

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

FRIDAY, JUNE 29, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 50

SENATE

FRIDAY, June 29, 2007

The Senate met at 2 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Pastor TED MINGLE, of Highland Presbyterian Church, Lancaster, offered the following prayer:

Let us pray.

God of all peoples, You made all things in Your wisdom, and in Your love You save us. Merciful God, hear the cries of the world's hungry and suffering. Give us who consume most of the earth's resources the will to reorder our lives, that all may have their rightful share of food, medical care, shelter, and still have the necessities of life, of dignity.

God our comforter, relieve all who are in trouble, sorrow, poverty, sickness, and grief, especially those known to us whom we name before You in silence. Heal them in body, mind, or circumstance, working in them by Your grace wonders beyond all they may dream or hope.

Almighty God, bless those who hold office in the government of Pennsylvania. We lift up to You all the Senators gathered here today. Help them to do their work in a spirit of wisdom, kindness, and justice. Direct them to use their authority to serve faithfully and promote the general welfare of all people of this great Commonwealth. And whatever faith tradition we come from, we pray as a people of faith whose greatest desire is to love, serve, and honor God. Amen.

The PRESIDENT. The Chair thanks Pastor Mingle, who is the guest today of Senator Armstrong.

PLEDGE OF ALLEGIANCE

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

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

The PRESIDENT. The President pro tempore has made the following appointment:

Mr. Mark Freemer as a member of the Legislative Audit Advisory Commission.

**APPOINTMENT BY
APPROPRIATIONS CHAIRMAN**

The PRESIDENT. The Chair wishes to announce the following appointment made by Senator Gibson Armstrong, Chairman of the Committee on Appropriations:

Senator John C. Rafferty, Jr., to serve in his stead as a member of the Pennsylvania Commission on Crime and Delinquency.

LEGISLATIVE LEAVE

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

Senator ORIE. Madam President, I ask for a temporary Capitol leave for Senator Pileggi.

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

CALENDAR

HB 1169 CALLED UP OUT OF ORDER

HB 1169 (Pr. No. 1535) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator ORIE, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 1169 (Pr. No. 1535) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying State Route 2073 over Plum Creek between the boroughs of Oakmont and Verona in Allegheny County as the Roger F. Duffy Viaduct.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

Armstrong	Fontana	O'Pake	Tartaglione
Baker	Fumo	Orie	Tomlinson
Boscola	Gordner	Piccola	Vance
Browne	Greenleaf	Pileggi	Washington

Brubaker	Hughes	Pippy	Waugh
Corman	Kasunic	Punt	White, Donald
Costa	Kitchen	Rafferty	White, Mary Jo
Dinniman	LaValle	Regola	Williams, Anthony H.
Earll	Logan	Rhoades	Williams, Constance
Eichelberger	Madigan	Robbins	Wonderling
Erickson	McIlhinney	Scarnati	Wozniak
Ferlo	Mellow	Stack	
Folmer	Musto	Stout	

NAY-0

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

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

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

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

Senator MELLOW. Madam President, I would like to take this opportunity to introduce Angela Lucci, an intern in my Capitol office this summer. She will be a sophomore at Muhlenberg College in Allentown this semester, and will be majoring in international studies. Angela and her family are constituents of mine from Lake Ariel in Lackawanna County. I ask that the Senate join me in giving our usual warm welcome to Angela Lucci.

The PRESIDENT. Will Angela Lucci rise so we can welcome you.

(Applause.)

GUESTS OF SENATOR GIBSON ARMSTRONG PRESENTED TO THE SENATE

The PRESIDENT. The Chair will introduce the family of Reverend Mingle. Would you please rise so we can welcome you on behalf of Senator Armstrong.

(Applause.)

RECESS

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

Senator ORIE. Madam President, I request a recess of the Senate for the purpose of a Republican caucus at 3:30 p.m. in the Majority Caucus Room.

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

Senator MELLOW. Madam President, I request a Democratic caucus immediately upon recess in our caucus room to the rear of the Chamber.

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 CANCELLED

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

LEGISLATIVE LEAVE

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

Senator O'PAKE. Madam President, I request a temporary Capitol leave for Senator Boscola.

The PRESIDENT. Senator O'Pake requests a temporary Capitol leave for Senator Boscola. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 468 (Pr. No. 1255) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a limitation on the length of session.

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 Westmoreland, Senator Regola.

Senator REGOLA. Madam President, I rise today to ask my colleagues for an affirmative vote on Senate Bill No. 468. This is the first step towards enacting a constitutional amendment eliminating lameduck Sessions, which is voting that occurs after a general election and before the start of a new legislative Session.

As every Member of the Chamber knows, we open the Session with a commitment to reforming the way we do business, and we have taken steps to bring about reform. In the very first days of this Session, the Senate adopted new rules to shine a greater light upon the actions we take, the debates we hold, and the votes we cast. I believe the new rules are a good start towards restoring public confidence in State government, or at least in the way it is conducted within the Chamber.

Senate Bill No. 468 takes the next step to making a fundamental change within our State Constitution. Banning lameduck Sessions by legislators whose terms are about to expire and will not return to office the coming year is an essential reform. In the past, lameduck Sessions have been used to vote on volatile issues, such as tax increases, more borrowing, or pay raises. This constitutional amendment will stop this practice by ensuring that all votes are cast before an election so that lawmakers can be held more accountable.

Another important issue to consider is that lameduck Sessions are known for their frantic pace. As the House and Senate rush through their work on a great deal of legislation without due consideration, this is not how the Framers of our Constitution envisioned the process to work. As we have made it quite clear with new rules, legislation should be done in a methodical manner with legislators, and more importantly, the public being provided enough time to review and debate legislation. I truly believe that our public policy will be enhanced by the elimination of the lameduck Session.

I would like to thank Senator Anthony Williams for raising an issue that was addressed by Senator Boscola's amendment yesterday. With this amendment, the legislature could only meet during the lameduck period if called into Special Session to address a specific issue. Madam President, today is a day that we can continue marching forward in the name of government reform. I ask for a positive vote on Senate Bill No. 468.

Thank you.

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

Senator FERLO. Madam President, usually I can be heard with or without a microphone, but I thank you for the courtesy.

