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SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 42

SENATE

WEDNESDAY, June 13, 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 DAVID J. DUQUETTE, of Pennside Presbyterian Church, Reading, Pennsylvania, offered the following prayer:

Let us pray.

O Lord, Our God, we ask your blessing on this day's work by this Senate of the Commonwealth of Pennsylvania.

Grant these Senators the courage of their convictions so that they will not settle for easy compromises, but will instead strive together for the greater good that they can achieve. Help them resist the temptations to replace seeking the common good of the citizens of this Commonwealth for the pursuit of partisan power and personal gain that puts politics before people.

Give them the wisdom to see through shallow and superficial solutions to the challenges we, the people of Pennsylvania, face, from the senior citizen who wonders how she can afford to stay in her home on her fixed income, to her middle-aged son who wonders how they can pay her medical bills, to his teenage son and daughter who wonder how they will pay for college, and if there will be a job for them in Pennsylvania when they graduate. You have heard our prayers about these challenges, O God, help these Senators hear Your answer. Help these Senators be Your answer.

O Lord, Our God, politics is often defined as the art of the possible. By Your grace, lift the ambitions of this Senate higher than merely what is possible. Lift them out of the morass of politics as usual with a vision of a new day for Pennsylvania, a day of peace, a day of prosperity, a day of safety, security, and opportunity. Guide this Senate, O God, that they may lead Pennsylvania to a bright new day of hope.

We ask this for your sake and for the sake of all Your children who call the Commonwealth of Pennsylvania home.

Amen.

The PRESIDENT The Chair thanks Reverend Duquette, 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 the family of Reverend Duquette. The Pastor's lovely mother--yes, that is his mother, not his wife up there--Nancy, who is a resident of Dauphin County, and also his three sons are here, Isaac, Nathan, and Derek, and they are all students of the Exeter School District in Berks County. We are very happy that they have accompanied our distinguished guest Chaplain here to the Senate.

The PRESIDENT. Will you please rise so we can welcome you to the State Senate today.

(Applause.)

HOUSE MESSAGE

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

Weekly recess.

BILLS REPORTED FROM COMMITTEES

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

HB 1286 (Pr. No. 1907) (Amended)

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 2007, to June 30, 2008, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Tobacco Settlement Fund and the Health Care Provider Retention Account to the Executive

Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2007, to June 30, 2008; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2007, to June 30, 2008, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 2007, to June 30, 2008, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2007; to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Pharmaceutical Assistance Contract for the Elderly Fund for the Executive, Legislative and Judicial Departments of the Commonwealth for the fiscal year July 1, 2006, to June 30, 2007, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2006.

Senator BROWNE, from the Committee on Finance, reported the following bills:

SB 97 (Pr. No. 1166) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in bank and trust company shares tax, for ascertainment of taxable amount and exclusion of United States obligations.

SB 375 (Pr. No. 161)

An Act amending the act of June 11, 1968 (P.L.149, No.84), known as the Volunteer Firefighters' Relief Association Act, further providing for structure of volunteer firefighters' relief associations.

SB 690 (Pr. No. 1167) (Amended)

An Act establishing the Resource Enhancement and Protection Tax Credit Program for the stewardship of agricultural lands and riparian corridors; creating opportunities for private investment in best management practices and riparian corridors; establishing a sponsorship program; authorizing the transferability of the tax credits; and imposing powers and duties on the Department of Revenue and the State Conservation Commission.

SB 961 (Pr. No. 1168) (Amended)

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for earned income tax.

Senator ERICKSON, from the Committee on Public Health and Welfare, reported the following bill:

SB 968 (Pr. No. 1169) (Amended)

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, providing for reduction and prevention of health care-associated infection.

LEGISLATIVE LEAVE

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

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

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

CALENDAR

SB 799 CALLED UP OUT OF ORDER

SB 799 (Pr. No. 1165) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator PILEGGI, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 799 (Pr. No. 1165) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

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

YEA-50

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

NAY-0

A constitutional majority of 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.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR PATRICK M. BROWNE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Madam President, I am proud to introduce a member of my staff, a summer intern in my district office,

Maggie Sandherr. She is a junior from the great Saint Vincent College, and is majoring in history.

