here, and when I say that, Senator Bob, since 1974, what is that, 42 years?

The PRESIDENT pro tempore. 32 years.

Senator RHOADES. Okay, Mr. President, 32 years, and then I look at all the Senators who have been here 20 years or longer, and I know I have been here for 26 years, and I think to myself that we have not been here that long. It has only been a matter of a couple of months or a couple of years. I think that is the dynamics of this position. You are always going and doing something and committed to a cause, and you do not have time to slow down and smell the roses because you are too busy doing the people's business, and you gentlemen have done excellent business.

Bob, I want to say, thank you. I know you have gray hair and less hair now, and I probably did that to you, because I remember in 1980 when I came here, it was the first Republican Majority, 26 to 24, and I remember sitting in the backroom when the budget vote was up and I was thinking, I cannot vote for that budget, they are shutting my hospital down and shutting this and that down. One fellow who did not come back after said to me, every time there is a key vote you do that to me, and I said, yeah, the only time you talk to me is when there is a key vote. That is one thing I can say about Bob Jubelirer, he was not that way, because Bob Jubelirer talked to me all the time. I appreciate that, and that is one of the reasons I call him boss. I do not call him Senator, I do not call him President pro tempore, I call him boss, because he is the highest ranking elected Member here in our Senate in terms of being President pro tempore and the third highest in the Commonwealth of Pennsylvania. I know that and I respect him for it, because the one thing I learned from Bob Jubelirer through all of this is that he has a great respect and love for the institution of the Senate, and that comes before the Republican Caucus, the Democratic Caucus, or anyone else. It was always the reputation, the respect for the Senate, and, Bob, for the years you gave to instill that legacy and that thought, I thank you for that, and I thank you for your service and for our friendship.

Chip Brightbill came about 2 years after me, and I was glad when he came because he replaced Clarence Manbeck, who was a Dutchman from Lebanon County and had a very heavy Dutch dialect. When Chip came, I could now finally understand what was being said, and I appreciated that. Chip has been a great friend over these many years. One of the things I always tease him about is that he was part of the Lebanon County Mafia. His brother-in-law, Mike Long, of course, is the chief of staff for the Senate, Chip is the Majority Leader, Eric Arneson is his aide, and then Dave Broderic, who is my executive director, were all from Lebanon County, so whenever something was done in Lebanon County, it was always the Lebanon Mafia who were able to get it completed.

But one of the key things I want to say, and, Chip, you said this at the end of your video that you hope you did a good job. You have done an excellent job. You have served your constituency, you have served the Members of this Senate, you have served well, and I thank you for that and I will miss you.

Senator Wenger is a good man, an honorable man, a man whose word is good, and he is always a gentleman. One of the things I love about Noah is that I could always depend upon him for support when a vote came up about the Hegins pigeon shoot. He always teased me on that all the time, are we shooting pigeons in Hegins? Senator, I think somebody in the House of Representatives is trying to put some kind of amendment in, so we will have to beat that down. You may get your last vote on the Hegins pigeon shoot. You are going to have to look at that now. But that was one thing we always talked about and he teased me on. And I will repeat myself too as many others have, if there was an issue in agriculture that we had to talk about, I looked to Noah Wenger, because I knew he would address agricultural issues. There is a definition of a farmer as a man outstanding in his field. I can say to Noah, he is an outstanding Senator in this Chamber. I thank him for his service and for his friendship.

Senator Lemmond, the sage, the judge, the man of wisdom, a man of few words, but when he spoke, you listened. One of the things when I said before about Senator Jubelirer losing some hair, when we took the Majority of 26, there was another fellow here whom Charles replaced by the name of Frank O'Connell, and Frank O'Connell and I would team up many times, and when we walked down the aisle, all of a sudden people thought there was trouble or something going on. When Senator Lemmond came in, he was a different kind of guy, but just as effective. Cool, calculating, direct, and knowledgeable, and I value that. Senator Lemmond, you are a man for all seasons, and you are a Senator for all times. I thank you.

Senator Conti, I do not know if I can say anything about him. I mean, the way he made his delivery today, I think that says everything. Young, dynamic, very personable, very pleasant, a great kidder, a great teaser, and a great jokester, but I will tell you, there is one thing that I will miss about him that nobody else in our Caucus will know anything about, and that is the mirror drill. I did that one time, then made a statement, and no one knew what I was talking about except Senator Conti, and I will put it this way, he is the mirror of a man; he creates a great image, he has been a great Senator, he is a great individual, and, Joe, we are going to miss you.

To all of my friends, this is hard for me, because when I came here I listened when people were retiring, and I will say the old-timers got up and talked about their colleagues' leaving, and I did not sense any of that. Now I am to the point where Senator Greenleaf is the only one in our Caucus who has more time than I do, and when I looked at the videos today and saw some of the pictures, I began to think, I guess we have been around for a while. It does not seem that long, but to the five retiring Senators, I want to say, thank you, it has been a great experience, it has been great knowing you, it has been great working with you. You have all been great public servants, you have all been great leaders, you have all been great Senators who will be missed. So to you, good luck, good health, and God bless you.

(Applause.)



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

Senator O'PAKE. Mr. President, these are always difficult days, saying goodbye to friends, family really, and it is always very tough. I guess that is why, thinking back over the years, Senator Martin Murray, a distinguished President pro tempore, did not even want to be here on his last day because he knew it would be so difficult.

I think what the people have to understand as we say goodbye to five of our colleagues and friends is that when we become politicians and get elected to the Senate of Pennsylvania, we still remain human beings, and I do not want to try to paraphrase Shakespeare, but it is something that we still hurt, we still bleed, and we still cry. The five people who are leaving us today, the humaneness of them, the compassion, the care, the real concern for not only the institution of the Senate, which is very, very important, but the well-being of all the Members of the Senate has been very critically important to them, and that starts at the top.

The President pro tempore has been an outstanding leader, caring for every one of the Members of this Senate, through tough times, through difficult budget times, through times that try men's souls, really. Senator Jubelirer earned the distinction of being the longest-serving President pro tempore, and the humanity we have seen and the displays of emotion during important times of the life of this Commonwealth shows we are losing a friend. We are losing a human being who has cared about the well-being of all the Members of the Senate.

I must speak briefly about my neighbor, Senator Brightbill, and although we have disagreed at times, Chip Brightbill has been a good friend to Berks County as part of his district. If you get a chance to come to Reading and see what is happening to downtown Reading, Chip has worked very hard on that side of the aisle to make sure that happened. If you come to the Reading School District, you will see the results of our working together, and Reading is not even in Chip's district, but he cared enough about an impoverished school district that was struggling and was very, very helpful in funding the Reading School District, and the Children's Home, which has a brand new home in Reading for children who have gotten in trouble, and so it goes. Whenever Berks County needed a friend, Chip Brightbill was there, and sincerely, Chip, I thank you. We will miss you. I do not know how anybody is going to have the power, prestige, and clout on your side of the aisle to continue making Berks County and Reading even better, but you did it, and we are very, very grateful for it.