I rise to indicate my total support for this legislation calling for a constitutional change. I do want to point out that we do not necessarily need to have a constitutional amendment. We could basically, by the rules of the House and Senate, adopt the wording of this proposed constitutional amendment. But recognizing that that may not happen for a variety of reasons, I do want to support this constitutional change. I do point out that some 39 States already prohibit sine die or so-called lameduck Sessions. I think it is important that we join their ranks.

I also note that in the year 2004 alone, Pennsylvania enacted more legislation in the few weeks between election day and Thanksgiving than the previous 12 months combined. I think it is important to take note of that.

This provision would still allow emergency Sessions should, God forbid, anything warrant the emergency Session of a meeting of the House and Senate, as well as with the amendment yesterday it would allow also the Governor to convene Special Sessions, assuming the leadership of the House and Senate were to agree to that.

I am pleased to see this, but I know there have been a number of other suggestions. I have a very important open records law which is a fundamental reform legislation that would significantly make more transparent and open up public records to all who ask easily and readily on the Internet. I think it is important that my legislation is distinct from others that have been submitted in the Senate by also calling for a change of burden. The burden should be on a public agency in the State to have to demonstrate that there is a reason for the public, or a newspaper, or someone not to receive public information. The burden of proof should not be on the individual taxpayer constituent, or let us say the freedom of the press, to have to go to court and wage countless multi-year expensive legal battles. So I hope in moving this legislation today that we would be sincere and at least allow debate and a vote on some of the other reform legislation proposals that have been submitted by myself and certainly other colleagues here in the State Senate.

Thank you very much, Madam President.

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

Senator PILEGGI. Madam President, I commend the gentleman from Allegheny County for his comments on open records, and we fully intend to take up that issue when we return in the fall.

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-41

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

NAY-8

Costa	Hughes	Stack	Washington
Fumo	Kitchen	Tartaglione	Williams, Constance

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

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

HB 496 (Pr. No. 2086) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 635 (Pr. No. 720) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for meetings of auditors and for audit of accounts by auditors and financial report to Department of Community and Economic Development.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILL RECOMMITTED

SB 715 (Pr. No. 1171) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS AMENDED

HB 778 (Pr. No. 2102) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 30 (Fish) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for classification of offenses and penalties, for penalties for threatened and endangered species, for chemical testing to determine amount of alcohol or controlled substances, for operating watercraft under influence of alcohol or controlled substance and for county intermediate punishment programs.

On the question,
Will the Senate agree to the bill on third consideration?
Senator McILHINNEY offered the following amendment No. A2424:

Amend Sec. 3 (Sec. 5502), page 13, line 9, by inserting after "SURVEILLANCE,": This shall not apply to an individual who violates subsection (a)(1) where there was an accident resulting in serious bodily injury or the death of any person.

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.

HB 842 (Pr. No. 2083) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for program of continuing professional development and for educational assistance program; providing for public library funding; further providing for small district assistance; providing for basic education funding for 2006-2007 school year; further providing for payments on account of limited English proficiency programs, for payments to intermediate units, for special education payments to school districts and for Pennsylvania accountability grants.

On the question,
Will the Senate agree to the bill on third consideration?
Senator RHOADES offered the following amendment No. A2513:

Amend Title, page 1, line 5, by inserting after "for": transferred programs and classes and for

Amend Title, page 1, line 6, by striking out "development" and inserting: education

Amend Title, page 1, line 7, by inserting after "FOR": distressed school districts and student attendance in other districts; in charter school provisions, further providing for enrollment; in education em-

powerment provisions, further providing for board of school directors; providing for superintendent power to recommend dismissal of certain management employees; and for

Amend Title, page 1, line 9, by inserting after "YEAR,": and

Amend Bill, page 2, lines 20 through 23, by striking out all of said lines and inserting:

Section 1. Section 1113(c) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended August 5, 1991 (P.L.219, No.25), is amended and the section is amended by adding a subsection to read:

Section 1113. Transferred Programs and Classes.—* * *

(b.2) (1) The following shall apply to professional and temporary professional employes of a distressed school district in which pupils have been reassigned to another school district pursuant to section 1607.1:

(i) The distressed school district shall create a pool comprised of the professional and temporary professional employes who have received formal notice of suspension from the distressed school district as a result of the curtailment of the high school program.

(ii) Employes in the pool created under subparagraph (i) shall be offered employment by a school district designated under section 1607.1(a)(1) whenever a designated school district has a vacancy for a position that an employe in the pool is certified to fill. No new employe shall be hired by any designated school district until the position has been offered, in order of seniority, to all properly certified members of the pool.

(2) The rights of a suspended employe of the distressed school district shall not supersede the rights that an employe of a school district designated under section 1607.1(a)(1), including a suspended or demoted employe, has under this act or the collective bargaining agreement of the designated school district.

(3) Employes hired from the pool as provided under this subsection shall be credited by a school district designated under section 1607.1(a)(1) for all sick leave accumulated in the distressed school district and shall be credited for years of service in the distressed school district for purposes of salary schedule placement. Temporary professional and professional employes shall further be credited for their years of service in the distressed school district for purposes of sabbatical leave eligibility, suspension and realignment rights and eligibility for any retirement incentives or severance payments in a designated school district.

(c) Nothing contained in [this section] subsections (a) and (b.1) shall be construed to supersede or preempt any provision of a collective bargaining agreement in effect on February 4, 1982, and negotiated by a school entity and an exclusive representative of the employes in accordance with the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employee Relations Act."

* * *

Section 2. Section 1205.2(h) and (i) of the act, amended or added November 23, 1999 (P.L.529, No.48) and July 13, 2005 (P.L.226, No.46), are amended to read:

Amend Sec. 2, page 4, line 5, by striking out "2" and inserting: 3

Amend Bill, page 6, by inserting between lines 5 and 6:

Section 4. The act is amended by adding a section to read:

Section 1607.1. Distressed School Districts and Student Attendance in Other Districts.—(a) If a third class school district in which a public high school is not maintained operates and, for at least five consecutive years, has operated under a special board of control under section 692, has been placed on the education empowerment list under section 1703-B, has, with the approval of the secretary, curtailed its educational program by eliminating its high school, and has not assigned its high school pupils to another school district or school districts and provided adequate transportation in a manner pursuant to section 1607, the secretary shall have the following authority:

(1) To designate two or more school districts that shall accept on a tuition basis the high school students of a distressed school district, so long as a designated school district's border is no more than three miles from the border of the distressed school district. Such designation shall occur no later than fifteen (15) days after the effective date of this section.

