

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

SATURDAY, JULY 14, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 62

SENATE

SATURDAY, July 14, 2007

The Senate met at 4 p.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.

All glory and praise to You, dear Lord, for the beauty of this new day. We are thankful that our State is governed by those who have been elected by the people. To remember that at this time is especially fitting as they struggle with the budgetary issues at hand. As they individually and collectively seek to discharge their responsibilities, guide and direct them. In the decisions they will make on our behalf, open them to the inspiration of Your will, and by Your spirit, counsel them to accomplish goals which will be pleasing in Your sight. Amen.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 14, 2007

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

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 14, 2007

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

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

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 14, 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 23, 2007, for the appointment of The Honorable Thomas Goldsmith, 1461 Toursdale Drive, Easton 18045, Northampton County, Twenty-fourth Senatorial District, as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2011, and until his successor is appointed and qualified, but not longer than six months beyond that period.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 14, 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 23, 2007, for the appointment of Robert S. Marcus, Esquire, 57 South 6th Street, Indiana 15701, Indiana County, Forty-first Senatorial District, as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan H. Newman, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 202**, **HB 896**, **HB 1251**, **HB 1252**, **HB 1253**, **HB 1254** and **HB 1255**.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 968**, 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:

July 13, 2007

HB 83 -- Committee on Public Health and Welfare.

HB 289 -- Committee on State Government.

HB 1329 -- Committee on Local Government.

July 14, 2007

HB 1142 -- Committee on Finance.

HB 1152 -- Committee on Judiciary.

HB 1487 -- Committee on Veterans Affairs and Emergency Preparedness.

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:

July 14, 2007

Senators GREENLEAF, RAFFERTY, WASHINGTON, COSTA and ORIE presented to the Chair **SB 1016**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for a limitation on use of Willow Grove Joint Interagency Installation.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, July 14, 2007.

Senators TARTAGLIONE, RAFFERTY, LAVALLE, COSTA, STOUT, LOGAN, FONTANA, M. WHITE, WOZNIAK, ERICKSON, WASHINGTON, STACK, VANCE, MADIGAN, GREENLEAF and EARLL presented to the Chair **SB 1022**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for Commonwealth portion of fines; and making editorial changes.

Which was committed to the Committee on LOCAL GOVERNMENT, July 14, 2007.

Senators ORIE, DINNIMAN, BOSCOLA, KITCHEN and RAFFERTY presented to the Chair **SB 1025**, entitled:

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, further providing for establishment of special fund and account, for health research program, for use of funds and for accountability procedures; and assigning duties and responsibilities to the Department of Health and the Department of Community and Economic Development.

Which was committed to the Committee on FINANCE, July 14, 2007.

Senators LOGAN, FONTANA, FERLO, TARTAGLIONE, COSTA, KASUNIC, ORIE, KITCHEN and WASHINGTON presented to the Chair **SB 1029**, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for registration of dangerous dogs; and prescribing penalties.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, July 14, 2007.

Senators LOGAN, MUSTO, TARTAGLIONE, MELLOW, RHOADES, O'PAKE, BROWNE, LAVALLE, COSTA, WONDERLING, ORIE, KITCHEN, FONTANA, WASHINGTON and GORDNER presented to the Chair **SB 1030**, entitled:

An Act providing a standard of care for the treatment of persons with bleeding disorders.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, July 14, 2007.

Senator FUMO (BY REQUEST) presented to the Chair **SB 1031**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for location of Category 2 slot machine license.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, July 14, 2007.

Senator FUMO (BY REQUEST) presented to the Chair **SB 1032**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for location of Category 2 slot machine license.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, July 14, 2007.

BILLS SIGNED

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

HB 202, HB 896, HB 1251, HB 1252, HB 1253, HB 1254 and HB 1255.

LEGISLATIVE LEAVE

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

Senator PILEGGI. Madam President, I request a temporary Capitol leave for Senator Gordner.

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

LEAVE OF ABSENCE

Senator O'PAKE asked and obtained a military leave of absence, pursuant to Senate Rule XXI(3), for Senator STACK.

CALENDAR

HB 1590 CALLED UP OUT OF ORDER

HB 1590 (Pr. No. 2179) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator PILEGGI, as a Special Order of Business.

BILL RECOMMENDED

HB 1590 (Pr. No. 2179) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 53 (Municipalities Generally), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for minority and women-owned business participation; 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.

On the question,
Will the Senate agree to the bill on third consideration?

