

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MARCH 13, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 16

SENATE

TUESDAY, March 13, 2007

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend DAVID SCHREFFLER, Pastor of Christ's Lutheran Church, Duncannon, offered the following prayer:

Let us pray.

Almighty God, maker of all that is, the One in whom we live and move and have our being, as we pray for all in authority this day, we thank You for the form of government given to us in our beloved country and in this State. We pause this day to acknowledge that You are God and we are but servants.

Thank You for this deliberative body and the role that each Member plays in being a leader in our government. Give me and our fellow citizens the grace and wisdom to value these elected leaders as though sent by You. Grant them wisdom and courage for the decisions of this hour with the spirit of sacrifice for the common welfare, with mercy and justice, with uprightness and kindness. Grant that the true purposes of government may prevail, safeguarding peace and prosperity, so that we may live soberly and uprightly in Your sight.

All these things we ask, knowing that You are our hope and salvation. Amen.

The PRESIDENT. The Chair thanks Pastor Schreffler, who is the guest today of Senator Vance and Senator Corman.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

March 13, 2007

Senators RAFFERTY, STACK, BOSCOLA, KITCHEN, FONTANA, ERICKSON, WONDERLING, ORIE, COSTA and LOGAN presented to the Chair **SB 311**, entitled:

An Act requiring the licensing of secondary wholesalers and a written pedigree for use in tracking drugs through the supply chain and in identifying counterfeit prescription drugs; imposing duties and responsibilities upon the Department of Health and the State Board of Pharmacy; and prescribing penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

Senators BOSCOLA, C. WILLIAMS, FONTANA, EARLL, LAVALLE, BROWNE, KITCHEN, PIPPY, WASHINGTON, ORIE, FERLO, RAFFERTY, FOLMER, LOGAN and BRUBAKER presented to the Chair **SB 345**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for sessions.

Which was committed to the Committee on STATE GOVERNMENT, March 13, 2007.

Senators BROWNE, FONTANA, RAFFERTY, RHOADES, COSTA, O'PAKE, WASHINGTON and PIPPY presented to the Chair **SB 371**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for willful failure to pay support order.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators WAUGH, FONTANA, ROBBINS, ERICKSON, MUSTO, KASUNIC, RAFFERTY, TOMLINSON, O'PAKE, COSTA, REGOLA, GREENLEAF, ORIE, RHOADES and LOGAN presented to the Chair **SB 372**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Gold Star Family license plates.

Which was committed to the Committee on TRANSPORTATION, March 13, 2007.

Senators BOSCOLA, O'PAKE, WASHINGTON, GREENLEAF, ERICKSON, MUSTO, KASUNIC, LAVALLE, KITCHEN, FONTANA, COSTA and BROWNE presented to the Chair **SB 373**, entitled:

An Act providing for academic excellence scholarships for persons entering a college or university within this Commonwealth.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators BOSCOLA, COSTA, O'PAKE, RAFFERTY, GREENLEAF, FONTANA, ERICKSON, C. WILLIAMS, WASHINGTON and BROWNE presented to the Chair **SB 374**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for food allergy reaction management in public schools.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators BOSCOLA, MELLOW, STOUT, LAVALLE, TARTAGLIONE, COSTA, MUSTO, FONTANA, RAFFERTY, KITCHEN, BROWNE, RHOADES and LOGAN presented to the Chair **SB 376**, entitled:

An Act providing for health care assistance for certain steelworkers; establishing the Steelworker Health Care Assistance Retiree Board and the Steelworker Health Care Assistance Retiree Trust Fund; providing for issuance of bonds and for an annual transfer of funds; and making a repeal.

Which was committed to the Committee on BANKING AND INSURANCE, March 13, 2007.

Senators TOMLINSON, STOUT, KITCHEN, COSTA, D. WHITE and WONDERLING presented to the Chair **SB 377**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for funding for charter schools.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators TOMLINSON, ERICKSON, BOSCOLA, CORMAN, FONTANA, RAFFERTY, ARMSTRONG, STOUT, GORDNER, KASUNIC, D. WHITE, RHOADES, MUSTO, C. WILLIAMS, WONDERLING, FUMO, FERLO, LOGAN, O'PAKE, GREENLEAF, PIPPY, EARLL, ORIE, COSTA, REGOLA, PUNT, BAKER and WOZNIAK presented to the Chair **SB 378**, entitled:

An Act amending the act of June 23, 1999 (P.L.159, No.22), known as the New Economy Technology Scholarship Act, further providing for definitions and for scholarships.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators VANCE, PILEGGI, WASHINGTON, ARMSTRONG, BOSCOLA, BROWNE, EARLL, ERICKSON, KITCHEN, LOGAN, MUSTO, O'PAKE, ORIE, RAFFERTY, REGOLA, STACK, M. WHITE, C. WILLIAMS and BAKER presented to the Chair **SB 379**, entitled:

An Act amending the act of August 11, 1941 (P.L.900, No.344), known as the Unfair Sales Act, further providing for nonapplicability.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 13, 2007.

Senators COSTA, KITCHEN, FONTANA and LOGAN presented to the Chair **SB 380**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for chief deputy, for deputies and clerks, for public list of applicants for deputy sheriff, for penalties and for sheriff's employees and counties of the second class; and repealing provisions relating to appointment and promotion of deputy sheriffs in second class counties.

Which was committed to the Committee on LOCAL GOVERNMENT, March 13, 2007.

