

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, MARCH 26, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 21

SENATE

Monday, March 26, 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, Rabbi SOLOMON ISAACSON, of Congregation Beth Solomon Synagogue, Philadelphia, offered the following prayer:

Good afternoon, ladies and gentlemen. We stand now just before the holiday of the Passover, and everyone understands that the holiday of Passover symbolizes the freedom of slavery, the freedom of people who were enslaved for 210 years, and now they were free as a nation. What we do not realize is that it was also the freedom of the mind, not just of the body, and I bring that to you as a reminder that God has empowered all of us with brains to make the right decisions. I hope He guides all of you to do so.

(Translation from Hebrew:)

May He who blessed our forefathers Abraham, Isaac, and Jacob, may He bless the fighters of the United States Armed Forces, the Army, Navy, Air Force, and Marines, who stand guard over our land and the cities of our God, wherever they may be. May Hashem cause the enemies who rise up against us to be struck down before them. May the Holy One, blessed is He, preserve and rescue our fighting men from every trouble and distress and from every plague and illness, and may He send blessing and success in their every endeavor.

May He lead our enemies under their sway, and may He adorn them with the crown of salvation and with the diadem of triumph. May there be fulfilled for them the verse, for it is Hashem, our God, who goes with you to battle your enemies for you to save you.

(Translation from Hebrew:)

May He who grants salvation to the kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, who releases David, his servant, from the evil sword, who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol, and raise high our beloved President, Vice President, our Governor, our Lieutenant Governor, and all the Members of our Senate.

The King who reigns over kings in His mercy, may He sustain them and protect them from every trouble, woe, and injury. May He rescue them. May He gather peoples under their sway, and

cause their enemies to fall before them. Wherever they turn, may they succeed. The King who reigns over kings, in his mercy, may He put into their heart and into the heart of all their counselors and officials compassion to do good with us, and with all the people of the Commonwealth of Pennsylvania. In their days and in ours, may God bless us all. Amen.

The PRESIDENT. The Chair thanks Rabbi Isaacson, who is the guest today of Senator Stack.

Rabbi ISAACSON. I hope everybody enjoys the matzoh and wine that is waiting for you in Senator Stack's office. If there is not enough there, it is because the Senator has been making matzoh sandwiches for himself. There is wine and matzoh for everybody in the Senate in Senator Stack's office, so please avail yourself if you have not already done so. I notice already some is missing since last week. Enjoy the holiday of the Passover, enjoy the wine, it is delicious, better to be served when it is cold.

I would just like to make mention that this week we had our annual dinner, and were very honored to honor Senator Tina Tartaglione with the Joe Cooper Foundation Award for family unity. She personified what the Joe Cooper Foundation Award is supposed to be, to show family unity, and we were very honored to have the Senator with us. I hope God blesses her, and God willing, she will soon be running the floor like she used to.

Thank you, and God bless.

PLEDGE OF ALLEGIANCE

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

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 CORONERS'
EDUCATION BOARD**

March 22, 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, Michael L. Norris, 405 Fairway Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senato-

rial 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

March 22, 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, MaryLou Enoches, 1 Manor Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for appointment 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 Karen Donovan, West Chester, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

March 22, 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, I. William Goldfarb, M.D., 5450 Albermarle Avenue, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

March 22, 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, Cynthia Potter, P.T., 10069 Grubbs Road, Wexford 15090, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

March 22, 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, Timothy M. Schell, P.T., 123 Old Hickory Lane, Grove City 16127, Mercer County, Fiftieth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Irrgang, Murrys ville, whose term expired.

EDWARD G. RENDELL
Governor

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

March 23, 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, Colleen Kopp, 301 Manchester Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his *[sic]* successor is appointed and qualified, vice Timothy M. Pulte, Glenn Mills, whose term expired.

EDWARD G. RENDELL
Governor

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

March 23, 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, James C. Miller, 267 Concord Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Council of Trustees of Indiana 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 COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

March 23, 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, Hon. Samuel H. Smith, 211 Dinsmore Avenue, Punxsutawney 15767, Jefferson County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Indiana 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 COUNCIL OF TRUSTEES OF
INDIANA UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

March 23, 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, Carolyn P. Snyder, 1005 Route 268, Cowansville 16218, Armstrong County, Forty-first Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his *[sic]* successor is appointed and qualified, vice Kim E. Lyttle, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

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

March 23, 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, Gealy W. Wallwork, 102 Country Club Lane, Kittanning 16201, Armstrong County, Forty-first Senatorial District, for reappointment as a member of the Council of Trustees of Indiana 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

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

MEMBER OF THE STATE
BOARD OF COSMETOLOGY

March 22, 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 12, 2007, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Etters 17319, York County, Fifteenth Senatorial District, as a member of the State Board of 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 Karen Donovan, West Chester, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

March 23, 2007

HB 85 -- Committee on State Government.
HB 195, 294 and 363 -- Committee on Transportation.

BILLS INTRODUCED AND REFERRED

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

March 22, 2007

Senators LOGAN, BOSCOLA, FONTANA, WAUGH, ERICKSON, STOUT, COSTA, KITCHEN, O'PAKE, RAFFERTY, MUSTO, FERLO, C. WILLIAMS, ORIE, LAVALLE, KASUNIC, RHOADES, REGOLA and WASHINGTON presented to the Chair **SB 639**, entitled:

An Act establishing an educational assistance program for volunteer firefighters; providing for grants; and making an appropriation.

Which was committed to the Committee on EDUCATION, March 22, 2007.

Senators LOGAN, TARTAGLIONE, STOUT, COSTA, MELLOW, STACK, FERLO, KASUNIC, LAVALLE, WOZNIAK, WASHINGTON and FONTANA presented to the Chair **SB 640**, entitled:

An Act providing for restrictions on overtime required by employers.

Which was committed to the Committee on LABOR AND INDUSTRY, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, TARTAGLIONE, STOUT, COSTA, KITCHEN, FERLO, STACK, RAFFERTY, LAVALLE, KASUNIC, RHOADES and WASHINGTON presented to the Chair **SB 641**, entitled:

An Act prohibiting transaction fees for the use of an automated teller machine card or debit card for the purchase of goods or services; and providing penalties.

Which was committed to the Committee on BANKING AND INSURANCE, March 22, 2007.