(2) To establish a process that a distressed school district shall use to reassign its high school students to the school districts designated under paragraph (1).

(3) To establish the per-pupil tuition rate that a school district designated under paragraph (1) shall receive for each student in a regular or special education program. For the 2007-2008 school year, the tuition rate shall be the 2006-2007 high school tuition charge, of each of the school districts designated under paragraph (1), as set forth under section (3). For the 2008-2009 school year and each school year thereafter, the tuition rate established under this paragraph may not exceed the tuition rate established for the 2007-2008 school year multiplied by the greater of either two per centum (2%) or the percentage increase in total budgeted revenues available to a distressed school district.

(b) A school district designated under subsection (a)(1) shall provide transportation to the students reassigned to its high school and shall be eligible for transportation reimbursement in a manner consistent with section 2541.

(c) The secretary shall publish the following on the Department of Education's Internet website no later than August 1, 2007, and August 1 of each year thereafter and in the Pennsylvania Bulletin no later than September 30, 2007, and September 30 of each year thereafter:

(1) the names of the school districts designated under subsection (a)(1);

(2) the process established under subsection (a)(2); and

(3) the tuition rate established under subsection (a)(3).

(d) Notwithstanding any other provision of law, regulation, guideline, directive, decision or agreement to the contrary, any school district that is designated by the secretary under subsection (a)(1) may not be required to include the students in its public school enrollment report for the purposes of determining an interscholastic sports classification by a private entity that is organized under the laws of this Commonwealth to administer interscholastic athletics.

(e) A student assigned to a school district designated pursuant to subsection (a)(1) shall be included in the average daily membership of the student's school district of residence for the purpose of providing basic education funding allocations and special education funding payments pursuant to Article XXV.

(f) No later than February 1, 2008, and February 1 of each year thereafter, the Legislative Budget and Finance Committee shall submit a report to the chairman and minority chairman of the Appropriations and Education Committees of the Senate and to the chairman and minority chairman of the Appropriations and Education Committees of the House of Representatives summarizing the financial and academic status of a distressed school district under this section and including an audit of its accounts for the immediately preceding school year.

(g) (1) No later than October 1, 2007, the secretary shall establish an Education Advisory Committee which shall provide semi-annual reports to the secretary. Such reports to the secretary may include, but are not limited to:

(i) An evaluation of the transition of students that have been assigned to a school district designated under subsection (a)(1).

(ii) Recommendations for changes to the process established under subsection (a)(2).

(iii) Recommendations for improving education opportunities for students of a distressed school district under this section.

(2) The secretary shall provide the Education Advisory Committee a written response to the semi-annual report required under this paragraph.

(3) The Education Advisory Committee shall consist of members selected by the Secretary of Education, including:

(i) A representative of each designated school district recommended by the board of school directors of the designated school district.

(ii) A member of the board of control of the distressed school district.

(iii) An administrator from each designated school district and from the distressed school district.

(iv) A teacher from each designated school district and from the distressed school district.

(v) An elected official representing voters in each designated school district and the distressed school district.

(vi) Three residents of each of the designated school districts.

(vii) Three residents of the distressed school district.

(viii) An employe of the Department of Education, who shall not be a current member of the board of control.

(ix) A representative of the intermediate unit in which the designated school district and distressed school district are located.

Section 5. Section 1723-A of the act is amended by adding a subsection to read:

Section 1723-A. Enrollment.—* * *

(d) (1) Enrollment of students in a charter school or cyber charter school shall not be subject to a cap or otherwise limited by any past or future action of a board of school directors, a board of control established under Article XVII-B, a special board of control established under section 692 or any other governing authority, unless agreed to by the charter school or cyber charter school as part of a written charter pursuant to section 1720-A.

(2) The provisions of this subsection shall apply to a charter school or cyber charter school regardless of whether the charter was approved prior to or is approved subsequent to the effective date of this subsection.

Section 6. Section 1704-B(c)(1) of the act, added July 11, 2006 (P.L. 1092, No. 114), is amended to read:

Section 1704-B. Board of School Directors.—* * *

(c) (1) In addition to all current rights, powers, privileges, prerogatives and duties, a board of school directors of a school district that has been placed on the empowerment list due to the designation by the secretary as a Commonwealth partnership school district shall have [the power to cancel or renegotiate any contract, other than collective bargaining agreements, for the purpose of making necessary economies in the operation of the schools within the school district; eliminate nonprofessional positions for services nonessential for the operation of the school district; or enter into agreements with individuals, for-profit or nonprofit organizations for the operation of school buildings or groups of school buildings or for the provision of educational or other types of services to or for the school district.] those powers of the board of school directors enumerated in subsection (a).

* * *

Section 7. The act is amended by adding a section to read:

Section 1704.1-B. Superintendent Power to Recommend Dismissal.—(a) The superintendent of a school district shall have the authority to recommend to the board of school directors dismissal of a management employe for unsatisfactory performance or wilful misconduct.

(b) The board of school directors shall consider a recommendation of the superintendent for dismissal of a management employe. A recommendation for dismissal of a management employe shall be subject to section 508.

(c) Consideration of a recommendation for the dismissal of a management employe under this section shall comply with section 514 and 2 Pa.C.S. Ch. 5 Subch. B (relating to practice and procedure of local agencies).

(d) For the purposes of this section:

(i) The term "management employe" shall mean an employe who holds a management position above the level of first level supervisor. This term shall not include a principal, assistant principal, vice principal or any position requiring a certificate from the Secretary of Education.

(ii) The term "school district" shall mean a school district that has been designated by the Secretary of Education as a Commonwealth partnership school district.

(e) This section shall expire December 31, 2009.

Amend Sec. 3, page 6, line 6, by striking out "3" and inserting: 8

Amend Sec. 4, page 6, line 10, by striking out "4" and inserting: 9

Amend Sec. 5, page 7, line 2, by striking out "5" and inserting: 10

Amend Sec. 6, page 7, line 12, by striking out "6" and inserting: 11

Amend Sec. 7, page 14, line 28, by striking out "7" and inserting:

12

Amend Sec. 7 (Sec. 2509.5), page 16, lines 2 and 3, by striking out "ONE THOUSAND SIX HUNDRED AND TWENTY DOLLARS (\$27,681,620)" and inserting: two thousand one hundred and ninety-three dollars (\$27,682,193)

Amend Sec. 8, page 16, line 29, by striking out "8" and inserting:

13

Amend Sec. 9, page 24, lines 8 and 9, by striking out all of said lines and inserting:

Section 14. This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Rhoades.