Please give her a warm welcome.

The PRESIDENT. Will Maggie Sandherr please rise so we can welcome you.

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Madam President, we have some very special guests here. We often hear problems that young people have, but when young people do good things, we, as a Senate, should recognize and applaud these individuals.

This is a group of students from Downingtown West High School who have raised money to help a school in Uganda restore itself. You see, and you have a tape, each of you have a tape on your desk, it is called "Invisible Children."

Invisible Children is a national nonprofit that was established in 2004 to allow citizens and young people to respond to the difficult situation in war-torn areas of Uganda. The students from Downingtown West, who are here with their advisors and many of their parents, have raised funds on their own, have raised the fifth most funds in this nation to help their partner school in Uganda so they could refurbish the classrooms, stock the libraries, and train teachers in Uganda.

You know, we are one world. We are all interconnected. Remember Martin Luther King told us we are all part of a single garment of destiny, and we want to recognize these students who understand that we have to help each other in this world. So let us recognize and have a good hand for the students from Downingtown West High School.

The PRESIDENT. Will all the students from Downingtown West High School and their parents and teachers please rise, and thank you for sharing this tape with us, "Invisible Children."

(Applause.)

GUESTS OF SENATOR ROBERT TOMLINSON PRESENTED TO THE SENATE

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

Senator TOMLINSON. Madam President, I would like to introduce some guests from Fairless Hills, the Bristol Township part of Fairless Hills, John and Marion Sehi and their children, Chris, Michael, Liz, and John.

They come here today to take part in the legislative process and witness how we do things here in Harrisburg and, of course, enjoy the beauty of this magnificent Capitol.

I would like my colleagues to welcome my guests from Fairless Hills.

The PRESIDENT. Will our guests, John and Marion Sehi and their children from Fairless Hills, Bristol Township, please rise so we can welcome you.

(Applause.)

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Environmental Resources and Energy to meet in the Rules room during today's Session to consider Senate Bills No. 715 and 913.

CONSIDERATION OF CALENDAR RESUMED

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 437 (Pr. No. 853) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 437?

Senator PILEGGI. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 437.

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-50

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 906 (Pr. No. 1887) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 2003 (P.L.73, No.17), known as the Volunteer Fire Company and Volunteer Ambulance Service Grant Act, further defining "volunteer ambulance service"; further providing for guidelines and procedures, for award of grants and for expiration of authority; providing for publication and notice, for special provisions; and repealing an obsolete act.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator O'PAKE. Madam President, I rise in support of House Bill No. 906 and urge its final approval.

This legislation, very simply, is the House-passed version of the bipartisan Senate Bill 10 that many of us cosponsored at the beginning of this Session to continue the very important and very successful \$25 million annual State grant program to help our volunteer fire companies and ambulance associations with the high cost of equipment and facilities.

While the bill was amended slightly in the Senate Committee on Appropriations yesterday and will now have to go back to the House of Representatives for concurrence before it reaches the Governor for his final signature, the most important thing is that we are moving forward in acting on the House bill, which is critical to getting this signed into law as soon as possible.

Because we now have two fiscal years converging on one another, this legislation, in addition to providing for some permanency of this vital program, will cut down on the paperwork for our volunteer fire companies and ambulance associations by enabling a combined application process for the grants for the current fiscal year and the new fiscal year that starts July 1. And, it requires that our volunteers will receive the grant for the current fiscal year by this December 14, and the grant for the new fiscal year just a month later.

Madam President, as I have said, this is an important, essential program. In the last round of grants, in my own district, a total of 63 volunteer fire companies and 12 ambulance companies in my home county of Berks received a total of \$767,923 in grants. And, so far, since the inception of the State's program, Berks County's volunteer fire and ambulance companies have been awarded nearly \$3 million in State grants. That is a lot of chicken barbecues, breakfasts, ham and bean suppers, and pizza sales, and it is the least we in State government should be doing. Because, the fact is, our volunteers perform a critical public service in our communities, a service we cannot do without.