Senators LOGAN, FONTANA, TARTAGLIONE, STOUT, KITCHEN, MUSTO, STACK, LAVALLE, FUMO and WASHINGTON presented to the Chair **SB 642**, entitled:

An Act requiring certain staffing levels at health care facilities providing renal dialysis services; and providing for powers and duties of the Department of Health.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, TARTAGLIONE, ERICKSON, STOUT, COSTA, KITCHEN, O'PAKE, MUSTO, FERLO, STACK, RAFFERTY, C. WILLIAMS, LAVALLE, KASUNIC, FUMO, RHOADES, PIPPY and WASHINGTON presented to the Chair **SB 643**, entitled:

An Act requiring certain departments and institutions of the Commonwealth to establish fire response plans and conduct fire drills.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 22, 2007.

Senators LOGAN, FONTANA, TARTAGLIONE, STOUT, COSTA, KITCHEN, STACK, RAFFERTY, MUSTO, GORDNER, C. WILLIAMS, LAVALLE, KASUNIC, FUMO, RHOADES, PIPPY and WASHINGTON presented to the Chair **SB 644**, entitled:

An Act requiring certain departments and facilities of the Commonwealth to provide 911 emergency service and make certain reports.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, TARTAGLIONE, STOUT, COSTA, KITCHEN, O'PAKE, FERLO, STACK, RAFFERTY, MUSTO, C. WILLIAMS, LAVALLE, KASUNIC, FUMO, RHOADES, PIPPY and WASHINGTON presented to the Chair **SB 645**, entitled:

An Act requiring certain departments and institutions of the Commonwealth to compile and disseminate reports on their records for fire safety.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 22, 2007.

Senators LOGAN, FONTANA, TARTAGLIONE, ERICKSON, COSTA, RAFFERTY, FUMO, PIPPY and WASHINGTON presented to the Chair **SB 646**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for supplemental public transportation assistance funding.

Which was committed to the Committee on TRANSPORTATION, March 22, 2007.

Senators LOGAN, FONTANA, COSTA, LAVALLE and WASHINGTON presented to the Chair **SB 647**, 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 county employee retirement allowances.

Which was committed to the Committee on FINANCE, March 22, 2007.

Senator D. WHITE presented to the Chair **SB 648**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Ligonier, Westmoreland County.

Which was committed to the Committee on STATE GOVERNMENT, March 22, 2007.

Senators BOSCOLA, LAVALLE, KITCHEN, WASHINGTON, RAFFERTY and PUNT presented to the Chair **SB 651**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for snow or ice dislodged or falling from moving vehicles.

Which was committed to the Committee on TRANSPORTATION, March 22, 2007.

Senators BOSCOLA, RHOADES, FERLO, ORIE, COSTA, GREENLEAF, LAVALLE, PUNT, FONTANA, RAFFERTY, STOUT, WAUGH, TARTAGLIONE, ERICKSON, KASUNIC, TOMLINSON, WASHINGTON, MELLOW, EARLL, KITCHEN, STACK and BROWNE presented to the Chair **SB 652**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further defining "income" to exclude certain veterans' disability payments.

Which was committed to the Committee on AGING AND YOUTH, March 22, 2007.

Senator BOSCOLA presented to the Chair **SB 653**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for drug-free school zones.

Which was committed to the Committee on JUDICIARY, March 22, 2007.

Senators BOSCOLA, MUSTO, BROWNE, FONTANA, ERICKSON, RAFFERTY, PUNT, ORIE, FOLMER and D. WHITE presented to the Chair **SB 654**, entitled:

An Act amending the act of June 13, 1883 (P.L.112, No.99), entitled "An act to abolish the contract system in the prisons and reformatory institutions of the State of Pennsylvania, and to regulate the wages of the inmates," further providing for convicts to receive wages.

Which was committed to the Committee on JUDICIARY, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, CORMAN, TARTAGLIONE, STOUT, COSTA, KITCHEN, O'PAKE, McILHINNEY, FERLO, STACK, RAFFERTY, C. WILLIAMS,

LAVALLE, KASUNIC, WOZNIAK and WASHINGTON presented to the Chair **SB 655**, entitled:

An Act amending the act of November 26, 1978 (P.L.1212, No.286), referred to as the Inspection of Employment Records Law, requiring an employer to provide notification to its employees of telephone call monitoring.

Which was committed to the Committee on LABOR AND INDUSTRY, March 22, 2007.

Senators LOGAN, FONTANA, TARTAGLIONE, ERICKSON, KITCHEN, RAFFERTY, MUSTO, LAVALLE, KASUNIC, RHOADES and WASHINGTON presented to the Chair **SB 656**, entitled:

An Act amending the act of June 11, 1947 (P.L.538, No.246), known as The Casualty and Surety Rate Regulatory Act, providing for rate increase notice and public comment.

Which was committed to the Committee on BANKING AND INSURANCE, March 22, 2007.

Senators LOGAN, FONTANA, TARTAGLIONE, KITCHEN, FERLO, LAVALLE, KASUNIC and WASHINGTON presented to the Chair **SB 657**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for general powers and duties relating to weights and measures, for investigations, for orders, for specific powers and duties, for local administration, for concurrent jurisdiction, for division of responsibilities, for enforcement and regulations, for offenses and penalties, for injunctions and for disposition of funds.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, TARTAGLIONE, ERICKSON, COSTA, MUSTO, FERLO, RAFFERTY, C. WILLIAMS, ORIE, LAVALLE, KASUNIC, RHOADES and FUMO presented to the Chair **SB 658**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for political influence restriction.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 22, 2007.

Senators LOGAN, BOSCOLA, FONTANA, TARTAGLIONE, ERICKSON, STOUT, COSTA, O'PAKE, STACK, RAFFERTY, MUSTO, EARLL, FERLO, ORIE, LAVALLE, KASUNIC, RHOADES, FUMO, WOZNIAK and WASHINGTON presented to the Chair **SB 659**, 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 estates and trusts.

Which was committed to the Committee on FINANCE, March 22, 2007.

Senators WOZNIAK, BOSCOLA, C. WILLIAMS, COSTA, FONTANA, MUSTO, ERICKSON, O'PAKE, WASHINGTON,

STOUT, WONDERLING, MELLOW, FUMO, BROWNE, FERLO, GORDNER and STACK presented to the Chair **SB 661**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers of the Pennsylvania Energy Development Authority.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 22, 2007.

