

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, APRIL 24, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 28

SENATE

TUESDAY, April 24, 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 JOEL A. BENSON, of Trinity Evangelical Lutheran Church, Gibsonia, offered the following prayer:

Almighty God, we lift before You and give You thanks for the Senators, and all who govern and work for the State of Pennsylvania. May they understand their power is a trust from You to be used not for personal glory or profit, but to serve the people of this great State. Guide the diversity of this group that all that is said and done may be done to build up. May they have the wisdom to pass legislation that justly guides our citizens in government and frees us all to serve each other as equals. Give to these leaders grace to know Your purpose in all things and the courage to act.

We ask Your continual blessing upon this Senate that all they do begins, continues, and ends in You, the source of all things good. We ask this in the name of Your Son. Amen.

The Chair thanks Reverend Benson, who is the guest today of Senator Orie.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

RECALL COMMUNICATION REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications 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 BOARD OF TRUSTEES OF WHITE HAVEN STATE HOSPITAL

April 24, 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 John R. Gallagher, 1213 Burton 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 2011, 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

CORRECTION TO NOMINATION 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 AUCTIONEER EXAMINERS

April 23, 2007

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

Please note the nomination dated April 19, 2007, for the appointment of Blaine N. Rentzel, Box 222, Emigsville 17318, York County, Thirteenth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kenyon Brown, Lahaska, whose term expired, should be corrected to read:

Blaine N. Rentzel, Box 222, Emigsville 17318, York County, Twenty-eighth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kenyon Brown, Lahaska, whose term expired.

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:

April 24, 2007

Senator ARMSTRONG presented to the Chair **SB 791**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2007, to June 30, 2008, and for the

payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 792**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 793**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 794**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 795**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 796**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 797**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senator ARMSTRONG presented to the Chair **SB 798**, entitled:

An Act providing for the capital budget for the fiscal year 2007-2008.

Which was committed to the Committee on APPROPRIATIONS, April 24, 2007.

Senators M. WHITE, GORDNER, FERLO, COSTA, SCARNATI, ROBBINS, ORIE, STOUT, RAFFERTY, WASHINGTON, KASUNIC and REGOLA presented to the Chair **SB 799**, entitled:

An Act amending the act of June 30, 1987 (P.L.163, No.16), known as the Rural Pennsylvania Revitalization Act, further providing for board of directors and for grants.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 24, 2007.

RESOLUTION INTRODUCED AND REFERRED

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

April 24, 2007

Senators BRUBAKER, ERICKSON, FONTANA, ARMSTRONG, MUSTO, TARTAGLIONE, O'PAKE, KASUNIC, RAFFERTY, FOLMER, WOZNAK, ROBBINS, LAVALLE, COSTA, PUNT, GREENLEAF, PILEGGI, BROWNE, FERLO, EARLL, TOMLINSON, WASHINGTON, McILHINNEY and PIPPY presented to the Chair **SR 92**, entitled:

A Resolution designating the week of May 20, 2007, as "MRSA Awareness Week."

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, April 24, 2007.

BILLS REPORTED FROM COMMITTEES

Senator McILHINNEY, from the Committee on Game and Fisheries, reported the following bill:

SB 580 (Pr. No. 625)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, permitting use of dogs in hunting for wild turkeys.

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

SB 726 (Pr. No. 882) (Amended)

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, further providing for definitions and for waiver of lien by claimant.

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

SB 34 (Pr. No. 893) (Amended)

An Act protecting the right of a mother to nurse her child in public; prohibiting a unit of local government from adopting an ordinance prohibiting breastfeeding in public; and providing that breastfeeding may not be considered a nuisance, indecent exposure, sexual conduct or obscenity.

SB 331 (Pr. No. 366)

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

SB 450 (Pr. No. 497)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal homicide; and providing for criminal homicide of a law enforcement officer and for violence against a law enforcement officer.

SB 699 (Pr. No. 745)

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.

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

SB 318 (Pr. No. 760) (Rereported)

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 Pennsylvania State Police; and making a repeal.

SB 650 (Pr. No. 680) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for special occasion permits.

LEGISLATIVE LEAVE

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

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

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

SENATE CONCURRENT RESOLUTION**WEEKLY RECESS**

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

In the Senate April 24, 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, April 30, 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, April 30, 2007, unless sooner recalled by the Speaker of the House of Representatives.