Senators COSTA, KITCHEN, LAVALLE, STOUT, TARTAGLIONE and FONTANA presented to the Chair **SB 381**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for employees eligible for retirement allowances.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators COSTA, KITCHEN, TARTAGLIONE, FONTANA, LOGAN, BROWNE and PIPPY presented to the Chair **SB 382**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for employees eligible for retirement allowances.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators CORMAN, WONDERLING, TOMLINSON, EARLL, KASUNIC, KITCHEN, GREENLEAF, O'PAKE, ERICKSON, M. WHITE, D. WHITE, ORIE, ROBBINS, WAUGH, PUNT, BOSCOLA, STOUT, WOZNIAK, VANCE, FONTANA, FOLMER and BRUBAKER presented to the Chair **SB 383**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing that mandatory educational programs need not be implemented until funding for the cost of the program is provided for by the General Assembly.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators CORMAN, ERICKSON, GORDNER, BOSCOLA, RAFFERTY, ORIE, REGOLA, WONDERLING, TOMLINSON, O'PAKE, EARLL, BRUBAKER, BAKER, PUNT and LOGAN presented to the Chair **SB 384**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators CORMAN, WONDERLING, COSTA, C. WILLIAMS, TOMLINSON, KITCHEN, PUNT, TARTAGLIONE, M. WHITE, WOZNIAK, WASHINGTON, FERLO and FONTANA presented to the Chair **SB 385**, entitled:

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, providing for interconnected Voice over Internet Protocol service; and establishing the VoIP 911 Emergency Services Fund.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, March 13, 2007.

Senators CORMAN, BROWNE, COSTA, WONDERLING, C. WILLIAMS, KITCHEN, SCARNATI, ARMSTRONG, EARLL, BOSCOLA, WAUGH, TOMLINSON, ROBBINS, ERICKSON, FERLO, RHOADES and FONTANA presented to the Chair **SB 386**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further defining "public notice"; and further providing for minutes of meetings.

Which was committed to the Committee on STATE GOVERNMENT, March 13, 2007.

Senators CORMAN, PIPPY, RAFFERTY, FONTANA, O'PAKE, GORDNER, BROWNE, TOMLINSON, REGOLA, ORIE, COSTA and BRUBAKER presented to the Chair **SB 387**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of stillbirth.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

Senators CORMAN, WONDERLING, GORDNER, COSTA, TOMLINSON, RHOADES, KASUNIC, TARTAGLIONE, MUSTO, O'PAKE, LAVALLE, STACK, ORIE, C. WILLIAMS, LOGAN, RAFFERTY, REGOLA, BRUBAKER, BROWNE, PUNT, STOUT, FONTANA, WASHINGTON and WOZNIAK presented to the Chair **SB 388**, entitled:

An Act providing for notice to employees of electronic monitoring by employers of network and information technology resources; establishing a cause of action; and imposing civil penalties.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, March 13, 2007.

Senators CORMAN, WONDERLING, ORIE, RAFFERTY, GORDNER, COSTA, O'PAKE, STACK, WAUGH, KASUNIC, TOMLINSON, RHOADES, ROBBINS, BAKER, STOUT, PUNT, PIPPY, REGOLA, BROWNE, WOZNIAK, BRUBAKER, FERLO, FONTANA, LAVALLE, WASHINGTON, LOGAN and TARTAGLIONE presented to the Chair **SB 389**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for theft of personal or confidential information.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators CORMAN, WONDERLING, RAFFERTY, GORDNER, BROWNE, COSTA, TARTAGLIONE, WOZNIAK, ORIE, O'PAKE, REGOLA, WAUGH, STACK,

ROBBINS, KASUNIC, C. WILLIAMS, TOMLINSON, BAKER, FERLO, BRUBAKER, FONTANA, RHOADES, LAVALLE, PIPPY, LOGAN, PUNT and STOUT presented to the Chair **SB 390**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of phishing.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, March 13, 2007.

Senators PICCOLA, FOLMER, CORMAN, GORDNER, ROBBINS, ORIE, WOZNIAK, RAFFERTY, ERICKSON, PUNT, D. WHITE, M. WHITE, EARLL, ARMSTRONG, PIPPY, REGOLA, C. WILLIAMS, EICHELBERGER, WAUGH, BAKER, SCARNATI, BRUBAKER and WONDERLING presented to the Chair **SB 391**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for apportionment of business income.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators WASHINGTON, COSTA, GREENLEAF, FONTANA, MUSTO, KITCHEN, TARTAGLIONE, ORIE, STACK, STOUT and M. WHITE presented to the Chair **SB 392**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for customer energy assistance notification.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 13, 2007.

Senators WASHINGTON, COSTA, KITCHEN, ORIE, RAFFERTY, STACK, STOUT, TARTAGLIONE, A. WILLIAMS, HUGHES and BOSCOLA presented to the Chair **SB 393**, entitled:

An Act amending the act of December 30, 2002 (P.L.2088, No.236), entitled "An act providing for the designation and use of certain State office buildings; and making a repeal," designating the North Office Building as the Secretary C. Delores Tucker Office Building.

Which was committed to the Committee on STATE GOVERNMENT, March 13, 2007.

Senators WASHINGTON, COSTA, KITCHEN, RHOADES, STOUT, TARTAGLIONE and FONTANA presented to the Chair **SB 394**, entitled:

An Act providing for the requirement of carbon monoxide detectors.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, March 13, 2007.