Senators WOZNIAK, C. WILLIAMS, COSTA, FONTANA, ERICKSON, O'PAKE, WASHINGTON, STOUT, WONDERLING, RHOADES, EARLL, MELLOW, FUMO and BROWNE presented to the Chair **SB 662**, 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 technical college programs.

Which was committed to the Committee on EDUCATION, March 22, 2007.

Senators WOZNIAK, BOSCOLA, C. WILLIAMS, COSTA, FONTANA, MUSTO, ERICKSON, O'PAKE, WASHINGTON, STOUT and MELLOW presented to the Chair **SB 663**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Common Cents Program.

Which was committed to the Committee on EDUCATION, March 22, 2007.

Senators ERICKSON, BOSCOLA, WONDERLING, RAFFERTY, PUNT, ROBBINS, KITCHEN, O'PAKE, GREENLEAF, PIPPY, C. WILLIAMS, STACK, PILEGGI, TOMLINSON, RHOADES and EARLL presented to the Chair **SB 664**, entitled:

An Act establishing the Independent Higher Education and Community Financing Program and the Board of Review.

Which was committed to the Committee on EDUCATION, March 22, 2007.

Senators GORDNER, CORMAN, WONDERLING, BROWNE, EARLL, MADIGAN, REGOLA, WAUGH, ARMSTRONG, FOLMER, GREENLEAF, PUNT, ROBBINS and SCARNATI presented to the Chair **SB 666**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, defining "independent contractor"; and further providing for subcontractors.

Which was committed to the Committee on LABOR AND INDUSTRY, March 22, 2007.

Senators VANCE, BRUBAKER, BOSCOLA, COSTA, EARLL, FONTANA, GREENLEAF, KITCHEN, O'PAKE, PICCOLA, RAFFERTY, REGOLA, STOUT, TOMLINSON, M. WHITE, C. WILLIAMS, WONDERLING and BROWNE presented to the Chair **SB 667**, entitled:

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing

for legislative policy, for definitions, for involuntary intervention by emergency court order and for grounds for denying employment; and providing for comparison study by Department of Aging and for applicability relating to criminal history for employees.

Which was committed to the Committee on AGING AND YOUTH, March 22, 2007.

Senators VANCE, BOSCOLA, BRUBAKER, COSTA, FONTANA, GREENLEAF, KITCHEN, O'PAKE, ORIE, RAFFERTY, REGOLA, STOUT, M. WHITE, C. WILLIAMS and WONDERLING presented to the Chair **SB 668**, entitled:

An Act requiring hospitals to obtain certain information relating to criminal history from prospective employees; providing for grounds for denying employment; prescribing penalties; providing for provisional employees for limited periods; imposing certain requirements for current hospital employees; and providing for civil immunity under certain circumstances.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 22, 2007.

Senators WAUGH, KITCHEN, RAFFERTY, D. WHITE, EARLL and McILHINNEY presented to the Chair **SB 669**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for a special license and license auction to hunt one elk.

Which was committed to the Committee on GAME AND FISHERIES, March 22, 2007.

Senators WAUGH, KITCHEN, RAFFERTY and STACK presented to the Chair **SB 670**, 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 courses of study adapted to age and other factors of pupils; and making an editorial change.

Which was committed to the Committee on EDUCATION, March 22, 2007.

Senators FERLO, PIPPY, MELLOW, FONTANA, RAFFERTY, COSTA, WAUGH, WASHINGTON, ERICKSON, LOGAN, O'PAKE, STOUT, BOSCOLA, McILHINNEY, KITCHEN, C. WILLIAMS, BROWNE, GORDNER, ORIE and STACK presented to the Chair **SB 673**, 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 the High-Performance Buildings Tax Credit.

Which was committed to the Committee on FINANCE, March 22, 2007.

March 23, 2007

Senators WASHINGTON, HUGHES, COSTA, TARTAGLIONE, O'PAKE, STOUT, RAFFERTY, KITCHEN, LAVALLE, FONTANA, FERLO, C. WILLIAMS, BOSCOLA and STACK presented to the Chair **SB 649**, entitled:

An Act requiring long-term care nursing facilities to maintain certain staffing levels in order to protect the health and safety of residents and

employees; providing for powers and duties of the Department of Health; and imposing civil penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 23, 2007.

Senators LOGAN, RAFFERTY, FONTANA, FERLO, MUSTO, WONDERLING, EARLL and C. WILLIAMS presented to the Chair **SB 674**, 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 "case" and for sale of malt or brewed beverages by liquor licensees.

Which was committed to the Committee on LAW AND JUSTICE, March 23, 2007.

Senators ERICKSON, FERLO, MUSTO, WAUGH, FONTANA, TOMLINSON, RAFFERTY, O'PAKE, GREENLEAF, PILEGGI, WONDERLING, RHOADES, McILHINNEY, MELLOW, C. WILLIAMS, COSTA, STACK and BROWNE presented to the Chair **SB 675**, entitled:

An Act establishing the Solar Energy System Incentives Program; and providing for powers and duties of the Pennsylvania Public Utility Commission and the Department of Environmental Protection and for incentives and rebates.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 23, 2007.

Senators ORIE, TARTAGLIONE, MUSTO, FONTANA, LOGAN, RAFFERTY, WONDERLING, ERICKSON, FUMO, C. WILLIAMS, COSTA and STACK presented to the Chair **SB 677**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, prohibiting mobile phone use while operating a school vehicle; and imposing penalties.

Which was committed to the Committee on TRANSPORTATION, March 23, 2007.

Senators ORIE, CORMAN, EARLL, C. WILLIAMS, FONTANA, BROWNE, STACK and WONDERLING presented to the Chair **SB 678**, entitled:

An Act establishing and evaluating an administrative medical liability system to restore fairness and reliability to the medical justice system; and promoting patient safety by fostering alternatives to current medical tort litigation.

Which was committed to the Committee on JUDICIARY, March 23, 2007.

Senators ORIE, WONDERLING, LOGAN, RAFFERTY, RHOADES, ERICKSON, BOSCOLA, C. WILLIAMS, COSTA, REGOLA and STACK presented to the Chair **SB 679**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for driving under the influence of alcohol or controlled substance, for penalties, for ignition interlock, for accelerated rehabilitative disposition, for illegally operating a motor vehicle not equipped with ignition interlock and for drug and alcohol assessments; and making an editorial change.