Thank you, Madam President.

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

Senator REGOLA. Madam President, as the prime sponsor of the Senate version, I rise in support of House Bill No. 906. This legislation would provide critical funding for our volunteer fire and ambulance departments.

Since 2000, the Pennsylvania General Assembly has regularly appropriated \$25 million for grants for volunteer fire and EMS departments. With last year's grant program expiring, it is vital that we pass reauthorization legislation.

Our volunteer fire and ambulance companies are the first line of defense in emergencies. Throughout Pennsylvania, our volunteer fire and ambulance companies rely on this program to help them make ends meet so they can focus on protecting our communities and less time on fundraising.

I am pleased that the Senate has made these grants a top priority, moving quickly to pass Senate Bill 10 in February and taking up House Bill No. 906 in a timely manner. The most important aspect of this legislation is that it reauthorizes the grant program for 5 years, rather than a year-to-year basis. Firefighters will now have more certainty with this legislation.

Madam President, I would also like to thank Senator Baker and Senator Waugh for working with me on this issue. I ask for an affirmative vote on House Bill No. 906.

Thank you.

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

Senator COSTA. Madam President, I too join my colleagues in advocating for an affirmative vote on House Bill No. 906.

Madam President, it has been stated this is a very important piece of legislation that accomplishes a number of goals. First and foremost, Madam President, it allows us to continue working in a very important bipartisan way in making certain that we provide the resources to our volunteer fire companies, as well as to our ambulance service organizations that exist throughout this Commonwealth. Also, it provides for a 5-year extension, Madam President, which I think is important, as was stated by my colleague Senator Regola, that it allows for the departments to have some certainty about what type of programs and what type of investments they will be able to make with the understanding that there will be resources there for them at least for the next 5 years. Also, by going to a 2-year type of program, it cuts some of the administrative costs that are associated with the program.

Madam President, I think this legislation is very important, as I said, for some of the reasons I just outlined. I also want to take a moment to make certain that for those who are watching today's Session debate about this legislation, that they make certain that their volunteer fire companies do, in fact, participate and apply for these grants before the deadline date that was stated. As we now know that this legislation provides for a 2-year period, if you do not get your application in I think in the early part of the process by the original deadline, you may not have the opportunity to participate in the second year. So I would encourage those departments that are out there watching today's program to make certain that they apply for these grant programs so they are not left on the outside looking in with respect to these programs.

Madam President, I think it is important that we acknowledge and recognize, and it is our acknowledgment to the local fire companies and to the EMS folks, that we truly appreciate the work they do. We know how they struggle to raise resources. As Senator O'Pake mentioned, they have to go through the bake sales and a variety of other ways to raise the resources to make certain that they have the adequate equipment, the state-of-the-art equipment in our respective communities, because the investment of their time and effort to protect all of us is so vitally important that it is only appropriate that the Commonwealth demonstrate its appreciation for those folks by providing this \$25 million grant program to all these communities.

I am very happy to join my colleagues in a affirmative way to support this legislation, and I, too, want to thank both parties who were involved with this legislation, because this is the type of stuff that we need to do in the manner which we have accomplished it, in a bipartisan manner.

Madam President, thank you very much.

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

Senator DINNIMAN. Madam President, one comment I would like to make is if the citizens understood how much fire service would cost without these volunteers, it would be millions and millions of taxpayers' dollars. The least we can do is to support these companies with these grants for equipment and training.

Additionally, I want to thank Senator Regola and Senator Baker, and the Committee on Veterans Affairs and Emergency Preparedness, because from our point of view it was not a Senate bill, it was not a House bill, it was what bill would get through the quickest so that we can get this help for our fire companies, and the Senate showed great leadership by withdrawing our bill and essentially supporting the House bill so we could do this quickly. I think we did that, and both Senator Regola and the Committee on Veterans Affairs and Emergency Preparedness should be thanked for that. I am happy to rise in support of this as well.

Thank you, Madam President.