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

CALENDAR**SB 83 CALLED UP OUT OF ORDER**

SB 83 (Pr. No. 850) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 83 (Pr. No. 850) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating State Route 132 in Bucks County as the Armed Forces and Veterans Memorial Highway.

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-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 constitutional majority of 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.

**SPECIAL ORDER OF BUSINESS
PRESENTATION TO SENATOR
VINCENT J. FUMO**

The PRESIDENT. I now ask Sergeant John Farrell to come to the podium at the front. It is my honor to introduce Sergeant John Farrell, 25 years old, from New Hope, Pennsylvania. He is a 6 1/2 year veteran of the Marine Corps Reserve. He was in Iraq from September 20, 2006, until April 16, 2007, with Battery I, Third Battalion, 14th Marines, and he was stationed at the Marine Air base in Al Asad.

Sergeant Farrell will now make a presentation to Senator Fumo.

Sergeant FARRELL. Ladies and gentlemen, thank you very much for your time. I would just like to say that it is wonderful to be back in the good old United States and the great State of Pennsylvania, and to see everybody's smiling faces.

While I was away, Senator Fumo actually sent me a flag that I hung up in my room for the entire time I was in Iraq. It bore the red and white 13 stripes with a snake that said, "Don't Tread on Me," a good Revolutionary War era flag. As a return gift to him for his kind support, his constant e-mails and letters that I received on a very regular basis, my unit and I flew this American Flag over our mobile combat operations center at Al Asad in Iraq on the 16th of January, 2007, so I would just like to say thank you, and present this to Senator Fumo.

(Applause.)

Senator FUMO. Thank you very much, John. And my colleagues in the Senate, as you know, every week I make a speech and talk about two of our Pennsylvanians who have lost their lives in Iraq, and many of them were Marines. I am so overjoyed to have one of our sons come home to Pennsylvania safe. He served his country well and he is back home, and I could not be happier and more proud of him. We are all proud of him, and the Members of the Senate who have met him so far have done one thing, they have all said thank you. I think we all say thank you collectively for your service.

The PRESIDENT. Let us give a round of applause to Sergeant John Farrell.

(Applause.)

Senator FUMO. He stands and sits so straight, he embarrasses all of us.

The PRESIDENT. Welcome back, Sergeant.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR JANE C. ORIE
PRESENTED TO THE SENATE**

The PRESIDENT. For the purpose of introducing guests, the Chair recognizes Senator Orie.

Senator ORIE. Madam President, I just want to take this opportunity to indicate that Leadership Pittsburgh was here today, a group out of Pittsburgh, and the point of it is they are from all sectors - business, private, public - out in Pittsburgh, and they had the opportunity to visit with the Senate leadership. I thank the Senate leadership for taking time to meet with them, and I know Senator Pippy is a board member. I just wanted to say to those 30 members of Leadership Pittsburgh, thank you for

coming down to the Capitol, and I ask the Senate to join me in welcoming them.

The PRESIDENT. Will Leadership Pittsburgh please rise so we can welcome you.

(Applause.)

**GUESTS OF SENATOR PATRICIA H. VANCE
PRESENTED TO THE SENATE**

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

Senator VANCE. Madam President, the Girl Scouts in Pennsylvania are conducting a program called Capital Days for girls in the 9th through 12th grades. These young ladies will have the opportunity to gain a working knowledge of the legislative process and learn about careers in government.

I am happy to have with me today Hannah Onstott from Camp Hill, who is in 10th grade at Cedar Cliff High School in New Cumberland, and Katherine Christ from New Cumberland, who is in 11th grade at Cedar Cliff High School. Both girls are members of Troop 689 in the Hemlock Council, and I ask that they be welcomed to the Senate.

The PRESIDENT. Will our Cedar Cliff High School students please rise.

(Applause.)

**GUEST OF SENATOR GERALD J. LaVALLE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator LaValle.

Senator LaVALLE. Madam President, I have a young lady here today, Melia Barnes, who is representing the Girl Scouts of Beaver and Lawrence Counties. She is serving as a guest Page today, and I ask that the Senate give her its usual warm welcome.

The PRESIDENT. Will Melia please rise so we can give you a warm welcome.

(Applause.)

**GUESTS OF SENATOR DONALD C. WHITE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator Don White.

Senator D. WHITE. Madam President, I am pleased to introduce today a young constituent from my district, Stephanie Russick.