To the other Members with whom we served, it has been a pleasure. Noah Wenger, as I said in the video, is someone very special. He is a neighbor on the western side, and has been somebody to look up to, a man of character, a man of his word, and now he is abandoning Noah's Ark to go back to the peaceful, bucolic countryside of Lancaster County.

Charlie Lemmond, one of the most distinguished fellow graduates of the University of Pennsylvania Law School, we shared many interesting moments together bragging about our law school, but also focusing on our constituencies, which are very much alike, Luzerne County, Berks County, that whole area. Charlie, we thank you. I know it is a lot more work here than it

was on the bench. We appreciate the experience and wisdom that you brought.

Joe Conti, years ago, many years ago, I had the opportunity to go to a place in Bucks County called Conti's Crosskeys, a very fine restaurant. I seem to recall some great Penn State passion there at that restaurant. I was there with a scouting group, and I certainly respected your dad and all the members of the family who did so well and were all so highly esteemed.

But the point is that people will come and go, but the institution will remain, and as a result of your being here, you have made the institution a better place. The human beings to whom we are saying so long, we are not saying goodbye or farewell, but so long, the five of you have contributed greatly.

I like to think of different poems for different events, and when I watched and heard so many references to glasses, and I do not mean just Don White's glasses, but I thought it might be appropriate to leave with a poem somebody gave me many years ago called "The Man in the Glass," and the author is anonymous. I think it might be appropriate for some of us who are saying so long to our friends and to some of you who are moving on to greater challenges. It is called "The Man in the Glass," and it goes like this:

When you get what you want in your struggle for gain  
And the world makes you king for a day,  
Just go to the mirror and look at yourself,  
And see what that man has to say.

It isn't your father or mother or wife  
Whose judgment upon you must pass;  
The one whose verdict counts most in your life  
Is the one staring back in the glass.

He's the one you must satisfy beyond all the rest,  
For he's with you right up to the end;  
And you have passed your most difficult test  
If the man in the glass is your friend.

You may fool the whole world down your pathway of years,  
And get pats on the back as you pass;  
But your final reward will be heartaches and tears  
If you've cheated the man in the glass.

Bob, Chip, Noah, Charlie, and Joe, you have not cheated the man in the glass, and as a result this Commonwealth is a better place for your presence. God bless you all.

(Applause.)

## RECESS

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

Senator BRIGHTBILL. Mr. President, I ask for a recess of the Senate for a Republican caucus, which will begin at 4:30 sharp in the Majority Caucus Room. We do expect to return to the floor and have another meeting of the Committee on Rules and Executive Nominations.

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

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

The PRESIDENT pro tempore. For purposes of a Republican caucus to begin at 4:30 sharp in the first floor caucus room and a Democratic caucus to be held immediately in their caucus room at the rear of the Chamber, without objection, the Senate stands in recess.

### AFTER RECESS

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

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

### REMARKS FOR THE RECORD

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

Senator COSTA. Madam President, I wish to enter into the record remarks I have prepared related to the court interpreter's legislation we passed earlier this evening, Senate Bill No. 669.

I also want to recognize and acknowledge a few folks who were very much involved in that. One person in particular is my staff person Ron Jumper, Minority Chief Counsel for the Committee on Judiciary. He and Gregg Warner, of Senator Greenleaf's office, as well as the Majority Leader and his staff, Steve MacNett, and a number of other people worked so diligently to make sure this legislation passed. I would like to offer these remarks for the record, and thank those individuals for their help in getting it passed.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made a part of the record at the request of the gentleman from Allegheny, Senator COSTA.)*

Madam President, Senate Bill No. 669 would establish a certification program for foreign language interpreters and interpreters for the deaf who appear in court proceedings and administrative proceedings in the Commonwealth.

The Pennsylvania Supreme Court's Committee on Racial and Gender Bias in the Justice System prompted the legislation when it concluded: Due Process is a core value of the American judicial system, ensuring that every litigant and criminal defendant receives a fair hearing that is based on the merits of his or her case and presided over by an impartial judge. No one should be put at a disadvantage in court by reason of race, ethnicity, or gender. The basic fairness of the Pennsylvania court system is jeopardized if litigants with limited English proficiency are unable to have access to competent interpreters and other language assistance. *Executive Summary of the Report on Racial and Gender Bias in the Justice System, p. 1 (March 3, 2003).*

Further, the foreign-born population of the United States is rapidly approaching 22 million people, which is approximately 11 percent of the total population, according to the 2000 census. Annually, 1 million new immigrants and refugees are admitted, of which 45 percent are legal permanent residents. In Pennsylvania, approximately 8.5 percent of the population speaks English as a second language, and these individuals accounted for the largest portion of the population increase in Pennsylvania between 1990-2000. Due to this continuing growth in our non-English speaking population, language barriers in court proceedings are not likely to be alleviated unaided.

The use of competent, certified foreign language interpreters and interpreters for the deaf in court proceedings is essential to the proper functioning of the judicial process when involving non-English

speaking litigants and deaf litigants. Many States produce and regulate their own certification process. In fact, as many as 29 States, including New Jersey and California, have enacted programs to certify foreign language interpreters in court proceedings in recognition of the importance of equal access to justice.

Of the several districts within the Third Circuit, the second most frequent users of foreign language interpreters are found in the eastern district of Pennsylvania. Unfortunately, in Pennsylvania there are insufficient criteria for the appointment of interpreters. As a result, the integrity of our court system is jeopardized and many non-English speaking litigants' constitutional and civil rights are unprotected. In an effort to combat such inadequacy, I have drafted legislation based on the Federal "Court Interpreters Act as amended by the Judicial Improvements and Access to Justice Act of 1988."

This legislation directs the Administrative Office of Pennsylvania Courts (AOPC) and the Department of Labor and Industry to establish a program for identifying certified and otherwise qualified foreign language interpreters. Currently, many organizations that provide interpretation services, such as the International Service Center in Cumberland County, as well as individual court administrative offices, are unable to fulfill a significant percentage of requests due to problems such as lack of funding, availability of interpreters, and/or competence of interpreters. The largest stumbling block has been the fact that the path to certification is different for different venues - State, Federal court, and county to county. Through a survey of several districts, I have discovered that most county courts' administrative offices acquire interpreters through agencies, most of which utilize a different certification process for interpreters. Furthermore, some agencies require no certification for interpreters in court proceedings. This creates an obvious lack of consistency and potential for unjust treatment in the legal system. It is important to have a uniform statewide process for foreign language interpreters. More importantly, this legislation will ensure that a listing of qualified and certified foreign language interpreters, as well as interpreters for the deaf, is available to litigants in every county through the AOPC. This way, litigants in need of qualified and certified interpreters will have access to a statewide service for all civil and criminal proceedings.