Senator PILEGGI. Madam President, I move that House Bill No. 1590 be recommitted to the Committee on Appropriations.

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The bill will be recommitted to the Committee on Appropriations.

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS ANNOUNCEMENTS BY THE SECRETARY

The SECRETARY. Consent has been given to the Committee on Rules and Executive Nominations to add Senate Bill No. 968 to its agenda for its meeting off the floor, and to the Committee on Appropriations to add House Bill No. 1590 to its agenda for its meeting off the floor.

RECESS

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

Senator PILEGGI. Madam President, I request a recess of the Senate for the purpose of a meeting of the Committee on Environmental Resources and Energy, to be followed by a meeting of the Committee on Rules and Executive Nominations, to be held in the Rules room immediately.

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

AFTER RECESS

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Madam President, I request a legislative leave for Senator Rhoades, and a temporary Capitol leave for Senator Punt.

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

CONSIDERATION OF CALENDAR RESUMED**BILL WHICH HOUSE HAS NONCONCURRED IN
SENATE AMENDMENTS****BILL OVER IN ORDER**

HB 842 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR**BILL OVER IN ORDER**

HB 1530 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

HB 1656 (Pr. No. 2294) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Skippack Township certain lands situate in Skippack Township, Montgomery County, in exchange for Skippack Township granting and conveying certain lands to the Commonwealth to be added to those existing lands at Evansburg State Park; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey to Jefferson County certain lands situate in Winslow Township, Jefferson County; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to the Borough of Mansfield certain lands situate in the Borough of Mansfield, Tioga County.

On the question,

Will the Senate agree to the bill on third consideration?

Senator FONTANA offered the following amendment No. A3068:

Amend Title, page 1, line 12, by striking out "AND" where it appears the first time

Amend Title, page 1, line 16, by removing the period after "COUNTY" and inserting: ; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a

price to be determined through a public solicitation for proposals, certain lands, buildings and improvements situate in the First and Second Wards of the City of Pittsburgh, County of Allegheny, known as the Pittsburgh State Office Building.

Amend Bill, page 35, by inserting between lines 7 and 8: Section 4. Pittsburgh State Office Building, Allegheny County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey the following tract of land together with any buildings, structures or improvements thereon, situate in the First and Second Wards of the City of Pittsburgh, County of Allegheny, Pennsylvania. The department shall sell the property using a public solicitation for proposals.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.26-acres and an office building bounded and more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground situate in the First and Second Wards of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, designated as Block 1 G, Lot Number 43, said parcel being more fully bounded and described as follows:

BEGINNING at a point on the Northerly line of the Boulevard of the Allies, a street eighty and nine one-hundredths (80.09) feet wide; said point being distant along said Northerly line of the Boulevard of the Allies North 63 degrees 49 minutes 20 seconds West a distance of 310.137 feet from the Northwest corner of said Boulevard of the Allies and Ferry Street, a street 70.08 feet wide; thence along said Northerly line of the Boulevard of the Allies North 63 degrees 49 minutes 20 seconds West a distance of 189.691 feet to a point of curve located at the point at which the Northerly line of the Boulevard of the Allies intersected the Easterly line of Short Street as formerly located (that is to say, as located prior to the vacation of a portion of Short Street by Ordinance No. 479 of the City of Pittsburgh, approved December 18, 1952, and of record in the Clerk's Office of the City of Pittsburgh in Ordinance Book Volume 58, Page 341); thence along the Easterly line of the unvacated portion of Short Street by the arc of a curve deflecting to the right having a radius of 34.263 feet an arc distance of 54.557 feet to a point of tangent on the Easterly line of the unvacated portion of Short Street; thence continuing along said Easterly line of the unvacated portion of Short Street North 27 degrees 24 minutes 35 seconds East a distance of 24.264 feet to a point on the Southerly line of Liberty Avenue as opened and relocated by Ordinance No. 558 of the City of Pittsburgh, approved October 18, 1951, and of record in the Clerk's Office of the City of Pittsburgh, in Ordinance Book Volume 57, Page 542 (said point being on the prolongation Southwardly of the Easterly line of Barbeau Street); thence along said Southerly line of said Liberty Avenue along the same course, viz., North 27 degrees 24 minutes 35 seconds East a distance of 42.728 feet to a point of curve; thence continuing along said Southerly line of said Liberty Avenue by the arc of a curve deflecting to the right having a radius of 223 feet an arc distance of 53.181 feet to a point of compound curve; thence continuing along said Southerly line of said Liberty Avenue by the arc of a curve deflecting to the right having a radius of 153.010 feet an arc distance of 73.383 feet to a point of tangent; thence continuing along said Southerly line of said Liberty Avenue North 68 degrees 33 minutes 09 seconds East a distance of 120.000 feet to a point; thence along line of other property of Grantor South 21 degrees 26 minutes 51 seconds East a distance of 134.490 feet to a point; thence continuing along line of other property of Grantor South 26 degrees 10 minutes 40 seconds West a distance of 216.306 feet to the point at the place of BEGINNING. All distances used in the foregoing description are United States Standard Measure.