Senators WASHINGTON, COSTA, KITCHEN, GREENLEAF, ORIE, MUSTO, STACK, STOUT, TARTAGLIONE and FONTANA presented to the Chair **SB 395**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for child abuse identification training.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators WASHINGTON, COSTA, KITCHEN, RAFFERTY, MUSTO, STOUT, BOSCOLA and FONTANA presented to the Chair **SB 396**, entitled:

An Act amending the act of November 25, 1970 (P.L.769, No.254), entitled "An act authorizing the use of identification devices by persons with certain afflictions or conditions; imposing duties on law enforcement officers and prescribing penalties," providing for medical identification tags.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

Senators MUSTO, BOSCOLA, ERICKSON, RAFFERTY, FONTANA, STACK, WASHINGTON, STOUT, COSTA, KITCHEN, FERLO, O'PAKE, BROWNE, EARLL, KASUNIC, LAVALLE, WOZNIAK, DINNIMAN, HUGHES and RHOADES presented to the Chair **SB 398**, entitled:

An Act establishing a program of loan forgiveness for teachers in foreign language, mathematics and science; and imposing powers and duties on the Pennsylvania Higher Education Assistance Agency.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators MUSTO, BOSCOLA, ERICKSON, RAFFERTY, FONTANA, STACK, WASHINGTON, STOUT, COSTA, KITCHEN, FERLO, O'PAKE, BROWNE, KASUNIC, LAVALLE, WOZNIAK, DINNIMAN, HUGHES and RHOADES presented to the Chair **SB 399**, entitled:

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

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators MUSTO, BOSCOLA, ERICKSON, RAFFERTY, FONTANA, STACK, WASHINGTON, STOUT, COSTA, KITCHEN, FERLO, O'PAKE, BROWNE, KASUNIC, LAVALLE, WOZNIAK, DINNIMAN, HUGHES and RHOADES presented to the Chair **SB 400**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for educational tax credit definitions.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators MUSTO, BOSCOLA, ERICKSON, RAFFERTY, FONTANA, STACK, WASHINGTON, STOUT, COSTA, KITCHEN, FERLO, O'PAKE, BROWNE, EARLL, KASUNIC, LAVALLE, DINNIMAN, HUGHES, WOZNIAK and RHOADES presented to the Chair **SB 401**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for administration of educational excellence opportunities.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators KASUNIC, O'PAKE, COSTA, BOSCOLA, TARTAGLIONE, STOUT, RAFFERTY, FONTANA, KITCHEN, WASHINGTON, STACK, LOGAN and WOZNIAK presented to the Chair **SB 402**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a job retention tax credit.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators KASUNIC, LAVALLE, O'PAKE, COSTA, TARTAGLIONE, STOUT, RAFFERTY, FONTANA, KITCHEN, WASHINGTON, STACK, LOGAN and WOZNIAK presented to the Chair **SB 403**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing a graduated payment scale for certain taxpayers liable for corporate net income tax payments.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators BROWNE, ERICKSON, BOSCOLA, KITCHEN, WONDERLING, ORIE, RAFFERTY, GREENLEAF, D. WHITE, PIPPY and WOZNIAK presented to the Chair **SB 404**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators BROWNE, BOSCOLA, ERICKSON, WASHINGTON, PUNT, O'PAKE, COSTA, RHOADES, STOUT and BAKER presented to the Chair **SB 405**, entitled:

An Act establishing the School-Based Mentoring Grant Program; and making an appropriation.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators BROWNE, WONDERLING, WASHINGTON, C. WILLIAMS, COSTA, STOUT and BRUBAKER presented to the Chair **SB 406**, entitled:

An Act providing for the regulation of indoor tanning facilities and for penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

Senators BROWNE, WONDERLING, TARTAGLIONE, WASHINGTON, EARLL, RAFFERTY, C. WILLIAMS, COSTA, STOUT, PILEGGI and BRUBAKER presented to the Chair **SB 407**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators BROWNE, TARTAGLIONE, WASHINGTON, EARLL, GREENLEAF, O'PAKE, FERLO, STACK, RAFFERTY, C. WILLIAMS, COSTA and WOZNIAK presented to the Chair **SB 408**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for attachment of income.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators BROWNE, CORMAN, BOSCOLA, WONDERLING, FONTANA, WASHINGTON, GORDNER, GREENLEAF, O'PAKE, LOGAN, FERLO, STACK, RAFFERTY, COSTA, LAVALLE, KASUNIC, RHOADES, STOUT, PILEGGI, BRUBAKER, BAKER and WOZNIAK presented to the Chair **SB 409**, entitled:

An Act establishing the Identity Theft Prevention and Restoration Program.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators BROWNE, BOSCOLA, WONDERLING, FONTANA, ERICKSON, WASHINGTON, EARLL, MUSTO, ARMSTRONG, FERLO, RAFFERTY, COSTA, RHOADES, EICHELBERGER, PIPPY and PILEGGI presented to the Chair **SB 410**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the definition of "institution of higher education"; and further providing for the definitions of "school" and "school age" and for qualification and application.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators BROWNE, WONDERLING, ERICKSON, WASHINGTON, RAFFERTY, COSTA, RHOADES, LOGAN, PIPPY, PILEGGI and BRUBAKER presented to the Chair **SB 411**, entitled:

An Act amending the act of August 31, 1971 (P.L.423, No.101), known as the Higher Education Equal Opportunity Act, further providing for the Higher Education Equal Opportunity Program.

Which was committed to the Committee on EDUCATION, March 13, 2007.