I would like to thank all those who assisted with this effort over the last several years, including the staff of the AOPC, the Pennsylvania District Attorneys Association, the House of Representatives judiciary staff, and Senator Greenleaf's staff. It is my hope that this endeavor results in the delivery of equal justice to all who appear in our courts and administrative proceedings in the Commonwealth.

### STATEMENT BY THE PRESIDENT

The PRESIDENT. Before we start, I want to say to the President pro tempore, Bob Jubelirer, Senator Chip Brightbill, Senator Charlie Lemmond, Senator Noah Wenger, and Senator Joe Conti, that each one of you, with your intelligence, knowledge, and years of past experience, please, you know I am a schoolteacher first, history teacher, please write a brief book with a joint message for the future of our young people, our children who will indeed follow you. It will be a best seller. It will not take long, and you have so much experience to give them. Please do that for me. Pennsylvania history is a best seller, we read it all the time. You five will make another best seller.

Thank you.

### 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 a legislative leave for Senator Punt.

The PRESIDENT. Senator Brightbill requests a temporary Capitol leave for Senator Piccola, and a legislative leave for

Senator Punt. Without objection, the leaves will be granted.

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

Senator O'PAKE. Madam President, I request legislative leaves for Senator Kitchen, Senator Stout, and Senator Tartaglione.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Kitchen, Senator Stout, and Senator Tartaglione. Without objection, the leaves will be granted.

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

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

**HB 2296 (Pr. No. 4944)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for retention of licenses of persons entering military service, for disabled veterans' real estate tax exemption and for duty of commission.

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

On the question,  
Shall the bill pass finally?

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

#### YEA-49

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

#### NAY-0

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

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

### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR RESUMED

BILL REREPORTED FROM COMMITTEE AS  
AMENDED, AMENDED

**HB 105 (Pr. No. 4937)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, consolidating provisions of The Administrative Code of 1929 relating to escalation of cost of capitol projects; providing for cooperative purchase of fire, rescue and ambulance company supplies; and making a related repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRIGHTBILL offered the following amendment No. A10542:

Amend Title, page 1, lines 4 through 6, by striking out "CONSOLIDATING PROVISIONS OF THE ADMINISTRATIVE" in line 4; all of line 5 and "PROJECTS;" in line 6

Amend Title, page 1, line 7, by striking out "; AND MAKING A RELATED REPEAL"

Amend Sec. 1, page 2, line 23, by striking out "SECTIONS" and inserting: a section

Amend Sec. 1 (Sec. 908), page 2, lines 24 through 30; page 3, lines 1 through 11, by striking out all of said lines on said pages

Amend Bill, page 4, lines 9 through 30; page 5, lines 1 through 12, by striking out all of said lines on said pages

Amend Sec. 4, page 5, line 13, by striking out "4" and inserting: 2

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

### SENATE CONCURRENT RESOLUTION ADOPTED

#### SINE DIE ADJOURNMENT

Senator BRIGHTBILL offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, November 21, 2007

RESOLVED, (the House of Representatives concurring), That the 190th Regular Session of the General Assembly be adjourned sine die at 6:00 o'clock p.m. on Tuesday, November 28, 2006.

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

#### RECESS

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

Senator BRIGHTBILL. Madam President, 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 and will last approximately 10 minutes.

The PRESIDENT. There will be a 10-minute meeting of the Committee on Rules and Executive Nominations. For that purpose, without objection, the Senate stands in recess.

#### AFTER RECESS

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 3**

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

**HB 105 (Pr. No. 4946)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for cooperative purchase of fire, rescue and ambulance company supplies.

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

**NAY-0**

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

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

**COMMUNICATIONS FROM THE GOVERNOR  
TAKEN FROM THE TABLE**

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

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

November 21, 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 June 19, 2006, for the appointment of Wrenna L. Watson, Esquire, 1700 Wylie Avenue, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Walter R. Little, resigned.

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

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

November 21, 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 June 19, 2006, for the appointment of Joseph K. Williams, III, Esquire, 1422 Pennsylvania Avenue, Pittsburgh 15233, Allegheny County, Forty-second Senatorial District, as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Cynthia A. Baldwin, appointed to Supreme Court.

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.

**BILLS REPORTED FROM COMMITTEE**

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

**SB 1166 (Pr. No. 2257) (Rereported) (Concurrence)**

An Act providing for the capital budget for the fiscal year 2006-2007 and itemizing public improvement, transportation assistance and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

**HB 471 (Pr. No. 4947) (Rereported) (Concurrence)**

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for transfers of appropriations and for notice of transfers and loans between funds; extending the time period covered by an application considered for the Merchant Marine World War II Veterans Bonus and the expiration of the Merchant Marine World War II Veterans Bonus Act; establishing the Cardiovascular Disease Advisory Committee and a Statewide stroke database; providing for biennial renewal of certain licenses for volunteer health services; and making inconsistent repeals relating to the Merchant Marine World War II Veterans Bonus Act.

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR RESUMED****BILL AMENDED**

**HB 446 (Pr. No. 4754) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definition of "eligible entity"; for limiting number of retail licenses to be issued in each county and for surrender of restaurant, eating place retail dispenses, hotel, importing distributor and distributor license for benefit of licensee.

On the question,

Will the Senate agree to the bill on third consideration?

**RAFFERTY AMENDMENT A10530**

Senator RAFFERTY offered the following amendment No. A10530:

Amend Title, page 1, line 18, by inserting after "ENTITY,"":  
; adding a definition of "mixed-use town center development project"; further providing

Amend Title, page 1, line 20, by striking out "AND" and inserting:  
; providing for transfer of certain licenses; and further providing

Amend Title, page 1, line 22, by removing the period after "LICENSEE" and inserting: ; providing for expiration provisions; and making a related repeal.

Amend Sec. 1, page 4, line 9, by inserting after "AMENDED" where it appears the second time: and the section is amended by adding a definition

Amend Bill, page 6, by inserting between lines 18 and 19:

"Mixed-use town center development project" shall mean a planned development, with no building construction commenced prior to July 1, 2006, situated on no fewer than one hundred contiguous acres, with at least one million square feet of actual or proposed development, with a mix of retail, hospitality, commercial and residential uses, with community facilities and which has been designated as a mixed-use town center development project by the municipality in which it is located. A mixed-use town center development project may have one or multiple owners and may be developed in one or more phases, all of which shall be included in determining the actual or proposed development.

\*\*\*

Section 2. Sections 406(a)(3) and (3.1) and 432(f) and (g) of the act, amended or added July 6, 2005 (P.L.135, No.39), are amended to read:

Section 406. Sales by Liquor Licensees; Restrictions.—\*\*\*

(3) Hotel and restaurant liquor licensees, airport restaurant liquor licensees, municipal golf course restaurant liquor licensees and privately-owned public golf course restaurant licensees may sell liquor and malt or brewed beverages on Sunday between the hours of eleven

o'clock antemeridian and two o'clock antemeridian Monday upon purchase of a special permit from the board at an annual fee as prescribed in section 614-A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." [This clause shall not apply to cities of the first class.

