

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 4, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 37

SENATE

MONDAY, June 4, 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 PAUL L. JONES, of Community United Church of Christ, Reading, offered the following prayer:

Lieutenant Governor Knoll and Honorable Senators of the Commonwealth of Pennsylvania, would you please join me in prayer.

In the midst of these days when we sense the added pressures of not just taking care of day-to-day business, but also preparing a final budget, God, we ask that You keep us mindful of the real bottom line. Remind us that a budget is not just facts and figures arranged in neat columns and rows, but a budget reflects our values. A budget reveals our priorities, a budget puts into print what we hold to be true, a budget may be printed on paper, but the line items are faces.

O God of compassion and justice, give us eyes and hearts to see the faces on the line items, to see the face of the child in the line item for afterschool programs, to see the face of the senior citizen in the line item for fair housing, to see the face of the teacher in the line item for school supplies, to see the face of the battered woman in the line item for fighting domestic violence.

The task before us all is written on the words of our Capitol's Rotunda, "That we may do the thing that is truly wise and just." We pass by those words several times a week, and now we ask You, O God, to guide us in living out that charge. May we do what is truly wise and just. Give us wisdom to hear the whisperings in our ears for what they are. Give us the courage to take a stand for the almost one quarter million citizens of this Commonwealth whom each of us represents. Give us a vision of the bigger picture, that we might share the bottom line with the prophet Micah and act in ways that truly do justice, love, kindness, and walk humbly with our God.

Humbled by Your call to serve, empowered by Your spirit to do the thing that is truly wise and just, may this Session of the Pennsylvania Senate gladly be about Your business, O Lord, we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Jones, who is the guest today of Senator O'Pake.

PLEDGE OF ALLEGIANCE

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR MICHAEL A. O'PAKE
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Madam President, in the gallery is Pastor Jones' lovely wife, Louise, and his parents, George and Eleanor Jones. I would like to inform the Members of the Senate that Pastor Jones' mother is being honored this year as one of the United Church of Christ Conference women of the year for the Pennsylvania Southeastern Conference, and I would like the Chair to recognize them and extend the usual warm welcome of the Senate to Louise Jones and Pastor Jones' parents, George and Eleanor Jones.

The PRESIDENT. Will the Jones family please rise so we can welcome you.

(Applause.)

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

**MEMBER OF THE STATE BOARD
OF CHIROPRACTIC**

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anita M. Cassel, (Public Member), 853 Victoria Lane, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Carole Lee, Schuylkill, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Thomas Goldsmith, 1461 Toursdale Drive, Easton 18045, Northampton County, Twenty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2011, and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert S. Marcus, Esquire, 57 South 6th Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan H. Newman, Esquire, Bryn Mawr, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles J. Fox, 884 Dairy Court, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is June 27, 2007 appointed and qualified, but not longer than ninety days beyond that period, vice Michael Webster, Grove City, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA BOARD
OF PROBATION AND PAROLE

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lloyd A. White, 355 North York Road, Apartment B-1, Willow Grove 19090, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve for a term of six years or until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Sean Ryan, Perkasio, resigned.

EDWARD G. RENDELL
Governor

VICTIM ADVOCATE

May 23, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Carol L. Lavery, 253 Reyburn Road, Shickshinny 18655, Luzerne County, Twentieth Senatorial District, for reappointment as Victim Advocate, to serve for a term of six years and until her successor is appointed and qualified, but not longer than ninety days beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC
UTILITY COMMISSION

June 1, 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, Tyrone J. Christy, 104 Mirage Court, Renfrew 16053, Butler County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice William R. Shane, Esquire, Indiana, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

June 1, 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, Kim Pizzingrilli, 411 Sioux Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2012, or until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

May 9, 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 Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia Bricklin, Ph.D., Wayne, 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 PENNSYLVANIA
LIQUOR CONTROL BOARD**

May 23, 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 Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan H. Newman, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF PENNSYLVANIA BOARD
OF PROBATION AND PAROLE**

May 23, 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 Pennsylvania Board of Probation and Parole, to serve until May 22, 2007, or until his successor is appointed and quali-

fied, but not longer than ninety days beyond that period, vice Sean R. Ryan, Perkasio, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

June 1, 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 The Honorable Steven M. Crawford, 503 Haldeman Boulevard, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice William R. Shane, Esquire, Indiana, whose term expired.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 650**, with the information the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

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

May 23, 2007

- HB 131 and 588** -- Committee on Local Government.
- HB 747, 778 and 881** -- Committee on Game and Fisheries.
- HB 781 and 892** -- Committee on Transportation.
- HB 834** -- Committee on Labor and Industry.
- HB 876** -- Committee on Finance.

May 29, 2007

- HB 1286** -- Committee on Appropriations.

May 31, 2007

- HB 13** -- Committee on Game and Fisheries.