Senators BROWNE, ERICKSON, WASHINGTON, EARLL, GORDNER, ARMSTRONG, FERLO, RAFFERTY, RHOADES, BAKER and VANCE presented to the Chair **SB 412**, entitled:

An Act amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, providing for inpatient diagnostic-related group charge reporting.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

Senators BROWNE, WONDERLING, WASHINGTON and BOSCOLA presented to the Chair **SB 413**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for assessment of signs and sign structures; and making related repeals.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators BROWNE, BOSCOLA, WONDERLING, ARMSTRONG, RAFFERTY, STOUT and VANCE presented to the Chair **SB 414**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for award of custody, partial custody or visitation.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators WAUGH, KITCHEN, CORMAN, STACK, WONDERLING, PICCOLA, RAFFERTY, FOLMER, ARMSTRONG, REGOLA, O'PAKE, GREENLEAF, PIPPY, ORIE, EARLL, RHOADES, M. WHITE and BAKER presented to the Chair **SB 416**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for Medical Reserve Corps unit civil immunity.

Which was committed to the Committee on JUDICIARY, March 13, 2007.

Senators CORMAN, ARMSTRONG, RHOADES, WONDERLING, TOMLINSON, KASUNIC, TARTAGLIONE, GREENLEAF, COSTA, ERICKSON, M. WHITE, D. WHITE, ORIE, RAFFERTY, ROBBINS, WAUGH, PUNT, BOSCOLA, PIPPY, STOUT, BRUBAKER, EICHELBERGER, REGOLA, VANCE, FOLMER and FONTANA presented to the Chair **SB 417**, 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 for rate of inheritance tax.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators CORMAN, ARMSTRONG, RAFFERTY, COSTA, PIPPY, REGOLA, WOZNIAK, BAKER, BRUBAKER, FONTANA, WAUGH and EARLL presented to the Chair **SB 418**, 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 for the imposition of the personal income tax and authorizing the offsetting of gains and losses among the various classes of income.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators CORMAN, GORDNER, ARMSTRONG, SCARNATI, WONDERLING, RHOADES, KITCHEN, GREENLEAF, COSTA, ERICKSON, D. WHITE, STACK, RAFFERTY, ROBBINS, WAUGH, PUNT, C. WILLIAMS, LOGAN, PIPPY, WOZNIAK, FOLMER, EARLL, FONTANA, BRUBAKER, BAKER, EICHELBERGER, VANCE, REGOLA and KASUNIC presented to the Chair **SB 419**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "taxable income" for purposes of corporate net income tax.

Which was committed to the Committee on FINANCE, March 13, 2007.

Senators CORMAN, WAUGH, PILEGGI, BROWNE, WONDERLING, RAFFERTY, GORDNER, M. WHITE, TOMLINSON, ROBBINS, PUNT, GREENLEAF, BAKER, VANCE, BRUBAKER, FOLMER, ORIE and REGOLA presented to the Chair **SB 420**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for the definition of "tangible personal property."

Which was committed to the Committee on FINANCE, March 13, 2007.

RESOLUTIONS INTRODUCED AND REFERRED

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

March 12, 2007

Senators ORIE, KITCHEN, BOSCOLA, RHOADES, MUSTO, LAVALLE, ARMSTRONG, MELLOW, STOUT, FERLO, STACK, LOGAN, TARTAGLIONE, O'PAKE, FUMO, WOZNIAK and RAFFERTY presented to the Chair **SR 47**, entitled:

A Concurrent Resolution memorializing Congress to study the issue of workplace pay disparity and the need to reexamine existing Federal laws relating to that issue.

Which was committed to the Committee on LABOR AND INDUSTRY, March 12, 2007.

Senators ORIE, COSTA, BOSCOLA, MUSTO, ERICKSON, GREENLEAF, PIPPY, KITCHEN, C. WILLIAMS, STACK, TARTAGLIONE and RAFFERTY presented to the Chair **SR 48**, entitled:

A Resolution recognizing youth mental illness and suicide as a public health crisis and encouraging evidence-based initiatives to screen children and adolescents for mental disorders in order to identify illness and prevent suicide among youths.

Which was committed to the Committee on AGING AND YOUTH, March 12, 2007.

March 13, 2007

Senators ORIE, REGOLA, COSTA, BOSCOLA, RHOADES, MUSTO, ERICKSON, ARMSTRONG, PUNT, FOLMER,

MELLOW, GREENLEAF, TOMLINSON, KITCHEN, WAUGH, TARTAGLIONE, O'PAKE, WOZNIAK and RAFFERTY presented to the Chair **SR 49**, entitled:

A Resolution memorializing the Congress of the United States to review and consider the National Governors Association recommendations which would allow states to utilize greater flexibility in their provision of Medicaid services.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 13, 2007.

BILLS REPORTED FROM COMMITTEES

Senator D. WHITE, from the Committee on Banking and Insurance, reported the following bills:

SB 222 (Pr. No.259)

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further defining, in risk-based capital requirements, "company action level event."

SB 548 (Pr. No. 292)

An Act establishing the Long-Term Care Partnership Program; and imposing powers and duties on the Department of Public Welfare.

SB 550 (Pr. No. 293)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing, in insurance holding companies, for definitions, for acquisition of control of or merger with domestic insurer and for acquisitions involving insurers not otherwise covered; and making an inconsistent repeal.

Senator M.J. WHITE, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 99 (Pr. No. 134)

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, further providing for limitation on General Fund money.

SB 355 (Pr. No. 159)

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for public review of State implementation plans.

SB 356 (Pr. No. 160)

An Act amending the act of June 22, 1993 (P.L.105, No.24), known as the Environmental Education Act, providing for the establishment of the Pennsylvania Center for Environmental Education and the Pennsylvania Center for Environmental Education Board; and making editorial changes.

