

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, MAY 2, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 32

SENATE

WEDNESDAY, May 2, 2007

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

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

PRAYER

The Chaplain, Reverend JOHNNY MILLER, of Calvary Church, Lancaster, offered the following prayer:

Thank you for praying with me.

Heavenly Father, we come to You today to pray for Your wisdom, energy, guidance, and blessings for the leaders of Pennsylvania. Thank You today for the beauty that surrounds us, that lifts our eyes to You, and we thank You for the privileged freedoms that we enjoy in this nation, even the freedom to deny You. We pray that You will teach us to treasure that freedom, without making it a God.

We pray today for the umbrella of Your protection. We pray that You would save us from the insanity of a godless world. Protect our children and our families from the violence of drugs and pornography, of anger, hatred, and selfishness. We pray that the terrorism of selfism would be uprooted from our hearts. We pray for Your protection for our service men and women, and also for the people of Iraq, and we beg You to bring peace to that battered land and to the nations of our globe.

We ask for wisdom, compassion, and integrity for our President, for our Governor, for all of our leaders, and especially for the Members of the Pennsylvania Senate. Help them to be loving husbands and wives to their spouses, wise parents to their children, careful of their priorities, and healthy under the stresses that they endure daily.

We pray that as we set aside tomorrow for a national day of prayer, that You would find Your people humble and sincere before You. We ask this for Your glory. Amen.

The PRESIDENT. The Chair thanks Reverend Johnny Miller and his lovely wife, who are the guests today of Senator Armstrong.

PLEDGE OF ALLEGIANCE

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

GENERAL COMMUNICATION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

ANNUAL REPORT OF THE FARMLAND PRESERVATION PROGRAM

COMMONWEALTH OF PENNSYLVANIA

Department of Agriculture
2301 North Cameron St.
Harrisburg, PA 17110-9408

May 1, 2007

Russell W. Faber
Chief Clerk
Senate of Pennsylvania
Room 89 East Wing
Capitol Building
Harrisburg, Pennsylvania 17120

Dear Mr. Faber:

The Pennsylvania Department of Agriculture is pleased to submit to the General Assembly an annual report for the period April 30, 2006 through April 30, 2007, in accordance with Section 14.4 of Act 149 of 1988 (the Agricultural Area Security Law).

In the 19 years since the authorizing legislation became effective, Pennsylvania's Farmland Preservation Program has permanently preserved 349,122 acres of farmland. Act 149 provides for permanent preservation of agricultural land through the purchase of conservation easements from qualifying farmers. Easements can be purchased entirely with Commonwealth funds, with a combination of state and county funds, or solely with county matching funds. The Pennsylvania program is first in the nation in the number of acres preserved and is continuing to preserve farmland at a rate greater than any other state.

Should you have any questions about the data supplied in this report or require additional information, please contact my office.

Sincerely,

DENNIS C. WOLFF
Secretary

The PRESIDENT. This report will be filed in the Library.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Jane C. Ori as a member of the Pennsylvania Commission on Crime and Delinquency.

Mr. Walter N. Heine, P.E., as a member of the Citizens Advisory Council to the Department of Environmental Protection.

BILLS REPORTED FROM COMMITTEES

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

SB 317 (Pr. No. 352)

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for filing fees and certificates of filing.

SB 431 (Pr. No. 162)

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Commonwealth of Pennsylvania, Pennsylvania Game Commission, being conveyed by the Pennsylvania Game Commission in return for the imposition of Project 70 restrictions on certain lands being conveyed to the Commonwealth of Pennsylvania, solely for the use of the Pennsylvania Game Commission in Adams County.

SB 740 (Pr. No. 946) (Amended)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Centre County, certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price determined through competitive bidding, certain lands situate in Benner Township, Centre County.

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

HB 112 (Pr. No. 1471) (Amended)

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

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:

May 2, 2007

Senators STACK, MELLOW, TARTAGLIONE, FONTANA, O'PAKE, BOSCOLA, WASHINGTON, MUSTO, WOZNIAK, KASUNIC, LAVALLE, C. WILLIAMS, HUGHES, DINNIMAN and KITCHEN presented to the Chair **SB 12**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for quality of care and healthy lifestyles.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 2007.

Senators MUSTO, MELLOW, RAFFERTY, FONTANA, O'PAKE, WOZNIAK, LAVALLE, LOGAN, KITCHEN and STACK presented to the Chair **SB 13**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for optional health insurance coverage for certain children.

Which was committed to the Committee on BANKING AND INSURANCE, May 2, 2007.