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 23, 2007

Senators FUMO, COSTA, LOGAN, FERLO, BOSCOLA, TARTAGLIONE, WASHINGTON, FONTANA, KASUNIC, MELLOW, HUGHES, O'PAKE, MUSTO, STACK, C. WILLIAMS, STOUT, KITCHEN, LAVALLE, WOZNAK, DINNIMAN and A. WILLIAMS presented to the Chair **SB 103**, entitled:

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

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 23, 2007.

Senators ORIE, RHOADES, PICCOLA, REGOLA, WAUGH, GREENLEAF, EARLL, FOLMER, FERLO, D. WHITE, RAFFERTY, PIPPY, McILHINNEY, BROWNE, BRUBAKER, VANCE, WASHINGTON, ERICKSON, SCARNATI, EICHELBERGER and WONDERLING presented to the Chair **SB 855**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for appointments by the appointing authority.

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

Senators WAUGH, CORMAN, BOSCOLA, PUNT, FONTANA, ROBBINS, LAVALLE, RAFFERTY, ERICKSON, O'PAKE, BRUBAKER, MUSTO, McILHINNEY and BROWNE presented to the Chair **SB 863**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, providing for proceeds from sales by the Department of Agriculture and for grants for agricultural land conservation assistance; and making a related repeal.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, May 23, 2007.

Senators HUGHES, MELLOW, WASHINGTON, STOUT, FERLO, WOZNAK, STACK, LAVALLE, KITCHEN, TARTAGLIONE, BOSCOLA, RAFFERTY, COSTA and C. WILLIAMS presented to the Chair **SB 894**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care, for definitions, for authorization, for amount, for repayment, for regulations and for time periods; and providing for the Senior Care and Services Study Commission.

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

Senators McILHINNEY, FONTANA and FOLMER presented to the Chair **SB 900**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

Which was committed to the Committee on GAME AND FISHERIES, May 23, 2007.

Senators McILHINNEY, ERICKSON, COSTA, FUMO, MADIGAN and ARMSTRONG presented to the Chair **SB 901**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for use of laser sighting device by blind hunter.

Which was committed to the Committee on GAME AND FISHERIES, May 23, 2007.

May 29, 2007

Senators ORIE, BAKER, KITCHEN, O'PAKE, RAFFERTY, TARTAGLIONE, VANCE, C. WILLIAMS, ERICKSON and STACK presented to the Chair **SB 904**, entitled:

An Act providing for the availability of and access to obstetrical and neonatal care; establishing a funding formula; requiring funded hospitals to provide notification upon closure; imposing powers and duties upon the Department of Health, the Insurance Commissioner and the Department of Public Welfare; and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 29, 2007.

Senators WAUGH, BOSCOLA, FONTANA, ROBBINS, LAVALLE, RAFFERTY, MUSTO, LOGAN, WONDERLING, STOUT, McILHINNEY and BROWNE presented to the Chair **SB 905**, entitled:

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

Which was committed to the Committee on JUDICIARY, May 29, 2007.

Senators BROWNE, WOZNAK, PUNT, FONTANA, ERICKSON, BOSCOLA, WAUGH, EARLL, PICCOLA, GREENLEAF, RAFFERTY, McILHINNEY and ARMSTRONG presented to the Chair **SB 906**, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for disposition of abandoned property.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, May 29, 2007.

Senators M. WHITE, EARLL, ERICKSON, CORMAN, RAFFERTY, PICCOLA, WONDERLING, ORIE and COSTA presented to the Chair **SB 907**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the funding of preschool education for financially needy persons, for educational support services for preschool children, for student loan forgiveness and for distribution of books to parents of preschool-age children.

Which was committed to the Committee on EDUCATION, May 29, 2007.

May 31, 2007

Senators FERLO, STOUT, C. WILLIAMS, KITCHEN, FONTANA, BOSCOLA and LAVALLE presented to the Chair **SB 700**, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for definitions, for investment of fund and accounts, for use of Tobacco Settlement Fund, for health research program, for department responsibilities, for National Institutes of Health funding formula and for regional biotechnology research centers; establishing the Jonas Salk Legacy Fund Program, the Jonas Salk Legacy Fund Board and the Jonas Salk Legacy Fund; and providing for the sale or assignment of Commonwealth Universal Research Enhancement Program receipts and for the issuance of Commonwealth Universal Research Enhancement Program bond.

Which was committed to the Committee on FINANCE, May 31, 2007.

Senators KASUNIC, LAVALLE, COSTA, O'PAKE, ARMSTRONG, BOSCOLA, BRUBAKER, EARLL, ERICKSON, FONTANA, GREENLEAF, LOGAN, MUSTO, ORIE, PUNT, RAFFERTY, STOUT, TARTAGLIONE, TOMLINSON, WASHINGTON, WAUGH and WOZNIAK presented to the Chair **SB 824**, entitled:

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

Which was committed to the Committee on JUDICIARY, May 31, 2007.

Senators ORIE, SCARNATI, PILEGGI, FOLMER, BROWNE, COSTA, D. WHITE and EARLL presented to the Chair **SB 857**, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for audit requirements and for board members.