Senator RHOADES. Madam President, this amendment would implement the general appropriation act contained in House Bill No. 1286 for education. It contains our basic education subsidy, which includes a growth supplement, a tax effort supplement, small district assistance, and a minimum guarantee, which is increased from 2 percent to 2.25 percent.

We also have our payments to the intermediate units, our special education subsidy, which includes the Governor's 3-percent increase that he recommended, our accountability block grant, and it also includes Senator Musto's elements of a bill that we moved out of the Committee on Education and passed, which would allow the accountability block grants to be able to relate to elementary education and world languages, high school curriculum reform, and elementary science curriculum.

Also, our public library funding is here and has a .33-percent increase. We attempted to address the Duquesne City School District, charter school enrollments, the Pittsburgh School District, placing teacher certificates in inactive status only between June and July, so that it would not interfere with the proper operation of school districts, and it will also include our educational assistance funding. That being said and done, we can fund our schools effective July 1.

Thank you, Madam President.

And the question recurring,

Will the Senate agree to the amendment?

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

YE A-46

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

NAY-4

Costa	Eichelberger	Folmer	Logan
-------	--------------	--------	-------

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

The PRESIDENT. The bill will go over as amended.

SB 857 (Pr. No. 1249) -- The Senate proceeded to consideration of the bill, 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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator ORIE offered the following amendment No. A2458:

Amend Sec. 2 (Sec. 6), page 4, line 10, by inserting after "BOARD." Except for the county council member, no person shall be appointed or serve as a member of the board if that person holds any other elected office or party office.

Amend Sec. 2 (Sec. 6), page 4, line 15, by striking out "the Governor or"

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

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

YEA-30

Armstrong	Erickson	Pileggi	Tomlinson
Baker	Folmer	Pippy	Vance
Browne	Gordner	Punt	Waugh
Brubaker	Greenleaf	Rafferty	White, Donald
Corman	Madigan	Regola	White, Mary Jo
Dinniman	McIlhinney	Rhoades	Wonderling
Earll	Orie	Robbins	
Eichelberger	Piccola	Scarnati	

NAY-20

Boscola	Hughes	Mellow	Tartaglione
Costa	Kasunic	Musto	Washington
Ferlo	Kitchen	O'Pake	Williams, Anthony H.
Fontana	LaValle	Stack	Williams, Constance
Fumo	Logan	Stout	Wozniak

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

The PRESIDENT. The bill will go over as amended.

LEGISLATIVE LEAVES

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

Senator MELLOW. Madam President, I request temporary Capitol leaves for Senator Fumo, Senator Musto, and Senator Anthony Williams.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Fumo, Senator Musto, and Senator Anthony Williams. Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

HB 1228 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION, AMENDED

HB 10 (Pr. No. 2157) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the Criminal Justice Enhancement Account; and further providing for burglary.

On the question,
Will the Senate agree to the bill on second consideration?
Senator PICCOLA offered the following amendment No. A2453:

Amend Title, page 1, lines 4 through 7, by striking out all of said lines and inserting:

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for compensation of judges, for exclusive jurisdiction of Supreme Court and for the Criminal Justice Enhancement Account; and making related repeals.

Amend Bill, page 2, lines 18 and 19, by striking out all of said lines and inserting:

Section 1. Chapter 17 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER C
COMPENSATION

Sec.

1741. Compensation of judges.

1742. Exclusive jurisdiction of Supreme Court.

§ 1741. Compensation of judges.

(a) Base salaries.—Notwithstanding any other provision of law to the contrary:

(1) A person who is elected or appointed to a term as a justice of the Supreme Court, judge of the Superior Court, judge of the Commonwealth Court, judge of a court of common pleas, judge of the Philadelphia Municipal Court, judge of the Philadelphia Traffic Court or magisterial district judge after the effective date of this section shall receive a salary that is equal to the salary payable to persons who held that particular judicial office on the day prior to the effective date of this section, plus \$1 and any applicable cost-of-living adjustment or adjustments under subsection (b).

(2) A person who serves a term as a justice of the Supreme Court, judge of the Superior Court, judge of the Commonwealth Court, judge of a court of common pleas, judge of the Philadelphia Municipal Court, judge of the Philadelphia Traffic Court or magisterial district judge on the effective date of this section shall receive a salary that is equal to the salary payable to persons holding that particular judicial office on the day prior to the effective date of this section, plus \$1 and any applicable cost-of-living adjustment or adjustments under subsection (b).

(b) Cost-of-living adjustments.—

(1) For the 12-month period beginning January 1, 2008, and each January 1 thereafter, the annual salaries for persons subject to subsection (a)(1) or (2) shall be increased by the percentage change, if any, in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures are officially reported by the United States Department of Labor, Bureau of Labor Statistics, immediately prior to the date the adjustment is due to take effect.

(2) In no event shall deflation result in a negative cost-of-living adjustment to a salary under subsection (a)(1) or (2).

(c) Limitation.—

(1) No justice of the Supreme Court shall receive any annual salary insofar as that salary is based on any increase in the base salary of a circuit court judge of the United States Court of Appeals

that occurs after the effective date of this section.

(2) No judge of the Superior Court or Commonwealth Court shall receive any annual salary insofar as that salary is based on any increase in the base salary of a judge of the United States District Court that occurs after the effective date of this section.

(3) No judge of a court of common pleas or Philadelphia Municipal Court, Philadelphia Traffic Court or magisterial district judge shall receive any annual salary insofar as that annual salary is based on any increase in the base salary of a United States magistrate judge that occurs after the effective date of this section.

§ 1742. Exclusive jurisdiction of Supreme Court.

The Pennsylvania Supreme Court shall have exclusive jurisdiction to hear any challenge to or to render a declaratory judgment concerning the constitutionality of this subchapter. The Supreme Court is authorized to take such action as it deems appropriate, consistent with the Supreme Court retaining jurisdiction over such a matter, to find facts or to expedite a final judgment in connection with such a challenge or request for declaratory relief.

Section 2. Title 42 is amended by adding a section to read:

Amend Sec. 1 (Sec. 1111), page 2, line 20, by striking out "1111" and inserting: 3575

Amend Sec. 1 (Sec. 1111), page 3, line 7, by striking out "this title" and inserting: 18 Pa.C.S. (relating to crimes and offenses).