(3.1) Hotel and restaurant liquor licensees, airport restaurant liquor licensees, municipal golf course restaurant liquor licensees and privately-owned public golf course restaurant licensees in cities of the first class whose sales of food and nonalcoholic beverages are equal to thirty per centum or more of the combined gross sales of both food and alcoholic beverages may sell liquor and malt or brewed beverages on Sunday between the hours of eleven o'clock antemeridian and two o'clock antemeridian Monday upon purchase of a special permit from the board at an annual fee as prescribed in section 614-A of "The Administrative Code of 1929."]

\*\*\*

Section 432. Malt and Brewed Beverages Retail Licenses.—\*\*\*

(f) Hotel, eating places, or municipal golf course retail dispenser licensees may sell malt or brewed beverages between the hours of eleven o'clock antemeridian on Sunday and two o'clock antemeridian on Monday upon purchase of a special permit from the board at an annual fee as prescribed in section 614-A of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," which shall be in addition to any other license fees. [This subsection shall not apply to cities of the first class.

(g) Hotel, eating places or municipal golf course retail dispenser licensees in cities of the first class whose sales of food and nonalcoholic beverages are equal to thirty per centum (30%) or more of the combined gross sales of both food and malt or brewed beverages may sell malt or brewed beverages between the hours of eleven o'clock antemeridian on Sunday and two o'clock antemeridian on Monday upon purchase of a special permit from the board at an annual fee as prescribed in section 614-A of "The Administrative Code of 1929," which shall be in addition to any other license fees.]

Amend Sec. 2, page 6, line 19, by striking out "2" and inserting: 3  
Amend Sec. 2, page 6, line 20, by inserting after "AMENDED":  
and the section is amended by adding a subsection

Amend Sec. 2 (Sec. 461), page 10, line 13, by inserting a period after "APPEALED"

Amend Sec. 2 (Sec. 461), page 10, line 13, by inserting a bracket before "TO" where it appears the second time

Amend Sec. 2 (Sec. 461), page 10, line 15, by inserting a bracket after "LOCATED."

Amend Sec. 2 (Sec. 461), page 11, by inserting between lines 3 and 4

(b.4) (1) Notwithstanding any other provision of this act to the contrary, the board may approve the transfer of a restaurant liquor or eating place retail dispenser license from a city of the first class to a county designated as a second class A county or a county of the third class for the purpose of economic development, subject to the following conditions:

(i) The application to the board is accompanied by municipal approval as set forth in subsection (b.1)(2)(ii).

(ii) The proposed location is located within a mixed-use town center development project, as the term is defined in section 102.

(iii) The application to the board is accompanied by a resolution or ordinance indicating that the municipality has designated the location in question as being within the confines of a designated mixed-use town center development project.

(iv) The issuance or transfer of a restaurant liquor or eating place retail dispenser license is permissible under section 472.

(v) The application is accompanied by an application surcharge of fifty thousand dollars (\$50,000).

(vi) The applicant has demonstrated to the board that it has exhausted reasonable means for obtaining a suitable license within the county. This requirement shall be deemed satisfied if the applicant submits an Intra-County Affirmation as provided in subclause (vii).

(vii) The application to the board is accompanied by the applicant's written Intra-County Affirmation that demonstrates that the applicant, its agents, employes or brokers are unable to secure, at a price that is, to the best of the applicant's knowledge, information and belief, the relative market price, as defined in this section, an existing license in the

county in which the applicant's proposed premises are to be located. Said affirmation shall be accompanied by an affidavit from a real estate agent, license broker or other similar professional attesting to the unavailability of a liquor license to the applicant at a price that is comparable to prices paid by bona fide purchasers for value for liquor licenses in the respective county immediately prior to obtaining municipal approval under subclause (iii), such comparable price being referred to as the "relative market price" for the respective county. Said affirmation shall set forth any measures taken to secure an existing license, including the time period during which the applicant attempted to secure a license, as well as any other pertinent information. The board shall not approve the issuance of a license under this section where it reasonably determines an existing license was available to the applicant at the relative market price prior to the applicant filing a request for a license under this section.

(2) A restaurant liquor or eating place retail dispenser license that has been transferred from a city of the first class to a county designated as a second class A county or a county of the third class under this section may not be subsequently transferred to any location outside of the mixed-use town center development project.

(3) No more than one license for each fifty thousand square feet of proposed or actual construction may be transferred into a mixed-use town center development project under the provisions of this section. The applicant shall demonstrate that this requirement has been met by providing documentation on its application to the board that the development has sufficient proposed or actual square footage to support the transfer of licenses under this section.

(4) The board may approve licensure of exterior serving areas for premises to be located within a mixed-use town center development project where such exterior serving areas are situated on municipal-owned or private-owned property, regardless of whether such exterior serving areas are located immediately adjacent, abutting or contiguous to the building to be licensed. Provided that the employes of licensees in a qualified mixed-use town center development project may traverse unlicensed areas in order to deliver alcohol to patrons who are seated in any such licensed serving area that is not immediate, adjacent, abutting and contiguous to the licensee's primary licensed premises; and provided further that any such licensed serving area is delineated from all adjacent public areas by a railing, barrier or other partition for the purpose of table service only; and provided further that the entirety of such noncontiguous licensed exterior serving area or areas is not located more than thirty-five feet from the nearest point of the licensed structure; and provided further that such noncontiguous licensed exterior serving areas shall not include any additional enclosed structure with four walls and a roof other than the primary licensed building; and provided further that any and all public thoroughfare or thoroughfares situated between the licensed building and the noncontiguous exterior licensed serving area is or are used primarily for pedestrian foot traffic and not vehicular traffic; and provided further that the local municipality has approved, by ordinance or resolution, the use of such areas by the applicant; and provided further that, in the case of municipal-owned property, a sidewalk café or similar permit, as applicable, is first obtained by the applicant; and provided further that the applicant complies with any regulation issued by the board pursuant hereto or in furtherance hereof. Any restaurant ("R"), eating place ("E") or hotel ("H") license transferred to or issued for premises located within a mixed-use town center development shall have the privileges of this subsection so long as such license remains within the mixed-use town center development.

Amend Bill, page 11, by inserting between lines 4 and 5

Section 4. Section 468(a)(1) of the act is amended to read:

Section 468. Licenses Not Assignable; Transfers.—(a) (1) Licenses issued under this article may not be assigned. The board, upon payment of the transfer filing fee, is hereby authorized to transfer any license issued by it under the provisions of this article from one person to another or from one place to another, or both[, within the same county]. If the license is a retail license, then the new location must be within the same county as the existing location except for restaurant liquor and eating place retail dispenser licenses transferred under section 461(b.4).