Which was committed to the Committee on TRANSPORTATION, March 23, 2007.

Senators ORIE, CORMAN, RHOADES, KASUNIC, PICCOLA, TOMLINSON, REGOLA, PILEGGI, ERICKSON, GREENLEAF, GORDNER, FOLMER, RAFFERTY, MADIGAN, WAUGH, FONTANA, PIPPY, COSTA, BROWNE, DINNIMAN and WONDERLING presented to the Chair **SB 680**, 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 the maximum amounts of educational improvement tax credits.

Which was committed to the Committee on EDUCATION, March 23, 2007.

Senators ORIE, RHOADES, MUSTO, ERICKSON, PUNT, KITCHEN, WONDERLING, GORDNER, STACK, FONTANA, LOGAN, STOUT, VANCE, PIPPY, PICCOLA, BAKER, WOZNIAK, RAFFERTY, M. WHITE and WASHINGTON presented to the Chair **SB 681**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, establishing a Statewide automated victim information and notification (SAVIN) system.

Which was committed to the Committee on JUDICIARY, March 23, 2007.

Senators TARTAGLIONE, HUGHES, LAVALLE, STOUT, C. WILLIAMS, MELLOW, FONTANA, KITCHEN, WASHINGTON, KASUNIC, O'PAKE, FERLO, FUMO, WONDERLING, STACK, LOGAN, BRUBAKER, COSTA, WOZNIAK and A. WILLIAMS presented to the Chair **SB 682**, entitled:

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wages.

Which was committed to the Committee on LABOR AND INDUSTRY, March 23, 2007.

Senators RAFFERTY, ORIE, GREENLEAF, WAUGH, WONDERLING, PICCOLA, EICHELBERGER and ARMSTRONG presented to the Chair **SB 683**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for license or permit application hearing process; public input hearings.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 23, 2007.

March 26, 2007

Senators GREENLEAF, TOMLINSON, EARLL, STOUT, WASHINGTON and COSTA presented to the Chair **SB 692**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further establishing a duty to stop vehicles at accident scenes; providing an exception from the duty for emergency vehicles; and prescribing a penalty.

Which was committed to the Committee on TRANSPORTATION, March 26, 2007.

Senators GREENLEAF, EARLL, KASUNIC, WASHINGTON, PILEGGI, FUMO, ERICKSON, FOLMER, WONDERLING, LOGAN, RAFFERTY, FERLO, COSTA, KITCHEN, WOZNIAK, STACK and BAKER presented to the Chair **SB 693**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for requirement for periodic inspection of vehicles.

Which was committed to the Committee on TRANSPORTATION, March 26, 2007.

Senators GREENLEAF, C. WILLIAMS, D. WHITE, BOSCOLA and WASHINGTON presented to the Chair **SB 694**, entitled:

An Act directing the Department of State to develop and implement uniform voting procedures.

Which was committed to the Committee on STATE GOVERNMENT, March 26, 2007.

Senators GREENLEAF, KITCHEN and WASHINGTON presented to the Chair **SB 695**, entitled:

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, further providing for ecological and geological services.

Which was committed to the Committee on STATE GOVERNMENT, March 26, 2007.

Senators GREENLEAF, EARLL, BOSCOLA, RAFFERTY, WASHINGTON and FERLO presented to the Chair **SB 696**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, requiring an individual to pass a certification examination before filing a nomination petition to become a justice of the traffic court in the City of Philadelphia and district justice.

Which was committed to the Committee on STATE GOVERNMENT, March 26, 2007.

Senators GREENLEAF, CORMAN, WOZNIAK, EARLL, STACK, RAFFERTY, COSTA, TARTAGLIONE, KITCHEN and FONTANA presented to the Chair **SB 697**, 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 classes of income and for spousal income tax returns; and abrogating regulations.

Which was committed to the Committee on FINANCE, March 26, 2007.

Senators GREENLEAF, WOZNIAK, WONDERLING, LOGAN, RHOADES, FERLO, RAFFERTY, KITCHEN, ERICKSON, O'PAKE, KASUNIC, BOSCOLA, STOUT, STACK, REGOLA, WASHINGTON and FONTANA presented to the Chair **SB 698**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for the purchase of creditable nonstate service for active duty for training; and making an editorial change.

Which was committed to the Committee on FINANCE, March 26, 2007.

Senators GREENLEAF, COSTA, RAFFERTY, EARLL, FOLMER, RHOADES, KITCHEN, REGOLA, WASHINGTON and WAUGH presented to the Chair **SB 699**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing, in child victims and witnesses, for admissibility of certain statements.

Which was committed to the Committee on JUDICIARY, March 26, 2007.

Senators GREENLEAF, BOSCOLA, O'PAKE, WONDERLING and FERLO presented to the Chair **SB 702**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 26, 2007.

Senators ORIE, REGOLA, TOMLINSON, RHOADES, ERICKSON, KITCHEN, FERLO, WAUGH, TARTAGLIONE, FONTANA, BOSCOLA, RAFFERTY, LOGAN, WASHINGTON, ARMSTRONG, MADIGAN, PUNT, PIPPI, O'PAKE, GREENLEAF, WOZNIAK, KASUNIC, MUSTO, EARLL and WONDERLING presented to the Chair **SB 703**, entitled:

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

Which was committed to the Committee on FINANCE, March 26, 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 22, 2007

Senators D. WHITE, BOSCOLA, KASUNIC, MUSTO, FERLO, PUNT, RAFFERTY, O'PAKE, ORIE, GREENLEAF, LOGAN, WASHINGTON, REGOLA, TARTAGLIONE, COSTA, MADIGAN, FONTANA, ERICKSON, ROBBINS, WAUGH, TOMLINSON, McILHINNEY, PILEGGI, PIPPI, WONDERLING, RHOADES, EARLL, MELLOW, BROWNE, FOLMER, LAVALLE, STACK and ARMSTRONG presented to the Chair **SR 65**, entitled:

A Resolution designating April 16 through 20, 2007, as "Community Banking Week" in Pennsylvania.

Which was committed to the Committee on BANKING AND INSURANCE, March 22, 2007.