Amend Sec. 1 (Sec. 1111), page 3, line 13, by inserting after "offenses": under 18 Pa.C.S.

Amend Bill, page 4, lines 24 through 30; page 5, lines 1 through 30; page 6, lines 1 through 15, by striking out all of said line and inserting:

Section 3. Repeals are as follows:

(1) As much of section 2.1 of the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, that is inconsistent with the addition of 42 Pa.C.S. Ch. 17 Subch. C, is repealed.

(2) The General Assembly declares that the repeal under paragraph (3) is necessary to effectuate the addition of 42 Pa.C.S. Ch. 17 Subch. C.

(3) The provisions of 42 Pa.C.S. Ch. 18, added July 7, 2005 (P.L.201, No.44), repealed November 16, 2005 (P.L.385, No.72) and repeal declared unconstitutional 905 A.2d 918 (Pa. 2006), are repealed.

Section 4. This act shall take effect as follows:

(1) The addition of 42 Pa.C.S. § 3575 shall take effect in 120 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

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

Senator PICCOLA. Madam President, by way of explanation, this amendment would make House Bill No. 10 identical to Senate Bill No. 44, which I believe this Chamber passed by a vote of 49 to 1 several months ago, which would de-link State judicial salaries from the Federal judicial salaries that the recently repealed pay raise, but reinstated pay raise for judges, would require. This would allow for the State to have jurisdiction to set State judicial salaries.

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-40

Armstrong	Ferlo	Orie	Stack
Baker	Folmer	Piccola	Stout
Boscola	Fontana	Pileggi	Tomlinson
Browne	Gordner	Pippy	Vance
Brubaker	Greenleaf	Punt	Waugh
Corman	Kasunic	Rafferty	White, Donald
Dinniman	LaValle	Regola	White, Mary Jo
Earll	Madigan	Rhoades	Williams, Constance
Eichelberger	McIlhinney	Robbins	Wonderling
Erickson	O'Pake	Scarnati	Wozniak

NAY-10

Costa	Kitchen	Musto	Williams, Anthony H.
Fumo	Logan	Tartaglione	
Hughes	Mellow	Washington	

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

On the question,

Will the Senate agree to the bill on second consideration, as amended?

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

Senator HUGHES. Madam President, prior to the previous action by the gentleman who amended House Bill No. 10, it was the intention of a number of folks on this side of the aisle, and hopefully folks on the other side of the aisle, to offer and support amendment No. A2508, which would have created the opportunity in this Commonwealth to deal with a very significant issue, the excessive access to firearms, and would have required any individual to report a lost or stolen firearm once they discovered that it had been lost or stolen. The State, and more specifically, the State Police, would have had responsibility for keeping a record of all reports coming from local jurisdictions.

That was our intent, Madam President, and that was what we were going to do. It would have been our attempt to put our arms around this incredibly excessive access to firearms in Pennsylvania and to try to get some sort of handle on this issue. It would not have been an attempt to create a one-gun-a-month law. It would not have been an attempt, Madam President, to ban any attempt to purchase a firearm or create any extra level or standard in terms of purchasing firearms. It would have been an attempt to do what you have to do when your car is lost or stolen, to report that lost or stolen car. It would have been an attempt to try to get some sort of handle on firearms.

Madam President, the issue of straw purchases is a significant problem across the State which, in fact, is impacting people all across the country. What is happening is that folks are purchasing firearms which get out into the world and resold at higher costs. In fact, what is being reported now is that the profit made from straw purchases of firearms is greater than the trafficking of drugs in so many communities all across the State.

All we wanted to do with the amendment that we were going to offer is to try to create some record of lost or stolen firearms. That is all we wanted to do, and hopefully, at some point in the next couple of days or near future, the opportunity will be pro-

vided to us to, in fact, move this issue forward. It is not harmful, it does not hurt anyone, and it does not threaten anyone's right to bear arms. All it does is create a record that allows us to keep an eye and a handle on lost or stolen property, and that is all it does.

Hopefully, there will be some piece of legislation during the next few days that we are here, as we deliberate on everything that is confronting us, that we can try to advance the ball just a little bit, just a little bit. Again, we are not limiting one gun a month or requiring any other restrictions. All we are requiring is that if a firearm is lost or stolen, that it be reported, and the State Police keep a record of all of those reports that are made.

Thank you, Madam President.

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

Senator KITCHEN. Madam President, I rise to agree with my colleague, Senator Hughes. This is such a terrible, terrible problem all across the State, but I am now talking about Philadelphia. One of the main problems causing the violence on the streets of Philadelphia is the straw purchases of firearms. While we are here tonight working hard, there are individuals who are enjoying a lucrative business buying and selling guns on the streets of Philadelphia.

The amendment that my colleague has proposed does not violate anyone's rights, and the language does protect law-abiding citizens who may lose a gun or have one stolen. Sometimes we do forget to report things, and that is understandable, but we are talking about guns that are traced to individuals time and time again. Those individuals are saying, oh, I forgot, or oh, I lost it, but those guns were purchased by those group of individuals and are then sold illegally on the streets of Philadelphia, which end up time and time again used in crimes.

What we are asking here tonight is that some consideration be given to this amendment. I understand what happened here tonight that the amendment cannot go into this bill and we cannot even vote on it, but it is worth putting on the record and letting it be known that this is a continuing problem, and that we should protect the people we represent from the violence that illegal guns are causing in Pennsylvania.

Thank you, Madam President.

The PRESIDENT. Senator Hughes and Senator Kitchen have agreed not to offer an amendment to House Bill No. 10.

And the question recurring,

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 REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

SB 704 (Pr. No. 1256) -- 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, further providing for Intra-Governmental Council on Long-Term Care and for rules and regulations for personal care homes and assisted living residences.

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

BILLS OVER IN ORDER

HB 131 and HB 363 -- Without objection, the bills were passed over in their order at the request of Senator ORIE.

BILL ON SECOND CONSIDERATION

HB 369 (Pr. No. 1401) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1976 (P.L.424, No.101), referred to as the Emergency and Law Enforcement Personnel Death Benefits Act, further providing for the payment of death benefits to members of emergency personnel teams.