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

Senator RAFFERTY. Madam President, today will be a big step for the citizens' army, the volunteer firefighters, the EMTs, those who day in and day out risk their own welfare and safety for our benefit to make sure that we in Pennsylvania have our lives and property protected and ensure our safety. To them we owe a deep debt of gratitude, and recognizing their efforts and assisting them and the municipal governments, it is our obligation to vote "yes" for this bill, which I know my colleagues will. It is an important step and a big step. Kudos to the General Assembly for stepping up to the plate and for the Governor for signing the bill to assist our volunteer firefighters and our EMTs.

Thank you, Madam President.

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

Senator FERLO. Madam President, we are spending a little bit of time importantly to thank our volunteer firefighters and men and women out in our communities who are special people.

They run into a building when most people are running out of the building.

So I am very pleased, but since we are issuing a few thank you's, I do want to thank my colleague Senator Logan, who first came to me at least 3 years ago, as I first arrived in the Senate 4 years ago, and said we need to make sure that we have a dedicated revenue source for this \$25 million pot of money so it is not always on the chopping block of prioritizations each year when we are struggling to approve a State budget. I want to note and also thank Senator Logan for his leadership by making sure that we, as the elected officials both in the House and the Senate, grapple with the difficult issue of making sure we have money systemically in the budget from the original source of gaming revenue dollars.

So for those folks who continue to maybe have a little bit of concern about gaming, I would hope that they would recognize the important social purpose of these dollars being dedicated. I know in my three-county area I am proud to represent over 50 volunteer firefighting units, and I in my own family, my brother is a professional firefighter now retired. So I know a little bit about what a family goes through, and even yesterday in the city of Pittsburgh we had the death of five children, a horrific incident that is just heart wrenching.

So I think all of us on this floor know how important this service is to the community, how vital it is, and I am very pleased that we found a way to make sure that each and every year we do not have to argue about budget priorities when it comes to trying to get money back to these dedicated men and women in these very important volunteer fire units, paramedics, and first responders.

Thank you very much, Madam President.

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Madam President, I rise today certainly to support House Bill No. 906 that is before us, and as previously mentioned, this is an extremely important bill to continue funding for fire and EMS services statewide. This is a program that over the years our volunteer organizations have come to rely on, depend on, and they are certainly deserved in all regions of the State.

I was not going to speak, Madam President, but I would just like to reemphasize the fact that also included in this proposal is a long-sought provision that would in many ways institutionalize this program, albeit a 5-year window, it is certainly better than we have had.

As you well know, each year we seem to go through this process of wrangling over what bill is going to be the one that provides grants to fire services. Therefore, we have had implementation periods that just run the gauntlet across the entire calendar year. Here we are again at the eleventh hour in fiscal year 2006-07 searching for ways to get the money out and into the hands of these folks, and fortunately, through the provisions in this bill, we are looking at not only doing this for the 2006-07 fiscal year, but in a proactive way, and hopefully a way that we will be able to continue in the future, looking at the upcoming fiscal year now so that that appropriation can be put in place.

I would just like to implore that the House of Representatives look at this bill seriously as it comes to them. Unfortunately, this

is the second time the Senate has done this, we sent a bill to the House of Representatives earlier this year and they saw fit not to use the Senate bill but to extend the process by way of support of the administration and other organizations to drag it out, and now again put it back in the hands of the Senate. So here we are a second time.

It is high time, we are at the eleventh hour, to get this bill passed and in the hands of the Governor. The House of Representatives and those who speak for this bill need to understand that if it is held up again, it is their fault, not the fault of the Senate.

So I ask all those beyond this point who are involved in the process to take heed and move this bill along so we can get these funds distributed to our volunteer fire services statewide post-haste.

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-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL LAID ON THE TABLE

SB 87 (Pr. No. 121) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for contracting with veteran-owned businesses; and imposing duties on the Department of General Services.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was laid on the table.

SB 87 TAKEN FROM THE TABLE

Senator PILEGGI. Madam President, I move that Senate Bill No. 87, Printer's No. 121, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL LAID ON THE TABLE

SB 317 (Pr. No. 1088) -- 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 affidavit or circulator and for filing fees and certificates of filing.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was laid on the table.