BEING known and designated as Block and Lot 1-G-43 in the Deed Registry Office of Allegheny County, Pennsylvania.

CONTAINING approximately 1.26-acres, more or less.

Being the same parcel and tract of land conveyed to the Commonwealth of Pennsylvania, Department of General Services, by the General State Authority in its deed, dated June 16, 1989, recorded in the Pittsburgh Recorder of Deeds Office in Deed Book Volume 8221, Page 531 and Deed of Correction, dated April 30, 1991, recorded in the Pittsburgh Recorder of Deeds Office in Deed Book Volume 8630, Page 499.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any tele-

phone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Land use restriction.—The conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees.—All costs and fees incurred by the Department of General Services in selling the property shall be paid from the purchase price and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the department. An amount equal to any outstanding Commonwealth general obligation debt for the renovations to the Pittsburgh State Office Building from 1989 to present shall be deducted from the proceeds of the sale of the building and deposited in the Capital Facilities Fund. The balance of the proceeds of the sale shall be deposited in the General Fund.

Amend Sec. 4, page 35, line 8, by striking out "4" and inserting: 5

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

On the question,
Will the Senate agree to the bill on third consideration, as amended?

Senator COSTA, on behalf of Senator FUMO, offered the following amendment No. A3064:

Amend Title, page 1, line 12, by striking out "AND"

Amend Title, page 1, line 16, by removing the period after "COUNTY" and inserting ; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a public solicitation for proposals, certain lands, buildings and improvements situate in the City and County of Philadelphia, known as the Philadelphia State Office Building.

Amend Bill, page 35, by inserting between lines 7 and 8:
Section 4. Conveyance in City and County of Philadelphia.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey certain land together with any buildings, structures or improvements thereon, situate in the City and County of Philadelphia, Pennsylvania. The department shall sell the property using a public solicitation for proposals.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.89-acres and an office building bounded and more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground situate in the Fifteenth Ward of the City of Philadelphia, more fully bounded and described as follows, to wit:

BEGINNING at a point of intersection of the Southerly side of Spring Garden Street (120 feet wide) and the Westerly side of Broad Street (113 feet wide); thence extending Southwardly along the Westerly side of Broad Street 207 feet 8 inches to the point of intersection of the Northerly side of Buttonwood Street (40 feet wide); thence extending Westwardly along the Northerly side of Buttonwood Street 395 feet 8 inches to the Easterly side of Fifteenth Street (50 feet wide); thence extending Northwardly along the Easterly side of Fifteenth Street 207

feet 8 inches to the Southerly side of Spring Garden Street; thence extending Eastwardly along the Southerly side of Spring Garden Street 395 feet 8 inches to the first mentioned point and place of BEGINNING.

CONTAINING approximately 1.89-acres more or less.

Being the same parcel and tract of land conveyed to the Commonwealth of Pennsylvania, Department of General Services, by the General State Authority in its deed, dated July 11, 1997, recorded in the Philadelphia Recorder of Deeds Office in Deed Book 398, Page 560.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Land use restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees; proceeds.—All costs and fees incurred by the Department of General Services in selling the property shall be paid from the purchase price and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the department. An amount equal to any outstanding Commonwealth general obligation debt for the renovations to the Philadelphia State Office Building from 1989 to present shall be deducted from the proceeds of the sale of the building and deposited in the Capital Facilities Fund. The balance of the proceeds of the sale shall be deposited in the General Fund.

Amend Sec. 3, page 35, line 8, by striking out "4" and inserting: 5

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

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

BILLS REPORTED FROM COMMITTEES

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

SB 116 (Pr. No. 1323) (Rereported) (Concurrence)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for proportional reduction of certain county court reimbursements; further providing for Senior judge operational support grants; providing for the adoption of guidelines for fines; further providing for selection of prospective jurors; providing for statewide jury information system; and further providing for no limitation applicable.