Which was committed to the Committee on TRANSPORTATION, May 31, 2007.

Senators ORIE, CORMAN, FOLMER, ERICKSON, RAFFERTY, BOSCOLA, WAUGH, EARLL, BROWNE, PILEGGI, ARMSTRONG, WOZNIAK, VANCE, D. WHITE, PICCOLA, SCARNATI, EICHELBERGER and WONDERLING presented to the Chair **SB 858**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, prohibiting public contracts for lobbying.

Which was committed to the Committee on STATE GOVERNMENT, May 31, 2007.

Senators ORIE, SCARNATI, WAUGH, FOLMER, D. WHITE, ERICKSON, PIPPY, RAFFERTY, WONDERLING, PILEGGI, BROWNE and VANCE presented to the Chair **SB 859**, entitled:

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

Which was committed to the Committee on STATE GOVERNMENT, May 31, 2007.

Senators GREENLEAF, COSTA, M. WHITE, RAFFERTY, BROWNE, ORIE, O'PAKE, KASUNIC, LOGAN, WASHINGTON and KITCHEN presented to the Chair **SB 860**, entitled:

An Act establishing the Public Service Lawyers Loan Repayment Assistance Program to provide repayment assistance to qualified applicants employed by eligible organizations; and providing for the powers and duties of Pennsylvania Higher Education Assistance Agency.

Which was committed to the Committee on JUDICIARY, May 31, 2007.

Senators D. WHITE, PUNT, BOSCOLA, ERICKSON, O'PAKE, VANCE, RAFFERTY, EARLL, RHOADES, MADIGAN, WAUGH and ROBBINS presented to the Chair **SB 865**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for small group health plan rates, for coverage requirements and for marketing requirements.

Which was committed to the Committee on BANKING AND INSURANCE, May 31, 2007.

Senators VANCE, COSTA, ERICKSON, WASHINGTON, BOSCOLA, BROWNE, FONTANA, GORDNER, GREENLEAF, KASUNIC, KITCHEN, MADIGAN, McILHINNEY, O'PAKE, ORIE, PUNT, RHOADES, ROBBINS, STOUT, TOMLINSON, C. WILLIAMS and WONDERLING presented to the Chair **SB 870**, entitled:

An Act establishing the Drug and Alcohol Treatment and Prevention Fund; and providing for the deposit of a portion of the liquor tax into the fund and for use of fund.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 31, 2007.

June 1, 2007

Senators C. WILLIAMS, FUMO, MUSTO, O'PAKE, KASUNIC, FONTANA, TARTAGLIONE, WASHINGTON, STACK, KITCHEN, LOGAN and BROWNE presented to the Chair **SB 14**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for electronic prescriptions.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 1, 2007.

Senators GREENLEAF, ROBBINS, COSTA, FONTANA, BROWNE, STOUT and REGOLA presented to the Chair **SB 884**, entitled:

An Act restricting municipalities from regulating amateur radio service communications.

Which was committed to the Committee on LOCAL GOVERNMENT, June 1, 2007.

Senators GREENLEAF, PUNT, STACK, WASHINGTON, ORIE, ARMSTRONG, TARTAGLIONE, ERICKSON, FONTANA, BROWNE, BRUBAKER, LAVALLE, BOSCOLA, COSTA, KITCHEN, LOGAN, FUMO, REGOLA and WONDERLING presented to the Chair **SB 899**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a War on Terror Memorial registration plate; further providing for payments to special funds; and establishing the War on Terror Memorial Trust Fund.

Which was committed to the Committee on TRANSPORTATION, June 1, 2007.

Senators TARTAGLIONE, MELLOW, LAVALLE, MUSTO, LOGAN, COSTA, C. WILLIAMS, STOUT, KASUNIC, KITCHEN, BROWNE, O'PAKE, BOSCOLA, WOZNAK, WASHINGTON, STACK, FERLO and FONTANA presented to the Chair **SB 902**, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, further providing for membership of the Pennsylvania Workforce Investment Board; and establishing the Pennsylvania Center for Health Careers.

Which was committed to the Committee on LABOR AND INDUSTRY, June 1, 2007.

Senators ORIE, FOLMER, WAUGH, RAFFERTY, ARMSTRONG, EARLL, ROBBINS and REGOLA presented to the Chair **SB 903**, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for contracts relating to consulting.

Which was committed to the Committee on STATE GOVERNMENT, June 1, 2007.

Senators WONDERLING, CORMAN, GREENLEAF, EARLL, PICCOLA and WASHINGTON presented to the Chair **SB 908**, entitled:

An Act amending the act of December 22, 1983 (P.L.327, No.85), known as the Auctioneer and Auction Licensing Act, further providing for auctioneer and apprentice auctioneer licenses.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 1, 2007.

Senators C. WILLIAMS, MUSTO, O'PAKE, COSTA, KASUNIC, TARTAGLIONE, BRUBAKER, RAFFERTY, ERICKSON, GREENLEAF, PIPPY, WAUGH and SCARNATI presented to the Chair **SB 909**, entitled:

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions; establishing the Water and Wastewater System Connection Funding Program to provide certain low-interest loans; providing for transfer of certain moneys; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 1, 2007.