BILLS OVER IN ORDER

SB 466 and HB 688 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 726 (Pr. No. 882) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on third consideration?

Senator BROWNE offered the following amendment No. A0642:

Amend Title, page 1, line 4, by striking out "and" and inserting a comma

Amend Title, page 1, line 4, by removing the period after "claimant" and inserting: and for priority of lien.

Amend Sec. 1, page 1, line 7, by striking out "Section 201(14) and section 401" and inserting: Sections 201(14), 401 and 508

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

Section 508. Priority of Lien.—The lien of a claim filed under this act shall take effect and have priority as follows:

(a) Except as set forth in subsection (c), in the case of the erection or construction of an improvement, as of the date of the visible commencement upon the ground of the work of erecting or constructing the improvement.

(b) Except as set forth in subsection (c), in the case of the alteration or repair of an improvement, as of the date of the filing of the claim.

(c) Any lien obtained under this act by a contractor or subcontractor shall be subordinate to the following:

(1) A purchase money mortgage as defined in 42 Pa.C.S. § 8141(1) (relating to time from which liens have priority).

(2) An open-end mortgage as defined in 42 Pa.C.S. § 8143(f) (relating to open-end mortgages), the proceeds of which are used to pay all or part of the cost of completing erection, construction, alteration or repair of the mortgaged premises secured by the open-end mortgage[.] or to secure certain advances under 42 Pa.C.S. § 8144 (relating to mortgages to secure certain advances).

(3) Any substitution, refinancing or modification of a mortgage referred to under paragraphs (1) and (2).

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 third consideration, as amended?

Senator BROWNE offered the following amendment No. A1382:

Amend Title, page 1, line 4, by striking out "and" and inserting a comma

Amend Title, page 1, line 4, by removing the period after "claimant" and inserting: and for right to limit claims to unpaid balance of contract price.

Amend Sec. 1, page 1, line 7, by striking out "Section 201(14) and section 401" and inserting: Sections 201(14), 401 and 405

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

Section 405. [Right of Owner to Limit Claims to Unpaid Balance of Contract Price.—Where the claims of subcontractors exceed in the aggregate the unpaid balance of the contract price specified in the contract between the owner and the contractor, then if the subcontractor has actual notice of the total amount of said contract price and of its provisions for the time or times for payment thereof before any labor or materials were furnished by him, or if such contract or the pertinent provisions thereof were filed in the office of the prothonotary in the time and manner provided in section 402, each claim shall, upon application of the owner, be limited to its pro-rata share of the contract price remaining unpaid, or which should have remained unpaid, whichever is greatest in amount at the time notice of intention to file a claim was first given to the owner, such notice inuring to the benefit of all claimants.] Right to Limit Claims to Unpaid Balance of Contract Price.—

(a) Contractor. The maximum amount for which an interest in real property may be subject to a lien under this act for one or more lien claims filed pursuant to this act shall not be greater than the price of the contract between the owner and the contractor less the amount of payments made by the owner to the contractor or to another lien claimant prior to receipt by the owner of a notice of intention to file a lien claim pursuant to section 501.

(b) Subcontractors.

(1) In the case of a lien claim filed by a subcontractor in privity of contract with the contractor, the maximum amount for which an interest in real property may be subject to a lien under this act for one or more lien claims filed under this act shall not be the greater than the lesser of:

(i) the amount provided in subsection (a); or

(ii) the price of the contract between the contractor and subcontractor less the amount of payments, if any, justifiably made prior to receipt by the contractor of a copy of a notice of intention to file a claim by the contractor to the subcontractor or to another lien claimant in privity of contract with the subcontractor.