SB 968 (Pr. No. 1298) (Rereported) (Concurrence)

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

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

HB 1203 (Pr. No. 2343) (Amended) (Rereported)

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 968 (Pr. No. 1298) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 968?

Senator PILEGGI. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 968.

On the question,

Will the Senate agree to the motion?

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

Senator ERICKSON. Madam President, I rise to briefly describe this bill. Senate Bill No. 968 requires all health care facilities, including hospitals and nursing homes, to develop and implement internal infection control plans and to report health care associated infections. This will result in sparing patients unnecessary pain, discomfort, and longer hospital stays. It will also improve the overall quality of care and lower health care costs.

I would also like to extend heartfelt thanks to a number of people who worked on this: Donna Malpezzi, Kelly Phenicie, Michele Hansarick, and Drew Crompton of our staff, along with Jim Redmond from the Hospital Association of Pennsylvania, Dr. Stuart Shapiro of the nursing homes, and also the administration, particularly Larry Clark. I would be remiss if I did not recognize Representative Micozzie, the Minority Chair of the House Committee on Insurance, and Representative DeLuca, the Majority Chair of the House Committee on Insurance. I certainly appreciated working with Chairman DeLuca. We were able to focus on the main issue of patient safety, arriving at a compromise that, in the final analysis, strengthens this bill. This would not have happened without the leadership of Majority Chairman DeLuca and Minority Chairman Micozzie.

Thank you, Madam President.

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

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

YEA-49

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for a meeting of the Committee on Appropriations to be held off the floor to consider Senate Bill No. 546.

RECESS

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

Senator PILEGGI. Madam President, I request a recess of the Senate for purposes of three meetings, a meeting of the Committee on Rules and Executive Nominations, a meeting of the Committee on Community, Economic and Recreational Development, and a meeting of the Committee on Appropriations, in that order, to be held in the Rules room immediately.

The PRESIDENT. For purposes of three meetings, a meeting of the Committee on Rules and Executive Nominations, a meeting of the Committee on Community, Economic and Recreational Development, and a meeting of the Committee on Appropriations, in that order, to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

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

SB 546 (Pr. No. 589)

An Act amending the act of July 2, 2006 (P.L. , No.2A), known as the General Appropriation Act of 2006, further providing for appropriations to the Department of Agriculture and the Department of Community and Economic Development.

HB 1590 (Pr. No. 2342) (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, for lease of Interstate 80, for payments, for other interstate highways, for fund distribution, for impact, for financial plan and for nonperformance; 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 EARLL, from the Committee on Community, Economic and Recreational Development, reported the following bill:

HB 1631 (Pr. No. 2150) (Rereported)

An Act providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2007; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

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

SB 623 (Pr. No. 1324) (Rereported) (Concurrence)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "corrections officer"; further providing for use of force in law enforcement; in theft and related offenses, defining "firearm"; and providing for firearm tracing.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**BILL ON SECOND CONSIDERATION
AND RECOMMITTED**

HB 1631 (Pr. No. 2150) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the Pennsylvania Gaming Economic Development and Tourism Fund Capital Budget for 2007-2008; itemizing projects to be assisted by the Department of Community and Economic Development, together with their estimated financial costs; authorizing recurring payments for certain projects; and making appropriations.

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

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was recommitted to the Committee on Community, Economic and Recreational Development.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Robert Zanella, Mr. and Mrs. Paul Johnson and to Mr. and Mrs. Earl Pauli by Senator D. White.

BILL ON FIRST CONSIDERATION

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

The motion was agreed to.

The bill was as follows:

SB 546.

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

BILL SIGNED

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

SB 968.

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

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

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 14, 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 23, 2007, for the appointment of The Honorable Thomas Goldsmith, 1461 Toursdale Drive, Easton 18045, Northampton County, Twenty-fourth Senatorial District, as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2011, and until his successor is appointed and qualified, but not longer than six months beyond that period.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD

July 14, 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 23, 2007, for the appointment of Robert S. Marcus, Esquire, 57 South 6th Street, Indiana 15701, Indiana County, Forty-first Senatorial District, as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jonathan H. Newman, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

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.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

SUNDAY, JULY 15, 2007

Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 546; and House Bills No. 1295 and 1631)	Rules Cmte. Conf. Rm.
Off the Floor	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider House Bill No. 1631)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 97 and 728; and certain executive nominations)	Rules Cmte. