

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

SATURDAY, JUNE 30, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 51

SENATE

SATURDAY, June 30, 2007

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

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

PRAYER

The following prayer was offered by the Secretary of the Senate, Hon. MARK R. CORRIGAN:

Let us pray.

Heavenly Father, we pause this morning to seek Your blessing and to commend our State to Your merciful care, that we may follow Your guidance and live in peace and prosperity.

Grant to these Senators and all in authority in our State wisdom and strength to know and to do Your holy will. Fill them with the love of truth, honesty, and righteousness. Make them always remember that they are Your servants to Your greater glory in heaven and on earth. Amen.

PLEDGE OF ALLEGIANCE

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

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Folmer.

The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Madam President, I request temporary Capitol leaves for Senator Connie Williams and Senator Kasunic.

The PRESIDENT. Senator Stack requests temporary Capitol leaves for Senator Connie Williams and Senator Kasunic.

Without objection, the leaves will be granted.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 233**, with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1367**.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 86**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 6, this bill will be referred to the Committee on Rules and Executive Nominations.

HOUSE BILLS FOR CONCURRENCE

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

June 30, 2007

HB 647, 1251, 1252, 1253, 1254 and 1255 -- Committee on Consumer Protection and Professional Licensure.

HB 976 -- Committee on Rules and Executive Nominations.

HB 1196 -- Committee on State Government.

CALENDAR

HB 1228 CALLED UP OUT OF ORDER

HB 1228 (Pr. No. 1513) -- Without objection, the bill was called up out of order, from page 3 of the Third Consideration Calendar, by Senator PILEGGI, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1228 (Pr. No. 1513) -- The Senate proceeded to consideration of the bill, entitled:

An Act redesignating the Clarion River Bridge on Main Street in Ridgway, Elk County, as Rear Admiral Paul H. Speer Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

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 the opportunity to introduce Ryan Scanlon, who has been working in my office as an intern this summer and doing an excellent job. Ryan and his family are constituents of mine from Scranton. He is a student at the University of Pittsburgh Law School and will be a candidate to receive his degree in law in May of next year. He is a graduate of Fairfield University of Connecticut, where he received a bachelor's degree in finance in 2005.

Madam President, I ask the Senate to please join me in extending its usual warm welcome to Ryan Scanlon.

The PRESIDENT. Ryan, will you please step forward so we can all welcome you. Welcome to the Pennsylvania State Senate. (Applause.)

CONSIDERATION OF CALENDAR RESUMED HB 10 CALLED UP OUT OF ORDER

HB 10 (Pr. No. 2168) -- Without objection, the bill was called up out of order, from page 1 of the Third Consideration Calendar, by Senator ORIE.

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

HB 10 (Pr. No. 2168) -- The Senate proceeded to consideration of the bill, entitled:

An Act 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.

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 Lackawanna, Senator Mellow.

Senator MELLOW. Madam President, first of all, I think the Members should realize that this is a very important bill and it was changed yesterday from a Title 18 bill to a Title 42 bill.

This bill deals with, as I think was explained on the floor yesterday, salary increases for State judges. There was significant discussion in our caucus about this bill, and the number of "no" votes on the amendment.

I would just like to point out to the Members, especially the Members on this side of the aisle, what this bill deals with and recall the discussion we had yesterday.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Kasunic, Senator Connie Williams, and Senator Folmer have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVE

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

Senator MELLOW. Madam President, I request a temporary Capitol leave for Senator Anthony Williams.

The PRESIDENT. Senator Mellow requests a temporary Capitol leave for Senator Anthony Williams. Without objection, the leave will be granted.

And the question recurring,
Shall the bill pass finally?

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

Senator M.J. WHITE. Madam President, while I support the Piccola amendment that decouples our judicial salaries from those of the Federal judiciary, I cannot support the bill in its entirety, because one of the things that still remains in there is the funding of our district attorneys' salaries through a charge or fee on defendants who enter ARD programs and are convicted of certain drug offenses.

I have made this speech in the past, and I will not belabor the point here, but I think one of the primary responsibilities of government is to maintain and fund a justice system. To fund this

justice system on the backs of the criminal defendants, as opposed to the body politic, I think is bad public policy. The fact that I have made this speech probably six or seven times this year tells you how many times we have attempted to defray the costs of our court system through fines on the persons who find themselves on the receiving end. It tells you that this is a very disturbing trend.

I will vote "no" and ask for a "no" vote. I hope that we can deal with the judicial salary in a separate bill.

Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-36

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

NAY-14

Costa	Kitchen	Musto	White, Mary Jo
Fontana	LaValle	Stack	Williams, Anthony H.
Fumo	Logan	Tartaglione	
Hughes	Mellow	Washington	

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.

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

HB 1287 (Pr. No. 2172) -- The Senate proceeded to consideration of the bill, entitled:

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.

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 gentlewoman from Erie, Senator Earll.

Senator EARLL. Madam President, I rise because I would like to submit for the record a letter from the chairman of the Pennsylvania Gaming Control Board, Tad Decker, indicating their approval of our budget allocation for their next year's operation.

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

(The following letter as made a part of the record at the request of the gentlewoman from Erie, Senator Earll.)

PENNSYLVANIA GAMING CONTROL BOARD
Harrisburg, Pennsylvania
17106-9060

June 29, 2007

Honorable Robert J. Mellow	Honorable Vincent J. Fumo
Senate of Pennsylvania	Senate of Pennsylvania
535 Main Capitol	545 Main Capitol
Harrisburg PA 17120	Harrisburg PA 17120

Dear Senator Mellow and Senator Fumo,

I understand you are proposing a budget of \$29,984,000 to fund the Pennsylvania Gaming Control Board during FY 07-08. At your request I am writing to let you know that, based on current expectations, including the anticipated number of casinos to be opened during the budget year, this level of funding will enable us to adequately staff and fund the Board.

If enacted, the proposed budget authorization amount of \$29,984,000 will provide sufficient resources necessary to operate the Board during the next fiscal year and allow the Board to maintain appropriate regulatory oversight of the gaming industry. Though unanticipated circumstances may require us to reallocate resources, we do not anticipate any circumstances that would delay the scheduled opening of new gaming venues in Mt. Airy (Fall 2007) and Grantville (Winter/Spring 2008). Accordingly, we do not anticipate returning to the Legislature to seek additional funds during fiscal year 2007-08.

Thank you for your assistance in resolving this issue. Your willingness to address the budgetary needs of the Board is sincerely appreciated.

Sincerely,

THOMAS A. DECKER
Chairman

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 REREPORTED FROM COMMITTEE AS
AMENDED OVER IN ORDER TEMPORARILY
ON FINAL PASSAGE**

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, for Intra-Governmental Council on Long-Term Care and for rules and regulations for personal care homes and assisted living residences.

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 gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Madam President, I ask that Senate Bill No. 704 go over in its order temporarily.

The PRESIDENT. Without objection, the bill will go over in its order temporarily on Final Passage.

**BILLS REREPORTED FROM COMMITTEE AS
AMENDED OVER IN ORDER TEMPORARILY**

HB 966 and HB 1295 -- Without objection, the bills were passed over in their order temporarily at the request of Senator ORIE.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

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 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.

HB 778 (Pr. No. 2167) -- 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.

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-48

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

NAY-2

Earll

White, Mary Jo

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.

HB 842 (Pr. No. 2169) -- 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 transferred programs and classes and for program of continuing professional education and for educational assistance program; providing for distressed school districts and student attendance in other districts; in charter school provisions, further providing for enrollment; in education empowerment provisions, further providing for board of school directors; providing for superintendent power to recommend dismissal of certain management employees; and for public library funding; further providing for small district assistance; providing for basic education funding for 2006-2007 school year; and 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.

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-48

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

NAY-2

Eichelberger

Folmer

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.

SB 857 (Pr. No. 1260) -- 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.

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-29

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

NAY-21

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

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

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.

BILLS REREFERRED

HB 483 (Pr. No. 540) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Mine Families First Program; providing assistance to persons whose family members are trapped, injured or waiting rescue during an underground mine emergency and for duties of the Department of Environmental Protection.

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

SB 861 (Pr. No. 1194) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the number of judges in the courts of common pleas.

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

BILLS OVER IN ORDER

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Consumer Protection and Professional Licensure to meet in the Rules room to consider House Bills No. 1251, 1252, 1253, 1254 and 1255.

RECESS

The PRESIDENT. For the purpose of a meeting of the Committee on Consumer Protection and Professional Licensure, without objection, the Senate stands in recess.

AFTER RECESS

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

RECESS

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

Senator BRUBAKER. Madam President, I move that we recess to the call of the President pro tempore.

The PRESIDENT. Senator Brubaker moves that the Senate recess to the call of the President pro tempore.

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

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

Senator COSTA. Madam President, for the benefit of the Members on the Democratic side of the aisle, it is our intention that this motion is only to allow us the opportunity to caucus. I think the Republicans intend to caucus as well. We intend to come back later this afternoon and work on a couple of bills, and at this point in time, this is only a recess. We will be coming back for further votes here today.

Thank you, Madam President.

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

Senator BRUBAKER. Madam President, that is exactly correct.

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

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

The PRESIDENT. The Senate stands in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES

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

HB 202 (Pr. No. 235) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for reports and removal of abandoned vehicles within the boundaries of a city of the first class or second class.

HB 896 (Pr. No. 2178) (Amended) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for special occasion permits, for wine auction permits, for limiting number of retail licenses to be issued in each county, for unlawful acts relative to liquor, malt and brewed beverages and licenses and for limited wineries.

HB 1590 (Pr. No. 2179) (Amended) (Rereported)

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; 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.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

HB 1251 (Pr. No. 2174) (Amended)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for physician assistants.

HB 1252 (Pr. No. 2175) (Amended)

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for physician assistants.

HB 1253 (Pr. No. 2176) (Amended)

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for scope of practice for certified registered nurse practitioners; and providing for professional liability.

HB 1254 (Pr. No. 1994)

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for the definition of "clinical nurse specialist"; and providing for clinical nurse specialists.

HB 1255 (Pr. No. 2177) (Amended)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, further providing for nurse-midwife license.

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 Republican caucus to be held immediately in the Majority Caucus Room.

The PRESIDENT. For the purpose of a Republican caucus, without objection, the Senate stands in recess.

AFTER RECESS

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

**COMMUNICATIONS FROM THE GOVERNOR
REPORTED FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD OF 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, Etters 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 STATE BOARD OF
OSTEOPATHIC MEDICINE**

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 Mary Ellen Hoffeecker (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

**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

NOMINATIONS RETURNED TO THE GOVERNOR

Senator ROBBINS. Madam President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ryan J. Gebely, 312 North Canal Street, Leesport 19533, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Allison Peitz, Henryville, graduated.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph M. Peltzer, 1308 Tarpan Circle, New Hope 18938 Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Kyle J. Mullins, Peckville, graduated.

EDWARD G. RENDELL
Governor

**JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY**

April 19, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel J. Anders, Esquire, 3612 Stokley Street, Philadelphia 19129, 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 2010, vice The Honorable James J. Fitzgerald, III, 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, Eugene F. Riazzi, 2721 Grandview Avenue, McKeesport 15132, Allegheny County, Forty-fifth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-13, to serve until the first Monday of January 2008, vice Thomas Brletic, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jay R. Rose, HC Box 55 D, Paupack 18451, Pike County, Twentieth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Pike, Magisterial District 60-3-02, to serve until the first Monday of January 2010, vice William N. Sanquilly, deceased.