Senators FUMO, COSTA, LOGAN, FERLO, BOSCOLA, TARTAGLIONE, WASHINGTON, FONTANA, KASUNIC, MELLOW, O'PAKE, MUSTO, HUGHES, STACK, C. WILLIAMS, STOUT, KITCHEN, LAVALLE, A. WILLIAMS, WOZNIAK, DINNIMAN, ORIE, BROWNE, RHOADES, EARLL, GREENLEAF, RAFFERTY, GORDNER, EICHELBERGER and PIPPY presented to the Chair **SB 102**, entitled:

An Act amending Title 1 (General Provisions) of the Pennsylvania Consolidated Statutes, providing for a statutory database and for legislative process.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 2, 2007.

Senators RHOADES, LOGAN, RAFFERTY, BOSCOLA, TARTAGLIONE, WOZNIAK, KASUNIC, TOMLINSON, MADIGAN, COSTA, ERICKSON, McILHINNEY, MUSTO, O'PAKE, D. WHITE, FONTANA, GREENLEAF and SCARNATI presented to the Chair **SB 766**, entitled:

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, adding a definition; and further providing for contents of the coordinator's plan.

Which was committed to the Committee on LOCAL GOVERNMENT, May 2, 2007.

Senators BROWNE, BOSCOLA, ERICKSON, FOLMER, ORIE, WOZNIAK, TOMLINSON, D. WHITE, PIPPY, RAFFERTY, VANCE, FUMO, WONDERLING, WAUGH, COSTA and REGOLA presented to the Chair **SB 784**, entitled:

An Act requiring the Department of Revenue to submit a unified economic development budget; providing for unified reporting of property tax reductions and abatements, for application for economic development subsidies, for reports, for subsidy limit and job quality standards and for recapture; establishing a private enforcement action; and providing for public record disclosure.

Which was committed to the Committee on FINANCE, May 2, 2007.

Senators DINNIMAN, COSTA, FERLO, FONTANA, LAVALLE, MELLOW, MUSTO, O'PAKE, RHOADES, STACK, STOUT, WASHINGTON and WAUGH presented to the Chair **SB 789**, entitled:

An Act providing for the sale of alternative transportation fuels containing renewable or alternative fuel content.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 2, 2007.

Senators GREENLEAF, FUMO, RAFFERTY, TARTAGLIONE, FONTANA, C. WILLIAMS and BROWNE presented to the Chair **SB 812**, entitled:

An Act providing for the regulation of commercial mobile radio service providers; further providing for the powers and duties of the Pennsylvania Public Utility Commission; and imposing penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 2, 2007.

Senators ROBBINS, ORIE, COSTA, MADIGAN, BOSCOLA, BROWNE, FONTANA, EARLL, KASUNIC, PUNT, LAVALLE, RAFFERTY, LOGAN, RHOADES, TARTAGLIONE, D. WHITE and WONDERLING presented to the Chair **SB 816**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for disclosure form.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 2, 2007.

Senators PILEGGI, O'PAKE, ERICKSON, VANCE, CORMAN, ORIE, TOMLINSON, RAFFERTY, WONDERLING, MUSTO, EARLL, WAUGH, PIPPY, LAVALLE, KASUNIC, BRUBAKER, BROWNE and D. WHITE presented to the Chair **SB 820**, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, providing for the definition of "automatic dialing-announcing device"; further defining "telephone solicitation call"; and further providing for unlawful acts and penalties.

Which was committed to the Committee on STATE GOVERNMENT, May 2, 2007.

Senators CORMAN, FOLMER, PICCOLA, WAUGH and VANCE presented to the Chair **SB 821**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further defining political parties and political bodies; and repealing provisions relating to nominations by minor political parties.

Which was committed to the Committee on STATE GOVERNMENT, May 2, 2007.

Senators CORMAN, ERICKSON, GORDNER, TOMLINSON, WAUGH, ROBBINS, BRUBAKER and D. WHITE presented to the Chair **SB 822**, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, further providing for disqualification to hold other office and for vacancy in the office of Lieutenant Governor.

Which was committed to the Committee on STATE GOVERNMENT, May 2, 2007.

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 Piccola.

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

LEAVE OF ABSENCE

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

SPECIAL ORDER OF BUSINESS JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 18, 2007, is now in print.

A quorum of the Senate being present, the Clerk will read the Journal of the Session of April 18, 2007.

The Clerk proceeded to read the Journal.