\*\*\*

Amend Sec. 3, page 11, line 5, by striking out "3" and inserting: 5

Amend Bill, page 13, by inserting between lines 21 and 22 Section 6. The act is amended by adding a section to read: Section 483. Expiration of Point System.—Sections 479, 480, 481 and 482 of the act shall expire June 30, 2007.

Section 7. Repeals are as follows:

(1) The General Assembly declares that the repeal under paragraph (2) is necessary to effectuate the addition of section 483 of the act.

(2) Section 12 of the act of December 8, 2004 (P.L.1810, No.239), entitled "An act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws,' adding definitions; further defining "public venue"; further providing for general powers of the Pennsylvania Liquor Control Board, for when sales may be made by Pennsylvania Liquor Stores, for continuing care retirement community retail licenses, for repackaging by manufacturers, for renewal of licenses, for privately owned golf courses located in more than one county; providing for a point system for certain licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for limited wineries; and providing for distilleries," is repealed.

Amend Sec. 4, page 13, line 22, by striking out "4" and inserting:

8

On the question,

Will the Senate agree to the amendment?

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

YEA-36

Boscola	Gordner	Mellow	Stack
Brightbill	Greenleaf	Musto	Stout
Browne	Hughes	O'Pake	Tartaglione
Conti	Jubelirer	Piccola	Tomlinson
Corman	Kasunic	Pippy	Vance
Costa	Kitchen	Punt	Washington
Ferlo	LaValle	Rafferty	Williams, Anthony H.
Fontana	Lemmond	Rhoades	Williams, Constance
Fumo	Logan	Scarnati	Wozniak

NAY-13

Armstrong	Madigan	Regola	Wenger
Dinniman	Orie	Robbins	White, Donald
Earl	Pileggi	Waugh	White, Mary Jo
Erickson			

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

On the question,

Will the Senate agree to the bill on third consideration, as amended?

A.H. WILLIAMS AMENDMENT A10551

Senator A.H. WILLIAMS offered the following amendment No. A10551:

Amend Title, page 1, line 18, by inserting after "ENTITY,"": for sale of malt or brewed beverages by liquor licensees, for retail dispensers' restrictions on purchases and sales,

Amend Bill, page 6, by inserting between lines 18 and 19:

Section 2. Sections 407(b) and 442(a) of the act, amended July 7, 2006 (P.L.584, No.84), are amended to read:

Section 407. Sale of Malt or Brewed Beverages by Liquor Licensees.—\*\*\*

(b) (1) Notwithstanding [subsection (a), after October 31, 2005] any other provision of law or any existing permit authorizing the sale of malt or brewed beverages for consumption off the premises, a restaurant licensee located in a city of the first class who is otherwise permitted to sell malt or brewed beverages for consumption off the premises may not do so after October 31, 2007, unless, every two years,] it acquires a permit from the board.

(2) The application for a permit to sell malt or brewed beverages for consumption off the premises shall be on forms designated by the board and contain such information as the board may require. The application and renewal fee shall be as prescribed in section 614-A(27) of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." However, no applicant who currently has a permit shall be required to pay any additional fees under section 614-A(27) of "The Administrative Code of 1929" in order to continue selling malt or brewed beverages for consumption off the premises at its currently licensed location for the licensing term beginning November 1, 2007, and ending October 31, 2008.

(3) The application for a permit to sell malt or brewed beverages for consumption off the premises must be accompanied by a copy of the approval of such request by the [governing body of the city of the first class in which the licensed premises is located] hearing board authorized by this section.

(4) [The governing body of a city of the first class] A city of the first class shall create a hearing board within its Department of Licenses and Inspections to hear requests from licensees who are seeking a permit from the hearing board, authorizing the licensee to sell malt or brewed beverages for consumption off the premises. Each hearing board shall consist of three persons appointed by the mayor of the city of the first class, who are subject to approval by the city council of the city of the first class. Each person so appointed shall serve at the pleasure of the appointing authority. The hearing board may, in its discretion, hold hearings to adduce testimony regarding a request. The hearing board must render a decision [by ordinance or resolution] within [forty-five] ninety days of receipt of a request for approval of a permit to sell malt or brewed beverages for consumption off the premises. The [governing body] hearing board must approve the request unless it finds that doing so would adversely affect the welfare, health, peace and morals of the city or its residents. A decision by the [city] hearing board to deny a request may be appealed to the court of common pleas in the county in which the city is located. The failure to render a decision by the [governing body of a city of the first class] hearing board within the [forty-five-day] required time period shall be deemed approval of the permit.

(5) Upon being satisfied that the applicant has fulfilled all the requirements of this act and the board's regulations, the board shall approve the application. Such permits shall expire upon the transfer of the license to a new entity or to a new location, or both; otherwise, such permits shall expire at the same time as the expiration of the underlying license.

Section 442. Retail Dispensers' Restrictions on Purchases and Sales.—(a) (1) No retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer at the place of manufacture. The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed: Provided, however, That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in

excess of one hundred ninety-two fluid ounces: Provided, further, That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club.

(2) Notwithstanding [paragraph (1), after October 31, 2005] any other provision of law or any existing permit authorizing the sale of malt or brewed beverages for consumption off the premises, a retail dispenser licensee located in a city of the first class who is otherwise permitted to sell malt or brewed beverages for consumption off the premises may not do so after October 31, 2007, unless, every two years,] it acquires a permit from the board.

(3) The application for a permit to sell malt or brewed beverages for consumption off the premises shall be on forms designated by the board and contain such information as the board may require. The application and renewal fee shall be as prescribed in section 614-A(28) of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." However, no applicant who currently has a permit shall be required to pay any additional fees under section 614-A(28) of "The Administrative Code of 1929" in order to continue selling malt or brewed beverages for consumption off the premises at its currently licensed location for the licensing term beginning November 1, 2007, and ending October 31, 2008.

(4) The application for a permit to sell malt or brewed beverages for consumption off the premises must be accompanied by a copy of the approval of such request by the [governing body of the city of the first class in which the licensed premises is located] hearing board authorized by this section.

(5) [The governing body of a city of the first class] A city of the first class shall create a hearing board within its Department of Licenses and Inspections to hear requests from licensees who are seeking a permit from the hearing board authorizing the licensee to sell malt or brewed beverages for consumption off the premises. Each hearing board shall consist of three persons appointed by the mayor of the city of the first class, who are subject to approval by the city council of the city of the first class. Each person so appointed shall serve at the pleasure of the appointing authority. The hearing board may, in its discretion, hold hearings to adduce testimony regarding a request. The hearing board must render a decision [by ordinance or resolution] within [forty-five] ninety days of receipt of a request for approval of a permit to sell malt or brewed beverages for consumption off the premises. The [governing body] hearing board must approve the request unless it finds that doing so would adversely affect the welfare, health, peace and morals of the city or its residents. A decision by the [city] hearing board to deny a request may be appealed to the court of common pleas in the county in which the city is located. The failure to render a decision by the [governing body of a city of the first class] hearing board within the [forty-five-day] required time period shall be deemed approval of the permit.