Senator GORDNER, from the Committee on Labor and Industry, reported the following bills:

SB 263 (Pr. No. 157)

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

SB 437 (Pr. No. 425) (Amended)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for the adoption of regulations.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 59 (Pr. No. 80)

An Act relating to crane operator licensure; establishing the State Board of Crane Operators; conferring powers and imposing duties; making an appropriation; and imposing penalties.

SB 100 (Pr. No. 135)

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

Senator GREENLEAF, from the Committee on Judiciary, reported the following bill:

SB 72 (Pr. No. 426) (Amended)

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, further providing for license renewal, continuing education requirements and disciplinary and corrective measures.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Punt.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Punt. Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, March 13, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 19, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 19, 2007, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR JOHN N. WOZNIAK
PRESENTED TO THE SENATE**

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

Senator WOZNIAK. Madam President, I am here to introduce Miss Pennsylvania International 2006, Kelly Sivec. She is from Sidman, Pennsylvania, and is getting a degree in mathematics and wants to be a schoolteacher. Would you please give one of Pennsylvania's finest young ladies and her mother, Ruth, a warm welcome from the Senate of Pennsylvania.

The PRESIDENT. Would the guests of Senator Wozniak please rise so we may give you a 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, in the gallery are some very special guests who have been visiting all of our offices, giving out daffodils from the American Cancer Society. I know there are several of them in the gallery, and I would like the Chair to recognize all of them, in particular from my district in Reading, Irene J. Schlack, Deidre A. Grubb, Kevin and Tammy Leisey, and Denise D. Sichler.

I ask the Chair to extend its usual warm welcome to them and all the other people from across Pennsylvania who are here to promote cancer awareness and are working very hard to raise money to help find a cure and to do a better job at preventing cancer throughout Pennsylvania.

The PRESIDENT. Will our daffodil ladies and men please rise so we can give you a warm welcome.

(Applause.)

GUESTS OF SENATOR JAMES FERLO PRESENTED TO THE SENATE

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

Senator FERLO. Madam President, I had the pleasure this morning to participate in a seminar with State Representative Dan Frankel. We have a number of guests in the balcony and throughout the Capitol today. This was a seminar with a broad-based group of organizations around the State, with people from the American Way Foundation, League of Women Voters, VotePA, Vote Pennsylvania, BPEP from Pittsburgh, the Black Political Empowerment Project, the Disability Rights Network of Pennsylvania, and Common Cause. The seminar today specifically focused on the issue of the need and advocacy of the voter verifiable paper ballot, as well as other issues relating to democracy at the voting place, other problems associated with deceptive practices.

So, I want to thank all of these Pennsylvania patriots for coming to the Capitol today and conducting the seminar, and I know they will be visiting the respective offices of various colleagues. I also want to thank all the members of these organizations who are in the Capitol today fighting for election reform.

Thank you, Madam President.

The PRESIDENT. Would the guests of Senator Ferlo please rise so we may give you a warm welcome.

(Applause.)

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request a recess for the purpose of a Republican caucus.

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

Senator O'PAKE. Madam President, I request that the Democrats report to our caucus room for a brief caucus.

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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Folmer has returned, and his temporary Capitol leave will be cancelled.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request a temporary Capitol leave for Senator Piccola.

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

Senator O'PAKE. Madam President, I request a temporary Capitol leave for Senator Logan.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

Senator O'Pake requests a temporary Capitol leave for Senator Logan.

Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 154 (Pr. No. 52) -- The Senate proceeded to consideration of the bill, entitled:

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

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

Senator RHOADES. Madam President, Senate Bill No. 154 is again another educational bill which will require districts with schools identified either as on the warning list for school improvement or corrective action to revise their professional education plans. It will require, again, the Department of Education to create a clearinghouse of continuing professional education programs, so there will be access by our professionals to the department to ensure that those programs are there.

The other thing, too, is that we are going to ask them to specify the continuing professional education options designed to assist in the attainment of academic performance. The programs will be cataloged by their area of assignment, their area of certification, the topic, and shall be provided to a school entity upon request.

I think it is very important that we continue these things to help our children achieve the proficiency level that they could get in their reading, their writing, and all their other academic areas.

Thank you, Madam President.

And the question recurring,
Shall the bill pass finally?

LEGISLATIVE LEAVE

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

Senator O'PAKE. Madam President, I request that Senator Mellow be placed on legislative leave.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Mellow. 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-49

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

NAY-1

Folmer

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

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

SB 155 (Pr. No. 20) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, authorizing intermediate units to establish a pool of educational advisors for certain school districts.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator RHOADES. Madam President, I ask for a positive vote on Senate Bill No. 155. This will authorize intermediate units to create pools of educational advisors for schools identified for school improvement or corrective action.

An intermediate unit can establish and coordinate a pool of educational advisors to assist a district or school within the intermediate unit that has been identified for this needed improvement. Upon the request of the school board, the intermediate unit shall assign an advisor to the district.

The advisor's duties will include: coordination of a continuing professional education program for the district, assistance in the design of a professional education plan, mentoring professional employees, and assistance in the development and implementation of the school improvement or corrective action plan.

To qualify as an educational advisor, an individual must be in active school service or an annuitant, must be a certified professional employee and have at least 5 years' experience as a teacher or school administrator in Pennsylvania, and have never received an unsatisfactory rating.

There may be a question about annuitants. Well, we will consider annuitants as an advisor as a person who returns to service during an emergency, and can carry a 95 full-day session limitation.

I ask for a positive vote. Thank you, Madam President.

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-49

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

NAY-1

Folmer

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

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

SB 219 (Pr. No. 388) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and for disqualifications relating to teacher's certificate.