(2) In the case of a lien claim filed by a party of privity in contract with a subcontractor, the maximum amount for which an interest in real property may be subject to a lien under this act for one or more lien claims filed under this act shall not be greater than the lesser of:

(i) the amount provided in subsection (a); or

(ii) the price of the contract between the contractor and subcontractor with whom the party has contracted, less the amount of payments justifiably made, if any, prior to receipt by the contractor of a copy of the notice of intention to file a claim to the subcontractor or to another lien claimant; or

(iii) the price of the contract between the subcontractor and the party less the amount of payments justifiably made, if any, by the subcontractor to the party.

(c) Breach. For purposes of determining the maximum amount for which an interest in real property may be subject to a lien in the event that a contractor or subcontractor is in breach under the terms of a contract to which it is a party, the price of the contract shall be deemed to have been reduced by the damages incurred by the nonbreaching party to the contract as a result of the breach.

(d) For purposes of this section.

(1) The term "price of the contract" shall include amounts due for labor or material which are furnished as a result of:

(i) a contract;

(ii) a written amendment to a contract; or

(iii) any change order or other directive for labor or materials in addition to the scope of work under an initial contract, provided that the lien claimant has notified the party with whom it is in privity of contract within seven (7) days of the receipt of the change order or other directive that the furnishing is alleged to be in addition to the scope of work under the contract; or

(2) in the case of a supplier, "price of the contract" includes a delivery or order slip signed by the owner, contractor or subcontractor, or an authorized agent of any of them.

(3) "Price of the contract" does not include an agreement predominantly intended to reduce the credit risk of a party, including a joint check arrangement, payment guarantee or similar credit agreement.

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.

RECONSIDERATION OF AMENDMENT A0642 TO SB 726

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

Senator COSTA. Madam President, I move that the Senate do now reconsider the vote by which amendment No. A0642 to Senate Bill No. 726 was adopted.

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

And the question recurring,
Will the Senate agree to the amendment?

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

The PRESIDENT. Senate Bill No. 726 will go over in its order, as amended.

BILL RECOMMITTED

SB 826 Pr. No. 1009 -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 844 (Pr. No. 1142) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, defining

"qualified association"; further providing for prohibited acts and for duties of licensee generally; and providing for handling of deposits and other escrows.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

A constitutional majority of 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 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 third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

Erickson	McIlhinney	Scarnati	Wozniak
Ferlo	Mellow	Stack	
Folmer	Musto	Stout	

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

**NONPREFERRED APPROPRIATION BILLS
ON SECOND CONSIDERATION**

SB 929 (Pr. No. 1112) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the second time and agreed to,

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

SB 930 (Pr. No. 1113) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the second time and agreed to,

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

SB 931 (Pr. No. 1114) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the second time and agreed to,

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

SB 932 (Pr. No. 1115) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of

the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

SB 933 (Pr. No. 1116) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

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

SB 934 (Pr. No. 1117) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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

SB 935 (Pr. No. 1118) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

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

SB 936 (Pr. No. 1119) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

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

SB 937 (Pr. No. 1120) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

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

SB 938 (Pr. No. 1121) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

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

SB 939 (Pr. No. 1122) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

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

SB 940 (Pr. No. 1123) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses.

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

SB 941 (Pr. No. 1124) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

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

SB 942 (Pr. No. 1125) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

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

SB 943 (Pr. No. 1126) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

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

SB 944 (Pr. No. 1127) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

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

SB 945 (Pr. No. 1128) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for AIDS research.

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

SB 946 (Pr. No. 1129) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Central Penn Oncology Group.

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

SB 947 (Pr. No. 1130) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Lancaster Cleft Palate for outpatient-inpatient treatment.

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

SB 948 (Pr. No. 1131) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Burn Foundation, Philadelphia, for outpatient and inpatient treatment.

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

SB 950 (Pr. No. 1132) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

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

SB 951 (Pr. No. 1133) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

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

SB 952 (Pr. No. 1134) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Beacon Lodge Camp.

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

SB 953 (Pr. No. 1135) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Carnegie Museums of Pittsburgh for operations and maintenance expenses and the purchase of apparatus, supplies and equipment.

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

SB 954 (Pr. No. 1136) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Franklin Institute Science Museum for maintenance expenses.

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

SB 955 (Pr. No. 1137) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Academy of Natural Sciences for maintenance expenses.