(6) Upon being satisfied that the applicant has fulfilled all the requirements of this act and the board's regulations, the board shall approve the application. Such permits shall expire upon the transfer of the license to a new entity or to a new location, or both; otherwise, such permits shall expire at the same time as the expiration of the underlying license.

\*\*\*

Amend Sec. 2, page 6, line 19, by striking out "2" and inserting: 3

Amend Sec. 3, page 11, line 5, by striking out "3" and inserting: 4

Amend Sec. 4, page 13, line 22, by striking out "4" and inserting:

5

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

The yeas and nays were required by Senator A.H. WILLIAMS and were as follows, viz:

YEA-49

Armstrong	Gordner	Orie	Tomlinson
Boscola	Greenleaf	Piccola	Vance
Brightbill	Hughes	Pileggi	Washington
Browne	Jubelirer	Pippy	Waugh

Conti	Kasunic	Punt	Wenger
Corman	Kitchen	Rafferty	White, Donald
Costa	LaValle	Regola	White, Mary Jo
Dinniman	Lemmond	Rhoades	Williams, Anthony H.
Earll	Logan	Robbins	Williams, Constance
Erickson	Madigan	Scarnati	Wozniak
Ferlo	Mellow	Stack	
Fontana	Musto	Stout	
Fumo	O'Pake	Tartaglione	

NAY-0

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

And the question,

Will the Senate agree to the bill on third consideration, as amended?

LOGAN AMENDMENT A10534

Senator LOGAN offered the following amendment No. A10534:

Amend Title, page 1, line 18, by inserting after "FOR" where it appears the second time: sales by Pennsylvania liquor stores, for  
Amend Title, page 1, line 20, by striking out "AND" and inserting a comma

Amend Title, page 1, line 22, by removing the period after "LICENSEE" and inserting: and for moneys paid into The State Stores Fund for use of the Commonwealth.

Amend Bill, page 6, by inserting between lines 18 and 19:

Section 2. Section 305(b) of the act, amended July 6, 2005 (P.L.135, No.39), is amended to read:

Section 305. Sales by Pennsylvania Liquor Stores.—\* \* \*

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels, restaurants, clubs, and railroad, pullman and steamship companies licensed under this act; and, under the regulations of the board, to pharmacists duly licensed and registered under the laws of the Commonwealth, and to manufacturing pharmacists, and to reputable hospitals approved by the board, or chemists. Sales to licensees shall be made at a price that includes a discount of [ten] ~~twelve~~ per centum from the retail price. The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States, the National Formulary, or the American Homeopathic Pharmacopoeia. The board may sell at special prices under the regulations of the board, to United States Armed Forces facilities which are located on United States Armed Forces installations and are conducted pursuant to the authority and regulations of the United States Armed Forces. All other sales by such stores shall be at retail. A person entitled to purchase liquor at wholesale prices may purchase the liquor at any Pennsylvania Liquor Store upon tendering cash, check or credit card for the full amount of the purchase. For this purpose, the board shall issue a discount card to each licensee identifying such licensee as a person authorized to purchase liquor at wholesale prices. Such discount card shall be retained by the licensee. The board may contract through the Commonwealth bidding process for delivery to wholesale licensees at the expense of the licensee receiving the delivery.

\* \* \*

Amend Sec. 2, page 6, line 19, by striking out "2" and inserting: 3

Amend Sec. 3, page 11, line 5, by striking out "3" and inserting: 4

Amend Bill, page 13, by inserting between lines 21 and 22:

Section 5. Section 802 of the act is amended by adding subsections to read:

Section 802. Moneys Paid Into The State Stores Fund for Use of the Commonwealth.—\* \* \*

(h) The sum of five million dollars (\$5,000,000) shall be transferred annually from The State Stores Fund in accordance with subsection (f) to the Department of Community and Economic Development to fund agencies that serve as regional marketing organizations for tourism.

(i) The sum of ten million dollars (\$10,000,000) shall be transferred annually from The State Stores Fund in accordance with subsection (f) to the Pennsylvania Council on the Arts.

Amend Sec. 4, page 13, line 22, by striking out "4" and inserting:

6

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, would the sponsor of the amendment stand for interrogation?

Senator LOGAN. I will, Madam President.

The PRESIDENT. The gentleman indicates that he will.

Senator BRIGHTBILL. Madam President, would the gentleman kindly explain the amendment?

Senator LOGAN. Madam President, the amendment does several things. First, it increases the discount on wine and spirits that licensees, restaurants and taverns, or small businesses in the Commonwealth pay at the liquor store, from the current 10 percent to 12 percent. I forget the exact number of licensees that are restaurants and taverns, but I can guess that it makes up a lot of our population in terms of small businesses that employ all of our constituents, Madam President. There is a discount that can be raised, the funds are there to raise that, and our side is prepared to give those tax breaks to the restaurants and to our taverns.

Madam President, the second issue would provide \$10 million for the Pennsylvania Council on the Arts to be distributed the same way that it is currently being done.

Madam President, the third mechanism in this amendment is \$5 million to DCED to fund agencies that promote tourism in the Commonwealth of Pennsylvania.

Senator BRIGHTBILL. Madam President, I just want to be sure, this increases the discount that a restaurant receives when it buys from the State liquor store from 10 percent to 12 percent, is that correct?

Senator LOGAN. Madam President, it is not just restaurants, it is licensees, which would include taverns, or anybody purchasing wine and spirits at our State Stores. So it could be a whole host, not just restaurants.

Senator BRIGHTBILL. Madam President, well, how about a citizen? Is it wholesale?

Senator LOGAN. Madam President, it is just licensees.

The PRESIDENT. Licensees and restaurant owners.

Senator BRIGHTBILL. Madam President, number two is that it provides \$5 million to fund tourism, and number three is \$10 million for the Council of the Arts, so the Members understand those three components.

For the information of the Members, when we caucused on this, we did not have a chance, for whatever reason, we did not discuss the restaurant discount.

The PRESIDENT. Can we take a vote on it?

Senator LOGAN. We are prepared to vote on it, Madam President.

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



Senator RAFFERTY. Madam President, as the one who spoke on the bill in caucus, yes, it was discussed, it was specifically mentioned as the number one item on the outline that was handed out by the chairman of the Committee on Law and Justice. So if no questions were asked, I am sorry about that, but the item was mentioned in caucus.

Thank you, Madam President.

Senator BRIGHTBILL. Madam President, could we stand at ease.

The PRESIDENT. The Senate will stand at ease.

(The Senate was at ease.)