Senators C. WILLIAMS, FONTANA, ORIE, COSTA, GREENLEAF and LAVALLE presented to the Chair **SB 910**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for posting audits and for contracts for financial employees.

Which was committed to the Committee on LOCAL GOVERNMENT, June 1, 2007.

Senators C. WILLIAMS, FONTANA, ORIE, COSTA, GREENLEAF and LAVALLE presented to the Chair **SB 911**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for posting audits and for contracts for financial employees.

Which was committed to the Committee on LOCAL GOVERNMENT, June 1, 2007.

Senators C. WILLIAMS, FONTANA, ORIE, COSTA, GREENLEAF and LAVALLE presented to the Chair **SB 912**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for posting audits and for contracts for financial employees.

Which was committed to the Committee on LOCAL GOVERNMENT, June 1, 2007.

Senators M. WHITE, FONTANA, PICCOLA, GORDNER, ROBBINS, REGOLA, RHOADES, MADIGAN, WAUGH, BAKER, ERICKSON, WONDERLING and BROWNE presented to the Chair **SB 913**, entitled:

An Act providing for environmental funds reporting and disclosure.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 1, 2007.

RESOLUTIONS INTRODUCED AND REFERRED

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

May 31, 2007

Senators ROBBINS, REGOLA, BOSCOLA, EARLL, FERLO, D. WHITE, FONTANA, C. WILLIAMS, WONDERLING, FUMO and WASHINGTON presented to the Chair **SR 126**, entitled:

A Resolution memorializing the Congress of the United States to repeal or delay the creation of a national identification card and the implementation of the REAL ID Act of 2005.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 31, 2007.

June 1, 2007

Senators ROBBINS, ORIE, MELLOW, WAUGH, O'PAKE, BAKER, BOSCOLA, BROWNE, COSTA, CORMAN, FERLO, EARLL, FONTANA, ERICKSON, FUMO, FOLMER, KASUNIC, GORDNER, LAVALLE, GREENLEAF, LOGAN, MADIGAN, TARTAGLIONE, PICCOLA, WASHINGTON,

PIPPY, RAFFERTY, REGOLA, TOMLINSON, D. WHITE, M. WHITE, PILEGGI, McILHINNEY, ARMSTRONG and PUNT presented to the Chair **SR 125**, entitled:

A Resolution designating the month of June 2007 as "Corrections Officers and Employees Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, June 1, 2007.

GENERAL COMMUNICATION

2005 ANNUAL REPORT OF THE HAZARDOUS MATERIAL SAFETY PROGRAM

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

COMMONWEALTH OF PENNSYLVANIA
 Pennsylvania Emergency Management Agency
 2605 Interstate Drive
 Harrisburg, Pennsylvania 17110-9364

May 31, 2007

Secretary Mark R. Corrigan
 Senate of Pennsylvania
 Secretary
 PO Box 203053
 426 Capitol Building
 Harrisburg, PA 17120

Dear Senator [sic] Corrigan:

Provided herewith is the Annual Report of the Hazardous Material Safety Program in the Commonwealth of Pennsylvania for calendar year 2005.

This annual report is required by the Hazardous Material Emergency Planning and Response Act (Act 1990-165). This legislation, signed into law on December 7, 1990 and amended on December 20, 2000, created a comprehensive, statewide program intended to provide the health, safety, and welfare of the citizens of this Commonwealth from exposure to hazardous materials in the facilities and from transportation-related accidents.

Act 165 established a comprehensive hazardous material safety program in the Commonwealth; created funds to provide financial assistance to Commonwealth agencies and counties; established emergency notification systems; assigned responsibilities to Commonwealth and local agencies; provided for civil liability protection to officials and emergency response personnel; and established fiscal reimbursement liability to those responsible for releases.

This report is submitted by the Pennsylvania Emergency Management Council/State Emergency Response Commission to the General Assembly in order to provide information on the activities undertaken to implement the Act.

Sincerely,

JAMES R. JOSEPH
 Director

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 Michael W. Brubaker as a member of the Agriculture Committee of the Eastern Regional Conference of the Council of State Governments.

Senator Stewart J. Greenleaf as a member of the Criminal Justice Board of Advisors of the Eastern Regional Conference of the Council of State Governments.

Senator Roger A. Madigan as a member of the Transportation Committee of the Eastern Regional Conference of the Council of State Governments.

Senator Don White as a member of the Transportation Committee of the Eastern Regional Conference of the Council of State Governments.

BILL SIGNED

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

SB 650.

BILLS REPORTED FROM COMMITTEE

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

SB 385 (Pr. No. 1087) (Amended) (Rereported)

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

SB 413 (Pr. No. 460) (Rereported)

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

SB 799 (Pr. No. 891) (Rereported)

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.