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

Senator VANCE. Madam President, I ask for a "yes" vote on this proposal. Very simply, it would allow nurse practitioners and physician assistants to do examinations for teacher certification. It would also improve access to health care and lower costs.

Thank you very much.

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-50

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILLS ON SECOND CONSIDERATION

SB 21 (Pr. No. 29) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to enter into an agreement or other legal instrument with Chester County to alter use restrictions and reversionary covenants on real estate conveyed to Chester County, situate in Newlin and West Bradford Townships; and making inconsistent repeals.

Considered the second time and agreed to,

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

SB 151 (Pr. No. 95) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for weapons or implements for escape and for contraband; and making a conforming amendment.

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

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

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

MEMBER OF THE STATE BOARD OF COSMETOLOGY

February 27, 2007

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 10, 2007, for the appointment of Debra Jean Jablonski, 4 White Drive, Honey Brook 19344, Chester County, Thirty-sixth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Aginah Shabazz, Wynnewood, resigned.

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

EDWARD G. RENDELL
Governor

INSURANCE COMMISSIONER OF PENNSYLVANIA

February 15, 2007

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 22, 2007, for the appointment of the Honorable M. Diane Koken, 1102 Oakmont Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, as Insurance Commissioner of Pennsylvania, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN STATE HOSPITAL

March 7, 2007

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 17, 2007, for the appointment of Edward J. Matisak, R.R. 2, Box 536, Sugarloaf 18249, Luzerne County, Twenty-seventh Senatorial District, as a member of the Board of Trustees of White Haven State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

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.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 31, 2007

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, Thomas G. Clark, P.O. Box 161, Mifflintown 17059, Juniata County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 31, 2007

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, William J. Park, 3 Rebecca's Lane, Thornton 19373, Delaware County, Ninth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 31, 2007

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, Samuel J. Stephenson, 5156 Rosecrest Place, Pittsburgh 15201, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE CORONERS' EDUCATION BOARD

January 10, 2007

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, Dr. James Wilson, 30 Morris Lane, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Coroners' Education Board, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

January 31, 2007

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, Janet G. M. Sanko, 2436 North Second Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Board of Cosmetology, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

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

January 29, 2007

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, The Honorable John Evans, 123 Meadville Street, Edinboro 16412, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher

Education, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

January 29, 2007

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, Harry K. Thomas, 4579 Thoroughbred Loop, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF MEDICINE

January 29, 2007

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, Sara L. Petrosky, Esquire, (Public Member), 203 Avondale Road, Wallingford 19086, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Kishor S. Mehta, Gibsonia, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE REAL
ESTATE COMMISSION**

February 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph J. McGettigan, Sr., 237 Long Lane, Second Floor, Upper Darby 19082, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the State Real Estate Commission, to serve for a term office years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE REAL ESTATE
COMMISSION**

January 10, 2007

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, John A. Sommer, 380 School Street, York 17402, York County, Twenty-eighth Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice George E. Meagher, III, Ambler, whose term expired.

EDWARD G. RENDELL
Governor

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

February 20, 2007

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, John A. Hicks, PhD., 416 Deer Run Road, Slippery Rock 16057, Butler County, Twenty-first Senatorial District, for appointment as a member of the Council of Trustees of Slippery Rock University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Orvan Peterson, Butler, whose term expired.

EDWARD G. RENDELL
Governor

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

January 10, 2007

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, Marilyn Painter, (Public Member), 30 Love Place, Pittsburgh 15218, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF SOUTH MOUNTAIN RESTORATION CENTER**

January 17, 2007

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, Chris A. Kimple, 1691 Buchanan Valley Road, Orrtanna 17353, Adams County, Thirty-third Senatorial

District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice David G. Sciamanna, Chambersburg, resigned.

EDWARD G. RENDELL
Governor

TREASURER, LAWRENCE COUNTY

February 2, 2007

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, Ronald J. Patrick, CPA, 3458 Carmela Drive, New Castle 16105, Lawrence County, Fiftieth Senatorial District, for appointment as Treasurer, in and for the County of Lawrence, to serve until the first Monday of January 2008, vice Gary F. Felasco, removed from office.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WERNERSVILLE STATE HOSPITAL

January 17, 2007

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, Kristin A. Keech, 3483 Messersmith Road, York 17408, York County, Twenty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Dennis Louwerse, Lebanon, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

February 6, 2007

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, Edward D. Ottinger, Jr., Ed.D., P. O. Box 216, Conestoga 17516, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN STATE HOSPITAL

January 17, 2007

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, The Honorable Timothy Martin, 532 Centre Street, Freeland 18224, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN STATE HOSPITAL

January 17, 2007

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, Catherine A. Warren, P.O. Box 153, Hazleton 18201, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Board of Trustees of White Haven [data missing] Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Madam President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**UNFINISHED BUSINESS
RESOLUTION REPORTED FROM COMMITTEE**

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

SR 44 (Pr. No. 152)

A Resolution designating the month of March 2007 as "Youth Art Month" in Pennsylvania.

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Lee Ross, Erik J. Abel, David P. Odenwalt, Modesto J. Rodriguez, James E. Young, Larry F. Wolpert and to Todd R. Zima by Senator Armstrong.

Congratulations of the Senate were extended to Michael Klimek by Senator Baker.

Congratulations of the Senate were extended to Natalie Borgia, Ruth Roberts Hailperin and to Lucinda Dealtrey by Senator Boscola.

Congratulations of the Senate were extended to Mary Dyke and to Timothy Vincent Fischer by Senator Brubaker.

Congratulations of the Senate were extended to Frances M. McGartland by Senator Costa.

Congratulations of the Senate were extended to Ida R. Fields by Senator Eichelberger.