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

Senator VANCE. Madam President, I just hope that the Members realize that this money, the \$10 million we are talking about, comes out of the General Fund eventually. I had a bill this Session that would dedicate money to drug and alcohol treatment. I do not mean to indicate that tourism is not important, but I want people to be aware of how desperately we need drug and alcohol treatment. It does come out of the General Fund. This money does not just happen, and I think we need to realize that this would be a \$10 million loss.

Thank you, Madam President.

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

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

YEA-32

Boscola	Greenleaf	Mellow	Stout
Brightbill	Hughes	Musto	Tartaglione
Conti	Jubelirer	O'Pake	Tomlinson
Costa	Kasunic	Punt	Washington
Dinniman	Kitchen	Rafferty	White, Donald
Ferlo	LaValle	Rhoades	Williams, Anthony H.
Fontana	Lemmond	Scarnati	Williams, Constance
Fumo	Logan	Stack	Wozniak

NAY-17

Armstrong	Gordner	Pippy	Wenger
Browne	Madigan	Regola	White, Mary Jo
Corman	Orie	Robbins	
Earll	Piccola	Vance	
Erickson	Pileggi	Waugh	

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

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

LOGAN AMENDMENT A10486

Senator LOGAN offered the following amendment No. A10486:

Amend Title, page 1, line 20, by striking out "AND" and inserting a comma

Amend Title, page 1, line 22, by removing the period after "LICENSEE" and inserting: and for unlawful acts relative to liquor, malt and brewed beverages and licensees.

Amend Bill, page 13, by inserting between lines 21 and 22:

Section 4. Section 493(24) and (29) of the act, amended or added July 17, 2003 (P.L.63, No.15) and January 6, 2006 (P.L.1, No.1), are amended to read:

Section 493. Unlawful Acts Relative to Liquor, Malt and Brewed Beverages and Licensees.—The term "licensee," when used in this section, shall mean those persons licensed under the provisions of Article IV, unless the context clearly indicates otherwise.

It shall be unlawful—

\*\*\*

(24) (i) Things of Value Offered as Inducement. [For] Except as provided in subclause (ii), for any licensee under the provisions of this article, or the board or any manufacturer, or any employe or agent of a manufacturer, licensee or of the board, to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps, stoppers, corks, stamps or labels taken from any bottle, case, barrel or package containing liquor or malt or brewed beverage, or to offer or give or solicit or receive anything of value as a premium or present to induce directly the purchase of liquor or malt or brewed beverage, or for any licensee, manufacturer or other person to offer or give to trade or consumer buyers any prize, premium, gift or other inducement to purchase liquor or malt or brewed beverages, except advertising novelties of nominal value which the board shall define. This section shall not prevent any manufacturer or any agent of a manufacturer from offering and honoring coupons which offer monetary rebates on purchases of wines and spirits through State Liquor Stores or purchases of malt or brewed beverages through distributors and importing distributors in accordance with conditions or regulations established by the board. The board may redeem coupons offered by a manufacturer or an agent of a manufacturer at the time of purchase. Coupons offered by a manufacturer or an agent of a manufacturer shall not be redeemed without proof of purchase. This section shall not apply to the return of any monies specifically deposited for the return of the original container to the owners thereof.

(ii) Notwithstanding subclause (i) or any other provision of law, a holder of a restaurant license that is also approved to hold a slot machine license or a conditional slot machine license under 4 Pa.C.S. Part II (relating to gaming) may give liquor and malt or brewed beverages free of charge to any person actively engaged in playing a slot machine.

\*\*\*

[(29) Furnishing Free Liquor or Malt or Brewed Beverages. For any licensee that has obtained a license to conduct thoroughbred or harness horse race meetings respectively with pari-mutual wagering from either the State Horse Racing Commission or the State Harness Racing Commission pursuant to the act of December 17, 1981 (P.L.435, No.135), known as the "Race Horse Industry Reform Act," and that has obtained a slot machine license, or any employe, servant or agent of such licensee, to give away free of charge or below cost any liquor or malt or brewed beverage as a customary practice.]

\*\*\*

Amend Sec. 4, page 13, line 22, by striking out "4" and inserting:  
5

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, would the gentleman explain the amendment?

Senator LOGAN. Madam President, absolutely.

The PRESIDENT. The gentleman indicates that he will.

Senator LOGAN. Madam President, this amendment would allow free drinks to all people actively engaged in playing the slot machines at our gaming establishments. The establishment

would be allowed to serve these drinks complimentary until 2 a.m., the same as is currently allowed at our restaurants and taverns.

Senator BRIGHTBILL. Madam President, my understanding is that it is unlimited drinks.

Senator LOGAN. Madam President, I could not hear the question.

The PRESIDENT. Senator Brightbill says his understanding is that this is unlimited drinks to all persons actively engaged in gaming.

Senator LOGAN. Madam President, yes.

The PRESIDENT. It is unlimited?

Senator LOGAN. Madam President, yes.

The PRESIDENT. Thank you.

Senator BRIGHTBILL. Madam President, does that include anyone under the age of 21? Are they entitled to unlimited drinks, or any drinks?

Senator LOGAN. Madam President, absolutely not.

Senator BRIGHTBILL. Thank you, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Armstrong.

Senator ARMSTRONG. Madam President, I have no questions, but I am just saying what a great combination, free alcohol and gambling, that is what this Commonwealth needs. It is unbelievable that we are even considering this, but I hope that we vote this down.

Thank you, Madam President.

Senator LOGAN. Madam President, I ask for an affirmative vote.

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

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

YEA-28

Boscola	Fontana	Mellow	Stout
Brightbill	Fumo	Musto	Tartaglione
Conti	Hughes	O'Pake	Tomlinson
Costa	Kasunic	Pileggi	Washington
Dinniman	Kitchen	Rafferty	Williams, Anthony H.
Erickson	LaValle	Rhoades	Williams, Constance
Ferlo	Logan	Stack	Wozniak

NAY-21

Armstrong	Jubelirer	Punt	Wenger
Browne	Lemmond	Regola	White, Donald
Corman	Madigan	Robbins	White, Mary Jo
Earll	Orie	Scarnati	
Gordner	Piccola	Vance	
Greenleaf	Pippy	Waugh	

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

The PRESIDENT. The bill will go over as amended.

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 5**

**SENATE CONCURS IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS  
AS AMENDED**

**HB 471 (Pr. No. 4947) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for transfers of appropriations and for notice of transfers and loans between funds; extending the time period covered by an application considered for the Merchant Marine World War II Veterans Bonus and the expiration of the Merchant Marine World War II Veterans Bonus Act; establishing the Cardiovascular Disease Advisory Committee and a Statewide stroke database; providing for biennial renewal of certain licenses for volunteer health services; and making inconsistent repeals relating to the Merchant Marine World War II Veterans Bonus Act.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 471?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 471.

On the question,

Will the Senate agree to the motion?

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

YEA-49

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

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 inform the House of Representatives accordingly.