Senator PILEGGI. Madam President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-49

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	Wozniak
Erickson	McIlhinney	Scarnati	
Ferlo	Mellow	Stack	
Folmer	Musto	Stout	

NAY-0

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

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR DOMINIC PILEGGI PRESENTED TO THE SENATE

Senator PILEGGI. Madam President, it is my pleasure this morning to introduce Mr. Jack Holefelder, president of the Delaware County Chamber of Commerce, and his daughter, Diane Holefelder Johnson, who are chaperones for five special guests visiting us today from Maharashtra, India. Our guests are

Mr. Siddheshwar Nagarkar, Ms. Mohini Modak, Mr. Hemraj Rajput, Ms. Vaishali Pradhan, and Dr. Shreeya Kulkarni. They are all part of a Group Study Exchange Program of Rotary International and the Rotary Club of Chester. This exchange program is a unique cultural and vocational exchange opportunity for young business and professional men and women between the ages of 25 and 40.

For 4 to 6 weeks, team members study the host country's institutions and ways of life, observe their own vocations as practiced abroad, develop personal and professional relationships, and exchange ideas.

Mr. Nagarkar is the group study exchange team leader. He is a successful solo practice attorney in Nashik, India. During his visit, he hopes to observe court proceedings, visit area law schools and libraries, and learn more about our judicial system.

Ms. Modak also comes from India, works as a computer trainer, and hopes to visit some of our computer institutes, especially those specializing in Microsoft programs.

Mr. Rajput works as a horticultural training associate in the Farm Science Center at the Open University in India. He conducts training for farmers and youth, and manages fruit and flower production projects at the Institute.

Ms. Pradhan is an architect and interior design consultant, and is interested in visiting local museums and art galleries. She especially hopes to tour Frank Lloyd Wright's architectural masterpiece Fallingwater in Fayette County during her stay.

Lastly, Dr. Kulkarni is a surgeon and associate professor of medicine, and she would like to visit and observe hospitals and children's schools in Pennsylvania.

Mr. Holefelder, Ms. Johnson, and all five Rotarians are seated in the gallery today, and, Madam President, I ask that we extend our traditional warm welcome to these special guests.

The PRESIDENT. Will Mr. Holefelder, Ms. Johnson, and our wonderful guests from India with their illustrious backgrounds, please rise so we can welcome you.

(Applause.)

The PRESIDENT. Welcome to Pennsylvania.

GUESTS OF SENATOR JOHN C. RAFFERTY, JR., PRESENTED TO THE SENATE

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

Senator RAFFERTY. Madam President, I have the distinct pleasure to introduce some friends to the Senate of Pennsylvania today. Last year at the Saint Pius Annual Dinner Fest, Ken and Pat successfully bid on a package that included a day in Harrisburg with Senator Rafferty. Senator Stack told me he would have bid an extra dollar to have that pleasure, but Ken and Pat actually were the two who won.

It is my pleasure to have them here today in the Senate to see the architecture, to see the history of the Senate, the desks, and how the Senate operates firsthand. They are here now witnessing Session. With Ken and Pat Picardi are their sons Devin, who is a senior at Saint Pius High School, and Alec, who is a sophomore. Looking at all the architecture here in the Senate, Devin told me that he is very seriously considering a college career in studying architecture.

I would like the Senate to please extend its traditional warm welcome to Ken, Pat, Devin, and Alec Picardi.

The PRESIDENT. Will Ken, Pat, Devin, and Alec please rise. (Applause.)

The PRESIDENT. Will all of our other young students please rise and welcome to the Capitol.

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER TEMPORARILY

SB 791 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

PREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 792 (Pr. No. 884) -- The Senate proceeded to consideration of the bill, 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.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BOSCOLA. Madam President, Senate Bill No. 792 and some of the other bills to follow are not appropriations that we are dealing with today, and I know we are trying to move the process along so that we can have a budget on time, but what worries me is that some of these departments and boards are going to be operating with 5-, 6-, 7-, and 8-percent increases in their budgets, and we are trying in this Commonwealth this year to have a no-tax-increase budget, which is going to require most of our departments to live with maybe 2- or 3-percent increases in their budgets. So, why would we allow some of these other departments and boards to operate with 7-, 8-, and 9-percent increases?

What I would suggest, and I hope that the majority would consider this request, is that next year when we hold Appropriations hearings, that these boards come before the Appropriations hearings and discuss why exactly these increases are so necessary. I understand that a lot of it is employee salaries and benefits, but I think while we are trying to cut government spending and do the right thing, that these boards need to be looked at in order to see if they are running efficiently as well. That would be my suggestion, Madam President.