Congratulations of the Senate were extended to Zared R. Shawver by Senator Gordner.

Congratulations of the Senate were extended to the Somerset County Conservation District by Senator Kasunic.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth T. Shuck and to Mr. and Mrs. Will Russell by Senator Madigan.

Congratulations of the Senate were extended to James P. Sterganos and to the Oley Valley FFA by Senator O'Pake.

Congratulations of the Senate were extended to the American Cancer Society of Greater Pittsburgh by Senator Orié.

Congratulations of the Senate were extended to Gregory A. Green, Lindsay Dallago, Heather Davis, Erica Koup, Abigayle Acker, Jennifer Balthaser, Elyse Bell, Rachel Bradley, Giannina G. Lenker, Melissa Gnech, Nikki Herb, Heather Kuntz, Erica Matrese, Tessa Minnich, Abigail Skelton, Stephanie Sterner, Nicole Yeagley, Melissa Zarker and to the Pine Street Presbyterian Church of Harrisburg by Senator Piccola.

Congratulations of the Senate were extended to Charles T. Beggs and to Maebelle Youse by Senator Pippy.

Congratulations of the Senate were extended to Donald J. Kueny, James Barford, John W. Brown V, Andrew Drobonick, John Hughes, Sr., John Mahan, William Kane, Vincent Triosi, Raymond Hackman and to Matthew Clemmons by Senator Tomlinson.

Congratulations of the Senate were extended to Sean Quinn and to Janice A. Fulton by Senator Waugh.

Congratulations of the Senate were extended to Thomas Perry by Senator M.J. White.

Congratulations of the Senate were extended to the First Cambria African Methodist Episcopal Zion Church of Johnstown by Senator Wozniak.

BILLS ON FIRST CONSIDERATION

Senator TARTAGLIONE. Madam President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to.

The bills were as follows:

SB 59, SB 72, SB 99, SB 100, SB 222, SB 263, SB 355, SB 356, SB 437, SB 548 and SB 550.

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

PETITIONS AND REMONSTRANCES

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

Senator FUMO. Madam President, last June I stood on this floor and talked about the cost of the war in Iraq, which at that point had reached \$288 billion. Projections by two new economists, one a Nobel Prize winner and the other one from Harvard, estimated that the true cost of the war would eventually reach \$2 trillion.

The stock market drop 2 weeks ago prompted me to check those estimates and see if they had been updated. While I have not seen a new estimate on the eventual total cost, I did learn that as of now, we have spent an actual \$405 billion in appropriated money, according to the National Priorities Project, which keeps a daily running tally.

So, with the costs growing, I think it is fair to say that the true long-term price tag, which includes such things as treatment of the wounded for the rest of their lives, will exceed the original estimate of \$2 trillion.

Amazingly, I also learned that the war is currently costing about \$2 billion per week, which is nearly twice as much as we spent in the first year after the invasion.

These are hard dollars used on military personnel, equipment and operations, and they represent only the incremental costs of the war. They do not include the amount that we would ordinarily spend for the upkeep of our military if we were not engaged in Iraq. We must keep in mind, however, that there are other financial costs that are also very real, even though they might not be precisely measurable at this hour.

As Nobel laureate economist Joseph Stiglitz said, and I quote, "The budgetary costs are but a fraction of the costs to the economy as a whole," end of quote.

The 500-point drop in the stock market experienced 2 weeks ago was the largest percentage decline since the war began, and the largest point loss since the week following 9/11. While there are always multiple reasons for big movements in the stock market, one reason for its current trouble, indeed, is that our entire economy is in trouble. It is a weak dollar. At the end of 2006, it had fallen to a 20-year low against the Euro.

The weak dollar and our deficit is largely financed nowadays by China. They are among the reasons why Wall Street reacted so strongly to a drop in the Chinese market. As the value of the dollar drops and interest rates increase, investors will move their money away from stocks to bonds, or even to other international markets to avoid the depreciating dollar. It was bound to happen. It would not surprise me to see it trigger an even bigger drop someday in the near future.

Americans are about to learn that once again you do not get something for nothing. You do not fight a war without paying the price for it, one way or another. You cannot pay for it by telling people to go to the shopping mall, and you cannot pay for it by cutting taxes for the wealthy, while building huge deficits.

Tom Friedman of the New York Times last week included this quote from Franklin Delano Roosevelt in his column. In 1942, FDR told the American people, and I quote, "War costs money. That means taxes and bonds and bonds and taxes. It means cutting luxuries and other nonessentials. In a word, it means an all-out war by individual and family effort in a united country," end of quote. Friedman goes on to ask, quote, "Ever heard Bush talk that way?"

If you try to do it Bush's way, you wind up paying a bigger price with difficult financial problems in the future. The many facets of our economy are interconnected, and a war that sucks up our resources and increases our deficit costs us money, one way or another.

To cite one example, at the time of the invasion, oil cost \$25 a barrel. It is now \$60. Maybe the entire increase is not attributable to the Iraq war, but much of it is. Demand is up in India and China, but the supply has not risen to meet the demand, mainly because of the Middle Eastern instability caused by our invasion of Iraq. That is driving up prices, so just imagine how much more the American consumer is paying in fuel prices alone because of this war. In California, those prices are now back up to \$3 a gallon, and soon expected to see those numbers here in Pennsylvania.

A white paper issued late last year by the International Institute of Management cites many other examples, and here are just two more: The Iraq war has increased anti-American sentiments and increased the threat of terrorism around the world, which adds additional risk to the U.S. economy in both domestic and international judgment.