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

BILLS OVER IN ORDER

HB 483, SB 861, SB 916 and SB 962 -- Without objection, the bills were passed over in their order at the request of Senator ORIE.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 966 (Pr. No. 2156) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION AND RECOMMITTED

HB 1590 (Pr. No. 2088) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 53 (Municipalities Generally), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for minority and women-owned business participation, for public transportation assistance and taxation and for income based on

use of Commonwealth highways; authorizing provisions relating to public transportation assistance; repealing provisions relating to public transportation assistance; providing for transportation issues and for sustainable mobility options; further providing, in metropolitan transportation authorities, for board members and for operations; consolidating the Turnpike Organization, Extension and Toll Road Conversion Act and further providing for the Pennsylvania Turnpike Commission; in provisions on the Pennsylvania Turnpike, further providing for definitions, for authorizations and for conversion to toll roads and providing for conversion of Interstate 80, for application and for lease of Interstate 80; in taxes for highway maintenance and construction, providing for definitions; further providing for imposition and for allocation of proceeds; providing for special revenue bonds, for expenses, for application of proceeds of obligations, for trust indenture, for exemption, for pledged revenues, for special revenue refunding bonds, for remedies, for Motor License Fund proceeds, for construction and for funding; and making related repeals.

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

Upon motion of Senator ORIE, and agreed to by voice vote, the bill just considered was recommitted to the Committee on Transportation.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Appropriations to meet off the floor today to consider House Bill No. 966 along with its other agenda, and for the Committee on Transportation to consider House Bill No. 1590.

RECESS

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

Senator ORIE. Madam President, I ask for a recess for the purpose of a meeting of the Committee on Appropriations.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, without objection, the Senate stands in recess.

AFTER RECESS

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

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 PENNSYLVANIA
COUNCIL ON AGING

May 14, 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, George Demetriades, Sr., 50 Villas

Crossing Road, Tamaqua 18252, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cathleen Bubash, Esquire, 1519 Monterey Street, Pittsburgh 15212, Allegheny County, Thirty-eighth Senatorial District, for appointment as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Cynthia A. Baldwin, appointed to Supreme Court.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael E. McCarthy, Esquire, 109 Oxbridge Drive, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Walter R. Little, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LEHIGH COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maria Dantos, Esquire, 2357 Niagra Lane, Macungie 18062, Lehigh County, Sixteenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Lehigh County, to serve until the first Monday of January 2008, vice The Honorable Thomas A. Wallitsch, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alice Beck Dubow, Esquire, 8605 Thomas Mill Drive, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2008, vice The Honorable Joyce S. Kean, resigned.

EDWARD G. RENDELL
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

April 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, Patrick Dugan, 3511 Vista Street, Philadelphia 19136, Philadelphia County, Second Senatorial District, for appointment as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2010, vice The Honorable Alan K. Silberstein, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
PUBLIC TELEVISION NETWORK COMMISSION**

June 12, 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, John Saler, 350 Llandillo Road, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lita Indzel Cohen, Merion, whose term expired.

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, The Honorable Paul W. Semmel, 4525 Spring Hill Drive, Schnecksville 18078, Lehigh County, Sixteenth 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 2011, and until his successor is appointed and qualified, vice William Brantley, Ed.D, West Chester, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Beth Scagline-Mills, 4754 Williamsport Road, Monongahela 15063, Washington County, Forty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-26, to serve until the first Monday of January 2008, vice Ernest L. Marraccini, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Walter Strohl, 20 A Levis Avenue, Media 19063, Delaware County, Ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-2-48, to serve until the first Monday of January 2008, vice James F. Nilon, Jr., resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dawn Vann, 604 Caldwell Street, Chester 19013, Delaware County, Ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-1-21, to serve until the first Monday of January 2008, vice Horace Z. Davis, mandatory retirement.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kristina Anzini, 500 Queen Street, Stroudsburg 18360, Monroe County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Monroe, Magisterial District 43-2-01, to serve until the first Monday of January 2008, vice Anthony J. Mangan, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Romig-Passaro, 814 Bridge

Street, Bethlehem 18018, Northampton County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-11, to serve until the first Monday of January 2008, vice Elizabeth A. Romig, resigned.

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 PENNSYLVANIA COUNCIL ON AGING

May 14, 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, George Demetriades, Sr., 50 Villas Crossing Road, Tamaqua 18252, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC TELEVISION NETWORK COMMISSION

June 12, 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, John Saler, 350 Llandillo Road, Bala Cynwyd 19004, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lita Indzel Cohen, Merion, whose term expired.

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, The Honorable Paul W. Semmel, 4525 Spring Hill Drive, Schnecksville 18078, Lehigh County, Sixteenth 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 2011, and until his successor is appointed and qualified, vice William Brantley, Ed.D, West Chester, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Beth Scagline-Mills, 4754 Williamsport Road, Monongahela 15063, Washington County, Forty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-26, to serve until the first Monday of January 2008, vice Ernest L. Marraccini, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Walter Strohl, 20 A Levis Avenue, Media 19063, Delaware County, Ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-2-48, to serve until the first Monday of January 2008, vice James F. Nilon, Jr., resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dawn Vann, 604 Caldwell Street, Chester 19013, Delaware County, Ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-1-21, to serve until the first Monday of January 2008, vice Horace Z. Davis, mandatory retirement.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kristina Anzini, 500 Queen Street, Stroudsburg 18360, Monroe County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Monroe, Magisterial District 43-2-01, to serve until the first Monday of January 2008, vice Anthony J. Mangan, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Romig-Passaro, 814 Bridge Street, Bethlehem 18018, Northampton County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-11, to serve until the first Monday of January 2008, vice Elizabeth A. Romig, resigned.

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-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 Governor be informed accordingly.

NOMINATIONS TAKEN FROM THE TABLE

Senator ROBBINS. Madam President, I call from the table certain nominations and ask for their consideration.
The Clerk read the nominations as follows:

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Cathleen Bubash, Esquire, 1519 Monterey Street, Pittsburgh 15212, Allegheny County, Thirty-eighth Senatorial District, for appointment as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Cynthia A. Baldwin, appointed to Supreme Court.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael E. McCarthy, Esquire, 109 Oxbridge Drive, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as Judge of the Court of Common Pleas of Allegheny County, to serve until the first Monday of January 2008, vice The Honorable Walter R. Little, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
LEHIGH COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maria Dantos, Esquire, 2357 Niagra Lane, Macungie 18062, Lehigh County, Sixteenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Lehigh County, to serve until the first Monday of January 2008, vice The Honorable Thomas A. Wallitsch, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alice Beck Dubow, Esquire, 8605 Thomas Mill Drive, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Court of Common Pleas of Philadelphia County, to serve until the first Monday of January 2008, vice The Honorable Joyce S. Kean, resigned.