**SENATE RESOLUTIONS ADOPTED**

Senator MELLOW, on behalf of Senator WASHINGTON, by unanimous consent, offered, Senate Resolution No. 385, entitled:

A Resolution recognizing November 2006 as "National Adoption Awareness Month."

On the question,  
Will the Senate adopt the resolution?

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

Senator MELLOW. Madam President, on behalf of Senator Washington, I submit the following prepared remarks for the record.

The PRESIDENT. Senator Mellow submits remarks on behalf of Senator Washington. The Chair hears no objection, and the remarks will be submitted for the record.

*(The following prepared remarks were made a part of the record at the request of the gentleman from Lackawanna, Senator MELLOW, on behalf of the gentlewoman from Philadelphia, Senator WASHINGTON:)*

Madam President, I want to ask my colleagues to support this resolution recognizing November as National Adoption Awareness Month. November 2006 marks the 16th anniversary of Adoption Month Observance in the United States and the 30th anniversary of the nation's first Adoption Week.

National Adoption Awareness Month is an opportunity to focus our attention and raise our collective awareness of the thousands of children who languish in foster care, waiting for a family. There are over 114,000 children in foster care waiting to find permanent families.

National Adoption Awareness Month is also a time to raise awareness about the urgent need for more families to consider foster care while children wait to be adopted. A major concern of adoption advocates across the nation is the need to move children toward permanency more quickly. Also, we must remember the importance of sibling bonds. Too many siblings are separated when they are adopted.

Too many children languish in foster care because parental rights are not terminated. If children cannot be reunited with their biological families, they should be allowed to find a new family. As we know all too well, as children grow older in the system it is more difficult to find families willing to adopt them, and teens will tell you they want to be adopted as much as parents want to adopt younger children.

During this month, let's take the time to remember those families who have opened their hearts and homes to a child, and let's work more aggressively to find permanent families for those left behind.

Thank you.

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

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

Senators GORDNER, PICCOLA and BRIGHTBILL, by unanimous consent, offered **Senate Resolution No. 386**, entitled:

A Resolution extending condolences upon the death of Robert E. Hoke and remembering his more than three decades of public service as the Reading Clerk of the Senate of Pennsylvania.

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

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 183, 881 and 2133**.

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE AMENDMENTS TO SENATE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 1285**.

#### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 1235 and 1263** with the information the House has passed the same without amendments.

#### HOUSE CONCURS IN SENATE AMENDMENTS BY AMENDING SAID AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1427 and 1631** in which concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 6, these bills will be referred to the Committee on Rules and Executive Nominations.

#### RECONSIDERATION OF AMENDMENT A10534 TO HB 446

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

Senator LOGAN. Madam President, I move to reconsider the vote by which amendment No. 10534 was adopted to House Bill No. 446.

The PRESIDENT. Senator Logan moves to reconsider the vote taken on amendment No. 10534 to House Bill No. 446.

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

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

#### AMENDMENT WITHDRAWN

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

Senator LOGAN. Madam President, I withdraw amendment No. 10534 to House Bill No. 446.

The PRESIDENT. The amendment is withdrawn. The bill will go over as amended.

#### BILLS SIGNED

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

SB 514, SB 628, SB 665, SB 669, SB 1054, SB 1139, SB 1209, SB 1235, SB 1263, SB 1285, HB 183, HB 854, HB 881, HB 2003, HB 2133, HB 2134 and HB 2563.

SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 4

SENATE CONCURS IN HOUSE AMENDMENTS  
AS AMENDED

SB 1166 (Pr. No. 2257) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2006-2007 and itemizing public improvement, transportation assistance and redevelopment assistance capital projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development and the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

On the question,  
Will the Senate concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 1166?

Senator BRIGHTBILL. Madam President, I move that the Senate do concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 1166.

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

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

YEA-49

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

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 inform the House of Representatives accordingly.

SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 6

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

HB 446 (Pr. No. 4948) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definition of "eligible entity"; adding a definition of "mixed-use town center development project"; further providing for sale of malt or brewed beverages by liquor licensees, for retail dispensers' restrictions on purchases and sales, for limiting number of retail licenses to be issued in each county; providing for transfer of certain licenses; and further providing for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee; for unlawful acts relative to liquor, malt and brewed beverages and licensees; providing for expiration provisions; 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?

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Brightbill requests a legislative leave for Senator Rhoades. 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-27

Boscola	Hughes	O'Pake	Tomlinson
Brightbill	Kasunic	Pileggi	Washington
Costa	Kitchen	Rafferty	White, Donald
Dinniman	LaValle	Rhoades	Williams, Anthony H.
Ferlo	Logan	Stack	Williams, Constance
Fontana	Mellow	Stout	Wozniak
Fumo	Musto	Tartaglione	

NAY-22

Armstrong	Gordner	Piccola	Vance
Browne	Greenleaf	Pippy	Waugh
Conti	Jubelirer	Punt	Wenger
Corman	Lemmond	Regola	White, Mary Jo
Earll	Madigan	Robbins	
Erickson	Orie	Scarnati	

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.

### 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 Louise Rhoades by Senator Boscola.

Congratulations of the Senate were extended to Ted Laskowski by Senator Conti.

Congratulations of the Senate were extended to John Flanders by Senator Corman.

Congratulations of the Senate were extended to Marian Laverne Bromley by Senator Dinniman.

Congratulations of the Senate were extended to James McCoy, Steve Lucey and to Charles Cooper by Senator Fumo.

Congratulations of the Senate were extended to Paul Stehman III and to Blanche Margaret Walkinshaw Challenger by Senator Gordner.

Congratulations of the Senate were extended to Michael A. Colucci, Arlene A. Loughhead and to Christopher Ryan Hartzell by Senator Greenleaf.

Congratulations of the Senate were extended to James Wright by Senator Kitchen.

Congratulations of the Senate were extended to Richard D. Besley by Senator Madigan.

Congratulations of the Senate were extended to Joshua J. Hudak, Edward T. Hirsh and to David J. Uber by Senator Orie.

Congratulations of the Senate were extended to Ryan J. Benkert by Senator Rhoades.

Congratulations of the Senate were extended to Dr. Hilary Koprowski by Senator C. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald Richards, Mr. and Mrs. Elmer D. Mory, Easton Area High School and to Phillipsburg High School by Senator Wonderling.

Congratulations of the Senate were extended to Dennis Stevenson and to the Pennsylvania State Police Department, Lamar Barracks, by Senator Wozniak.

### 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:

November 21, 2007

**HB 906** -- Committee on Finance.

**HB 1491** -- Committee on Transportation.

**HB 1773** -- Committee on State Government.

**HB 3007** -- Committee on Environmental Resources and Energy.

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

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

#### Sine Die Adjournment.

#### RECESS

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

Senator BRIGHTBILL. Madam President, I move that the Senate do now recess until Wednesday, November 22, 2006, at 10:30 a.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 9 p.m., Eastern Standard Time.