SB 826 (Pr. No. 1009) (Rereported)

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for actuarial cost method.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Madam President, I request legislative leaves for Senator Tomlinson and Senator Pippy, and a temporary Capitol leave for Senator Gordner.

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

LEAVES OF ABSENCE

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

Senator O'PAKE asked and obtained leaves of absence for Senator A.H. WILLIAMS and Senator C. WILLIAMS, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, June 4, 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, June 11, 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, June 11, 2007, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-47

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR PATRICIA H. VANCE
PRESENTED TO THE SENATE**

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

Senator VANCE. Madam President, I am very pleased to introduce Jeremy Conrad, a summer intern in my district office who will be a senior at Virginia Tech in the fall, majoring in political science. He is a graduate of Cumberland Valley High

School, and I am delighted to have him here with us today and very pleased to introduce him to the Senate.

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

(Applause.)

**GUESTS OF SENATOR ROBERT WONDERLING
PRESENTED TO THE SENATE**

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

Senator WONDERLING. Madam President, I am extremely delighted and honored today to introduce a group of fourth graders, teachers, and parents from the Gwynedd Square Elementary School who are visiting our State Capitol today. I had a chance to yell the panther roar with the group a little earlier today in the Rotunda, and I now ask that we offer our hearty and traditional Senate welcome to them.

The PRESIDENT. Will the teachers, parents, and fourth grade students from Gwynedd Square Elementary School please rise so we can give you a warm welcome.

(Applause.)

**GUESTS OF SENATOR JEFFREY E. PICCOLA
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Madam President, this is a little unusual of an introduction because I do not know the students I am introducing. I am actually doing this on behalf of our Chief Reporter, Ann-Marie Sweeney, who has students in the gallery today from Harrisburg Area Community College. They are Chelsea Rodgers, Stacia Johnson, and Angela Layton, and they are accompanied by their instructor, Annette DeWald, who is a court reporter at the York County Courthouse. I ask that we welcome our guests to the Senate of Pennsylvania.

The PRESIDENT. Will our court reporters please rise.

(Applause.)

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 Republican caucus to be held in the first floor caucus room immediately.

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

Senator O'PAKE. Madam President, we also will caucus, and I would like to ask if the Majority Leader knows how long we will be in caucus.

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

Senator PILEGGI. Madam President, I do not believe our caucus will last more than an hour.

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

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 221 (Pr. No. 258) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of firearms not to be carried without a license and for license to carry firearm.

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-47

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

NAY-0

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Tomlinson and Senator Gordner have returned, and their respective leaves are cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL AMENDED

SB 317 (Pr. No. 352) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator PILEGGI offered the following amendment No. A0752:

Amend Title, page 1, line 11, by inserting after "for": affidavit of circulator and for

Amend Bill, page 1, lines 15 through 18, by striking out all of said lines and inserting:

Section 1. Section 909 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, amended February 19, 1986 (P.L.29, No.11), is amended to read:

Section 909. Petition May Consist of Several Sheets; Affidavit of Circulator.—Said nomination petition may be on one or more sheets, and different sheets must be used for signers resident in different counties. If more than one sheet is used, they shall be bound together when offered for filing if they are intended to constitute one petition, and each sheet shall be numbered consecutively beginning with number one, at the foot of each page. In cases of petitions for delegate or alternate delegate to National conventions, each sheet shall contain a notation indicating the presidential candidate to whom he is committed or the term "uncommitted." Each sheet shall have appended thereto the affidavit of the circulator of each sheet, setting forth—(a) that he or she is a qualified elector duly registered and enrolled as a member of the designated party of the State, or of the political district, as the case may be, referred to in said petition, unless said petition relates to the nomination of a candidate for the office of school director in a district where that office is elective, for a court of common pleas, for the Philadelphia Municipal Court [or], for the Traffic Court of Philadelphia or for [justice of the peace] magisterial district judge, in which event the circulator need not be a duly registered and enrolled member of the designated party; (b) his residence, giving city, borough or township, with street and number, if any; (c) that the signers thereto signed with full knowledge of the contents of the petition; (d) that their respective residences are correctly stated therein; (e) that they all reside in the county named in the affidavit; (f) that each signed on the date set opposite his name; and (g) that, to the best of affiant's knowledge and belief, the signers are qualified electors and duly registered and enrolled members of the designated party of the State, or of the political district, as the case may be.

Section 2. Section 1632(a) and (b) of the act, amended or added October 4, 1978 (P.L.893, No.171) and July 11, 1980 (P.L.591, No.127), are amended to read:

Amend Sec. 1 (Sec. 1632), page 2, line 2, by striking out the brackets before and after "excluding Saturdays, Sundays and holidays"

Amend Sec. 2, page 3, line 17, by striking out "2" and inserting: 3

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

BILLS OVER IN ORDER

HB 688 and SB 831 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 100 (Pr. No. 1037) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 116 (Pr. No. 1038) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for selection of prospective jurors.

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 8 (Pr. No. 896) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Medical Safety Automation Account; and providing grants to implement medical safety automation systems.