Stephanie is here today shadowing me and my staff as part of Girl Scout Capital Days 2007. She is the daughter of Denise and Joseph Russick of Ford City, and she has received several awards for community service, such as the 2006 Armstrong County Youth Conservationist, the 2005 Girl Scout USA Bronze Award, and as a member of the St. Mary's Ukrainian Church, she serves as an acolyte and assists in teaching CCD classes in preparation for First Holy Communion. I ask the Senate to extend its usual warm welcome to this wonderful young constituent.

The PRESIDENT. Will Stephanie Russick please rise so we can give you a nice warm welcome.

(Applause.)

GUESTS OF SENATOR JOHN N. WOZNIAK PRESENTED TO THE SENATE

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

Senator WOZNIAK. Every year it is a rite of passage and always spring time when the cheerleaders come to Harrisburg. Today we have Richland High School. They took first place in the Large Varsity Division and were named the Outstanding Class Three Squad of the 2006 Pennsylvania State Cheerleading Championship, which was held in my hometown of Johnstown, Pennsylvania. Their head coach is Tonya Naglic, and assistant coach is Tammy Boyd. We have the 2006 Statewide championship right here in the balcony of the State Senate, and I would ask them to rise and all my colleagues give them a round of welcome.

Thank you, Madam President.

The PRESIDENT. Would the Richland High School cheerleaders please rise so we can give you a warm welcome.

(Applause.)

GUESTS OF SENATOR CONNIE WILLIAMS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Delaware, Senator Connie Williams.

Senator C. WILLIAMS. Madam President, I have the honor today to introduce to you some gentlemen from Montgomery County. They are actually Senator Rafferty's constituents, but they have come because they won a day in Harrisburg to support Habitat for Humanity. These gentlemen, Kevin Schulz of Ambler is the financial director of Habitat for Humanity, Matthew Gordon is on the board and from Skippack, and Robert Jensen, who is the former president of Montgomery County Habitat for Humanity, is from Blue Bell.

Habitat for Humanity has done some amazing work in Montgomery County, especially in Norristown, revitalizing old homes and giving a new place for people to live, as well as constructing some new habitats for them. So I am very proud that they are here today and I ask that they rise so we can all thank them and give them a welcome.

The PRESIDENT. Will Kevin Schulz, Matthew Gordon, and Robert Jensen from Habitat for Humanity in Montgomery County please rise.

(Applause.)

GUESTS OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE

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

Senator RAFFERTY. Madam President, four students from Montgomery County Community College were here at 1 o'clock, but unfortunately, we had a circumstance which required our attention outside the building, so they had to leave without having a chance to see the Senate. They are on the Pennsylvania academic team and they are representing the Montgomery County Community College. They were from both branches of Montgomery County Community College, Blue Bell and

Pottstown. All four students are residents of the 44th Senatorial District. Lesley Aronson, Jedidah Stalker, John Kemp, and Anita Reed all represented the wide range of students reflective of our community colleges. From single mothers who decide to go back and earn a college degree to rejoin the work force, to those students freshly out of high school. So, we owe them a debt of thanks and appreciation for participating in the academic team programs and for representing the Montgomery County Community College.

I also want to mention the fact that Dr. Karen Stout, the president, was here today along with Mike Bitner from Senator Wonderling's district, who is president of the community college board of trustees, and Joe Palmer from Whitpain Township, who is a member of the board of trustees from Montgomery County Community College. I want to take the opportunity to mention their names to the Senate.

And if I could, Madam President, I also thank Sergeant Farrell and point out to Senator Fumo that Sergeant Farrell is Irish and part of the reason why he looks so sharp in that uniform.

Thank you, Madam President.

Senator FUMO. Madam President, I want Senator Rafferty to know that my mother was Irish as well.

GUESTS OF SENATOR MICHAEL A. O'PAKE PRESENTED TO THE SENATE

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

Senator O'PAKE. Madam President, I am pleased to introduce a guest who is not Irish, but who just won a statewide civics contest. His name is Carl Baer, and he is an eighth grade student at Holy Guardian Angel Regional School in Reading.

Pennsylvania Cable Network sponsored a statewide contest for students all over Pennsylvania, and the theme was Create, Campaign, and Win. This young man, with the help of his eighth grade class, actually put together a statewide campaign, including television commercials. They were all very positive, and he won. We are very proud of his achievements. He is here with his proud mother, Marlene Baer, his grandmother, Margie Zettlemoyer, his eighth grade teacher, Cindy Johnson, and from the Pennsylvania Cable Network, Michelle Harter.