EDWARD G. RENDELL
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

April 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, Patrick Dugan, 3511 Vista Street, Philadelphia 19136, Philadelphia County, Second Senatorial District, for appointment as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2010, vice The Honorable Alan K. Silberstein, resigned.

EDWARD G. RENDELL
Governor

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

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

Senator FERLO. Madam President, I rise briefly to thank the Senate Committee on Judiciary, especially our chair, Senator Greenleaf, and Senator Costa, the Minority chair, as well as the full Senate for what I am sure will be the confirmation of the two nominees of the Governor from Allegheny County who are two distinguished attorneys.

A graduate of Duquesne University School of Law, Judge Cathleen Bubash has demonstrated her broad judicial experience in the courtroom and as an adjunct faculty member for California University of Pennsylvania, the American InterContinental University Online, as well as the Community College of Allegheny County. Cathleen is admitted to practice in Pennsylvania before the Supreme Court, as well as the U.S. District Court for the Western District of Pennsylvania. The Allegheny County Bar Association has expressed that she possesses the highest reputation for integrity, legal ability, experience, and temperament to excel as a judge on the Court of Common Pleas.

Likewise, Michael McCarthy, from Senator Orie's district, was appointed by the court of common pleas to three successive terms as chairman of the board of viewers for the Fifth Judicial District. He has demonstrated a long tenure of impartial and accurate interpretation of the law. He is a distinguished Navy Seabee veteran and has led an exceptionally distinguished professional career as both a practicing attorney as well as a professor of law. The Allegheny Bar Association has also recommended him based on his reputation for integrity, ability, experience, and temperament.

I think I can speak for all of the Senators from Allegheny County and say that we are very pleased with these two distinguished attorneys who have won unanimous and overwhelming support from both Republicans and Democrats across the board. So, I am very pleased and want to thank the full Senate for their action today.

Thank you, Madam President.

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

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

YEA-50

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

NAY-0

A constitutional two-thirds 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.

BILLS REPORTED FROM COMMITTEE

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

HB 966 (Pr. No. 2171) (Amended) (Rereported)

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

HB 1287 (Pr. No. 2172) (Amended) (Rereported)

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2007, to June 30, 2008, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2007.

HB 1295 (Pr. No. 2239) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for Commonwealth employees group life insurance; further providing for the State System of Higher Education and for budget implementation; providing for general budget implementation and for 2007-2008 budget implementation and restrictions on appropriations for funds and accounts; and making a related repeal.

**BILL REPORTED FROM COMMITTEE
AND REREFERRED**

Senator MADIGAN, from the Committee on Transportation, reported the following bill:

HB 1590 (Pr. No. 2170) (Amended) (Rereported)

An Act amending Titles 53 (Municipalities Generally), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing local taxation for public transportation assistance; repealing provisions relating to public transportation assistance; providing for transportation issues and for sustainable mobility options; consolidating the Turnpike Organization, Extension and Toll Road Conversion Act; providing for Turnpike Commission standards of conduct; in provisions on the Pennsylvania Turnpike, further providing for definitions, for authorizations and for conversion to toll roads and providing for conversion of Interstate 80, for application and for lease of Interstate 80; in taxes for highway maintenance and construction, providing for definitions; further providing for imposition and for allocation of proceeds; providing for special revenue bonds, for expenses, for application of proceeds of obligations, for trust indenture, for exemption, for pledged revenues, for special revenue refunding bonds, for remedies, for Motor License Fund proceeds, for construction and for funding; and making related repeals.

Upon motion of Senator ORIE, and agreed to, the bill was rereferred to the Committee on Appropriations.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators C. WILLIAMS, MELLOW, PILEGGI, FUMO, FERLO, TARTAGLIONE, FONTANA, REGOLA, BOSCOLA, LOGAN, WOZNIAK, BRUBAKER, PIPPY, ORIE, WONDERLING, ERICKSON, M. WHITE, RHOADES, BAKER, STACK, KASUNIC, COSTA, FOLMER, WASHINGTON, GREENLEAF, D. WHITE, STOUT, O'PAKE, MUSTO, KITCHEN, RAFFERTY, EARLL, BROWNE and LAVALLE, by unanimous consent, offered **Senate Resolution No. 148**, entitled:

A Resolution observing July 4, 2007, as "Let Freedom Ring Day" and encouraging Pennsylvania to participate in the National Bell Ringing Ceremony that will occur on that day.

On the question,
Will the Senate adopt the resolution?

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

Senator C. WILLIAMS. Madam President, I would like to submit remarks for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made a part of the record at the request of the gentlewoman from Montgomery, Senator CONNIE WILLIAMS:)

Madam President, the history of our nation is one of hard work, versatility, and tenacity. Over the years, the people of the United States have come together under the one great symbol of our freedom and independence - the United States flag.

Since 2001, July 4 has taken on even greater meaning in the hearts and minds of Americans and of Pennsylvanians, as we send our prayers and well wishes to those who are defending and protecting our country on foreign soil.

On July 4, 2007, Pennsylvanians can do something, which on its own appears seemingly insignificant, but in concert will become a symphony - ring a bell.

Today, I ask you to support a resolution to observe July 4, 2007, as "Let Freedom Ring Day" in Pennsylvania, and to encourage every Penn-

sylvanian to participate in the National Bell Ringing Ceremony that will occur that day.

Bell ringing announced our Declaration of Independence in 1776 in Philadelphia at the Liberty Bell. The National Bell Ringing Ceremony was established by Congress in 1963 to remind Americans of the bravery, courage, commitment, and wisdom of the men and women who fought to create and preserve this nation. The Pennsylvania Society Sons of the Revolution now sponsors the Let Freedom Ring National Bell Ringing Ceremony each year on July 4.

All Pennsylvanians are encouraged to participate by ringing a bell 13 times at 2 p.m. on July 4 to observe the meaning and spirit of Independence Day.