On the question,
Will the Senate agree to the bill on second consideration?
Senator OPAKE, on behalf of Senator MELLOW, offered the following amendment No. A0903:

Amend Title, page 1, line 1, by striking out "Account" and inserting: Fund

On the question,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate agree to the bill on second consideration, as amended?
It was agreed to.
Ordered, To be printed on the Calendar for third consideration.

BILL OVER IN ORDER

SB 87 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 612 (Pr. No. 663) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 24, 1966 (1965 P.L.1527, No.535), known as the Landscape Architects' Registration Law, further providing for application for license and qualifications and experience requirements of applicants and for continuing education.

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

BILLS OVER IN ORDER

SB 632 and SB 726 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 737 (Pr. No. 806) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 2002 (P.L.1144, No.141), entitled "An act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages," repealing expiration provision.

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

BILL OVER IN ORDER

SB 844 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 877 (Pr. No. 1039) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, adding definitions; and further providing for prepayment for contracted medical services and for established drug regimens.

Considered the second time and agreed to,
Ordered, To be printed for third consideration.
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

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 in the Rules room.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate stands in recess.

AFTER RECESS

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

UNFINISHED BUSINESS

RESOLUTION REPORTED FROM COMMITTEE

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

SR 125 (Pr. No. 1086)

A Resolution designating the month of June 2007 as "Corrections Officers and Employees Month" in Pennsylvania.

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

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 PENNSYLVANIA DRUG, DEVICE AND COSMETIC BOARD

May 9, 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 Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia Bricklin, Ph.D., Wayne, 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 PENNSYLVANIA LIQUOR CONTROL BOARD

May 23, 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 Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan H. Newman, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF PENNSYLVANIA BOARD OF PROBATION AND PAROLE

May 23, 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 Pennsylvania Board of Probation and Parole, to serve until May 22, 2007, or until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Sean R. Ryan, Perkasio, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

June 1, 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 The Honorable Steven M. Crawford, 503 Haldeman Boulevard, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice William R. Shane, Esquire, Indiana, whose term expired.

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 ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

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, Melvin Gehman, 2043 Horseshoe Pike, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice R. Anthony Brubaker, Mt. Joy, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

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, Thomas B. Williams, 2400 Fulling Mill Road, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF AUCTIONEER EXAMINERS**

April 19, 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, Sherman E. Hostetter, Jr., 254 4th Street, Beaver 15009, Beaver County, Forty-seventh Senatorial District, for reappointment 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.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, 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.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wylie S. Rittenhouse, 501 Town Country Road, Vanderbilt 15486, Fayette County, Thirty-second 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 Robert J. Reimold, Transfer, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE CONSTABLES' EDUCATION
AND TRAINING BOARD**

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, The Honorable Sandra A. Miller, 535 River Road, Yardley 19067, Bucks County, Tenth Senatorial District, for reappointment as a member of the Constables' Education and Training Board, to serve for a term of three years and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

May 9, 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, Eric B. Springman, PhD, 2310 Sienna Drive, East Norriton 19401, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Hai-Lung Dai, Wayne, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

April 19, 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, D. Joanne Reckley, 2403 Elizabeth Avenue, Temple 19560, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice Annabelle Good, Allentown, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
HAMBURG CENTER

May 8, 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, Frederick C. Sheeler, 605 Seidels Run, Leesport 19533, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Rachel Rentschler, Hamburg, resigned.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elizabeth Anne Gargan, P.O. Box 327, 113 Treetop Lane, Wallingford 19086, Delaware County, Ninth Senatorial District, for reappointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gerald F. Skillings, PsyD, 541 Cynwyd Circle, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Bruce L. Castor, Jr., Lederach, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES FOR
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

May 8, 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, Brigadier General Jerry G. Beck, Jr., 20 Egret Circle, Denver 17517, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees for Scotland School for Veterans' Children, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Dean Steinhart, Mount Joy, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL

May 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, Steven D. Mitchell, D. C., 559 E. South Street, Corry 16407, Erie County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Joann Zartman, DuBois, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Fillippo, 245 Mine Road, Malvern 19355, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 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, J. Adam Matlawski, 309 Meadowbrooke Lane, Broomall 19008, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Carol Aichele, Malvern, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 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, Marian D. Moskowitz, 1890 Rose Cottage Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice David James, West Chester, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 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 Robert M. Tomlinson, 2207 Bristol Pike, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher

Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Alan Novak, Coatesville, whose term expired.

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.