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

Senator ARMSTRONG. Madam President, in response to that, all these boards we are talking about are funds like SERS. We send our moneys over to SERS, 7.5 percent of our pay, and this authorizes them to pay their salaries. It is very little of taxpayers' dollars. That is the only one that is higher than inflation of all these bills, and the reason that one is higher is because we are losing key people. Eric Henry, the executive director, just left and went to Texas. He is getting more money, more perks, and more benefits. He is running a plan that is one-third the size, so, if we do not pay these people to get a 16-percent return on our money, we are making a big mistake.

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

Senator BOSCOLA. Madam President, I agree. I would just suggest that next year, not this year in this cycle, that we really take a hard look at some of these budgets, because there are some taxpayer dollars involved.

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

Senator ARMSTRONG. Madam President, very few, and most of these, I have the increases here, and I will give you the exact amounts. The different boards' average that we are talking about today is an average of a 2.9-percent increase. The only one that is above average would be SERS, the State Employees' Retirement System, which is 6.59 percent. All the rest are PSERS, which is a 3.44-percent increase, Professional Occupation is 3.24, Workers' Compensation is 3.49, Public Utilities, hooray for them, minus .29 percent, Consumer Advocate is 3.47, and Small Business Advocate is 1.87. So, they are within, if we can keep our budget in Pennsylvania at 2.9 percent, and I think we are doing an excellent job.

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

Senator BOSCOLA. Madam President, it is just Senate Bill No. 791. That is the one we will discuss later, and I will put up a "no" vote on that one because of the 6.59-percent increase.

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

Senator ARMSTRONG. Madam President, all right, well, we will be talking about all the rest.

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

Senator BOSCOLA. Madam President, I understand, thank you.

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	Folmer	Mellow	Stack
Baker	Fontana	Musto	Stout
Boscola	Fumo	O'Pake	Tartaglione
Browne	Gordner	Orie	Tomlinson
Brubaker	Greenleaf	Pileggi	Vance
Corman	Hughes	Pippy	Washington
Costa	Kasunic	Punt	Waugh
Dinniman	Kitchen	Rafferty	White, Donald

Earl	LaValle
Eichelberger	Logan
Erickson	Madigan
Ferlo	McIlhinney

Regola
Rhoades
Robbins
Scarnati

White, Mary Jo
Williams, Anthony H.
Williams, Constance
Wozniak

NAY-1

Piccola

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

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

SB 793 (Pr. No. 885) -- The Senate proceeded to consideration of the bill, 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.

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-49

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	Wozniak
Erickson	McIlhinney	Scarnati	
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.

SB 794 (Pr. No. 886) -- The Senate proceeded to consideration of the bill, 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.

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-49

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	Wozniak
Erickson	McIlhinney	Scarnati	
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.

SB 796 (Pr. No. 888) -- The Senate proceeded to consideration of the bill, 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.

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-49

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	Wozniak
Erickson	McIlhinney	Scarnati	
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.

SB 797 (Pr. No. 889) -- The Senate proceeded to consideration of the bill, 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.

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-49

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	Wozniak
Erickson	McIlhinney	Scarnati	
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.

BILLS OVER IN ORDER

SB 354, SB 467 and SB 699 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 798 (Pr. No. 923) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

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

YEA-49

Armstrong	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	Wozniak
Erickson	Mellhinney	Scarnati	
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 REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 105 (Pr. No. 922) -- 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, authorizing the members of the Environmental Quality Board to retain independent legal counsel to the performance of its duties.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION

SB 34 (Pr. No. 893) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 537, SB 704, SB 721 and SB 726 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 729 (Pr. No. 797) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILL OVER IN ORDER

SB 755 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 777 (Pr. No. 874) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, changing the date from which, and the rate of which, interest is charged on certain delinquent taxes and other municipal claims; providing for the duties of third-party collectors and for adoption of ordinance for the exclusive collection of taxes; further providing for locality index; and modernizing the law relating to collection of such taxes and claims.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 782 (Pr. No. 876) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, further providing for definitions, for powers of Environmental Quality Board, for licensing and registration fees, for nuclear facility and transport fees, for creation of special funds, for response program and for transportation of radioactive material; and making repeals.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 805 (Pr. No. 934) -- The Senate proceeded to consideration of the bill, entitled:

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

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 806 (Pr. No. 935) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for an annual report on the technology grant program.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 807 (Pr. No. 936) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for an annual report on the elementary science curriculum grant programs.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 808 (Pr. No. 937) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for an annual report on the high school curriculum enhancement grant programs.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 813 (Pr. No. 938) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for an annual report on the Education Technology Program.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

SB 815 (Pr. No. 909) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for underground storage tank environmental cleanup program and for underground storage tank pollution prevention program.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was rereferred to the Committee on Appropriations.