I would like the Senate to recognize this fine young man, who has agreed to run my statewide campaign next year.

The PRESIDENT. Would Carl Baer and all of his family and guests please rise so we can welcome all of you.

(Applause.)

Senator O'PAKE. Also in the gallery, we were visited today by some very bright and enterprising students from the Reading Area Community College, one of our finest community colleges in Pennsylvania. They are here on lobbying day and, of course, they are here to make sure that the community colleges get adequately funded. They are, I hope, still in the gallery, the students from the Reading Area Community College, along with the retiring president, Dr. Richard Kratz, who will be retiring in June after 20-some years of service at that fine institution.

The PRESIDENT. Will the Reading Area Community College and Dr. Richard Kratz, if you are still here, please rise.

(Applause.)

**GUESTS OF SENATOR ROBERT M.
TOMLINSON PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Madam President, I am pleased to introduce Brian and Bridget Donovan and their children, Brian, Jr., and Timmy from Bensalem, who are students at St. Charles Borromeo School. Along with them are Glenn, former chief of the Eddington Fire Company, and Kathy Hackbart, with their children Matthew and Christopher. These students are here today to observe the workings of the Senate and government in Pennsylvania, and have shown a great interest. We had a wonderful session in my office. They were very inquisitive and asked a lot of questions about how we run the government here in Pennsylvania. I would like the Senate to give these very, very fine students from St. Charles and their parents a warm welcome.

The PRESIDENT. Would the parents and students please rise.
(Applause.)

**GUEST OF SENATOR ROBERT D. ROBBINS
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Madam President, today I have the pleasure of introducing Gretchen Bence, who is shadowing me today. She is a member of Troop 348 of the Penn Lakes Girl Scout Council, and is visiting the Capitol this week to attend the Girl Scout Capital Days, a 3-day event for cadette and senior Girl Scouts, sponsored by the Pennsylvania Girl Scout Legislative Network.

Gretchen is the daughter of Richard and Helena Bence of Sandy Lake, Mercer County. She is currently an eighth grader, attending Lakeview Middle School, where she is a member of the girls' volleyball team and a member of the Lakeview Knot Hole Fast-Pitch Softball League.

Madam President and fellow Members, please join me in welcoming my special guest to the Senate of Pennsylvania.

The PRESIDENT. Would Gretchen Bence please rise.
(Applause.)

**GUEST OF SENATOR JOHN R. GORDNER
PRESENTED TO THE SENATE**

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

Senator GORDNER. Madam President, it is my privilege to introduce a constituent who is here with the Hemlock Council as part of the Pennsylvania Capital Days program. Her name is Kenetha Renee Markle of Milton, in 10th grade. When she stands, I am very impressed with the number of badges, patches, and pins that she has on her sash, and she is currently working on getting her Gold Award. I would ask the Senate to recognize and honor her for being here today.

The PRESIDENT. Would the guest of Senator Gordner please rise so we may welcome you.
(Applause.)

**GUEST OF SENATOR JANE M.
EARLL PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Erie, Senator Earll.

Senator EARLL. Madam President, I, too, have the pleasure of having a Girl Scout shadow me. Jenna Bekeny is from Erie County and is an eighth grader at Our Lady's Christian School. Jenna is an impressive young woman, involved in many activities. Not only is she a good student, but she plays the violin, dances, and is a tennis player. She is a perfect example of what gives all of us a great deal of confidence in our young people. I would appreciate it if the Senate would give her its usual warm welcome as well.

The PRESIDENT. Would Jenna Bekeny and the Girl Scouts from Erie please rise.
(Applause.)

**GUESTS OF SENATOR JAKE
CORMAN PRESENTED TO THE SENATE**

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

Senator CORMAN. Madam President, today I have the honor of introducing guests from State College High School. They are here not just touring the Capitol, but on a mission. They are lobbying myself and other Members from Centre County about our investments and divesting those investments from the country of Darfur, with all the atrocities that are going on there.

Madam President, when I was a senior in high school, I was not sure where New Jersey was, let alone Darfur. It is a very impressive class, they articulated a good message, and I just want to introduce them at this time.

The PRESIDENT. Thank you. I was really impressed with that. Will our students from State College High School please rise.

(Applause.)