March 23, 2007

Senators TOMLINSON, PILEGGI, BOSCOLA, KASUNIC, FERLO, RAFFERTY, O'PAKE, GREENLEAF, LAVALLE, LOGAN, STOUT, WASHINGTON, COSTA, FONTANA, ORIE, ROBBINS, EARLL, ERICKSON, McILHINNEY, WONDERLING, PIPPI, RHOADES, BROWNE, FOLMER, D. WHITE, STACK and ARMSTRONG presented to the Chair **SR 70**, entitled:

A Resolution designating the week of April 22 through 28, 2007, as "Pennsylvania One Call System Week."

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 23, 2007.

BILLS REPORTED FROM COMMITTEE

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

SB 73 (Pr. No. 92) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) and codifying Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for temporary release from county correctional institutions, for parole without board supervision, for judicial power to release inmates and for transfers of inmates needing medical care; further providing for State intermediate punishment; providing for other criminal provisions; amending the heading of Title 61; adding definitions, provisions relating to general administration of correctional institutions, State correctional institutions, county correctional institutions, the Philadelphia County Prison, house of detention for untried inmates and witnesses, inmate labor, medical services, visitation, motivational boot camp, execution procedure and method, miscellaneous matters relating thereto, probation and parole generally, the Pennsylvania Board of Probation and Parole, County Probation and Parole Officers' Firearm Education and Training, and correctional institution interstate compacts; and making repeals relating to codification.

SB 180 (Pr. No. 216) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

SB 355 (Pr. No. 737) (Amended) (Rereported)

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 548 (Pr. No. 292) (Rereported)

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) (Rereported)

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.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Madam President, I request temporary Capitol leaves for Senator Pileggi, Senator Scarnati, and Senator Piccola.

The PRESIDENT. Senator Orie requests temporary Capitol leaves for Senator Pileggi, Senator Scarnati, and Senator Piccola.

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

Senator O'PAKE. Madam President, I request a legislative leave for Senator Hughes, and temporary Capitol leaves for Senator Ferlo and Senator Anthony Williams.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Hughes, and temporary Capitol leaves for Senator Ferlo and Senator Anthony Williams.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator ORIE asked and obtained leaves of absence for Senator CORMAN and Senator PUNT, for today's Session, for personal reasons.

CALENDAR

SB 356 CALLED UP OUT OF ORDER

SB 356 (Pr. No. 568) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator ORIE, as a Special Order of Business..

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 356 (Pr. No. 568) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

On the question,
Shall the bill pass finally?

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

YEA-48

Armstrong	Fontana	Musto	Stout
Baker	Fumo	O'Pake	Tartaglione
Boscola	Gordner	Orie	Tomlinson
Browne	Greenleaf	Piccola	Vance
Brubaker	Hughes	Pileggi	Washington
Costa	Kasunic	Pippy	Waugh

Dinniman	Kitchen	Rafferty	White, Donald
Earl	LaValle	Regola	White, Mary Jo
Eichelberger	Logan	Rhoades	Williams, Anthony H.
Erickson	Madigan	Robbins	Williams, Constance
Ferlo	McIlhinney	Scarnati	Wonderling
Folmer	Mellow	Stack	Wozniak

NAY-0

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Ferlo has returned, and his temporary Capitol leave is cancelled.

RECESS

The PRESIDENT. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Madam President, at this time I request a recess for the purpose of a Republican caucus to be held in the Majority Caucus Room.

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

Senator O'PAKE. Madam President, I ask all Democrats to report to our caucus room for a 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 LEAVES CANCELLED

The PRESIDENT. Senator Scarnati and Senator Pileggi have returned, and their temporary Capitol leaves are cancelled.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR ROBERT J. MELLOW
PRESENTED TO THE SENATE**

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

Senator MELLOW. Madam President, we have a special guest in the gallery with us today, whom I think each and every one of us knows and respects. He is a member of the appellate judiciary of the Commonwealth, the Pennsylvania Superior Court, and I think he really made his name when someone would act inappropriately at a football game in Philadelphia and he would take that gavel that was about this big with him and whack it and send them home as opposed to sending them to jail. So we would just like to welcome our very, very good friend and outstanding jurist in Pennsylvania, and a good friend of all of us, a member of the Pennsylvania Superior Court, Seamus McCaffery.

The PRESIDENT. Will everyone please welcome our guest. (Applause.)

The PRESIDENT. Welcome to the Pennsylvania Senate.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Don White. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 150 (Pr. No. 567) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to the protection of victims of sexual violence.

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 Montgomery, Senator Greenleaf.

Senator GREENLEAF. Madam President, I rise in favor of this legislation that passed the Senate last Session by a vote of 50 to 0. What it would do is provide for Protection From Abuse action for those individuals who have been victims of sexual violence. It provides that a criminal complaint does not have to be filed, and the reason for that is that only about 28 percent of the victims of sexual abuse and sexual violence report their crimes, but they are still subject to the violence, harassment, and intimidation of the perpetrator. So we would like to reach out to these individuals who have been the victims to give them at least, if they are not going to prosecute the individual, then at least they could have the protection of a Protection From Abuse action, which this would be. Basically, this extends the terms and conditions of a normal Protection From Abuse action to sexual violence victims. Many other States have adopted this, and it has the support of the Pennsylvania Coalition Against Rape. I believe it will go a long way to provide protection for those people who have been victimized in our Commonwealth, and I urge an affirmative vote.

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-48

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

NAY-0

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

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

BILLS AMENDED

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.

On the question,
Will the Senate agree to the bill on third consideration?

Senator GREENLEAF offered the following amendment No. A0248:

Amend Sec. 1 (Sec. 5122), page 2, lines 25 through 28, by striking out "correctional institution, mental hospital," in line 25; all of lines 26 and 27 and "court order" in line 28 and inserting: facility

Amend Sec. 1 (Sec. 5122), page 2, line 29, by inserting after "absent" and inserting: from the facility

Amend Sec. 1 (Sec. 5122), page 3, lines 6 through 10, by striking out "in a correctional" in line 6; all of lines 7 through 9 and "appurtenant thereto or any other place" in line 10 and inserting: in a facility

Amend Sec. 1 (Sec. 5122), page 3, lines 12 through 15, by striking out "correctional institution, mental hospital, youth" in line 12; all of lines 13 and 14 and "order, or building appurtenant thereto" in line 15 and inserting: facility

Amend Sec. 1 (Sec. 5122), page 3, by inserting between lines 20 and 21:

"Facility." Correctional institution, mental hospital, youth development center, youth forestry camp or other facility for the detention or incarceration of individuals pursuant to court order, building appurtenant thereto or any other place where a confined person is located.