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

SB 956 (Pr. No. 1138) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the African-American Museum in Philadelphia for operating expenses.

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

SB 957 (Pr. No. 1139) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Everhart Museum in Scranton for operating expenses.

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

SB 958 (Pr. No. 1140) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania, for operating expenses.

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

SB 959 (Pr. No. 1141) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Whitaker Center for Science and the Arts in Harrisburg, Pennsylvania, for operating expenses.

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

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 Environmental Resources and Energy to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Environmental Resources and Energy to be held immediately in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 7, SB 171, SB 246 and SB 333 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

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.

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

SB 648 (Pr. No. 700) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 674 and SB 707 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

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.

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

BILL REREFERRED

SB 752 (Pr. No. 828) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, providing for acceptable data.

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

BILL ON SECOND CONSIDERATION

SB 810 (Pr. No. 907) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey certain

lands situate in the City of Pittston, Luzerne County, to the Redevelopment Authority of the City of Pittston.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 811 (Pr. No. 995) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for long-term living facility licensure information; and imposing duties on the Department of Aging, the Department of Health and the Department of Public Welfare.

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 838 and **HB 896** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

SB 715 (Pr. No. 1171) (Amended)

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for the definition of "force majeure," for alternative energy portfolio standards, for portfolio requirements in other states and for interconnection standards for customer-generator facilities.

SB 913 (Pr. No. 1172) (Amended)

An Act providing for environmental funds reporting and disclosure.

SENATE RESOLUTION ADOPTED

Senators KITCHEN, WASHINGTON, FERLO, BOSCOLA, C. WILLIAMS, TARTAGLIONE, STOUT, FONTANA, MELLOW, ERICKSON, M. WHITE, ARMSTRONG, LOGAN, O'PAKE, BAKER, RAFFERTY, D. WHITE, COSTA, HUGHES, A. WILLIAMS, PILEGGI, FOLMER, LAVALLE and EARLL, by unanimous consent, offered **Senate Resolution No. 136**, entitled:

A Resolution observing June 16, 2007, as "Juneteenth National Freedom Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Madam President, I rise today to ask for unanimous support for a resolution recognizing June 16, 2007, as "Juneteenth National Freedom Day" in Pennsylvania.

"Juneteenth National Freedom Day" commemorates the anniversary of Juneteenth Day, in which slaves in the American southwest learned that they had been set free. This commemoration originated in Galveston, Texas, on June 19, 1865. More than 140 years later, Americans continue to celebrate this day of freedom.

"Juneteenth National Freedom Day" is the oldest African-American holiday observance in the United States. The holiday commemorates a joyous day for all African Americans. It also symbolizes optimism for people of all backgrounds.

Although the Fourth of July is a day for all Americans to celebrate our independence, Juneteenth Day is another reminder that the spirit of freedom is still alive today in this great nation. Juneteenth has become a day of reflection and renewal for people of all races, nationalities, and backgrounds.

Madam President, I hope that recognizing "Juneteenth National Freedom Day" in Pennsylvania will give everyone a chance to remember those who suffered in the bonds of slavery, and those who were set free. At the same time, we can all celebrate the progress we have made to ensure that all people, of all origins, have equal rights.

Thank you, Madam President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. William Hlavac by Senators Baker and Musto.

Congratulations of the Senate were extended to Robert W. Kozlowski by Senator Boscola.

Congratulations of the Senate were extended to Dr. Eli Berman by Senators Boscola and Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Lawrence Butz, Mr. and Mrs. Dale Levan, Deborah A. Zosky, Tyler K. Hess, William L. Grant, Zachary J. Grube and to Mark D. Bremer by Senator Browne.

Congratulations of the Senate were extended to John Edward Frick by Senator Brubaker.

Congratulations of the Senate were extended to Cynthia Van Horn by Senator Costa.

Congratulations of the Senate were extended to Lester C. McCall by Senator Eichelberger.

Congratulations of the Senate were extended to the Honorable Thomas J. Giancristoforo, Jr., by Senator Erickson.