RESOLUTION REREFERRED

Senator PILEGGI, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 31**, entitled:

A Resolution recognizing the Philadelphia Health Management Corporation as a Pennsylvania Public Health Institute.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the resolution was rereferred to the Committee on Appropriations.

GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Madam President, I rise today to give some special recognition to some of our guests who are here today in our Senate gallery, and I would like to take a few moments to introduce those individuals.

Madam President, they are students from the 14 universities of the State System of Higher Education here in Pennsylvania, and they are participating in The Harrisburg Internship Semester, also known as the THIS program. These fine students, who are selected by their faculty, come to Harrisburg to live and work in government for a semester. They are then placed and assigned by their faculty director, Dr. Wade Seibert. Each of the students brings a unique perspective and great enthusiasm to learn about government. I would like to take a moment to read the names and their sponsoring universities, and at the end, we would ask all of them to rise so we can recognize them as a Chamber.

First on our list is Tori Bayliff, from East Stroudsburg University of Pennsylvania, and she is sponsored by the Pennsylvania Association of Resources for Persons with Autism and Intellectual Disabilities. Also, Kathleen Brundage, from Clarion University of Pennsylvania, and sponsored by the Governor's Office of the Budget. Iryna Deyneha, from Lock Haven University of Pennsylvania, she too is sponsored by the Governor's Office of the Budget. Laura Dubin, Bloomsburg University, sponsored by the Department of Conservation and Natural Resources. Courtney Fobes, of Edinboro University of Pennsylvania, sponsored by the Office of the Speaker of the House of Representatives. Patricia Grieggs, Millersville University of Pennsylvania, Governor's Office of Policy and Planning. Heidi Hawkins, West Chester University of Pennsylvania, sponsored by the press office of the House of Representatives of Pennsylvania. Anna Johnson, Indiana University of Pennsylvania, sponsored by the Commission on Women. Trisha Jorda, Shippensburg University of Pennsylvania, working with the Senate Judiciary Committee, more specifically, Madam President, doing an outstanding job in our office working with Ron Jumper, our counsel of the Senate Judiciary Committee. Michael Kerr, California University of Pennsylvania, sponsored by the Center for Rural Pennsylvania. Nicole Lazarz, Mansfield University of Pennsylvania, sponsored by the Pennsylvania Advocates for Nutrition and Activity. Isaac Moore, Cheyney University of Pennsylvania, sponsored by the Legislative Black Caucus. Elyse Sacchetti, East Stroudsburg University of Pennsylvania, sponsored by the Office of the Lieutenant Governor. And Andrea Smith, Slippery Rock University of Pennsylvania, sponsored by the Department of Health.

I ask all my colleagues to give our usual warm welcome to these students, and more importantly, thank them for the work they have done this semester working in the various government offices across the Commonwealth on behalf of the Commonwealth of Pennsylvania. We also wish them great success in their future endeavors.

The PRESIDENT. Welcome to all of our State System of Higher Education students, and we thank you for all of your good work this year.

(Applause.)

GUESTS OF SENATOR JOHN R. GORDNER PRESENTED TO THE SENATE

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

Senator GORDNER. Madam President, I see we are joined in the gallery with some fourth grade students from Midwest School District in Snyder County. They are here today accompanied by their teachers and parents visiting our wonderful State Capitol, and I ask that they rise and be recognized.

Thank you, Madam President.

The PRESIDENT. Will the fourth grade students from the Midwest School District in Snyder County please rise.

(Applause.)

CONSIDERATION OF CALENDAR RESUMED

SB 791 CALLED UP

SB 791 (Pr. No. 883) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

PREFERRED APPROPRIATIONS BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 791 (Pr. No. 883) -- The Senate proceeded to consideration of the bill, 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.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator ARMSTRONG. Madam President, I just want to clear up a few things that some of the Members brought up, and I am glad they did. We should be looking at every expenditure we have up here and making sure that we are not spending money higher than inflation. I really appreciate them telling me that because that is what we have to do. Every once in a while we get some program that maybe they are doing a good job and the cost is such that we should look at it and give it a second look.

This is a case of SERS. SERS is the State Employees' Retirement System, and all their employees over there, we have to fund them. Well, this year the increase that we will appropriate is a 6.59-percent increase. Well, let us face it, that is double inflation. Why should we do this? If you analyze it, the State Pension Fund that we are all in is \$32 billion. That is a lot of money. Their performance last year was 16 percent, one of the highest in the nation for large pensions.

I just want to clarify for the record why this increase is a little more than inflation, and right now the State Employees' Retirement System manages \$32 billion, and their performance is 1 percent above the average, and the average now for large pensions is about 8 percent. If we perform 1 percent higher than that, that is \$300 million, drops the bottom line. They perform 8 percent higher than the average, huge, huge increase, one of the top 5 percentile in the United States.