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 BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ryan J. Gebely, 312 North Canal Street, Leesport 19533, Berks County, Eleventh Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Allison Peitz, Henryville, graduated.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph M. Peltzer, 1308 Tarpan Circle, New Hope 18938 Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Kyle J. Mullins, Peckville, graduated.

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, Eugene F. Riazzi, 2721 Grandview Avenue, McKeesport 15132, Allegheny County, Forty-fifth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-13, to serve until the first Monday of January 2008, vice Thomas Brletic, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 20, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jay R. Rose, HC Box 55 D, Paupack 18451, Pike County, Twentieth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Pike, Magisterial District 60-3-02, to serve until the first Monday of January 2010, vice William N. Sanquilly, deceased.

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.

NOMINATION TAKEN FROM THE TABLE

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

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

April 19, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Daniel J. Anders, Esquire, 3612 Stokley Street, Philadelphia 19129, 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 2010, vice The Honorable James J. Fitzgerald, III, resigned.

EDWARD G. RENDELL
Governor

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

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

YEA-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 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.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Madam President, I request temporary Capitol leaves for Senator Orie and Senator Piccola, and a legislative leave for Senator Earll.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Orie and Senator Piccola, and a legislative leave for Senator Earll.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Madam President, I request temporary Capitol leaves for Senator Kitchen, Senator Tartaglione, and Senator Washington.

The PRESIDENT. Senator Mellow requests temporary Capitol leaves for Senator Kitchen, Senator Tartaglione, and Senator Washington.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

CONSIDERATION OF CALENDAR RESUMED

SB 704 CALLED UP

SB 704 (Pr. No. 1256) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL ON FINAL PASSAGE

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.

On the question,
Shall the bill pass finally?

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

YEA-47

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

NAY-2

Costa Logan

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 966 CALLED UP

HB 966 (Pr. No. 2171) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 966 (Pr. No. 2171) -- 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 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?

POINT OF ORDER

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Madam President, I rise to ask a point of order.

The PRESIDENT. The gentlewoman will state her point.

Senator BAKER. Madam President, until October 2005, I was employed as the executive director of the Blue Ribbon Foundation at Blue Cross of Northeastern Pennsylvania, the private foundation which the company endowed. It oversaw the use and allocation of resources for its social mission. That employment ended in 2005. Given the provisions of this bill requiring the reporting of social mission for prior years, including a period during which time I was employed by Blue Cross of Northeastern Pennsylvania, I raise a point of order as to whether or not I am precluded from voting on House Bill No. 966.

The PRESIDENT. Senator Baker, in the situation you just described, the Chair finds that you have no conflict of interest. First of all, there was nothing particularly personal about the work you did. You were one of a number of people or class of people who worked on those projects. Even more importantly, the Chair cannot find how you would benefit or receive any type of pecuniary benefit from passage of this bill. You no longer work there and have not been affiliated with Blue Cross of Northeastern Pennsylvania for quite some time, so the Chair would rule that you do not have a conflict of interest, and that in accordance with Senate rules, you are therefore compelled to vote on this matter.

Senator BAKER. Thank you, Madam President.

POINT OF ORDER

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

Senator WONDERLING. Madam President, I rise to ask a point of order. I would like a ruling from the Chair on an issue that may confront the Senate in the near future. As the Chair is aware, there is a proposal being discussed that would consolidate Independence Blue Cross and Highmark Blue Cross Blue Shield. There is pending legislation in the Senate, namely House Bill No. 966, which would give the Pennsylvania Department of Insurance oversight powers over consolidations involving nonprofit health care insurers. The department already has this authority as it concerns for-profit companies.

I want to disclose any possible potential conflict. I am a board member of Keystone Health Plan East, and I do receive compensation for my board service. Knowing all this, my question is, am I permitted to vote on legislation that may impact the consolidation as proposed, or be impacted by the consolidation or any other related issue? More specifically, Madam President, am I permitted to vote on House Bill No. 966, if indeed it is marked to run on the Calendar?

The PRESIDENT. Senator Wonderling, in the factual situation you have just given, the Chair would rule that there is no conflict of interest, and that in accordance with Senate Rule XXI, you must also vote on this matter. The Chair finds that the gentleman is a member of a class of individuals who are members of boards who may or may not be affected by any actions on such legislation. The votes that you will cast are not particularly personal or pecuniary to Senator Wonderling alone.

Thank you.

LEGISLATIVE LEAVE

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

Senator MELLOW. Madam President, I request a temporary Capitol leave for Senator Boscola.

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

POINT OF ORDER

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

Senator MELLOW. Madam President, I request a ruling of the Chair not dissimilar from Senator Wonderling's, although it has nothing to do with me personally. For the reasons placed on the record during the previous vote on this issue, which would have been House Bill No. 112 a few weeks ago, Senator Fumo asked at that particular time that he not be recorded on final passage because I believe he also is a member of an insurance board from which he also received money. When we take the final vote on this bill, Senator Fumo has specifically requested not to be recorded on House Bill No. 966 because of the fact that he does receive remuneration from an insurance company.

LEAVE OF ABSENCE

Senator MELLOW. Madam President, so there is no question about the vote of Senator Fumo, I ask that he be placed on personal leave for this issue only.

The PRESIDENT. Without objection, Senator Fumo will be on personal leave for this issue, House Bill No. 966.

And the question recurring,
Shall the bill pass finally?

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

Senator D. WHITE. Madam President, I rise today, as I have on two previous occasions, to ask my colleagues to pass legislation outlining central regulatory oversight of the proposed merger between Highmark and Independence Blue Cross. This legislation would provide that regulatory oversight.

We have heard the popular, repeated complaint that State government acts way too slowly in addressing issues that are important to the people of the Commonwealth.

POINT OF ORDER

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

Senator MELLOW. Madam President, just as a point of order, we are having a very difficult time on this side of the aisle hearing what the gentleman has to say.

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

Senator D. WHITE. Madam President, we have heard the popular, repeated complaint that State government sometimes acts way too slowly in addressing issues that are important to the people of the Commonwealth. Well, that is becoming all too applicable in this case. However, no one can or should blame the Senate for this inaction. We acted quickly and responsibly on legislation that would empower State government to be a public advocate and scrutinize the details of the proposed megamerger.

I introduced Senate Bill No. 550 in early March, and I am proud to say the bill passed the Senate unanimously on March 28 and was sent to the House, where it has gone to never-never land. The House sent the Senate its own version of the regulatory oversight bill, House Bill No. 112, at the end of April. Again, the Senate quickly responded and returned the bill for House concurrence on May 22, and that is the last we heard of House Bill No. 112. Time continues to pass by and nothing is being done. The Senate has twice shown that we want this oversight, and I honestly believe the majority of the House membership want to pass legislation that provides the essential regulatory review of the proposed merger, but is it clear that the House Majority leadership is closely aligned with the Governor on this issue, and he has made it clear he does not like our proposals.

However, the problem is that we really do not know why the administration does not like this bill. They have failed, despite repeated promises, to provide us with meaningful language to address their concerns, so nothing is being done. We have worked for 5 weeks to understand the administration's problems

with House Bill No. 112, and the best we can tell is that the changes made in House Bill No. 966 address what we think are the concerns of the Governor and some of my colleagues on the other side of the aisle.

Madam President, we refined the provision requiring the Insurance Commissioner to determine if this merger will provide a sustained benefit to its policyholders. This removes the language that was of concern to some Members. However, it still ensures that the potential effects this merger could have on policyholders will be considered by the Insurance Commissioner.

I find it quite ironic that some of my colleagues across the aisle are finding support for this bill difficult. We are not preparing to kill the merger. We only want the opportunity for oversight as we move forward, something we took a pass on in 1996, if I could remind this body, with deep regret. This legislation is designed to protect the interest of the very people which this body gave to them in the 1930s.

Just this week, Senator Logan, the chiefs of staff of other Democratic Senators, and I met with the CEO of West Penn Hospital System. The gentleman had an interesting story to tell, and this is just one facet of why we need this kind of help. He talked about the irregularities of the Highmark reimbursement policies that affect all of our hospitals, especially rural hospitals. Similar hospitals are getting different payments for the same procedures. Highmark sets the rules, folks. Do not play ball their way, and you are on the outside looking in.

What is the difference between the bill we passed in March and the version we are voting on today? Not much really, except the legislature will be involved. The difference now is that the megamerger people are perturbed that we have become a nuisance. They have to distract themselves, hired, it seems, nearly every lobbyist in Harrisburg, and put pressure on colleagues to walk the line. Lack of support for our oversight responsibility is not defensible, nor should it be an option.

Madam President, I ask for an affirmative vote on House Bill No. 966. Let us get this issue resolved and make sure this merger receives the scrutiny it deserves.

Thank you.

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

Senator MELLOW. Madam President, first of all, I want to apologize to the Members of the Senate for having to discuss this bill at 6:05 p.m. on a Saturday evening when I am sure Members would rather be spending time with their families than being here in Harrisburg talking about a proposal we talked about several weeks ago and was passed on to the House of Representatives.

I think some clarifications have to be made because some of the things that Senator White said are not totally accurate. First of all, the gentleman alluded to the passage of Senate Bill No. 550, which took place back in March of this year, and he tried to infer that Senate Bill No. 550 is the same thing as House Bill No. 966, or as House Bill No. 112. They are markedly different, and in fact, there are few similarities between what took place on Senate Bill No. 550, which passed by a vote of 48 to 0 in the Senate, and of House Bill No. 966, which the gentleman currently is pushing, or of House Bill No. 112, which he pushed and was passed through this body several weeks ago.

Madam President, there are major, major differences. Yes, he is correct, we do want to have oversight because that is exactly what we have been elected to do. We have been elected to have oversight, and in oversight comes responsibility, and responsibility manifests itself in many ways.

House Bill No. 966, which was reported last evening from the Committee on Appropriations, has appeared just one day on this Calendar with that amendment in it. If you want to have true transparency and true reform, which the gentleman and his Caucus have talked about for the past several months, then we would not even be considering House Bill No. 966 this evening. We would in fact consider House Bill No. 966 when we come back after whatever period of time we are not going to be in Session, continue to discuss the budget, then give people the opportunity to further go through what is in House Bill No. 966, because it is different from what we passed in House Bill No. 112.

Madam President, the gentleman is right, I do not like the proposal. I do not like the proposal because of anything that may have come from Governor Rendell, because I may be different from Senator White in that I do not get to talk to Governor Rendell that often. I think he probably talks to Governor Rendell more than I do. I do not get to talk to or see him frequently, and neither he nor his staff have called me on this particular bill and asked me to vote one way or the other on House Bill No. 966.

I just happen to believe that it is the wrong thing to do at the wrong time. Many of the comments in the debate which took place, of which I was not the only one involved in that debate, Senator Stack was involved in the debate on this side of the aisle, as was Senator Anthony Williams. House Bill No. 966 does mirror the legislation that was addressed several weeks ago. There is not any question about that, but it also changes the legislation.