Amend Sec. 1 (Sec. 5123), page 4, line 3, by inserting brackets before and after "Controlled" and inserting immediately thereafter: Delivery of controlled

Amend Sec. 1 (Sec. 5123), page 4, lines 16 through 19, by striking out all of lines 16 through 18 and "order," in line 19 and inserting: of a facility

Amend Sec. 1 (Sec. 5123), page 4, lines 20 through 23, by striking out "correctional institution, mental hospital, in line 20; all of lines 21 and 22 and "court order" in line 23 and inserting: facility

Amend Sec. 1 (Sec. 5123), page 4, line 24, by inserting brackets before and after "such institution" and inserting immediately thereafter: the facility

Amend Sec. 1 (Sec. 5123), page 5, line 27, by striking out "a confined person" and inserting: confined persons

Amend Sec. 1 (Sec. 5123), page 6, line 4, by inserting brackets before and after "Money" and inserting immediately thereafter: Delivery of money

Amend Sec. 1 (Sec. 5123), page 6, line 19, by striking out "Other contraband" and inserting:

Delivery of other contraband to confined persons prohibited

Amend Sec. 1 (Sec. 5123), page 6, line 30; page 7, lines 1 through 3, by striking out "correctional institution," in line 30, page 6; all of lines 1 and 2 and "individuals pursuant to court order" in line 3, page 7 and inserting immediately thereafter: facility

Amend Sec. 1 (Sec. 5123), page 7, line 4, by inserting brackets before and after "such institution" and inserting immediately thereafter: the facility

Amend Sec. 1 (Sec. 5123), page 7, lines 13 through 15, by striking out all of said lines and inserting: concealing an item prohibited under section 5122 (relating to weapons, implements of escape or dangerous material) or this section.

Amend Sec. 1 (Sec. 5123), page 7, line 16, by inserting brackets before and after "Telecommunication" and inserting immediately thereafter: Delivery of telecommunications

Amend Sec. 1 (Sec. 5123), page 7, lines 20 and 21, by inserting a bracket before "correctional" in line 20 and after "furnishes" in line 21 and inserting immediately thereafter: facility, he delivers

Amend Sec. 1 (Sec. 5123), page 7, line 22, by inserting a bracket before "correctional"

Amend Sec. 1 (Sec. 5123), page 7, line 24, by inserting a bracket after "thereto" and inserting immediately thereafter: facility

Amend Sec. 1 (Sec. 5123), page 7, line 25, by inserting a bracket before "of"

Amend Sec. 1 (Sec. 5123), page 7, line 27, by inserting a bracket after "hospital"

Amend Sec. 1 (Sec. 5123), page 7, line 30, by inserting a bracket before "correctional"

Amend Sec. 1 (Sec. 5123), page 8, line 1, by inserting a bracket after "thereto" and inserting immediately thereafter: facility

Amend Sec. 1 (Sec. 5123), page 8, lines 5 and 6, by inserting a bracket before "a" in line 5 and after "hospital" in line 6 and inserting immediately thereafter: the facility

Amend Sec. 1 (Sec. 5123), page 8, line 9, by inserting brackets before and after "money or other contraband," and inserting immediately thereafter: anything

Amend Sec. 1 (Sec. 5123), page 8, line 10, by inserting brackets before and after "by this section" and inserting immediately thereafter: under subsection (b) or (c)

Amend Sec. 1 (Sec. 5123), page 8, lines 12 and 13, by inserting brackets before "controlled" in line 12 and after "contraband" in line 13 and inserting immediately thereafter: anything the delivery of which is prohibited under this section

Amend Sec. 1 (Sec. 5123), page 8, lines 19 through 22, by striking out "correctional institution, mental hospital," in line 19; all of lines 20 and 21 and "court order" in line 22 and inserting immediately thereafter: facility

Amend Sec. 1 (Sec. 5123), page 8, lines 25 through 30; page 9, lines 1 through 16, by striking out all of said lines on said pages and inserting: "Delivers." Sells, gives, transmits, furnishes or otherwise transfers anything prohibited under this section to a confined person in a facility.

"Facility." Correctional institution, mental hospital, youth development center, youth forestry camp or other facility for the detention or incarceration of individuals pursuant to court order, building appurtenant thereto or any other place where a confined person is located.

Amend Sec. 1 (Sec. 5123), page 9, lines 28 through 30; page 10, lines 1 through 5, by striking out all of said lines on said pages

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 PILEGGI.

SB 397 (Pr. No. 122) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, imposing a central or regional booking fee on criminal convictions to fund the start-up, operation or maintenance of a central or regional booking center; and providing for a countywide booking center plan.

On the question,

Will the Senate agree to the bill on third consideration?

Senator REGOLA offered the following amendment No. A0288:

Amend Sec. 1 (Sec. 1725.6), page 3, lines 10 through 13, by striking out "No funds may be" in line 10 and all of lines 11 through 13

Amend Sec. 1 (Sec. 1725.6), page 3, line 26, by inserting after "guidelines": within 90 days of the effective date of this section

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 PILEGGI.

BILL OVER IN ORDER

SB 637 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL AMENDED

SB 86 (Pr. No. 120) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for reselling of tickets and for printing prices on tickets.

On the question,

Will the Senate agree to the bill on second consideration?

Senator TOMLINSON offered the following amendment No. A0284:

Amend Sec. 1 (Sec. 2), page 3, line 1, by removing the period after "website" and inserting: , or has a business presence in this Commonwealth and one of the following: a registered agent, a foreign business license or a certificate of authority issued by the Department of State.

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 PILEGGI.

BILL ON SECOND CONSIDERATION

SB 256 (Pr. No. 294) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 306 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SENATE RESOLUTION No. 60, ADOPTED

Senator PILEGGI without objection, called up from page 2 of the Calendar, **Senate Resolution No. 60**, entitled:

A Resolution urging the Rendell Administration and the Secretary of Public Welfare to desist in any action that furthers the planned move from a voluntary managed care choice to a mandated fee-for-service system for medical assistance recipients.

On the question,
Will the Senate adopt the resolution?

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

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senators STACK, BOSCOLA, STOUT, ROBBINS, MUSTO, O'PAKE, PICCOLA, WAUGH, FUMO, TARTAGLIONE, RAFFERTY, FONTANA, WASHINGTON, LOGAN, MELLOW, GREENLEAF, ARMSTRONG, C. WILLIAMS, COSTA, TOMLINSON, VANCE, KASUNIC, BROWNE AND EARLL, by unanimous consent, offered **Senate Resolution No. 66**, entitled:

A Resolution recognizing the month of April 2007 as "Autism Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STACK. Madam President, I seek support for this resolution designating the month of April as "Autism Awareness Month" in Pennsylvania. Autism is a developmental disability that often interferes with the person's ability to communicate with and relate to others. Symptoms can be mild or severe. The symptoms usually appear during the first two or three years of life, and are four times more prevalent in boys than in girls.

While the cause of this developmental disability is still unclear, some blame the vaccine preservative Thimerosal. Researchers are also looking at genetic causes. Although autism is still a mystery,

the statistics are striking as the number of people who are diagnosed with autism grows. The number of people across the U.S. diagnosed with autism over the past 15 years has risen by a staggering 2,000 percent. One in every 150 children nationwide has some form of autism, according to the latest research from the Centers for Disease Control and Prevention. That research relied only on data from public schools, so the statistics may be even higher if we include private schools and homeschooled children. In Pennsylvania alone, 1 in 190 children have some form of autism, and 75,000 people across the State have some form of autism.

Pennsylvania is responding to this growing issue. The Department of Public Welfare has created a Bureau of Autism Services to provide expertise and support for all State agencies that serve Pennsylvanians with autism. Also, autism advocacy groups have done their part to promote awareness and understanding of autism. The Philadelphia Phillies are doing their part to raise awareness of this disorder as well. On Saturday, April 28, I am participating in an Autism Awareness Night with the Phillies and two local autism groups. A portion of the ticket proceeds will go to local autism support groups. If you enjoy baseball, or want to enjoy a night with family and friends, I encourage you to join me for Autism Awareness Night at Citizens Bank Park.

In addition to Autism Awareness Night at the Philadelphia Phillies, the Senate can do their part to spur autism awareness, research, and education, by designating April as Autism Awareness Month. Researchers have found that if children with autism get treatment by age 3, their impairments can be lessened. By raising awareness, we can improve the quality of life for people who live with autism and for future generations. For all these reasons, Madam President, I ask my colleagues for the unanimous support of this resolution.

Thank you, Madam President.

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

Senator WONDERLING. Madam President, I commend my colleague Senator Stack for offering this resolution today. When I first arrived here in 2003, Senator Stack's kind invitation to become a member of the autism caucus was when I first learned about something that, in many respects, is still a mystery in terms of the cause, the environment, the genetics, something that, as Senator Stack has indicated, is on the rise. I would also like to commend the administration, and particularly Secretary Richman, who convened stakeholders over a 3-year period to develop the strategic plan that Senator Stack mentioned in his remarks. Indeed, it is my honor and pleasure to join him, along with my colleagues, in support of this resolution.

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Madam President, autism is a problem that cuts across every community within the Commonwealth, and no matter what the income level, no matter what the ethnic composition, every community suffers from the consequences of autism, and we need to create greater awareness as the first step in ultimately trying to solve this problem, as the first step in helping every child reach their fullest potential. I, like Senator Stack and Senator Wonderling, want to thank the administration

and Secretary Richman for the initial efforts in this regard, and I look forward to continuing progress so that every Pennsylvanian has an opportunity to reach their highest potential.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

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 David Hernandez by Senator Armstrong.

Congratulations of the Senate were extended to Nathan W. Jacobs by Senator Baker.

Congratulations of the Senate were extended to Byron Henry Kress Muhlenberg and to the Childhood Education Coalition of Chester County by Senator Dinniman.

Congratulations of the Senate were extended to Brenda L. Eaton-Shadie by Senators Dinniman and Gordner.

Congratulations of the Senate were extended to Amanda Moser and to Margaret LaBuz by Senator Gordner.

Congratulations of the Senate were extended to Stanley Norris by Senator Kasunic.

Congratulations of the Senate were extended to Christopher Rose, Zackery M. Hawthorne, Stuart A. Herrmann and to Michael J. Wiesemann by Senator Logan.

Congratulations of the Senate were extended to Amanda Blum, Megan Kopec, Kate Yannuzzi, Kelly Rose, Amanda Jamieson, Janelle Lawson and to Caitlin Thompson by Senator Musto.

Congratulations of the Senate were extended to Nick Nelson and to the Cranberry Township Parks and Recreation Department by Senator Orie.

Congratulations of the Senate were extended to the Spring-Ford Youth Athletic League Nine-Year-Old Baseball Team and to the Spring-Ford Youth Athletic League Eight-Year-Old Baseball Team by Senator Rafferty.

Congratulations of the Senate were extended to Karen A. Kenderdine by Senator Rhoades.

Congratulations of the Senate were extended to Gloria Lynne and to Bob Perkins by Senator Washington.

Congratulations of the Senate were extended to James Felty Masengill by Senator D. White.

Congratulations of the Senate were extended to Bess W. Ball by Senators A.H. Williams and Hughes.

Congratulations of the Senate were extended to Seidel's Shoes of Easton by Senator Wonderling.

PETITIONS AND REMONSTRANCES

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

Senator FUMO. Madam President, last week marked the 4-year anniversary of our invasion of Iraq. It is now well documented that a large majority of Americans have decided that this war is a

mistake. They recognize that the Bush administration has managed it poorly, and they know that our foreign intelligence experts almost unanimously believe it has made us less safe against terrorism because it has created a new training ground for al-Qaeda, and has fostered hatred for America in the Arab world, even among some nations with whom we once enjoyed substantial goodwill in the wake of the 9/11 attacks.

Americans are also filled with remorse and disgust over the now 3,241 United States soldiers who have been sacrificed, and the 23,417 who have been wounded in this sad misadventure. All that is well known here in this country, and it is reflected in the opinion polls that lean so strongly against this war. So, in marking the 4-year anniversary of the war this month, I would like us to spend a few moments today thinking about another group of people for whom this war has been costly, often in a horrifying way. Our invasion has rained misery down on a population that we are supposedly trying to help, the average Iraqi citizenry.

Four years after the invasion, USA TODAY, ABC News, the British Broadcasting Corporation, and ARD, a German TV network, surveyed 2,212 Iraqis. The findings were reported in several news articles, and I want to present some of them for the record on this floor today, because they paint a sobering picture of what we have done to their country. Six in 10 Iraqis say their lives are going badly, and only one-third expect things to improve in the next year. Of the 429 Baghdad residents surveyed, no one felt safe in his or her neighborhood. Everyone interviewed in the capital said he or she often avoided going outside because of the violence.

Across the country, Iraqis say the basics of day-to-day living have deteriorated. On each of 13 aspects of life, from security to the availability of cooking fuel and medical care, a majority rated the conditions as bad.

In the poll, most Iraqis say they have altered their daily routines to accommodate the realities of violence. More than two-thirds are careful about what they say about themselves to other people, 55 percent try to avoid passing public buildings, often the targets of suicide bombers, and 54 percent stay away from markets and crowded areas. Four years of upheaval have taken their toll on Iraqis' mental health. Three in four say they have feelings of anger or depression, trouble sleeping, and difficulty concentrating at work. Four in 10 report kidnappings for ransom in their neighborhoods. Three in 10 have had car bombs explode or sniper crossfire erupt close to home. More than one in six Iraqis say someone in their household has been physically harmed by violence, and nearly half have a close friend or immediate family member who has been injured. Seven of 10 Sunnis predict that their children's lives will be worse. Some Iraqis regret having borne children to be brought up amid such hardship. Three in 10 said they would move to another country if they could, and half are already making plans to do so.

Although Iraqis, by 43 percent to 36 percent, said that life was better than before the invasion, it is noteworthy that less than half of the population believes it, hardly an endorsement of the way we have managed the war. It is also noteworthy that the number is slipping, 51 percent believed it in November of 2005.

One of the most troubling findings for America, the pollsters note, is that the United States gets most of the blame from the

Iraqis for the unrest in their country. Among both Sunnis and Shiites, the number of Iraqis who call it acceptable to attack U.S. or coalition forces has soared from 17 percent in 2004 to 51 percent now.

Another poll of more than 5,000 Iraqis by the British market research firm Opinion Research Business revealed similar concerns among Iraqis for their personal security. While that survey showed some faith in the future, with the support of the government of Nouri al Malik increasingly significantly from last September, the ORB poll also shows that a majority of Iraqis believe the security situation in Iraq will get better when the multi-national forces leave. So, even among the people who live there, who believe in their new government, they trust that things will improve only when we remove our troops from that country and bring them home. We should listen to their message.

Now I would ask you to honor the memory of two more Pennsylvanians who were killed late last year in Iraq. Chief Warrant Officer John R. Priestner, 42, of Pike Township, Bradford County, died November 6 in Ballad, Iraq, of injuries suffered when his AH-64 Apache helicopter crashed. Chief Priestner was assigned to the 1st Attack Reconnaissance Battalion, 82nd Combat Aviation Brigade, 82nd Airborne Division.

Private First Class Ross A. McGinnis, 19, of Knox, died December 4 of injuries suffered when a grenade was thrown into his vehicle in Baghdad. Private First Class McGinnis was assigned to the 1st Battalion, 26th Infantry Regiment, 2nd Brigade Combat Team, 1st Infantry Division.

Thank you, Madam President.

The PRESIDENT. Would our Members and staff please stand for a moment of tribute to Chief Warrant Officer John R. Priestner from Bradford County and Private First Class Ross A. McGinnis from Knox.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Chief Warrant Officer JOHN R. PRIESTNER and Private First Class ROSS A. MCGINNIS.)

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 27, 2007

9:30 A.M.	AGING AND YOUTH (public hearing on the Department of Aging's plan to centralize the assessment of individuals needing Long Term Living Services)	Senate Maj. Caucus Rm.
9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider reappointment of Kathleen A. McGinty as Secretary of Environmental Protection)	Room 8E-B East Wing
9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Resolution No. 45)	Room 8E-A East Wing
10:00 A.M.	BANKING AND INSURANCE (public hearing on Senate Bill No. 335, legislation requiring all tax anticipation refund loans	Room 461 Main Capitol

and check providers operating in PA to be licensed by the Secretary of Banking)

10:00 A.M.	LOCAL GOVERNMENT (to consider Senate Resolution No. 21; and an informational meeting on the Center for Local Government Services)	Room 8E-A East Wing
10:00 A.M.	TRANSPORTATION (Oil Company Profits Tax Hearing)	Hrg. Rm 1 North Off.
11:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (Public Hearing on Senate Bill No. 455)	Room 461 Main Capitol
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 121, 183, 432, 433, 434, 436, 623, 625 and Senate Resolution No. 42)	Room 8E-B East Wing
12:45 P.M.	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Com. Conf. Rm.

WEDNESDAY, MARCH 28, 2007

9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing regarding the Education Technology Program, e-fund, and the Broadband Outreach and Aggregation Program established through Act 183 of 2004)	Room 8E-B East Wing
9:00 A.M.	STATE GOVERNMENT (public hearing on Senate Bill No. 44; and to consider Senate Bills No. 44 and 233; and Senate Resolution No. 41)	Senate Maj. Caucus Rm.
9:00 A.M.	EDUCATION (public hearing on No Child Left Behind reauthorization)	Hrg. Rm. 1 North Off.
10:00 A.M.	LAW AND JUSTICE (to consider Senate Bills No. 318 and 650)	Room 8E-A East Wing

TUESDAY, APRIL 17, 2007

10:00 A.M. - 12:00 Noon	PUBLIC HEALTH AND WELFARE (public hearing on the implementation of the expansion of CHIP)	Senate Maj. Caucus Rm.
11:00 A.M.	LABOR AND INDUSTRY (to consider the nomination of Stephen M. Schmerin as Secretary of Labor and Industry)	Room 461 Main Capitol

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 Tuesday, March 27, 2007, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:21 p.m., Eastern Daylight Saving Time.