Now, this cost, \$26 million, is an increase. However, when you analyze it, if 1 percent is \$320 million, one-tenth of 1 percent would be \$32 million, right? They are doing it for \$26 million. They are running the entire program - administration, salaries, everything - for \$26 million. That is less than one-tenth of 1 percent. Nobody, Vanguard, all the other ones, they cannot come close to that. So, we have one of the best performing funds in the United States and one of the lowest costs. So, I think it is a good deal.

The problem is, and I am on the board, we had to raise some of the salaries because we are losing members. Our executive director, Eric Henry, an outstanding person, and many of you know him, is leaving because he is getting a much better deal in Texas. He will be getting a higher salary, higher perks, higher benefits, and he will only be managing \$13 billion.

So, we have to pay these people if we want to keep them. What are we going to do, not pay them, and get people who cannot perform, and lose 8 percentage points a year? That is \$2.4 billion we would lose.

I think when you analyze as far as what we are getting for the money, I think it is a pretty good investment. I applaud you for looking at this very closely. For everything we look at up here that is above inflation, we should question, and I thank you for that.

Thank you, Madam President.

And the question recurring,
Shall the bill pass finally?

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

YEA-47

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

NAY-2

Ferlo Piccola

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.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators GORDNER, SCARNATI, PILEGGI, GREENLEAF, PIPPY, MADIGAN, RAFFERTY, ORIE, D. WHITE, REGOLA, TOMLINSON, EICHELBERGER, ARMSTRONG, BROWNE, CORMAN, STOUT, TARTAGLIONE, KASUNIC, KITCHEN, STACK, BOSCOLA, DINNIMAN, COSTA, FONTANA, FUMO, VANCE, McILHINNEY, WONDERLING, PICCOLA, ERICKSON, EARLL, BRUBAKER, PUNT, FOLMER, ROBBINS, WAUGH, RHOADES, M. WHITE, BAKER, LAVALLE, LOGAN, MELLOW, O'PAKE and MUSTO, by unanimous consent, offered **Senate Resolution No. 111**, entitled:

A Resolution recognizing May 3, 2007, as the "National Day of Prayer" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator GORDNER. Madam President, for 56 years our country has recognized National Day of Prayer. This year's theme is "America, United in Prayer." It was interesting that our guest chaplain today, at the end of his prayer, mentioned the fact that we will all be gathering across this country and across this State at town buildings, in county government seats, to participate in this nondenominational event.

The President has already issued a proclamation, as has Governor Rendell. I ask for an affirmative vote on this resolution.

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

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

Senators PIPPY, KASUNIC, M. WHITE, FONTANA, COSTA, BOSCOLA, WASHINGTON, PUNT, ORIE, ERICKSON, TARTAGLIONE, RAFFERTY, O'PAKE, BRUBAKER, LAVALLE, MUSTO, FERLO, LOGAN, EARLL, C. WILLIAMS, WONDERLING, WAUGH, ROBBINS, STOUT, FOLMER, McILHINNEY, D. WHITE, GREENLEAF, TOMLINSON, BROWNE and ARMSTRONG, by unanimous consent, offered **Senate Resolution No. 112**, entitled:

A Resolution celebrating the 10th anniversary of the Pennsylvania Senior Environment Corps and designating the month of May 2007 as "Pennsylvania Senior Environment Corps Month."

On the question,
Will the Senate adopt the resolution?

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

Senator PIPPY. Madam President, the Pennsylvania Senior Environment Corps was founded in May 1997 as the first statewide program of its kind in the United States to give seniors a meaningful opportunity to help monitor and protect water quality and to share their concern for and knowledge of the environment with others, especially younger generations.

The Senior Environment Corps has grown from just over 200 volunteers in 1997 to 2,900 members now throughout the Commonwealth. Members of the Senior Environment Corps now monitor water quality at 628 sites throughout the Commonwealth and have generated over 469,000 pieces of water quality data in the last decade. The Senior Environment Corps was the first Internet-based water quality testing results database, allowing citizen monitoring groups to post water sample results and retrieve them for analysis. Obviously, we understand the importance of that as we look at water quality in our environment in general.

This legislation notes its 10th anniversary and designates May 2007 as Pennsylvania Senior Environment Corps Month in recognition of the valuable services the volunteers provide, and congratulates them on a job well done.