Let me be clear at the outset of this discussion, I support adding additional authority to the Department of Insurance for the purpose of reviewing the merger between Highmark and Independence. I support it in the way Senator White, who I thought did it right the first time, advanced it in Senate Bill No. 550, but not in the way that he is trying to advance it in this particular proposal of House Bill No. 966. He clearly inserts the legislature, and make no mistake about it, the gentleman has inserted the legislature in a regulatory role, which none of us have been elected to do. We take our responsibilities that deal with regulatory situations and give those to other groups of individuals. If it deals with utilities, it goes to the Public Utility Commission. If it deals with insurance concerns, it goes to the Pennsylvania Department of Insurance. The Commissioner of the Department of Insurance is the one who should have the responsibility for a regulatory role. It is clearly a question as to what the boundaries are in accepted constitutional practices whether this bill goes entirely too far in dealing with the constitutional practices and the boundaries of this particular proposal.

Madam President, House Bill No. 966 creates a redundant regulatory review of the process of the insurer's capital reserves surplus and social mission by duplicating efforts and regulatory authority of the Pennsylvania Department of Insurance.

Why should we in the General Assembly, when we are so concerned today about what kind of money we spend, tell the taxpayers of Pennsylvania we do not want to spend over a certain percentage of your tax dollars, and then create a redundant sys-

tem of regulatory review and role that is being created in this particular bill by Senator White?

Madam President, I am not really certain what the hidden agenda is of this particular bill. I can only tell you that there is no agenda on this side of the aisle. We would like to have the proper type of discussion, and would like to give the Department of Insurance the proper opportunity to look at the proposed merger and then come back to us. There is no agenda on this side of the aisle, so what is the ultimate goal of House Bill No. 966? Are we trying to create within the General Assembly a mini-insurance department within the purview of the legislative branch, created to come up with a review board for a regulatory role? If that is in fact what we want to do, then we should go beyond this particular proposal and create that regulatory role for every proposal. We should do away with the particular commissions that handle those types of roles.

Madam President, what concerns me so much regarding the debate that took place on May 22 is that the gentleman who is the sponsor of the amendment, and ultimately going to be the author of the bill, referred to this particular merger as the 800-pound gorilla. Senator White also referred to what took place in 1996 as the 800-pound gorilla, but I do not think Senator White was here in 1996 when this so-called 800-pound gorilla was given birth. That is not the way you resolve the actual answers to the merger between Highmark and Independence. The way you guarantee through that merger that people who are uninsured today in Pennsylvania, the working poor in Pennsylvania who have to work more than one job and try to provide for health care benefits for their families, the way you guarantee that there is going to be money set aside to insure those people is to look very favorably upon many aspects of this merger, or guarantee that it meets the needs of the people of Pennsylvania, not to establish the legislature as some type of a regulatory agency to deal with these particular types of responsibilities.

Madam President, it is important that we deliver on our promise to guarantee that we will provide for the proper type of public safety in any type of a merger or dealing with private industry, but it is poor public policy and an expansion of government to do what Senator White wants to do in this particular proposal. I am fully aware of what is going to take place. Every Republican is going to vote for it and every Democrat is going to vote against it.

Senator White will once again say that he does not understand why the Governor has such an involvement in this issue, but I want to once again reiterate to the gentleman that this side of the aisle is not carrying any water for the Governor. We strongly feel that we have far overstepped our boundary that was first established in Senate Bill No. 550, of which he was the author and which was appropriate. This is not an appropriate piece of legislation. We do not belong in a regulatory role in this General Assembly.

If Members of this General Assembly want to be the Insurance Commissioner, then they should go after the job. If Members of this General Assembly want to be a member of the Public Utility Commission, or the Liquor Control Board, of which there will be two vacancies shortly, they should go after the job. If they want to be a Member of the State Senate to pass legislation to protect the rights of people and not to establish regulatory re-

view, then they should not be worried with what is happening with regulatory responsibilities. In fact, they should delegate that to the agency and department that is far better prepared to do it than we are, and have them report back to the General Assembly at an appropriate time.

Madam President, I ask for a negative vote on this bill.

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

Senator D. WHITE. Madam President, I obviously have deep respect for the Minority Leader on the other side of the aisle. His points are well-taken, but at the same time I am not interested in getting into the regulatory business as much as I feel this merger is so sizable and the composition of it is so large that it deserves this kind of special treatment.

I am not interested in every other merger that comes under the purview of the Department of Insurance to have the same kind of oversight, but when you are so concerned about competition in this State, and depending on whom you believe, 60 and 70 percent, I think it deserves public scrutiny.

Yes, I did make the remark about the 800-pound gorilla, and I was not here in 1996 when we basically rubber-stamped that merger. We had very little to do with it, and as a result that is why we are here today with this problem facing us. I am obviously very passionate about this. I think the Blues do well, and they were set up as a charter to take care of the indigent in 1937 and 1938, through Blue Cross and Blue Shield. They have done their job, and I think sometimes they exceed it.

I would like to know how that money and how the community mission money is spent. I think this body and the taxpayers would like to know. They are still nonprofit, still have reserves, and those reserves, or whatever you want to call it, are what I would call excess premiums. I am asking for a positive vote because this type of legislation for this type of merger is pertinent in this particular case.

Thank you, Madam President.

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

Senator MELLOW. Madam President, in conclusion, there is no question about public scrutiny or that our General Assembly should be supporting the public with regard to mergers like this, and I do not have a problem with that. What I have a problem with is public policy, and that public policy would begin on this bill on page 21 in section 1401.1.

It says, "The Insurance Restructuring Public Interest Review Board is established to review the merger, consolidation or other acquisition of control of a hospital plan corporation or professional health services plan corporation as defined in this act.... The board shall consist of the following members: The Auditor General or a designee; The Secretary of Public Welfare or a designee; The Secretary of Health or a designee; The Majority Leader of the Senate or a designee; The Minority Leader of the Senate or a designee; The Majority Leader of the House of Representatives or a designee; The Minority Leader of the House of Representatives or a designee...."

Madam President, this is establishing a regulatory review for a merger, and it is going to be right in the hands and lap of the General Assembly by the designees who are appointed. We do not need this type of review. If you want the proper type of re-

view, you would say the Auditor General or a designee, the Department of Public Welfare and the Department of Health or their designees, and take out the General Assembly, because we do not have to have our fingerprint on everything, and if you insert the Pennsylvania State Insurance Commissioner or a designee, then maybe I would agree with the gentleman.

It looks like the General Assembly always has to have its fingerprint and footprint over everything that has to take place. Why? Why are we growing government to this extent? Why can we not allow the departments that are put in the position to review these things in an appropriate fashion to do so, and give them the ultimate responsibility to report back to us in a proper way and timeframe to tell us what they believe is the right thing to do with the merger. If we feel different than that, then it is up to us and incumbent upon our part to enact legislation that would not allow that to happen.

It seems very simple to me, but the insertion of four appointees of the General Assembly on a board that is going to be called the Insurance Restructuring Public Interest Review Board will result in it being controlled basically by the General Assembly, and I think that is wrong and poor public policy. Being able to guarantee people a quality of life in this State and provide them with insurance coverage is the most important thing we can do, not provide four more appointments of Members of the General Assembly or of private enterprise, because it does not say that the review person must be a Member of the General Assembly. For that matter, it could be a member of the Blues. There is no clear-cut definition, and it is not a proposal that provides for the proper type of public policy.

Madam President, it is not a well-thought-out proposal. This is being rushed through on this Saturday evening, and it should not be. We should be looking at this thing and working on it in a bipartisan way, and reconsider what is taking place so that we can mutually agree on this issue. This is not a partisan issue or something that separates Democrats or Republicans, this is a people issue, and we should be protecting the people. By appointing four Members of the General Assembly, we are protecting ourselves and our personal interests, not the interest of the Commonwealth and the people who have elected us, and I ask for a negative vote.

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

Senator D. WHITE. Madam President, I once again ask for a positive vote on this very important bill.

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-29

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

NAY-19

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

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.

HB 1295 CALLED UP

HB 1295 (Pr. No. 2173) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL OVER IN ORDER

HB 1295 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

LEAVE CHANGED

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

Senator MELLOW. Madam President, I request to move Senator Fumo from a personal leave to a temporary Capitol leave.

The PRESIDENT. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

RECONSIDERATION OF HB 842

BILL ON FINAL PASSAGE

HB 842 (Pr. No. 2169) -- Senator MELLOW. Madam President, I move that the Senate do now reconsider the vote by which House Bill No. 842, Printer's No. 2169, just passed finally.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-45

Armstrong	Gordner	Piccola	Vance
Baker	Greenleaf	Pileggi	Washington
Boscola	Hughes	Pippy	Waugh
Browne	Kasunic	Punt	White, Donald
Brubaker	Kitchen	Rafferty	White, Mary Jo
Corman	LaValle	Regola	Williams, Anthony H.
Dinniman	Madigan	Rhoades	Williams, Constance

Earl	McIlhinney	Robbins	Wonderling
Erickson	Mellow	Scarnati	Wozniak
Ferlo	Musto	Stack	
Fontana	O'Pake	Tartaglione	
Fumo	Orie	Tomlinson	

NAY-4

Costa	Eichelberger	Folmer	Logan
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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.

RECONSIDERATION OF SB 704

BILL ON FINAL PASSAGE

SB 704 (Pr. No. 1256) -- Senator MELLOW. Madam President, I move that the Senate do now reconsider the vote by which Senate Bill No. 704, Printer's No. 1256, just passed finally.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-46

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

NAY-3

Costa	Kasunic	Logan
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A constitutional majority of all the Senators having vote "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.

BILL REPORTED FROM COMMITTEE

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

SB 796 (Pr. No. 1052) (Rereported) (Concurrence)

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

SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1

PREFERRED APPROPRIATION BILL ON
CONCURRENCE IN HOUSE AMENDMENTS

SENATE NONCONCURS IN HOUSE AMENDMENTS

SB 796 (Pr. No. 1052) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 796?

Senator PILEGGI Madam President, I move the Senate nonconcur in the amendments made by the House to Senate Bill No. 796.

On the question,

Will the Senate agree to the motion?

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

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

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senator KASUNIC, by unanimous consent, offered **Senate Resolution No. 151**, entitled:

A Resolution designating the week of July 22 through 29, 2007, as "Nine for Nine Remembrance Week" in Pennsylvania, commemorating the fifth anniversary of the heroic and unyielding efforts of those persons involved in the rescue of the nine coal miners trapped in the Queecreek coal mine, Somerset County, from July 24 through 27, 2002.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Madam President, this year marks the fifth anniversary of the amazing Queecreek mine rescue in Somerset County. I am sure we all vividly remember the near tragedy that began at the Queecreek coal mine on July 24, 2002, when the miners became trapped 240 feet below the surface. The subsequent rescue on July 27, in which all nine miners survived, captured the hearts and souls of our nation.

Madam President, there were many heroes who made the amazing rescue possible. First and foremost were the nine miners who demonstrated incredible faith, endurance, and raw courage. They were Randy Fogle, Thomas Foy, Dennis Hall, Jr., Ronald Hileman, Harry Mayhugh, John Phillippi, Mark Popernack, Robert Pugh, and John Unger.

As the days passed and the danger of the situation increased, many individuals devoted limitless hours to saving the nine trapped miners. They included then-Governor Mark Schweiker, the leadership team he had assembled here in the Commonwealth, the many volunteers from Somerset County and surrounding areas, and lest we forget, the families of those nine miners. Those individuals exhibited an incredible amount of hope and resolve during those 3 tedious days, and the families never lost faith that they would eventually be reunited with their loved ones.