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 ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION

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, Melvin Gehman, 2043 Horseshoe Pike, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice R. Anthony Brubaker, Mt. Joy, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION

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, Thomas B. Williams, 2400 Fulling Mill Road, Middletown 17057, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF AUCTIONEER EXAMINERS**

April 19, 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, Sherman E. Hostetter, Jr., 254 4th Street, Beaver 15009, Beaver County, Forty-seventh Senatorial District, for reappointment 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.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, 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.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wylie S. Rittenhouse, 501 Town Country Road, Vanderbilt 15486, Fayette County, Thirty-second 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 Robert J. Reimold, Transfer, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE CONSTABLES' EDUCATION
AND TRAINING BOARD**

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, The Honorable Sandra A. Miller, 535 River Road, Yardley 19067, Bucks County, Tenth Senatorial District, for reappointment as a member of the Constables' Education and Training Board, to serve for a term of three years and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

May 9, 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, Eric B. Springman, PhD, 2310 Sienna Drive, East Norriton 19401, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Hai-Lung Dai, Wayne, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER**

April 19, 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, D. Joanne Reckley, 2403 Elizabeth Avenue, Temple 19560, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice Annabelle Good, Allentown, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
HAMBURG CENTER**

May 8, 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, Frederick C. Sheeler, 605 Seidels Run, Leesport 19533, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Rachel Rentschler, Hamburg, resigned.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elizabeth Anne Gargan, P.O. Box 327, 113 Treetop Lane, Wallingford 19086, Delaware County, Ninth Senatorial District, for reappointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified.

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 conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gerald F. Skillings, PsyD, 541 Cynwyd Circle, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Bruce L. Castor, Jr., Lederach, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES FOR
SCOTLAND SCHOOL FOR VETERANS' CHILDREN

May 8, 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, Brigadier General Jerry G. Beck, Jr., 20 Egret Circle, Denver 17517, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees for Scotland School for Veterans' Children, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Dean Steinhart, Mount Joy, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WARREN STATE HOSPITAL

May 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, Steven D. Mitchell, D. C., 559 E. South Street, Corry 16407, Erie County, Twenty-first Senatorial

District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Joann Zartman, DuBois, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas Fillippo, 245 Mine Road, Malvern 19355, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 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, J. Adam Matlawski, 309 Meadowbrooke Lane, Broomall 19008, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Carol Aichele, Malvern, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
WEST CHESTER UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

May 1, 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, Marian D. Moskowitz, 1890 Rose Cottage Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice David James, West Chester, whose term expired.

EDWARD G. RENDELL
Governor

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

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

YEA-47

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

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.

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:

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

May 1, 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 Robert M. Tomlinson, 2207 Bristol Pike, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as a member of the Council of Trustees of West Chester University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Alan Novak, Coatesville, whose term expired.

EDWARD G. RENDELL
Governor

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

POINT OF ORDER

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

Senator TOMLINSON. Madam President, I rise for a point of order and ask for relief from this vote to avoid any conflict on this appointment. Not that I am not qualified, Madam President, I think I am eminently qualified, but I do not want to be in conflict.

The PRESIDENT. Under this rare circumstance, I think it is absolutely fine.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, would the previous speaker stand for interrogation?

Senator TOMLINSON. Certainly, Madam President.

The PRESIDENT. The gentleman indicates he will.

Senator CORMAN. Madam President, where did the previous speaker attend higher education?

Senator TOMLINSON. West Chester University, Madam President.

Senator CORMAN. Madam President, and this is where the gentleman is being appointed?

Senator TOMLINSON. That is correct, Madam President.

Senator CORMAN. Madam President, are there any statute of limitations on any activities that took place when the gentleman was in college?

Senator TOMLINSON. Madam President, there certainly are, seven years.

Senator CORMAN. Thank you, Madam President.

And the question recurring,

Will the Senate advise and consent to the nomination?

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

YEA-46

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

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.

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 Eric Henry by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Allen A. Oswald, Christian Charles Longacre and to Elizabeth Frederick by Senator Browne.

Congratulations of the Senate were extended to the Reverend Monsignor Francis X. Meehan by Senator Dinniman.

Congratulations of the Senate were extended to Donald L. Detwiler by Senator Eichelberger.

Congratulations of the Senate were extended to the Bloomsburg Chapter of the American Red Cross by Senator Gordner.

Congratulations of the Senate were extended to William Wilson by Senator Kasunic.

Congratulations of the Senate were extended to Thomas Van Horn by Senator Logan.

Congratulations of the Senate were extended to Gregory Philip Swierzewski by Senator McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Edward Leyshon and to the Reverend Monsignor John J. Bendik by Senator Musto.

Congratulations of the Senate were extended to Michael P. Stralo by Senator O'Pake.

Congratulations of the Senate were extended to Dr. Robert Johnson and to Karen Berner-Michael by Senator Orie.

Congratulations of the Senate were extended to Eileen Driscoll by Senator Vance.

Congratulations of the Senate were extended to Bernell Hill and to Woodie Marcus by Senator Washington.

Congratulations of the Senate were extended to Jarred Strine and to Larry J. Miller by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Bruce Brodmerkel, Mr. and Mrs. Ronald Keith, Mr. and Mrs. Bill Hankey and to Anna E. Brown by Senator D. White.

Congratulations of the Senate were extended to Kayla Welsh by Senator M.J. White.

Congratulations of the Senate were extended to the Reverend Dr. Albert F. Campbell by Senator A.H. Williams.