Congratulations of the Senate were extended to Alexander C. Bailor by Senator Folmer.

Congratulations of the Senate were extended to Donna Pletcher, Anthony Bowers, Vernon McCulley, Robert Hufman, Brian Ditzler, Frank Rypczyk and to Brandon Berkey by Senator Kasunic.

Congratulations of the Senate were extended to Charlotte Anne Council, Mattie Esther Holmes and to Edna M. Rice by Senator Kitchen.

Congratulations of the Senate were extended to Howard Keir, Jason Keir, Kristy Keir, Bertha Fuller, Connie Keir, Marshall Fuller, Alvin Tower and to Thomas M. Elliott by Senator Madigan.

Congratulations of the Senate were extended to Katie Mehring Manning and to Linda Geisler by Senator McIlhinney.

Congratulations of the Senate were extended to Mary S. Wyatt and to Donald W. Broderick by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Albert DeGrose and to Lottie Bunsick by Senator Musto.

Congratulations of the Senate were extended to Jesse J. Hafer, Andrew A. Crow and to Zachary Scott Reilly by Senator O'Pake.

Congratulations of the Senate were extended to Dr. Thomas A. Lesniewski by Senator Orié.

Congratulations of the Senate were extended to Michael D. Rowley, Jr., Wilbur C. Henderson and to Bryan O'Neill by Senator Pileggi.

Congratulations of the Senate were extended to Dr. John K. Baillie by Senator Rafferty and others.

Congratulations of the Senate were extended to Larry L. Arner, Sheri L. Anthony, Sebastian Riotto and to John Kaczmarczyk by Senator Rhoades.

Congratulations of the Senate were extended to Mr. and Mrs. Leo Zawislak, Mr. and Mrs. Franklin Chittester, Jeffrey L. Peterson and to Joey Oswalt by Senator Scarnati.

Congratulations of the Senate were extended to George J. Whelan and to Thomas E. Rola by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. Victor Reda, Mr. and Mrs. Clair Tritt, Tyson James Michael and to Charles Trovel by Senator Vance.

Congratulations of the Senate were extended to Danny R. Grove by Senator Waugh.

Congratulations of the Senate were extended to Helen M. Tlouse and to the Armstrong Unit of the American Cancer Society by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Earl P. Swartz, Mr. and Mrs. R. Duane Hovis, Mr. and Mrs. James Fink and to Cindy Yaegle by Senator M.J. White.

Congratulations of the Senate were extended to Robert J. Keller by Senators C. Williams and Wonderling.

Congratulations of the Senate were extended to Zachary Scott Long by Senator Wonderling.

Congratulations of the Senate were extended to Albert B. Rutherford by Senator Wonderling and others.

Congratulations of the Senate were extended to Ralph V. Mostoller and to the Liegey-Renaud Veterans of Foreign Wars Post 8386 of Frenchville by Senator Wozniak.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Wallace E. Young by Senators Kitchen and Washington.

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 Dr. Elmo J. Lilli was extended to the family by Senators Boscola and Browne.

BILLS ON FIRST CONSIDERATION

Senator KITCHEN. 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 97, SB 375, SB 690, SB 715, SB 913, SB 961, SB 968 and HB 1286.

And said bills having been considered for the first time,

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

BILL SIGNED

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

SB 437.

PETITIONS AND REMONSTRANCES

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

Senator RAFFERTY. Madam President, I just want to take a moment to reflect on the generosity and the outstanding achievements of the young men and women from Downingtown West High School today.

All we have to do is revisit a movie that was popular and won some Academy Awards, "The King of Scotland," to understand what the people in Uganda have encountered, what was started a number of years back, and what they are doing now to bring their county into the 21st century. The problems they are still suffering under are because of what happened back in the 1980s.

I commend the young men and women for their diligent efforts for the humanitarian relief and for sharing the abundance of this area and this country and this Commonwealth with the people of Uganda.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator, for recognizing these young people who have done such a great job.

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, June 18, 2007, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 12:52 p.m., Eastern Daylight Saving Time.