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

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

Senators WONDERLING, O'PAKE, FOLMER, PUNT, RAFFERTY, GREENLEAF, FERLO, BAKER, M. WHITE, REGOLA, FONTANA, ROBBINS, WAUGH, RHOADES, BOSCOLA, PILEGGI, McILHINNEY, ORIE and D. WHITE, by unanimous consent, offered **Senate Resolution No. 113**, entitled:

A Resolution designating the week of April 30 through May 5, 2007, as "Perfusionist Appreciation Week" in Pennsylvania.

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Gregory Wimmer and to Mark Riccini by Senator Armstrong.

Congratulations of the Senate were extended to John Wiseburn by Senators Baker and Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Lewis Lengyel by Senator Boscola.

Congratulations of the Senate were extended to Jan Armfield, Emily Leiberman, Franklin Scott Stinner, Jr., Andrea VanBuskirk, Tara Brown, Marc Bisher and to Anthony P. Comunale by Senators Boscola and Browne.

Congratulations of the Senate were extended to Bobby Werner, George Libricz, Doris M. Young, Carolyn Anders and to Marie Coscia by Senators Boscola, Browne, and Wonderling.

Congratulations of the Senate were extended to Pat Kohler and to My Brothers Keeper by Senators Browne, Boscola, and Wonderling.

Congratulations of the Senate were extended to Dana Schaffer, Thomas Ganser, Tamantha Yanders, Adam Al-Khal, Blake Tange and to Rachel Stevko by Senator Browne and others.

Congratulations of the Senate were extended to Joshua Paul Berstecher, Audra Martin, Carrie Wilson and to Paradise-Leaman Place Fire Company by Senator Brubaker.

Congratulations of the Senate were extended to Neil Harp, Megan Nickcole Magbie, Rachel L. Zinobile and to Susan Marie Smith by Senator Corman.

Congratulations of the Senate were extended to Fritz Grabowski and to Virginia Frazier by Senator Costa.

Congratulations of the Senate were extended to Dr. Joseph L. Abbott, Dane Decor, Heather Smith and to Margaret D. Gusz by Senator Dinniman.

Congratulations of the Senate were extended to Matthew D. Erdman and to the General McLane High School Boys' Basketball Team by Senator Earll.

Congratulations of the Senate were extended to the Schenley High School Boys' Basketball Team of Pittsburgh by Senator Ferlo.

Congratulations of the Senate were extended to Thomas C. Mahony, Jr., Gregory Richard Fulkerson, Rebekah Balmer and to Matthew D. Landis by Senator Folmer.

Congratulations of the Senate were extended to Emily Degnitz by Senator Gordner.

Congratulations of the Senate were extended to Ellen Werther and to the ACE A3 Wissahickon Middle School of Ambler by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Howard T. Manley and to Sandra Boatman by Senator Madigan.

Congratulations of the Senate were extended to Brian Francis Dunstone, Mary Ann LaPorta, Ruth Townsend and to Cinram of Olyphant by Senator Mellow.

Congratulations of the Senate were extended to Thomas McArdle, Michelle Klock, Cynthia Zimmerman, Stephanie Black, Sandra Duda, Jennifer Karnish, Angela Nardini, Marc Gardiner and to Michael Strucko by Senator Musto.

Congratulations of the Senate were extended to David P. DeVenney and to Lloyd M. Wolf by Senator O'Pake.

Congratulations of the Senate were extended to Marissa Espinoza, Rodney Craig, Kristina Boczon, Albert McFarland, Tyrone Lamar Lockhart, John Bogar III, Melissa Goff and to Marie Kathryn Allen by Senator Piccola.

Congratulations of the Senate were extended to Team Pittsburgh Under-14 Girls' Hockey Team, Team Pittsburgh Under-12 Girls' Hockey Team and to the Pittsburgh Aviators Under-14 Girls' Pittsburgh Amateur Hockey League Team by Senator Pippy.

Congratulations of the Senate were extended to Barb Kolanowski, Minna Pulgar and to Jill Phinicie by Senator Punt.

Congratulations of the Senate were extended to Richard D. Tyler, Sr., by Senator Rafferty and others.

Congratulations of the Senate were extended to Bruce Gearhart, Jack Hostoffer, Nick Etze, Jeannette Council No. 1222,

Knights of Columbus, and to Latrobe Hose Company No. 5 by Senator Regola.

Congratulations of the Senate were extended to Margaret Davis, William Zimmerman, Christopher Herring, Lynn Kimber and to Ray Westcoat by Senator Rhoades.

Congratulations of the Senate were extended to Vera Jones, Anthony Trucco, Bonnie Zilhaver and to Kevin Wetherbee by Senator Robbins.

Congratulations of the Senate were extended to Yadira Carmona, Gina Pardovich, William Nagele, William John Burke, Joseph F. Hogan IV, Kevin Granville, Dr. Stacy Krisher, Kathi Lacomchik, Cathy Janoson and to Wendy Hamilton by Senator Tomlinson.

Congratulations of the Senate were extended to Claire Wong Crego, James McGill, Rebecca Treon, Nathan Leisher, Charles Haskins, Liz Ellis, Tabitha Bilger, Lynnsey Leonard and to Elizabeth Engle by Senator Vance.

Congratulations of the Senate were extended to Craig B. Fenstermacher by Senator Waugh.

Congratulations of the Senate were extended to Joseph Bobick by Senator D. White.

Congratulations of the Senate were extended to Concerned Parents, Inc., of Philadelphia, by Senator A.H. Williams.

Congratulations of the Senate were extended to Jane Taylor, William Spengel, Doris H. Schroeder, Herbert Hunsberger, James E. Hunt, Ralph Hagey, Elizabeth Hagey, Katie Clemmer, Margaret Gerhart, Peggy Chen, Emil P. Schultheisz, Sylvia Yassi, Shirley A. Volker, Herbert A. Volker, Ervin Jaros, Eugene Zawoiski, Harold G. Riley, Jr., Michael S. Wismer, Tim Bishop, William Bartle and to Philip J. Maas by Senator Wonderling.

Congratulations of the Senate were extended to Angela Nealen, Lauren Kesslak, Jolene Mattis, Traci Baran, Reverend Paul Zomerfield and to the Alliance of Bikers Aimed Toward Education of Pennsylvania by Senator Wozniak.

POSTHUMOUS CITATIONS

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

A posthumous citation honoring the late Jack Palance was extended to the family by Senator Musto.

A posthumous citation honoring the late John Rahn was extended to the family by Senator Wonderling.

BILLS ON FIRST CONSIDERATION

Senator STOUT. 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 317, SB 431, SB 740 and HB 112.

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

PETITIONS AND REMONSTRANCES

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

Senator O'PAKE. Madam President, today I filed a bill with the Secretary of the Senate, and I invite Members to cosponsor this very important bill designed to protect the health and safety of the citizens of the Commonwealth. My legislation would create the Office of Illness Monitoring within the Department of Health, and this office would be charged with the task of studying health data for unusual incidences of illness or disease such as cancer clusters. Secondly, the office would be working with the Department of Environmental Protection and other agencies to determine the causes and develop possible responses.

A month ago, the Pennsylvania Department of Health promised to provide me with the revised statistical analysis of a potential cancer cluster in Muhlenberg Township, Berks County. Despite repeated assurances from the department that we would have this information in a timely manner, we have yet to see any final data or conclusions from the department. My constituents are rightfully concerned about a potential life and death issue in their own backyard, as are citizens in similar situations across the Commonwealth. It is clear that the one person at the Department of Health who now works on this cannot handle the workload alone. With our State's industrial heritage, we cannot afford to wait months and months and months for the Department of Health to complete these studies. Establishing the Office of Illness Monitoring will speed up this process and better protect the health and safety of our citizens, and I invite any other Senators to join as cosponsors.

The PRESIDENT. Senator O'Pake is requesting the Senators to cosponsor the legislation regarding additional monitoring on illness by the Department of Health.

The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Madam President, I would just like to remind the Senators that today is Science In Motion Day, and there are displays in the other part of the Capitol from the 11 colleges that participate in this program. They have set up there to show the Senators, and, of course, the other people in the Capitol, the program that they provide in creating interest in science to our high schools.

I am very happy to have the professors and students here today, and to display the many activities that they provide, and these are 11 of our universities that provide scientific equipment, and of course, advanced knowledge to our high schools across the State to increase interest in science at an extremely reduced rate. When you look for the dollar, as the old story goes, getting the bang for the buck in creating an interest for our students across Pennsylvania.

I would just like to recognize Gannon University, Westminster College, Clarion University, the University of Pittsburgh at Bradford, Juniata College, which of course is the college where Science In Motion was started many years ago, Susquehanna University, Gettysburg College, Wilkes University, Cedar Crest College, Ursinus College, and Drexel University. So, it is a program established across the entire State, and for a very low dollar figure, it provides an unbelievable benefit to our

young boys and girls throughout the State in developing interest in science.

Thank you.

The PRESIDENT. Thank you. Senator Robbins wishes to remind the Senators that 11 universities are present here today to represent Science In Motion Day and to call attention to the problems going on in Pennsylvania on this subject.

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 Monday, May 7, 2007 at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 12:03 p.m., Eastern Daylight Saving Time.