Madam President, the miracle that occurred on July 27 originated the "nine for nine" legacy and affirmed the efforts of many individuals who were involved in that rescue. This resolution commemorates on the fifth anniversary the heroism demonstrated by the miners and those individuals involved with the successful rescue by designating the week of July 22-29 as "Nine for Nine Remembrance Week" in Pennsylvania. I ask for a unanimous vote.

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 Wendy Sweger and to the Perry County Council of the Arts by Senator Corman.

Congratulations of the Senate were extended to Cullan Matthew Davis, Timothy William Palmer and to Shaun A. Newell by Senator Dinniman.

Congratulations of the Senate were extended to David L. Hartman and to Titus Miller by Senator Folmer.

Congratulations of the Senate were extended to Nathaniel Robinson, Yvonne Pierce-Smith, Frances Walker, Denise Jones, Adelle Cofer, Jesse Chalmers, Edith Lollie, Gladys Mayo, Danette James, Corliss Gray and to Tyron Ali by Senator Kitchen.

Congratulations of the Senate were extended to Francis V. Crumley by Senator McIlhinney.

Congratulations of the Senate were extended to Paul Shuda, Terry Megargel and to Paul Ebright by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Barry Slagle by Senator Robbins.

Congratulations of the Senate were extended to the Bible Tabernacle Christian Missionary Alliance Church of York by Senator Waugh.

Congratulations of the Senate were extended to Robert A. Fry by Senator D. White.

BILLS ON FIRST CONSIDERATION

Senator BAKER. Madam President, I move that the Senate do now proceed to consideration of all bills reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

HB 1251, HB 1252, HB 1253, HB 1254 and HB 1255.

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

PETITIONS AND REMONSTRANCES

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

Senator PILEGGI. Madam President, I would like to update the Senate and the public regarding the status of the 2007-08 State budget. On June 20, by a vote of 49 to 1, the Senate passed the General Fund budget bill. That legislation, House Bill No. 1286, was referred to the House Rules and Executive Nominations Committee chaired by Representative Bill DeWeese. Since the Senate passed the budget, it has languished in the House awaiting action.

For months, the Senate's budget goals have been clear and widely known. We want to pass a budget with no tax increases, we want to pass a budget with spending growth near the cost of living so there is no worry about tax increases next year, we want to pass a budget without gimmicks designed to hide the true cost to taxpayers, and finally, we sincerely wanted to pass a budget on time.

We did not pass House Bill No. 1286, the General Fund budget, unexpectedly. On June 7, the budget spreadsheet, supported by three Caucuses, was presented to the Governor for his review and a meeting was requested. After that spreadsheet was delivered, the Governor refused to meet with legislative leaders. Instead, he issued a letter on June 12 criticizing the legislature for not restoring line items that he himself cut in the budget proposal, such as funding for hospital-based burn centers and the Science in Motion program. I am submitting a copy of that letter for the record. More recently, his Budget Secretary has criticized us in the media for restoring those same items in the Senate-passed budget.

On June 13, three legislative leaders - Senator Mellow, Representative Smith, and I - wrote to Representative Dwight Evans and indicated a bipartisan desire to work on a budget that will not burden our citizens with tax increases in fiscal year 2007-08 or 2008-09 and keep the rate of spending growth to a reasonable level. I am also submitting a copy of that letter for the record.

In addition to passing the General Fund budget bill on June 20, the Senate has finished work on dozens of budget-related bills. Most of these bills, like the General Fund bill, now sit in the House awaiting action. A series of preferred appropriation bills passed the Senate on June 25. These preferred appropriations fund the Public Utility Commission, the office of Small Business Advocate, and other State agencies.

On June 18, the Senate passed 30 nonpreferred appropriations bills, all at the level of funding recommended by the Governor. Those bills are also in the House. The nonpreferred appropriations fund institutions like Penn State, Pitt, Temple, and Lincoln, along with numerous health care facilities and museums.

Finally, the Budget Implementation Act contained in the Fiscal Code has been passed by the Senate in Senate Bill No. 728. This bill also remains inactive in the House. Despite this progress, the House, so far, has refused to call up the General Fund Budget bill, House Bill No. 1286, for a vote.

While our focus has been on the budget, we have advanced many other legislative priorities. I would like to talk about a few of these. First, on health care, for the first time in the history of Pennsylvania, the Clean Indoor Air Act, sponsored by Senator Greenleaf, passed the Senate this spring. To this date, no similar bill has passed the House. This bill, Senate Bill No. 246, is now in the House Committee on Health and Human Services, also awaiting action.

Legislation to fight healthcare-associated infections, contained in Senate Bill No. 968, prime-sponsored by Senator Erickson, was introduced on June 11, after a lengthy negotiation process, and reported out of the Senate Committee on Public Health and Welfare on June 13. It was reported out of the Senate Committee on Appropriations on June 25 and passed the Senate unanimously on June 26. This bill, Senate Bill No. 968, is now in the House Committee on Insurance awaiting action.

A series of five scope of practice bills, House Bill No. 1251, House Bill No. 1252, House Bill No. 1253, House Bill No. 1254, and House Bill No. 1255, were introduced in May, and did not pass the House until June 26, although Governor Rendell today said the House should have passed them in May. The Senate can probably support these bills, but they make significant changes in the law, and the people do not expect the Senate to rush into an agreement. They expect us to fairly review them and then move forward. In that spirit, today the Committee on Consumer Protection and Professional Licensure reported those bills out of committee, many with amendments. We will continue to work on those bills.

Legislation to encourage the use of electronic medical records, which Governor Rendell adopted in his health care package, also passed the Senate on June 5 by a vote of 47 to 0. Senate Bill No. 8, prime-sponsored by Senator Wonderling, is now in the House Committee on Health and Human Services, also awaiting action.

Second, on energy issues, the Governor is quoted in a newspaper today saying that the legislature should have considered his energy plan in April, but even the House Democrats did not introduce the package of four bills until May 23 and May 24, a month after the Governor thinks we somehow should have passed them. While some of the related Senate bills were introduced in April, the final Senate bill was also introduced in May. The Senate Committee on Environmental Resources and Energy and the Committee on Consumer Protection and Professional Licensure held two public hearings on these issues on June 5 and June 12. Components of the House package passed on June 20 and June 25. However, the cornerstone of the proposal, Governor Rendell's proposed systems benefits charge, what most people would call an energy tax, is still in the House awaiting action.

The general perception seems to be that the Governor wants to issue an \$850 million bond fund and use the energy tax to pay off these bonds, but this is a complex package with many important policy decisions which will affect the price of energy in Pennsylvania for better or worse for generations to come.

The more complex issues have received much less attention than the flashy bond issue; micro-grids, long-term contracts, and the role of the Pennsylvania Energy Development Authority in buying and selling energy are a few examples. A strong energy strategy for Pennsylvania is a priority for our Caucus, but the Governor's proposal would benefit from continued bipartisan input, just as the Governor's economic development package did in his first term.

Third, on transportation funding, the Senate is advancing an amended version of House Bill No. 1590, which would provide \$900 million in annual new transportation funding. Senate Republicans and Democrats worked together to develop a good plan to provide adequate funding for highways, local roads, and mass transit. Many Members of our Caucus believe that this is a good proposal, but in the interest of openness and transparency, giving the public plenty of time to review this bill, we will not bring up the amended version of House Bill No. 1590 for a vote today.

Madam President, what I just laid out for the Senate and the public clearly shows the real progress being made on many important legislative issues. It is unfortunate that the Governor seems to think our desire to study and improve his specific proposals is somehow a personal rejection of his priorities. It is of course nothing of the sort. The Governor also seems to think that there are no consequences to his decision to hold the budget hostage beyond the constitutional deadline of June 30, while trying to force action on his proposals.

Of course, there are many very real consequences to such an action, which the average Pennsylvanian will notice. About 26,000 State employees will be furloughed as soon as July 7. State Parks and museums could be closed. PennDOT licensing functions could be curtailed, along with Labor and Industry inspections, DEP permitting, and inspections of restaurants and amusement park rides. The State cannot make payments to vendors, and we will begin to incur interest on late payments. With such good progress being made on so many legislative issues, it is unclear to me why the Governor would take such a reckless position.

There are legitimate policy differences that need to be worked out on some of the issues I have mentioned. The people of Pennsylvania did not elect a Republican-controlled Senate to rubber-stamp the Governor's ideas. They expect us to do a fair and thorough job, which is what we are doing. We will continue to work on these and other issues in the same diligent manner we have addressed a wide variety of issues to date in this legislative Session.

Today is June 30, the final day of the fiscal year, and our priority and focus are squarely on the State budget. Our Caucus leadership is available to meet and work on the budget 7 days a week. We invite the Governor to work with us.

Thank you, Madam President. I submit the following letters for the record.

The PRESIDENT. The letters will be made a part of the record.

(The following letters were made a part of the record at the request of the gentleman from Delaware, Senator PILEGGI.)

Main Capitol Building
Harrisburg, PA 17120

June 13, 2007

The Honorable Dwight Evans
Majority Chairman
House Appropriations Committee
House of Representatives
512-E Main Capitol
Harrisburg, PA 17120

Re: 2007-08 State Budget

Dear Representative Evans:

We received a letter from the governor yesterday indicating that, for the first time ever, he is refusing to meet, personally or through his staff, with legislative leaders for budget negotiations until all four caucuses can agree on a joint submission.

Both Senate caucuses, along with the House Republicans, are continuing to work on a budget for Pennsylvania that will not burden our citizens with tax increases in 2007-08 or 2008-09, and keeps the rate of spending growth to a reasonable level. The Senate is prepared to send such a budget, reflecting the views of three caucuses, to the House next week.

Unfortunately, you and other House Democrat leaders did not attend a budget meeting this morning which was scheduled last week and re-confirmed earlier this week. Leaders from the other three caucuses were in attendance. Your absence is holding back efforts to advance the budget.

We have scheduled another meeting for Monday at 4 p.m. in Room 350 MC; you and other House Democrat leaders are certainly invited to that meeting. We hope to see you there.

Sincerely,

Dominic Pileggi
Senate Majority Leader

Robert Mellow
Senate Democrat
Leader

Sam Smith
House Republican
Leader

COMMONWEALTH OF PENNSYLVANIA
Office of the Governor
Harrisburg

June 12, 2007

The Honorable Dominic Pileggi
Senate of Pennsylvania
Senate Box 203009
Room 350 Capitol Building
Harrisburg, PA 17120

The Honorable Sam Smith
House of Representatives
423 Main Capitol
Harrisburg, PA 17120

Dear Senator Pileggi and Representative Smith:

Yesterday evening I received your letter concerning the status of the budget negotiations between the caucuses. I agree with your observation that the citizens of Pennsylvania deserve a budget that is completed on time, *if and only if* the budget and the enacted legislation related to the budget truly meet the needs of our citizens.

On Monday, March 19th, I invited you and other leaders of the four caucuses to meet with my staff and me to discuss the initiatives I proposed in my annual budget address on February 6, 2007. I convened that meeting out of respect for the new leaders who have not been involved in the budget process in the past, and because, as I said at the meeting, I do not believe it is productive for the General Assembly to

attempt to do all of its substantive work against the pressure of a June 30 deadline. I convened another meeting with you on May 22nd, and reiterated the initiatives I thought should be considered before the end of June.

It is now June 12th. My proposed budget, my proposals for comprehensive health care reform, my plans for energy independence, and my framework for transportation funding have been before you for more than four months. The Jonas Salk proposal has been before the General Assembly for more than 16 months. Two weeks ago, when the House of Representatives passed my budget proposal, I was optimistic that we were making progress; I anticipated the immediate onset of comprehensive, four caucus budget negotiations, using the bill that passed the House as the starting point.

You can imagine my surprise last week when my Budget Secretary received a budget printout (with no cover letter or other explanatory material) that represented a proposal agreed to by only two caucuses: The minority part in the House and majority party in the Senate. In fact, the majority party in the House made it a point to disavow that budget printout and took the position that negotiations with the Governor's Office were premature given the lack of agreement among the caucuses.

My surprise was doubled when a spokesperson for the Senate Republicans told the media that the document was "a negotiation document" and "not a finished product." I certainly hope this is the case, given that the more that \$700 million in budget cuts memorialized in the printout you support would do immeasurable harm to the citizens of Pennsylvania. In addition to eliminating hundreds of millions in funding for critical (and federally mandated) Public Welfare programs and vital investments in education, the budget plan you apparently support would require significant layoffs of state employees, and would eliminate a number of budget items that have enjoyed broad bipartisan support in the past.

The printout that you delivered would reduce the Governor's proposed FY2007-08 budget by more than \$700 million. It would cut \$240 million out of critical education programs and eliminate our ability to invest in science and technology as well as pre-K and full-day kindergarten. Economic development programs that help us to attract and retain businesses to Pennsylvania would be cut by \$176 million--programs such as customized job training, opportunity grants, and World Trade PA are totally eliminated. There would be a total elimination of a series of RX for PA health care initiatives designed to improve the affordability, accessibility, and quality of health care in our commonwealth. And, at a time when government operating budgets are already less than they were in the prior administration, an additional \$93 million of cuts are made to agency operating budgets that would result in the elimination of more than 1,350 additional positions--\$28 million of these operating budget cuts would be taken out of the Department of Corrections and Probation and Parole at a time when we are seeing our prison population growing at a rate of 175 inmates per month.

Meanwhile, your proposal is completely silent on key issues such as adequate, dedicated transportation funding; the preservation of the Hazardous Sites Cleanup Program; the Jonas Salk health research investment proposal; the Energy Independence initiative; the Cover All Pennsylvanians plan to increase access to affordable health insurance; and the need for speedier and deeper property tax cuts.

Looking at specific budget lines, I note by way of example that your proposal would:

- Eliminate all state funding (\$28 million) in the existing FY2006-07 appropriation for Health Research and Services programs;
- Eliminate all state funding (\$15 million) in the existing FY2006-07 appropriation for the World Trade PA Initiative;
- Eliminate all state funding (\$14.500 million) in the existing FY2006-07 appropriation for Acute Care Hospitals;
- Eliminate all state funding (\$12.545 million) in the existing FY2006-07 appropriation for Science and Math Education Programs;
- Eliminate all state funding (\$11.525 million) in the existing FY2006-07 appropriation for the Safe Neighborhoods initiative;
- Eliminate all state funding (\$9.709 million) in the existing FY2006-07 appropriation for the Lifelong Learning program;

- Eliminate all state funding (\$8.500 million) in the existing FY2006-07 appropriation for the Emergency Responders Resources and Training program;
- Eliminate all state funding (\$5 million) in the existing FY2006-07 appropriation for the joint Local State Firearm Task Force;
- Eliminate all state funding (\$5 million) in the existing FY2006-07 appropriation for Hospital Based Burn Centers; and
- Eliminate additional millions in programs supporting minority business development, public television, parental involvement in education, AIDS prevention, legal advocacy for older Pennsylvanians, preventing teen pregnancy, rural cancer outreach, lupus prevention, epilepsy treatment tourette's syndrome treatment, museum assistance, and the Future Farmers of America.

I have attached a list of these and other cuts that are embodied in your proposal. It is always the prerogative of the legislature to decide not to restore items to the budget even though the restoration of these items has traditionally enjoyed broad bipartisan support in prior years. But it is difficult to believe that there truly is board bipartisan support in the House and Senate this year for the near-complete elimination of so many budget lines that have traditionally been championed by the General Assembly in the past. What IS certain is that until there is a budget document that is the product of four caucus negotiation, the true priorities of the legislature will not be known.

From my perspective, for this reason and others, the budget proposal you have sent to me is simply not credible, even as a "negotiation document." So I respectfully request that you work with the Majority Caucus in the House and Minority Caucus in the Senate to develop a credible proposal that reflects the priorities of all of the members of both Chambers so that we can engage in a real process of negotiation rather than further political theatrics.

Sincerely,

EDWARD G. RENDELL
Governor

6/11 /07

COMMONWEALTH OF PENNSYLVANIA
2007-08 General Fund Budget
Republican "XYZ" 2007-08 Budget - Cuts from 2006-07 Revised Available
(amounts in thousands)

Department / Appropriation	2006-07 Revised Available w/ Supp.	2007-08 Republican "XYZ" Bgt 6/7/07	XYZ Cuts to 2006-07
1 DCED Opportunity Grant Program	49,000	0	(49,000)
2 DCED Community Revitalization	44,300	0	(44,300)
3 Education Alternative Education Demonstration Grants	43,300	0	(43,300)
4 DCED Local Government Resources and Development	32,000	0	(32,000)
5 DCED Customized Job Training	30,000	0	(30,000)
6 DCED Community Conservation and Employment	29,000	0	(29,000)
7 Health Health Research and Services	28,221	0	(28,221)
8 Education School District Demonstration Projects	26,000	0	(26,000)
9 DCED Infrastructure Development	22,500	0	(22,500)
10 L&I Employment Services	20,900	0	(20,900)
11 Education Higher Education Assistance	19,661	0	(19,661)
12 DCED Regional Development Initiative	19,370	0	(19,370)
13 DCED Urban Development	18,900	0	(18,900)
14 DCED Business Retention and Expansion	18,629	0	(18,629)
15 DCED World Trade PA	15,000	0	(15,000)
16 Public Welfare Acute Care Hospitals	14,500	0	(14,500)
17 Public Welfare Payment to Federal Government (Clawback)	338,500	325,029	(13,471)
18 Education Science and Math Education Programs	12,545	0	(12,545)
19 DCED Cultural Exhibitions and Expositions	11,725	0	(11,725)

20 Executive Offices Safe Neighborhoods	11,525	0	(11,525)
21 DEP Safe Water	10,475	0	(10,475)
22 DCED Market Development	10,000	0	(10,000)
23 Education Lifelong Learning	9,709	0	(9,709)
24 Education Teacher Professional Development	23,367	13,867	(9,500)
25 DCED Cultural Activities	9,175	0	(9,175)
26 DCED Emergency Responders Resources and Training	8,500	0	(8,500)
27 Executive Offices Law Enforcement Activities	7,500	0	(7,500)
28 L&I Training Activities	17,025	10,000	(7,025)
29 DCED Economic Growth & Development Assistance	7,000	0	(7,000)
30 Executive Offices Commonwealth Technology Services	61,101	54,559	(6,542)
31 DCNR Heritage and Other Parks	8,200	1,950	(6,250)
32 PEMA Regional Events Security	6,045	0	(6,045)
33 DCED Community & Municipal Facilities Assistance	6,000	0	(6,000)
34 DCED Infrastructure Technical Assistance	6,000	500	(5,500)
35 Education Job Training Programs	5,300	0	(5,300)
36 DCED PENNPORTS	20,302	15,073	(5,229)
37 DCED Community and Business Assistance	5,125	0	(5,125)
38 Attorney General Joint Local State Firearm Task Force	5,000	0	(5,000)
39 L&I Industry Partnerships	5,000	0	(5,000)
40 Public Welfare Hospital Based Burn Centers	5,000	0	(5,000)
41 Public Welfare Expanded Medical Services for Women	9,038	4,610	(4,428)
42 DCED Workforce Leadership Grants	4,050	0	(4,050)
43 Public Welfare Psychiatric Services in Eastern PA	3,500	0	(3,500)
44 H&M Commission Historical Education & Museum Assistance	3,385	0	(3,385)
45 DCED Marketing to Attract Tourists	16,600	13,573	(3,027)
46 Agriculture Food Marketing and Research	3,000	0	(3,000)
47 DCED Minority Business Development	3,000	0	(3,000)
48 DCED Manufacturing and Business Assistance	3,000	0	(3,000)
49 DCED Digital & Robotic Technology	3,000	0	(3,000)
50 L&I Self Employment Assistance	3,000	0	(3,000)
51 DCED Community Development Bank Grants	2,200	0	(2,200)
52 Agriculture Crop Insurance	3,000	1,000	(2,000)
53 Education Basic Ed Formula Enhancements	2,000	0	(2,000)
54 DEP Storm Water Management Demo Project	2,000	0	(2,000)
55 Health Emergency Care Research	2,000	0	(2,000)
56 H&M Museum Assistance Grants	6,135	4,135	(2,000)
57 Thaddeus Stevens Thaddeus Stevens School of Technology	10,613	8,620	(1,993)
58 Auditor General Computer Enhancements	1,800	0	(1,800)
59 Education Parent Involvement Program	1,700	0	(1,700)
60 Health AIDS Programs	9,500	8,000	(1,500)
61 DCED Super Computer Center	2,500	1,200	(1,300)
62 Health PA Injury Reporting and Intervention System	1,300	0	(1,300)
63 Public Welfare Homeless Assistance	26,701	25,450	(1,251)
64 DCED Small Business Development Centers	8,000	6,750	(1,250)
65 Executive Offices Violence Reduction	1,150	0	(1,150)
66 PPTN Public Television Station Grants	8,921	7,771	(1,150)
67 DCED Local Development Districts	6,140	5,050	(1,090)
68 Public Welfare MR Residential Services - Lansdowne	1,456	414	(1,042)
69 Attorney General Computer Enhancements	1,000	0	(1,000)
70 Treasury Computer Integration Program	1,000	0	(1,000)
71 Treasury Tuition Account Program Advertising	2,000	1,000	(1,000)
72 Agriculture Farmers' Market Food Coupons	3,000	2,000	(1,000)
73 Education Dual Enrollment Payments	8,000	7,000	(1,000)
74 Education Engineering Equipment Grants	1,000	0	(1,000)
75 Health Bio-Technology Research	5,700	4,700	(1,000)
76 Agriculture Agricultural Research	3,000	2,100	(900)
77 Education Regional Community Colleges Services	900	0	(900)
78 DEP Cleanup of Scrap Tires	800	0	(800)
79 Agriculture State Food Purchase	18,750	18,000	(750)
80 DCED Agile Manufacturing	750	0	(750)
81 DCED Base Realignment and Closure	1,025	276	(749)
82 Insurance General Government Operations	23,066	22,347	(719)
83 Education Office of Safe Schools Advocate	1,001	387	(614)
84 Aging Legal Advocacy for Older Pennsylvanians	600	0	(600)
85 DCED Fay Penn	600	0	(600)
86 H&M Regional History Centers	600	0	(600)
87 Agriculture Local Soil and Water Districts	1,800	1,210	(590)
88 DCED Tourist Promotion Assistance	11,000	10,450	(550)
89 Agriculture Plum Pox Virus - Fruit Tree			

Indemnities	500	0	(500)
90 DCED International Marketing	500	0	(500)
91 Education Teen Pregnancy and Parenthood	2,225	1,725	(500)
92 DEP Local Soil and Water District Assistance	3,600	3,100	(500)
93 L&I Assistive Technology	1,301	801	(500)
94 PEMA Red Cross Extended Care Program	1,000	500	(500)
95 Executive Offices Weed and Seed Program	3,677	3,185	(492)
96 Agriculture Agricultural Excellence	430	0	(430)
97 Health Sickle Cell	2,203	1,808	(395)
98 DCED Housing Research Center	388	0	(388)
99 Agriculture Agricultural Promotion, Education, and Exports	1,536	1,186	(350)
100 DCED Industrial Development Assistance	4,500	4,150	(350)
101 DCED PENNTAP	300	0	(300)
102 DEP Water Contamination Remediation Grants	300	0	(300)
103 DEP Chesapeake Bay Education Program	300	0	(300)
104 PHEAA Pennsylvania Internship Program Grants	300	0	(300)
105 Executive Offices Violence Reduction Partnership	250	0	(250)
106 DCED Family Savings Accounts	1,250	1,000	(250)
107 DCED Municipal Code Training	250	0	(250)
108 Health Charcot-Marie-Tooth Syndrome Awareness Program	250	0	(250)
109 State General Government Operations	4,552	4,311	(241)
110 Health General Government Operations	26,473	26,254	(219)
111 DCED Powdered Metals	200	0	(200)
112 Education Enhanced Technology Initiative	200	0	(200)
113 Health Rural Cancer Outreach	200	0	(200)
114 Health Rural Trauma Preparedness and Outreach	200	0	(200)
115 Agriculture Hardwoods Research and Promotion	780	605	(175)
116 Education Governor's Schools of Excellence	2,742	2,574	(168)
117 Executive Offices Office of Inspector General	3,356	3,215	(141)
118 Health Local Health - Environmental	7,719	7,604	(115)
119 Health Lupus	350	238	(112)
120 Health Arthritis Outreach and Education	425	325	(100)
121 Health Epilepsy Support Services	600	500	(100)
122 L&I Workers' Compensation Payments	1,081	1,000	(81)
123 Health Keystone State Games	220	150	(70)
124 H&M Franklin Institute Science Museum	769	699	(70)
125 H&M Academy of Natural Sciences	471	428	(43)
126 Health Tourette Syndrome	100	58	(42)
127 DCED Rural Leadership Training	250	210	(40)
128 H&M African American Museum in Philadelphia	359	326	(33)
129 H&M University of Pennsylvania Museum	254	231	(23)
130 H&M Carnegie Museum of Natural History	254	231	(23)
131 H&M Carnegie Science Center	254	231	(23)
132 H&M Mercer Museum	196	178	(18)
134 Agriculture Future Farmers	120	104	(16)
135 H&M Whitaker Center for Science and the Arts	141	128	(13)
136 H&M Everhart Museum	46	42	(4)
SUBTOTAL	1,382,695	\$673,744	\$(708,951)

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Madam President, I would like to thank Senator Pileggi for laying out a time line based on facts, not fiction, and a time line that is real.

On January 2, when I was sworn in as President pro tempore of this body, I was sworn in on a bipartisan vote. That day when I was sworn in, I promised to be fair and to work hard, promised reforms, openness, and also promised to lead, and this body, this Senate, and the Republican Caucus has led. We have led the way to these budget negotiations from day one.

We passed a responsible budget out of this Chamber on June 20, a budget that is like a song in my head - within the rate of inflation, by June 30, no new taxes, no gimmicks, and a budget that can sustain no new taxes for 2 years. I cannot get it out of my head, and I have said it so many times I repeat it at night. But

why cannot people hear us? Why cannot people hear us across this Rotunda? Why cannot the Governor hear us? I have to ask one simple question: For 10 days the House Democrats have had this budget; why have they not voted this budget? Why have they not put this budget up for a vote? I know the answer. They are afraid to. They are afraid to vote on this budget because they are afraid the budget will pass, and I challenge them today to put that budget up for a vote. We would love to be working on this and get this resolved, but the message is very clear, and I want to make it very clear, not only to the people who are listening on PCN, my constituents, the voters of Pennsylvania, that the State Senate has passed a budget.

When I took that oath on January 2, I took an oath to uphold the laws and the Constitution of this Commonwealth. I am surprised and shocked that the Governor of this Commonwealth can say, I do not know what is so special about June 30, I do not know what is such a big deal about it. Well, I think it is a big deal, and I think a lot of people in this building and a lot of people in this Commonwealth think it is a big deal. If he does not think the budget is a big deal, then what does he think is a big deal? You know, I thought that we were on the verge here on June 20 of finally having a legislature that understands it is time to quit taking money out of the family budget and stuffing it into the State budget. I thought we were close, but today, obviously, the House Democrats and the Governor do not share that same feeling. I urge them to vote on this budget and vote to send it to the Governor because it is a good budget, a responsible budget, and a budget we all know we can live with.

No, we are not headed home. You will hear some people say we are going home, but we are not going home, we are going to be here. We are willing to meet, work, and get this budget done. We are going back to our district offices and do the work that we were elected to do. People want to come back here with reasonable minds and sense to do what is right for Pennsylvania, to simply do what is right and get a budget done, a budget that reflects the needs of Pennsylvanians, a budget that respects taxpayers, a budget that allows Pennsylvanians to get a cafe grande once a month, and a budget that is not a shell game.

I implore this body to work together and continue to move in a bipartisan fashion as we have, and I thank my colleagues across the aisle for their help, because what we have done is right. We passed a State budget, and now the State House and the Governor need to take up the budget and do what is right.

Thank you, Madam President.

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

Senator CORMAN. Madam President, in about 5 hours we here in Harrisburg will have failed to do our first and largest responsibility, which is to pass a State budget by June 30, for the fifth year in a row. I know the Governor said, as our President pro tempore just mentioned, that passing a budget by June 30 is not a big deal. It is a big deal. Will government shut down tomorrow at 12:01? No. But there are people out there who are State employees who should not have to go through this every year wondering whether a paycheck is coming in the next couple of weeks.

Madam President, these are not hard times. This is not 1991, when we were trying to find \$3 billion in tax increases to get a

budget done. We have a good surplus and a Rainy Day Fund. This is an easy time to get a budget done. So, why have we not gotten a budget done? Well, as of almost 6:50 p.m. on June 30, the Governor refused to talk about a budget. He will not even talk about it and wants to talk about all of his other initiatives first before he even discusses the State budget. The only thing I can think of is that the Governor has done such a poor job of crafting his other initiatives that he cannot get them passed without holding the budget hostage.

In my first few years here under Governor Ridge, we passed our budgets in May, and then had some heavy lifting to do in June on some of his major initiatives. Some of them got done, such as the tobacco settlement, and others like school vouchers did not, but they put in the hard work and came to the offices of the Members of the General Assembly and worked through the legislation to see what it would take to get support and get things passed.

I only have to look back to a bill we passed a few weeks ago on the Clean Indoor Air Act. It was a bipartisan bill that we tried to advance forward. I was for the exact same thing the Governor wanted, a clean bill, but we did not have the votes for a clean bill. Was the Governor down here working with the Members who did not want to vote for it and trying to come up with a way to get their support? No.

When we started crafting legislation for a bipartisan compromise, was the Governor here giving his input so he would know exactly what would be in that bill so he could support it or tell us what he could not support? No. What did he do? He waited until the Senate passed it and then said he would veto it. You know, that is not doing the hard work that it takes to get legislation done in this General Assembly.

The Governor has significant initiatives, some of them with merit that we should be taking up, but he needs to put in the hard work and come out of the ivory tower, meet with this body, and tell us what he needs to get done and convince the legislature, Republican and Democrat, House and Senate, that these are good ideas worth merit. He does not need to hold the State budget and all the State employees hostage to get things done.

Now, some want to spend more money, but we are talking about being conservative with this budget spending less than the rate of inflation, as the President pro tempore had mentioned. They say, well, since we have a surplus, why can we not spend more money? You try to save for a rainy day, and a big cloud may be brewing from the Department of Welfare that they may possibly owe \$800 million to the Federal government because they were not providing proper oversight of how welfare benefits were being delivered. I do not know if that will come true, but I certainly do not want to be spending all our money now and then have to pay that bill at a later date and have to have a tax increase to do it.

We put a responsible product on the table. They do not have to agree to it all, and I can understand if they want to amend it in the House and send it back to us, but we did it 10 days ago. Our first responsibility is to pass a State budget on time. The Governor needs to understand that and put these other issues aside, then we will continue to address them. I will stay here all summer. I will bet he spends a lot more time at the shore than I do. I will stay here all summer to work on those initiatives if we have to,

but our first obligation is to pass a budget by June 30, and the fact that he has not talked to us about it is outrageous. Come to the table and negotiate the budget, and let the other issues stand or fail on their merits alone. That is his responsibility as a chief executive, that is our responsibility as a legislature, and it is high time we get to it.

Thank you, Madam President.

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

Senator COSTA. Madam President, let me begin by thanking the Majority Leader for providing us with a very detailed time line of the events that transpired here in the State Senate for the past several months. I think it clearly illustrates that a number of items have moved forward in a very bipartisan way, and I think it is significant to note that. We talked about issues of reform, we passed a budget, we talked about and passed a Fiscal Code bill, a School Code bill, and I believe we made significant progress on a transportation bill that we stand ready and poised to do in a bipartisan way.

I would like to take just a moment to acknowledge those individuals who have been involved in that process, the Majority Leader, whom I mentioned before; the President pro tempore, Senator Scarnati; Senator Armstrong and the Committee on Appropriations; along with our leaders, Senator Mellow, Senator LaValle, and Senator Fumo, all working together very, very well, particularly related to the budget. I would also like to acknowledge the respective chairs of the committees who are driving other pieces of legislation that came forward from those committees and the work they have all done to allow us the opportunity to position measures and legislation over to the House for them to review.

Madam President, we still need to be cognizant of the fact that we have not completed our efforts. We still need to continue to work and move a budget forward at the end of the day, waiting for the House, and as Senate Democrats, we, too, stand ready to continue our bipartisan effort and work to bring to this Commonwealth a budget that must be done. We must also recognize that we have a number of individuals in this Commonwealth whom we must be mindful of who are probably wondering what is going to get done and when it is going to get done. We need to be mindful of the number of employees in this Commonwealth and the various programs that could potentially be up in the air. Despite what my colleague from Centre County indicated, it is not an easy time to pass a budget.

As we look at what has taken place here and particularly with Federal funding, which is a big part of the budget process going forward that we have been wrestling with, there is a shortfall of approximately \$750 million to \$800 million from the Federal government related largely to activities that are taking place around the world. That has been a very difficult thing to try to address. Our responsibility is to provide a fiscally responsible budget, ideally a timely budget, but this year we are not going to be able to do that. My hope is that we can continue to work together and all the legislative leaders will again convene very quickly to make sure that we are moving the ball forward and able to provide a fiscally responsible budget to the residents of this Commonwealth as we are charged to do. My hope is that things will take place, as they are right now in the House, and

will address the measures that Senator Pileggi so clearly laid out on the table in terms of things that we have done, and that we will have a very immediate and quick resolution to this budget crisis and impasse. I hope that we will be heading back to our districts for a very brief period of time, do our legislative duties there, and that we will be back here in very short order to complete this process.

Again, I want to thank my colleagues for all the work done up to this point, and particularly note that we appreciate the bipartisan effort and spirit in this Chamber, and to let folks know that we stand ready to continue that effort.

Thank you, Madam President.

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

Senator WONDERLING. Madam President, I would first like to commend and applaud the Majority and Minority leadership that has worked diligently for months on a bipartisan basis to stick to principles that are very simple, and that State government needs to start to live within its means.

Not too long ago the Governor signed Act 1 into law, which now requires the 501 school districts in this Commonwealth to live within their means and to adopt budgets that are about the rate of inflation. The budget that is now languishing in the House does just that. It is on time, there are no tax increases, and there is no budget gimmickry.

I think what you are hearing today is perhaps not only passion and impassioned pleas to do the necessary factual hard work of governing, but also a little frustration that is rooted in the fact that perhaps His Excellency and perhaps House Democratic leadership would much rather take a route that is rife with politization and rhetoric that has completely ignored the fact that substance, patience, and thoughtfulness are required when you do the people's business. I do not believe that you can govern by press release, nor do I believe that this time of year should be a time in which political points are gained.

Madam President, the reason why I am rising to suggest this is because I was utterly appalled when I heard from constituents from my Senate district, which is outside of suburban Philadelphia, that Democratic Party-funded robocalls, phone calls, blast e-mails of a highly partisan and negative nature are being blasted in to the folks whom I represent, political rhetoric about what we should be doing on this budget. Building on the comments of Senator Corman, are we dealing with individuals who took an oath to serve the public, or are we dealing with individuals who want to gain political points the last week in June by spending tremendous amounts of dollars that come through political contributions through the political arm of the House Democratic leadership to do robocalls and blast e-mails in call centers politicizing this process? I think the people of Pennsylvania are sick and tired of partisan bickering and having politically motivated robocalls telling them that their Senator is doing the wrong and bad thing when we have men and women up here who have spent literally 6 months trying to meet our constitutional obligations.

I am not going to deny the fact that we have free speech and can exercise a political contribution and turn that into a robocall to move someone to take action, although I believe Senator Williams has a bill to outlaw this, but the fact remains, why must the House Democratic leadership and those folks who want to politi-

cize this process use political campaign dollars to literally bug my constituents and fill them with myth, not fact, about what is exactly going on here? It is unseemly and inappropriate, but unfortunately, it is a fact of life.

I am buoyed by the fact that the 50 men and women of this Chamber, on a bipartisan basis, have done their job, that just slightly 1 minute after 7 o'clock have done our constitutional duties this evening.

Thank you, Madam President.

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

Senator COSTA. Madam President, I think it is pretty clear our friend and colleague Senator Pileggi has done a very good job of laying upon the record the activities and work that was done in this Chamber. I am concerned that the belief of some of my colleagues and the rhetoric is that this whole process has been politicized. I disagree with that, and think there are genuine disagreements about how we move forward in this Commonwealth, and I think it is important we recognize that this is not being done for political reasons.

With respect to the issue of the robocalls, that is an issue which concerns Senate Democrats as well, and I am glad to hear that the gentleman stood up and indicated that he is appalled by them. Please let the record reflect that the Senate Democrats are not part of whatever robocalls are being referenced, but I do know that the Senate Democrats support, and I am glad to hear that there may be support on the other side of the aisle as well for prohibiting public dollars from being utilized for robocalls. I am glad to hear that is a concern on that side of the aisle as well, and I look forward to the time when we address or amend the resolution to ban using public funds for robocalls.

Madam President, please let the record show that we do not believe the budget issue has been politicized, and that it is just a genuine disagreement about spending limits and levels as well as the breadth of some of the legislation that we will be dealing with.

Thank you, Madam President.

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

Senator HUGHES. Madam President, I find it interesting at this point to have the opportunity to stand up and ask my colleagues to turn the volume down a little bit, and I only say this because I am usually the guy who is turning the volume up.

Madam President, it is good that we can both collectively laugh and smile, folks watching television cannot necessarily see the smiles and the laughter that is going across the room, but it is truly warm and I think in many respects it represents the kind of spirit and attitude that has existed in this body over the last 6 months of the willingness to work together to try to diligently solve problems, deal with issues, really think through things, and get some stuff done, and I appreciate that.

I appreciate the collegiality and everything that we are able to move forward, and would only say I think we need to make sure we put down the stones, stop casting aspersions, blaming people, and just hold back a little bit, because the reality is we have a lot of work to do. In fact, to his credit, and I think we all said this, when the Governor gave his Budget Address in the beginning of

February, he laid out a very ambitious agenda and a lot of major issues to collectively tackle and address together.

One is definitely the State budget, and to our collective credit, we operate with a budget and a significant budget surplus of over a half a billion dollars, or maybe a little bit more. That is not an insignificant thing. We started out 5 years ago with a huge budget deficit and now have a budget surplus, so we have to resolve our budget issues. When you talk about solving a budget, you are talking about dealing with not just a dollar figure, but a budget that is attached to a lot of significant issues.

We have tremendous increases in investment in education, especially early childhood education. Computers, technologies, and classrooms and all kinds of very exciting and special things are on our plate to get solved. We want to get it done, and it is great that we have an ambitious agenda placed before us. It is the budget, and we need to get that done.

For the record, we need to be concerned about the fact that most State employees are going to be taken care of. This body, this General Assembly, these Senators and House Members, do not get paid if we do not get a budget done. We will walk around without any paychecks until we get a budget done, and more importantly, we do have a desire to get this thing done, but there is an ambitious agenda that has been laid out for us, including providing health care and coverage for the 900,000 adults in this Commonwealth who have no health coverage or health insurance. Energy independence is extremely important. Protecting our environment is also extremely important.

Something that needs to get done is the Jonas Salk Fund, investing millions and billions of dollars in biotechnology to further advance the economic prosperity of the State and achieve some very dramatic initiatives. One of these which some of us are very familiar with, and I participated in this past Wednesday, is a company in Pennsylvania called OraSure. Because of that biotechnology investment years ago, they have been able to become the leading company in the world in doing testing, especially for HIV. It is a Pennsylvania-based company, and if we do Jonas Salk, we can get more companies like that to grow and flourish in our Commonwealth to not just solve major health problems, but also be tremendous employers of high-paying jobs in our Commonwealth.

We are on the precipice of dealing with a major transportation issue on funding for mass transit, roads, and bridges. The Governor has placed a lot of activities in front of us, and the reality is that as much as it may be a lot of heavy lifting, a lot of work and difficult to get done, the Governor has a responsibility to place that heavy agenda in front of us. He has that responsibility, and we have a responsibility to do our best to respond to it and get those issues done, to achieve significant victories not just for our legislative record, but for the people of this Commonwealth.

Madam President, I want to ask us to tone it down a little bit, take the stones out of the slings that we have in our hip pocket and put them back down on the ground, and get to work. That message is for us, for our colleagues in the House, and for the folks in the administration. Let us step back from the emotion and get about the business of getting this stuff done. Let us step back from casting slings and arrows of, you did not do this and you did not do that, and you did not come to this meeting and

you did not come to that meeting. Let us get about the business of getting the significant work done.

If this agenda that was laid out in front of us was small stuff, then maybe we could throw some slings and arrows, but this is really important and dramatic stuff that has the capacity to change the course of this Commonwealth, be fiscally responsible, and create a significant investment in the present and the future of our State.

The Governor put it out in front of us, and I am glad and proud of the fact that he did. I am proud of the fact that we have the ability to work together on this side, and a greater spirit of cooperation than has existed in a long time. I applaud that and am glad that I am on the team that is working with that, but we need to get it done. I think we are all prepared on this side and that side, Democratic and Republican, to sit down and work it out, so let us just be of the mind to achieve this agenda that truly can change the course in a very positive way for so many thousands, if not millions, of Pennsylvania's people.

Thank you, Madam President.

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

Senator WAUGH. Madam President, a lot was said this afternoon as we near the deadline at midnight. I would just like to respond to a few of the comments made from the other side, and in a gentle way.

First of all, several times Senator Costa indicated that he would like to see us continue in a bipartisan spirit, and I rise on behalf of the Majority leadership to extend that hand and that offer. We certainly do intend to continue working in a bipartisan manner, just as we have with the good people on the other side of the aisle over the last several weeks to get a budget out of here in plenty of time for both the House and the Governor to take action on it. Unfortunately, here we are on this last day in these last hours with no action.

This is my 15th budget, and there are a number of differences that I would like to speak to, if I may, in reinforcing the fact that we stand ready in the Senate on both sides of the aisle to move ahead and complete this process. I think it is no real secret why we stand today without a budget. I think it is really pretty basic and simple. I know when we rise to speak, a lot of times we make mention of the fact that folks are watching on PCN, and I suppose that is part of the reason we are here, to kind of parlay the message, but I think so many times we get wrangled and pulled into this, our "Harrisburgspeak" or our "legislatorspeak." Folks at home might watch and sort of wonder, or maybe do not wonder, maybe actually say, well, no wonder they never get anything done because of that speak and talk and lingo we go through, so I would like to simplify it.

This is my opinion of why we are here this evening at the eleventh hour without a budget. As you heard, the Senate passed a budget with no tax increases, no gimmicks, essentially no new spending, or at least not to the extreme. We are within our limits and our bounds, and I would venture to say that folks watching at home who have to do their budget each month, make a car payment, take care of the electric bill, make sure the groceries are paid, and all those other bills are taken care of, if they are within their bounds and money is in the checkbook or maybe even take a little out of the savings account, doing a budget at the

end of the month and getting bills paid is really not a problem. On the other hand, if they are looking to buy something that is out of that area of allowability within their finance range, looking to start up some kind of a new program within their household, buy a new car or maybe buy a new RV, or do something that is beyond the means of reason and have to look at getting loans, or financing or other sorts of programming, as in the case of the State, to make that happen, that is when you run into problems and delays. That is when the household budget is not a simple thing and you run into delays, conflicts, and problems.

For the folks watching at home, to answer their question why is it that on June 30 this one thing that we are charged with doing each and every year, and it is probably the only real predictable thing about this place in Harrisburg, that each year on June 30 we are required to have a budget for the operations of the Commonwealth of Pennsylvania, and here we stand, 6 hours away from the deadline, and it is not being done. In my estimation, it is not because we do not have the funds to do a no-tax, no-gimmicks, no-heavily-increased-spending-or-increased-programming budget. We could have done that in a minute. The Senate did that 2 weeks ago, but there are others under this dome who want more than we can do. There are others under this dome who want to expand what it is that this State government is responsible for. There are others who are fighting over how much they might be able to boost it up and go beyond our means. There is no reason for it. It is that simple. This budget should be complete.

So as we prepare to continue our bipartisan discussions with our friends here, I will even, on behalf of our leadership, extend that branch across the Rotunda and on to the Governor's Office and say, let us get within our means and get this budget completed. If we want to talk about other programs that we feel the people of Pennsylvania can support and want, there is time for that, but right now we need to get the basics completed, and we can do that if we would all just sit at the table, talk, and discuss.

Thank you, Madam President.

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

Senator ORIE. Madam President, this year on swearing-in day, the Pennsylvania Senate Chamber embarked on the dawn of a new day by instituting historic reforms. The Senate Republican Caucus has a whole new leadership that is committed to reform. I credit the leadership of the President pro tempore, the Majority Leader, and the Minority Leader for leading this historic change in the Senate Chamber. We have turned aside from the old notion of business as usual. I realize the Governor and the House Democrats have a different notion of reform, but we do not need a commission to implement reform. We have been implementing historic reform since swearing-in day, even as recently as yesterday, when a bill offered by Senator Regola passed this Chamber to eliminate sine die Sessions.

We continue to make historic changes in the Senate Chamber. The Governor and the House Democrats need to know that if you believe in reform, you cannot just talk the talk. It is time for the House Democrats and the Governor to walk the walk.

June 30 is a constitutional deadline, something we in the Senate, a Senate that is not business as usual, does not take lightly. In regard to reform and restoring public trust, I believe the Majority Leader has provided a timetable that illustrates that the

Senate Chamber, in a bipartisan fashion, has complied with the June 30 constitutional deadline. The June 30 constitutional deadline is not something we in this Chamber, that has changed from business as usual, take lightly. It is not something we are proud of that has happened over the last 4 years, and we were trying to embark on that change and really implement a budget by June 30.

Madam President, it is an affront and an insult to the people of Pennsylvania for the House not to have passed a budget that has been sitting in their Chamber for over 2 weeks. This is a responsible, strong budget that answered what the people of Pennsylvania asked for - no increased taxes, no increased spending, and no gimmicks. This is what we gave them, a budget that we felt the people of Pennsylvania deserve. Unfortunately, the House Democrats have not taken up this issue, and I am imploring the House Democrats and the Governor to take a lead and do what the people of Pennsylvania deserve. They deserve nothing less than to have this responsible budget passed, and passed timely.

Thank you, Madam President.

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

Senator RHOADES. Madam President, I have been around for about 27 budgets and am still flabbergasted trying to figure out the logic or reasoning behind this. One of the things that started a long time ago before we even started talking about a budget was a basic premise. The premise started with a few Members saying no tax increase, no fee increases, let us be responsible. That spread in our Caucus more and more until, from the standpoint of no tax increase and no fee increases, we were 29 strong.

That continued to resonate through this Chamber until all 50 of us were singing that same song. There might have been a difference here or there, will we go for this or go for that, but we were able to come together. I have to say that I am happy to see that for once in 27 years, this was a bipartisan effort and we were together on this in terms of serving the people of the Commonwealth by saying we are not going to keep taking your money and spending it. Folks, I must remind you of one thing, that this is not our money to spend, it is the money of the people we represent.

The thing that frustrates me is estimates have us with an approximate surplus of \$580 million or over what we projected. Now, you would think \$580 million would be enough to keep some people happy, but when you look at the proposal for a 1-cent increase in the sales tax, which is equal to \$1.4 billion, which I know is supposed to go to property tax, but \$400 million to \$500 million was going to go for property tax relief, and the rest, if you subtract 4 from 1.4, it comes out to \$1 billion, would go into the general budget for all the things we were going to do.

Then you add the fees to that, and you tell me how I am going to explain to that little old lady living on Social Security, I will even be nice and say she has \$1,200 of Social Security, but I have people living on \$800, how she is supposed to pay more for the electric utilities to heat or light her house, or pay more for her trash, so we can have an energy program? Sorry, folks, those people are not knocking my door down telling me that I should stand up and rant and rave to pass all of these fees. If they do not consider it is important, why in anybody's name should I consider it that important?

I hear that "Big Spender" song from across the hall, you know how it goes, he was a big spender. A \$580 million surplus, \$1.4 billion in just the tax increase, and all the fee increases. Sorry, folks, not here and not now.

Then you want to say you want to hold me hostage, and at this hour? You are not holding me hostage, you are holding the 12 million people of the Commonwealth of Pennsylvania hostage. All we are asking is to get a budget done on time so the Commonwealth can continue to function. All the other things we can talk about later. The budget is what we are supposed to do. So I have a very simple answer. You want to hold me hostage? Hold me hostage, because I am not ready to give in and disappoint the people of this Commonwealth who look to us for a no-tax increase and no fund increases, and only look for all of us to, and I wish I could, as my comments often say, go grab some people and shake them up a little bit to get them to be responsible and negotiate. You have to be responsible and negotiate. The only negotiation needed now is for the responsible parties who are holding out to sit down and recognize what their responsibility is, get that budget, sign it, and let the Commonwealth continue to function.

Thank you, Madam President.

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

Senator REGOLA. Madam President, I will try to keep my remarks very brief, but I rise to thank the leadership on the Republican side as well as the Democratic side. Even though I have only been a Senator for 3 years, and this is my third budget, I can honestly say this environment is an entirely different place this year.

It is nice to have so much bipartisan support working on several very important bills together from day one, and both sides of the aisle decided to go with the reform measures. We have done a lot of reform and there is much more to do, but once again it has been very bipartisan, and a lot of bills that have passed have been bipartisan. What is very frustrating from day one, right after the Budget Address when, unlike other years, leadership sat us down and we started to digest this as to what is important and what is not important, is that the Governor threw so much at us it was like throwing a plate of spaghetti against a wall and whatever will stick we will adopt.

However, what are the priorities? Throughout the budget hearings held by the Committee on Appropriations, I asked question after question of the Secretaries, what are your priorities? Everything was a priority. So, we on this side of the aisle, and I am sure they on that side of the aisle as well, tried to decide what is important. We put together a simple budget with no new taxes, within the rate of inflation, and a 2-year plan.

I proposed Senate Bill No. 7, a taxpayer protection act, and I credit this side of the aisle for making it a priority and adhering to that. Yet here we are this evening, unable to pass a budget again. I encourage the House and the Governor to get in this game, try to make a difference, and move this process forward.

In simple terms, as we were all growing up, and I am sure most of us played sports, the coach would prepare us for the game, they would prepare us for the opponent and tell us what was important and what to expect. With this Governor and this administration, it is very hard. There is no game plan, so we are

trying to put one together, and he is not even in the game. Once again, I encourage the House and the Governor to get in the game so we can get our business done and move on.

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

Senator COSTA. Madam President, for the information of the Members, the Members in the House must have heard our plea about moving forward on this year's budget. As we speak, they are debating the budget and hopefully, they will have a document either back to us in the form of nonconcurrence, where we will be working in a conference committee, or they will pass the budget and it will go on to the Governor.

So, we remain optimistic that we will continue to work in a bipartisan manner to make certain, along with the Governor, to move the process forward so we can ultimately have a budget much sooner than later. I wanted to provide that information to the Members.

Thank you, Madam President.

BILLS INTRODUCED AND REFERRED

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

June 30, 2007

Senators BAKER, SCARNATI, PILEGGI, ARMSTRONG, ROBBINS, TOMLINSON, PUNT, WAUGH, MELLOW, DINNIMAN, KITCHEN, WASHINGTON, STACK, PIPPY, D. WHITE, BOSCOLA, COSTA, GREENLEAF, MUSTO, RHOADES, TARTAGLIONE, BROWNE, ERICKSON, FONTANA, KASUNIC, LOGAN, O'PAKE, WONDERLING, FERLO, ORIE, RAFFERTY, BRUBAKER, CORMAN, EARLL, MADIGAN, McILHINNEY, REGOLA, VANCE, M. WHITE, GORDNER, HUGHES, LAVALLE, C. WILLIAMS, WOZNIAC, FUMO, PICCOLA, STOUT, EICHELBERGER and FOLMER presented to the Chair **SB 915**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the establishment of a grant program for designated accredited veterans' service organizations, for defraying the costs for wages, benefits, training and equipment and for improving outreach and delivery of services to Pennsylvania's veterans.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 30, 2007.

Senators REGOLA, ROBBINS, WOZNIAC, ORIE, McILHINNEY, EICHELBERGER, WAUGH, FOLMER and D. WHITE presented to the Chair **SB 1012**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for restrictions on taxing power.

Which was committed to the Committee on FINANCE, June 30, 2007.

Senators GREENLEAF, RAFFERTY, BOSCOLA, O'PAKE, RHOADES, MUSTO and FONTANA presented to the Chair **SB 1013**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in liability for tortious acts of children, further providing for monetary limits of liability.

Which was committed to the Committee on JUDICIARY, June 30, 2007.

Senators GREENLEAF, ERICKSON, MUSTO, EARLL, O'PAKE, RHOADES, WASHINGTON, BROWNE, C. WILLIAMS and FERLO presented to the Chair **SB 1014**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for customary charges for treatment.

Which was committed to the Committee on BANKING AND INSURANCE, June 30, 2007.

Senators FOLMER, PILEGGI, RAFFERTY, CORMAN, PICCOLA, KITCHEN, BAKER, ORIE, ERICKSON, WAUGH, WONDERLING, BROWNE, ROBBINS, D. WHITE, EICHELBERGER, EARLL, PIPPY, ARMSTRONG and REGOLA presented to the Chair **SB 1015**, entitled:

An Act requiring certain notification in certain advertising.

Which was committed to the Committee on STATE GOVERNMENT, June 30, 2007.

Senators BRUBAKER, WONDERLING, PUNT, O'PAKE, WAUGH, TARTAGLIONE, KITCHEN, RAFFERTY, ERICKSON, FERLO, MADIGAN, MUSTO, GREENLEAF, VANCE, FOLMER, BAKER, KASUNIC, ROBBINS, GORDNER, STACK, BROWNE, PIPPY and C. WILLIAMS presented to the Chair **SB 1017**, entitled:

An Act amending the act of July 5, 1989 (P.L.166, No.31), known as the Phosphate Detergent Act, further providing for exclusions and exceptions.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 30, 2007.

Senators McILHINNEY, MELLOW, RAFFERTY, O'PAKE, WAUGH and ORIE presented to the Chair **SB 1018**, entitled:

An Act imposing restrictions relating to premium rates for small employer group health benefit plans; providing for renewability and availability of coverage; establishing standards to assure fair marketing; providing for powers and duties of the Insurance Commissioner; and repealing provisions of the Accident and Health Filing Reform Act.

Which was committed to the Committee on BANKING AND INSURANCE, June 30, 2007.

RESOLUTION INTRODUCED AND REFERRED

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

June 30, 2007

Senators MUSTO, BOSCOLA, FERLO, LAVALLE, DINNIMAN, KITCHEN, ERICKSON, WASHINGTON, FONTANA, KASUNIC, STOUT, MELLOW, COSTA, LOGAN, O'PAKE, GREENLEAF, HUGHES, WOZNIAK, STACK, C. WILLIAMS, TARTAGLIONE and RHOADES presented to the Chair **SR 141**, entitled:

A Resolution memorializing the President and Congress of the United States, in the reauthorization of the No Child Left Behind Act of 2001, to address funding issues, teacher certification issues, issues regarding certain disadvantaged students and reliability of present assessment standards.

Which was committed to the Committee on EDUCATION, June 30, 2007.

BILLS SIGNED

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

SB 233, HB 369, HB 635, HB 1169, HB 1228 and HB 1367.

RECESS

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

Senator ORIE. Madam President, I move that the Senate do now recess to the call of the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 7:34 p.m., Eastern Daylight Saving Time.