Congratulations of the Senate were extended to Braxton's Animal Works of Wayne by Senator C. Williams.

Congratulations of the Senate were extended to Stradley Ronon Stevens & Young, LLP, of Malvern, and to The Timothy School of Berwyn by Senators C. Williams and Dinniman.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Janice L. Wenger by Senator Armstrong.

Condolences of the Senate were extended to the family of the late Honorable John Andrews Redding, Jr., by Senator Punt.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late John Gary Gertsch was extended to the family by Senator M.J. White.

PETITIONS AND REMONSTRANCES

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

Senator STACK. Madam President, I rise to briefly thank my colleagues for their support today of Senate Bill No. 221.

Senate Bill No. 221 provides members of the National Guard and Armed Forces with a 90-day extension for a license to carry a concealed firearm. The extension would be granted if a service member was deployed overseas and his or her permit expired during that time. Service members would be required to present a copy of their military orders and their expired license as proof of their ability to carry a firearm during the extension period.

This came to my attention when a constituent who serves in the National Guard phoned my office and we talked about it. He was concerned that his license to carry a concealed firearm would expire while he was deployed. Being that he was a law-abiding citizen and committed to public service, he wanted to ensure that he and other members of the military would not be penalized for service for their country. I think this legislation addresses those concerns by giving members of the National Guard and the United States Armed Forces adequate time to renew their licenses.

The Commonwealth of Kentucky has also provided this type of protection to their citizens who serve in the military. So I appreciate my colleagues' consideration and affirmative vote for the legislation. It is a small but important step that we can take to help our service men and women, and ensure that they are not penalized for serving their country.

Thank you, Madam President.

LEGISLATIVE LEAVE CANCELLED

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

PETITIONS AND REMONSTRANCES

(Continued)

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Madam President, I want to briefly put some comments on the record of the Senate regarding a very beautiful ceremony that the Chair attended today with me and Senator Baker in the Soldiers' and Sailors' Grove, which is a lovely park-like area behind the Capitol.

The grove is there to recognize Pennsylvania heroes, and specifically, there are markers there with the names of all Pennsylvanians who have ever been awarded the United States Congressional Medal of Honor, which, of course, is the highest military honor that can be accorded anyone in our country.

There are 463 markers out there, plus the one that was installed today. The wars represented include everything from the Civil War, the Indian campaigns, World Wars I and II, Korea, Vietnam, and Somalia.

Today, we put a marker there representing U.S. Army Staff Sergeant John Gary Gertsch, a resident of Warren County, who received the Congressional Medal of Honor in Vietnam, and died July 19, 1969. He was truly a hero. He grew up in Warren County, but it has taken us all of these years to recognize him

because Russell, where he grew up, is right on the line with the State of New York, and when he enlisted in the United States Army, he did so from Buffalo, New York, and was recorded as being a New York citizen. So, for all these years his marker has been missing from our grove of heroes, and today that oversight was corrected while his family attended. It was truly a beautiful ceremony.

There have been 3,463 medals of honor awarded in the history of our country. In Vietnam, nationwide there were 245. I am very proud that a son of Warren, Pennsylvania, was one of those heroes. John had a tough life. He grew up in a children's home with his sisters. He did not have the luxury of parents. I think perhaps the Army was his family because he loved the Army, he loved his fellow soldiers, and he gave his life protecting them, and I simply ask the Senate to observe a moment of silence as a belated memorial to this fine young Pennsylvanian.

Thank you.

The PRESIDENT. I ask all Senators and staff to stand to observe a moment of silence for United States Staff Sergeant John Gary Gertsch, from Warren, Pennsylvania, who died July 19, 1969, and for all the Congressional Medal of Honor recipients.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Staff Sergeant JOHN GARY GERTSCH.)

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 5, 2007

10:00 A.M.	EDUCATION (to consider Senate Bill No. 834; House Bill No. 842; and any other business that may come before the Committee)	Room 8E-A East Wing
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY and CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (joint public hearing on Energy Policy for Pennsylvanians)	Senate Maj. Caucus Rm.
11:30 A.M.	LABOR AND INDUSTRY (to consider Senate Bills No. 333 and 466)	Room 461 Main Capitol
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 130; and certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, JUNE 6, 2007

9:30 A.M.	FINANCE (to consider Senate Bills No. 7, 23, 24 and 707; and House Bill No. 876)	Room 461 Main Capitol
9:30 A.M.	PUBLIC HEALTH AND WELFARE (public hearing on hospital acquired infections)	Senate Maj. Caucus Rm.

10:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 455 and 838)	Room 8E-B East Wing
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10:00 A.M.	LAW AND JUSTICE (to consider Senate Bill No. 674; and House Bill No. 896)	Room 8E-A East Wing
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TUESDAY, JUNE 12, 2007

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY and CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (joint public hearing on Energy Policy for Pennsylvanians)	Hrg. Rm. 1 North Off.
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RECESS

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

Senator PILEGGI. Madam President, I move that the Senate do now recess until Tuesday, June 5, 2007, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

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