**GUESTS OF SENATOR VINCENT J.
FUMO PRESENTED TO THE SENATE**

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

Senator FUMO. Madam President, seated in the gallery are students, teachers, and parents from Our Lady of Mount Carmel School in my district. Our Lady of Mount Carmel Church is very close to my heart because I was baptized there many, many years ago. It was my mother's parish, and my Irish mother and my Italian father were married there. I would like the students, their teachers, and families to stand up and be welcomed.

The PRESIDENT. Will all our students from Our Lady of Mount Carmel please rise.
(Applause.)

**GUEST OF SENATOR ROBERT T.
REGOLA PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland, Senator Regola.

Senator REGOLA. Madam President, I rise today to introduce Sara Blahovec, who is on the hill today with the Girl Scouts. She is from Hempfield Township, and a very bright young lady in cyber school. Her goal is to be a professional violinist.

The PRESIDENT. Sara Blahovec, will you please rise.

(Applause.)

The PRESIDENT. I hope I have covered all of you. Welcome to the State Senate.

RECESS

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

Senator PILEGGI. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations, to be followed by a Republican Caucus meeting, which will last no more than half an hour.

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

Senator O'PAKE. Madam President, after the meeting of the Committee on Rules and Executive Nominations, I ask all Democrats to come to our caucus room for a brief caucus on today's Calendar.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, followed by 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.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 72 (Pr. No. 426) – The Senate proceeded to consideration of the bill, entitled:

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.

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-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.

HB 195 (Pr. No. 807) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying SR 441 over the Swatara Creek in the Borough of Royalton, Dauphin County, as the Sgt. Major Clarence Edward Mathias Bridge.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 262 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 294 (Pr. No. 336) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Interboro Bridge on State Route 2012, Monroe County, as the Veterans Memorial Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

SB 365 and **SB 623** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 760 (Pr. No. 837) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

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

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 73 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 354 (Pr. No. 158) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Environmental Quality Board.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 537 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 635 (Pr. No. 597) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for officers to be elected and for filling vacancies in elective borough offices; and making repeals.

Considered the second time and agreed to,

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

SB 636 (Pr. No. 598) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for definitions, for powers and duties of the board, for preparation of assessment roll, for abstracts of building permits and information on improvements to be furnished board, for valuation of mobilehomes or house trailers, for report to assessors of mobilehomes or house trailers and for assessment where township line passes through mansion house; and making repeals.

Considered the second time and agreed to,

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

SB 709 (Pr. No. 860) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for elected officers enumerated, for vacancies in general, for the corporate power of first class townships being vested in the board of township commissioners, for elected officers in townships of the first class and for additions and revisions to duplicates; and making related repeals.

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 AUCTIONEER EXAMINERS

April 19, 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 April 13, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert J. Reimold, Transfer, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF AUCTIONEER EXAMINERS

April 19, 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 April 13, 2007, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District as a member of the State Board of Auctioneer Examiners, 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 Kenyon Brown, Lahaska, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF NORRISTOWN STATE HOSPITAL

April 17, 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 April 12, 2007, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Mark Ostrander, Norristown, resigned.

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 NORRISTOWN STATE HOSPITAL

April 17, 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 April 12, 2007, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Mark H. Dambly, Media, resigned.

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 WARREN STATE HOSPITAL

April 19, 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 18, 2007, for the appointment of Kathy Glarner, 167 Follett Run Road, North Warren 16365, Warren County, Twenty-first Senatorial District, as a member of the Board of Trustees of Warren State Hospital, 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
WARREN STATE HOSPITAL

April 19, 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 18, 2007, for the appointment of Mary Kushner, P.O. Box 255, Pittsfield 16340, Warren County, Twenty-first Senatorial District, as a member of the Board of Trustees of Warren State Hospital, 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

April 24, 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 John R. Gallagher, 1213 Burton 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 2011, 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 COUNCIL OF TRUSTEES OF
BLOOMSBURG 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, Charles C. Housenick, 503 Market Street, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Bloomsburg 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 PENNSYLVANIA
FISH AND BOAT COMMISSION

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, Robert A. Bachman, (District 6), 675 Blue Lake Road, Denver 17517, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Howard E. Pflugfelder, New Cumberland, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

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, Steven M. Ketterer, (At Large), 2627 Duke Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul J. Mahon, Clarks Summit, whose term expired.

EDWARD G. RENDELL
Governor

SECRETARY OF GENERAL SERVICES

January 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, The Honorable James P. Creedon, 1455 Manor Drive, Bethlehem 18015, Northampton County, Eighteenth Senatorial District, for reappointment as Secretary of General Services, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

January 18, 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 Zimmerman, 2055 Mahantongo Street, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

SECRETARY OF LABOR AND INDUSTRY

January 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, The Honorable Stephen M. Schmerin, 10490 Olde Villa Drive, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, for reappointment as Secretary of Labor and Industry, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

SECRETARY OF PUBLIC WELFARE

January 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, The Honorable Estelle B. Richman, 713 Davidson Road, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, for reappointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

March 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, Laura L. Hinds, MSW, LSW, 2329 Christian Street, Philadelphia 19146, Philadelphia County, Eighth Senatorial District, for appointment 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, vice Domingo Quintero-Martinez, Carlisle, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
EXAMINERS IN SPEECH-LANGUAGE AND HEARING

March 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, Janis M. Williams (Public Member), 202 East Jefferson Street, Pittsburgh 15212, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, 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 F. Irene Graybill, Duncannon, whose term expired.

EDWARD G. RENDELL
Governor

SECRETARY OF TRANSPORTATION

January 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, The Honorable Allen D. Biehler, P.E., 101 South Grandview Drive, Pittsburgh 15205, Allegheny County, Forty-second Senatorial District, for reappointment as Secretary of Transportation, to serve until the third Tuesday of January 2011, and until his 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.

EXECUTIVE NOMINATIONS**EXECUTIVE SESSION**

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATION TAKEN FROM THE TABLE

Senator ROBBINS. Madam President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

SECRETARY OF LABOR AND INDUSTRY

January 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, The Honorable Stephen M. Schmerin, 10490 Olde Villa Drive, Gibsonsia 15044, Allegheny County, Fortieth Senatorial District, for reappointment as Secretary of Labor and Industry, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

On the question,
Will the Senate advise and consent to the nomination?

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

YEA-47

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

NAY-3

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

Ordered, That the Governor be informed accordingly.

NOMINATIONS TAKEN FROM THE TABLE

Senator ROBBINS. Madam President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE COUNCIL OF TRUSTEES OF BLOOMSBURG 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, Charles C. Housenick, 503 Market Street, Bloomsburg 17815, Columbia County, Twenty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Bloomsburg 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 PENNSYLVANIA FISH AND BOAT COMMISSION

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, Robert A. Bachman, (District 6), 675 Blue Lake Road, Denver 17517, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Howard E. Pflugfelder, New Cumberland, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA FISH AND BOAT COMMISSION

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, Steven M. Ketterer, (At Large), 2627 Duke Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul J. Mahon, Clarks Summit, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

January 18, 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 Zimmerman, 2055 Mahantongo Street, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

SECRETARY OF PUBLIC WELFARE

January 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, The Honorable Estelle B. Richman, 713 Davidson Road, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, for reappointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
EXAMINERS IN SPEECH-LANGUAGE AND HEARING

March 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, Janis M. Williams (Public Member), 202 East Jefferson Street, Pittsburgh 15212, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language and Hearing, 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 F. Irene Graybill, Duncannon, whose term expired.

EDWARD G. RENDELL
Governor

On the question,
Will the Senate advise and consent to the nominations?

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

Senator BRUBAKER. Madam President, I rise to support Robert A. Bachman as a Fish and Boat Commissioner. He has a long and distinguished career in public and private sector. He served on the Delaware River Basin Commission, Pennsylvania Council of Trout Unlimited, Cocalico Creek Watershed

Association, Friends of the Upper Delaware, Pennsylvania Governor's Council on Hunting Fishing and Conservation, Northeast Association of Fish and Wildlife Agencies, Southeast Association of Fish and Wildlife Agencies, and International Association of Fish and Wildlife Agencies. He has a long career in private practice, as well as employed by the Maryland Department of Natural Resources.

And the question recurring,
Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator ROBBINS 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 Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Madam President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE

Senator PICCOLA, from the Committee on State Government, reported the following bills:

SB 467 (Pr. No. 512)

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for a penalty.

SB 729 (Pr. No. 797)

An Act requiring the posting of certain State salary information on the Internet.

HB 85 (Pr. No. 109)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Lackawanna Transit System Authority (COLTS), certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain

tract of land from COLTS situate in the City of Scranton, Lackawanna County.

SENATE RESOLUTIONS ADOPTED

Senators A.H. WILLIAMS, FERLO, MUSTO, BOSCOLA, ORIE, KASUNIC, M. WHITE, TARTAGLIONE, BRUBAKER, PIPPY, O'PAKE, LOGAN, FONTANA, STOUT, MELLOW, McILHINNEY, WAUGH, C. WILLIAMS, RAFFERTY, TOMLINSON, ROBBINS, PILEGGI, WASHINGTON, GREENLEAF, WONDERLING, COSTA, LAVALLE and FUMO, by unanimous consent, offered **Senate Resolution No. 97**, entitled:

A Resolution designating April 25, 2007, as "Arts in Education Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator A.H. WILLIAMS. Madam President, the resolution speaks to the importance of arts in Pennsylvania, and I am proud to say that 29 members of this Chamber signed on to this resolution. It says a variety of things. I am not going to read it, but it does speak to the effect that the arts has had in Pennsylvania, and the effect that it has had on many of us across Pennsylvania. I would like to draw attention to those of us who know we are coming close to budget season. It speaks directly to the students of Pennsylvania and the Commonwealth and how important it is to have the arts in schools. In order for us to do that and reduce violence across Pennsylvania, create opportunities, destinations, dreams, and hopes for children in Pennsylvania, the arts has to be part of its formal education process in Pennsylvania.

I would hope that during this upcoming budget, as difficult as it may be, that we recognize we cannot afford to cut any more programs related to the cultural and arts community in Pennsylvania. That means the public schools in Pennsylvania, that means the Arts Council of Pennsylvania, that means the different programs that we support across the Commonwealth of Pennsylvania, and I would hope the 29 members who signed the resolution reflect that importance and that commitment as we approach this budgetary season. 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.

Senators COSTA, ORIE, KASUNIC, BOSCOLA, FONTANA, TARTAGLIONE, RAFFERTY, FERLO, ERICKSON, EARLL, WONDERLING, FOLMER, McILHINNEY, BROWNE, ARMSTRONG and PIPPY, by unanimous consent, offered **Senate Resolution No. 98**, entitled:

A Resolution designating the week of May 7 through May 13, 2007, as "Juror Appreciation Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator COSTA. Madam President, I rise today and ask my colleagues to join me in designating the week of May 7 through May 13 as Jury Appreciation Week.

Every year, as the Chair well knows, the legal profession, as well as the Pennsylvania Bar Association and various county bar associations, celebrate the law during the month of May. They do so with a variety of educational and outreach programs. As part of this endeavor, Madam President, we celebrate the participation of our citizens, our Commonwealth citizens who have the opportunity to serve on juries.

The jury system, as we recognize it under American jurisprudence, traces its lineage back to Henry II, who set up a system to resolve land disputes by utilizing juries. A jury of twelve free men were assigned to arbitrate these disputes, and unlike the modern jury, these men were charged with uncovering the facts and the evidence of the case on their own, rather than having to listen to arguments and the presentation of evidence in a court of law.

Madam President, the use of the jury system as we recognize it was codified for the first time in 1215 when King John signed the Magna Carte making trial by jury an implied right of the English citizenry. Many English colonies adopted the jury trial system, including Pennsylvania, which first included the right to a trial by jury in its colonial charter and later in the various constitutions adopted by this very Commonwealth.

Madam President, the right to a trial by jury was also included in the Bill of Rights adopted in 1791. Jury trials in criminal cases are a protected right in the Constitution in the Fifth, Sixth, and Seventh Amendments. And Madam President, the 14th Amendment to the Constitution insures that the right to a trial by jury applies at the State level for both criminal and civil matters, and for a grand jury for serious offenses.

The right to a trial by jury has also been described as one of the very most basic fundamental rights of a democratic society because of the fairness and equality of treatment arbitrated and attributed to a trial that is heard and decided by a group of one's peers rather than the representatives of government.

Over the last several years, the Pennsylvania Supreme Court and other groups have studied ways to enhance jury service. Various proposals have been introduced and considered that would increase juror pay, that will provide child care services for jurors, and a number of other initiatives to make it easier for people to serve on juries.

Madam President, I have been working with my colleagues here in the General Assembly and the Senate in particular, as well as members on the judiciary, such as President Judge Joseph James from Allegheny County, on ways to improve the manner in which we select juries in this Commonwealth. Specifically, Madam President, Senate Bill No. 116 was introduced and has moved out of the Senate Committee on Judiciary. That legislation is intended to expand the jury pools in our counties so that jurors are more diverse by race, age, and experience,

producing a jury that is truly representative of the community in which the trial is occurring.