Those who participate will not be alone. In fact, bells this year will be rung at thousands of locations around the country, including Independence Hall in Philadelphia, UAL Flight 93 Memorial Chapel in Shanksville, Somerset County, the Betsy Ross House in Philadelphia, the Borough of Sellersville, the National Cathedral in Washington, D.C., Washington Memorial Chapel in Valley Forge National Historical Park, on all commissioned ships of the United States Navy, Coast Guard, and the Merchant Marine, and at churches, synagogues, government buildings, and carillons across the country.

We fought long and hard to establish independence, and we must continue our vigilance to ensure those freedoms continue. To observe the meaning and spirit of Independence Day, I encourage every Pennsylvanian to ring a bell 13 times at 2 p.m. on July 4, and I ask for your support of the resolution declaring July 4 as "Let Freedom Ring Day" in Pennsylvania.

Thank you, Madam President.

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

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

Senators DINNIMAN, BOSCOLA, BRUBAKER, ERICKSON, FERLO, FONTANA, GREENLEAF, KASUNIC, KITCHEN, LOGAN, ORIE, WASHINGTON, C. WILLIAMS, PIPPY, RAFFERTY, TARTAGLIONE, BROWNE, ARMSTRONG, COSTA and D. WHITE, by unanimous consent, offered **Senate Resolution No. 149**, entitled:

A Resolution designating the week of July 15 through 21, 2007, as "Probation, Parole and Community Supervision Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Madam President, I offer this resolution in appreciation of Corrections professionals and the important work they do.

Thank you, Madam President.

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

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

Senators GREENLEAF, FERLO, BOSCOLA, FONTANA, BRUBAKER, KASUNIC, KITCHEN, WASHINGTON, FOLMER, ERICKSON, ORIE, LOGAN, TARTAGLIONE, RAFFERTY, PIPPY, EARLL, ARMSTRONG, BROWNE, COSTA, WONDERLING and D. WHITE, by unanimous consent, offered **Senate Resolution No. 150**, entitled:

A Resolution designating July 22, 2007, as "Parents' Day" in Pennsylvania.

On the question,

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. Bill Davies, Mr. and Mrs. Thomas Eugene Marvin and to Mr. and Mrs. Franklin Fritzingler by Senator Baker.

Congratulations of the Senate were extended to Deborah Smith by Senator Corman.

Congratulations of the Senate were extended to Barry G. Hoffman by Senators Corman and Piccola.

Congratulations of the Senate were extended to Randy Tice by Senator Folmer.

Congratulations of the Senate were extended to Mr. and Mrs. LaRue Rupert, Mr. and Mrs. Thomas Foust, Mr. and Mrs. Richard Shoemaker and to Edwin and Karen Dock by Senator Gordner.

Congratulations of the Senate were extended to Audrey M. Walker by Senator Greenleaf.

Congratulations of the Senate were extended to Crystal Wright by Senator Kitchen.

Congratulations of the Senate were extended to Lindley Henderson by Senator Madigan.

Congratulations of the Senate were extended to Helen Travis by Senator Mellow.

Congratulations of the Senate were extended to William Sholly IV by Senator McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Harry Wesley, Mr. and Mrs. Samuel Bickerstaff, Mr. and Mrs. Pat Rega, Mr. and Mrs. Joseph Mains and to Frances Skerbetz by Senator Regola.

Congratulations of the Senate were extended to Mr. and Mrs. James W. Mack, Mr. and Mrs. Francis Carr, Sr., Mr. and Mrs. William Dodd and to Mallory Mosher by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. John F. Baumgarten, Mr. and Mrs. Paul R. Liptak, Mr. and Mrs. Dornick Pastorial and to Mr. and Mrs. Harold O'Bryon by Senator Stout.

Congratulations of the Senate were extended to Carmen Torres by Senator Tartaglione.

Congratulations of the Senate were extended to Lieutenant Colonel (Ret) and Mrs. Donald Easton, Jeremy Brett Miller and to Derek Hathway by Senator Vance.

Congratulations of the Senate were extended to Frederick Heard by Senator Washington.

Congratulations of the Senate were extended to Mr. and Mrs. Robert C. King, Mr. and Mrs. Charles Homer Stein, Mr. and Mrs. Donald E. Just and to the First Evangelical Lutheran Church of Philipsburg by Senator Wozniak

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 Thomas E. Williams and to the family of the late Mark R. Zimmer by Senator Baker.

Condolences of the Senate were extended to the family of the late Arthur L. Lilley and to the family of the late Christopher C. Rafferty by Senator Kasunic.

Condolences of the Senate were extended to the family of the late Karl Hellerick by Senator McIlhinney.

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 BOARD OF TRUSTEES OF POLK CENTER

June 29, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Vickie L. Garfield, 2383 Cherrytree Road, Titusville 16354, Venango County, Twenty-first Senatorial District, for reappointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OSTEOPATHIC MEDICINE

June 29, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary Ellen Hoffecker (Public Member), 81 Johns Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, 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 Esther Richwine, Harrisburg, whose term expired.

EDWARD G. RENDELL
Governor

CORRECTION TO CORRECTION TO NOMINATION REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY

June 29, 2007

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

Please note the nomination dated May 7, 2007, for the appointment of Jamie L. Sheller, Esquire, 42 Old Gulph Road, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2013, and until her successor is appointed and qualified, vice John P. Kameen, Forest City, whose term expired, should be corrected to read:

Jamie L. Sheller, Esquire, 920 Morris Avenue, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2012, and until her successor is appointed and qualified, vice Kenneth Tepper, Philadelphia, whose term expired.

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

June 29, 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 May 7, 2007, for the appointment of Stephanie Moore, 40 Red Barberry Drive, Eppers 17319, York County, Fifteenth Senatorial District, as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dianna Orndorff, Hanover, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

June 29, 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 May 8, 2007, for the appointment of Vickie L. Garfield, 2383 Cherrytree Road, Titusville 16354, Venango County, Twenty-first Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
OSTEOPATHIC MEDICINE

May 8, 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 February 1, 2007, for the appointment of Mary Ellen Hoffecker (Public Member), 81 Johns Drive, Enola 17025, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Osteopathic Medicine, 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 Esther Richwine, Harrisburg, whose term expired.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 815**, with the information the House has passed the same without amendments.

BILLS SIGNED

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

HB 840, SB 815 and HB 917.

RECESS

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

Senator ORIE. Madam President, I move that the Senate do now recess until Saturday, June 30, 2007, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 9:20 p.m., Eastern Daylight Saving Time.