The war has led to a deterioration of relations, including economic relations, between the United States and Arab countries, even those that were once friendly toward us. Arab nations are more willing now to do business with European and Chinese companies instead of American businesses, and rich Arab families and tourists are favoring Europe over the United States.

Three years ago, a report by the International Monetary Fund warned that the U.S. budget deficit, as well as our growing trade imbalance, threatened the stability of the world economy. A written report for the Council on Foreign Relations in 2005 by Menzie Chinn, an expert on international financial issues for the President's Council on Economic Advisors during both the Clinton and George W. Bush administrations, warned that even if the United States avoids a precipitous collapse in the dollar and an economic recession, the nation faces serious challenges. American's continued descent into greater and greater indebtedness threatens an important source of its influence: the dollar's role as the critical global currency.

Chinn said, quote, "If the United States does not address its budget and current account deficits, we likely will see economic growth slow and trade friction escalate. American political and economic influence will decline," Chinn said. Yet, we continue to spend on this unnecessary war, to run up an even bigger deficit, and push the costs off to our children. It could drive our country, and perhaps even the world, into a recession.

In any financial calamity, the poor get hurt first and the worst. Seniors could suffer, too, because pension funds get hurt. Pretty soon, even if Bush and other Republicans want to keep cutting taxes, they are not going to be able to do it because, in the end, bills become due and you have to pay the piper. We are beginning to see the problem already.

We hear Bush and his pro-war crowd shouting that those of us who favor withdrawal from Iraq do not support the troops. But, then we see reports like those of the Walter Reed Army Hospital, where horribly wounded veterans are living in squalor, and in fact we find out who it is who exactly does not support the

troops. Then we look at the Bush administration's new budget, which once again proposes less money for veterans, then we find out exactly who really does not support the troops. Then we think back to the early days of the war when our young men and women were sent into combat without proper body armor and we find out exactly who it is who does not support the troops. Then we realize that the men and women in uniform, now young, will face financial hardships later in life here at home because of this nation's current fiscal policies, and then we find out again who it is who really does not support the troops. It is George W. Bush.

Superceding all of that, of course, is the human cost. We continue to bear the burden in our State. I would ask now that we all remember two more Pennsylvania soldiers killed in the line of duty in Iraq. They are Sergeant First Class Daniel Brozovich, 42, of Greenville, Pennsylvania, who died on October 18 in Ashraf, Iraq, from injuries suffered when an IED detonated near his Armored Security Vehicle while on combat patrol. Sergeant Brozovich was assigned to the 1st Battalion, 213th Air Defense Artillery.

Also, Sergeant First Class Tony L. Knier, 31, of Sabinsville, Pennsylvania, who died on October 21 in Bayji, Iraq, from injuries suffered when an IED detonated near his vehicle. Sergeant Knier was assigned to the 1st Battalion, 505th Parachute Infantry Regiment, 3rd Brigade Combat Team, 82nd Airborne Division. They are among the now 3,195 American military fatalities in Iraq to date, and another 23,417 of our soldiers have been wounded to date.

Thank you, Madam President.

The PRESIDENT. I ask all the Senators and staff to stand up for a moment of silence for Sergeant First Class Daniel Brozovich, from Greenville, Pennsylvania, and Sergeant First Class Tony Knier, from Sabinsville, Pennsylvania.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Sergeant First Class DANIEL BROZOVICH and Sergeant First Class TONY KNIER.)

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MARCH 14, 2007

9:00 A.M.	FINANCE (public hearing to review Act 55 of 1997)	Room 461 Main Capitol
10:00 A.M.	LAW AND JUSTICE (public hearing on the Liquor Control Board Report on High Risk and Underage Drinking)	Room 8E-A East Wing
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider the nomination of Dr. Calvin B. Johnson as Secretary of Health; and Senate Resolution No. 40)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearings - testimony from leading research and advocacy groups)	Hrg. Rm. 1 North Off.

FRIDAY, MARCH 16, 2007

10:00 A.M. AGRICULTURE AND RURAL AFFAIRS Four Seasons
(listening session to gather input from Produce
Commonwealth citizens who are directly Ephrata, PA
and indirectly affected by the actions taken
by this Committee)

TUESDAY, MARCH 20, 2007

9:30 A.M. VETERANS AFFAIRS AND EMER- Room 8E-A
GENCY PREPAREDNESS (to consider East Wing
the nomination of Major General Jessica
L. Wright as Adjutant General of Pennsylvania)

9:30 A.M. LAW AND JUSTICE (public hearing to Hrg. Rm. 1
consider beer sales in supermarkets and North Off.
convenience stores)

11:00 A.M. TRANSPORTATION (to consider Public Hrg. Rm. 1
Private Partnership Informational Hearing) North Off.

WEDNESDAY, MARCH 21, 2007

9:00 A.M. FINANCE (public hearing to consider Hrg. Rm. 1
the nomination of Thomas W. Wolf as North Off.
Secretary of Revenue)

9:00 A.M. LOCAL GOVERNMENT (joint hearing Rm. 8E-A &
with the House Local Government Com- B, East Wing
mittee on the State of Local Governments
in PA)

9:30 A.M. PUBLIC HEALTH AND WELFARE (to Room 461
consider the nomination of Estelle B. Main Capitol
Richman as Secretary of Public Welfare)

TUESDAY, APRIL 17, 2007

11:00 A.M. LABOR AND INDUSTRY (to consider Room 461
the nomination of Stephen M. Schmerin Main Capitol
as Secretary of Labor and Industry)

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I move that the Senate do now recess until Wednesday, March 14, 2007, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 4:20 p.m., Eastern Daylight Saving Time.