However, Madam President, it is important that we today here in our Commonwealth of Pennsylvania, and in our individual counties across the Commonwealth, during the month of May recognize the service of the people who have served on juries and encourage more of our citizens to do so. Jury service is critical to our system of justice, not only to a particular trial, or a matter that a particular juror is called to hear, but to our entire system of civil and criminal justice.

To those jurors, Madam President, who have served in the past, we say thank you for serving. To those individuals who have the opportunity to do so, we hope that you take this responsibility and make yourself available to serve as a juror when called upon for this very, very important civic duty.

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 Shawn Daniel Hoffman, Michael Courtland Dreher and to the Old Allentown Preservation Association by Senator Browne.

Congratulations of the Senate were extended to Dolores Soles by Senator Corman.

Congratulations of the Senate were extended to the 2007 National Crime Victims' Rights Week Committee by Senator Costa.

Congratulations of the Senate were extended to Nicholas Pasquale Massaro by Senator Dinniman.

Congratulations of the Senate were extended to Catherine Z. Langan and to the Briarcliffe Athletic Association of Glenolden by Senator Erickson.

Congratulations of the Senate were extended to James Wilson and to Jack Tarman by Senator Greenleaf.

Congratulations of the Senate were extended to William H. Eastburn III and to Dr. Richard O. Coe by Senators McIlhinney and Wonderling.

Congratulations of the Senate were extended to Michael Anthony Zaydon and to Stella White by Senator Mellow.

Congratulations of the Senate were extended to Rabbi Brian Michelson and to the members of Reform Congregation Oheb Sholom of Wyomissing by Senators O'Pake and Folmer.

Congratulations of the Senate were extended to Jack Zierenberg by Senator Orie.

Congratulations of the Senate were extended to Mr. and Mrs. James G. Baker by Senator Piccola.

Congratulations of the Senate were extended to Alma R. Jacobs by Senators Rafferty, Wonderling, and Greenleaf.

Congratulations of the Senate were extended to Robert Danhardt by Senator Tomlinson.

Congratulations of the Senate were extended to Harold Shaffner, Scott A. Shea and to Randy W. Cassell by Senator Vance.

Congratulations of the Senate were extended to Anna Dippolito and to Mary Marinari by Senator C. Williams.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Walter L. Baker by Senator Orie.

BILLS ON FIRST CONSIDERATION

Senator VANCE. 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 34, SB 331, SB 450, SB 467, SB 580, SB 699, SB 726, SB 729 and HB 85.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, APRIL 25, 2007

9:30 A.M.	FINANCE (to consider Senate Bills No. 90, 491, 492, 493, 763 and 777	Room 461 Main Capitol
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9:30 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 8, 167, 352, 638 and 704; Senate Resolutions No. 31 and 92; and any other business that may come before the Committee)	Room 8E-B East Wing
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Com. Conf. Rm.
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THURSDAY, APRIL 26, 2007

10:30 A.M.	SENATE MAJORITY POLICY COMMITTEE (public hearing on the Taxpayer Protection Act)	Lynch Aud. Seton Hill University Greensburg, PA
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FRIDAY, APRIL 27, 2007

10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (listening session to gather input from Commonwealth citizens who are directly and indirectly affected by the actions taken by this Committee)	Berks County Agricultural Center
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MONDAY, APRIL 30, 2007

9:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing for the purpose of DCED budget review with Secretary Yablonsky) CANCELLED	Hrg. Rm. 1 North Off.
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TUESDAY, MAY 1, 2007

9:30 A.M.	VETERANS AFFAIRS AND EMER- GENCY PREPAREDNESS (to con- sider the promotion of Brig. Gen. Herbert H. Hurst, Jr., as Major General of the PA Air National Guard as well as other related business of the Committee)	Room 8E-A East Wing
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TUESDAY, MAY 8, 2007

9:00 A.M.	STATE GOVERNMENT (to consider Senate Bills No. 69, 137, 248 and 468)	Room 8E-A East Wing
10:00 A.M.	LABOR AND INDUSTRY and LOCAL GOVERNMENT (joint hearing related to the Uniform Construction Code)	Sen. Maj. Caucus Rm.
10:00 A.M. to 12:00 P.M.	PUBLIC HEALTH AND WELFARE (public hearing to consider Health Care Acquired Infections)	Hrg. Rm. 1 North Off.

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, April 25, 2007, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:25 p.m., Eastern Daylight Saving Time.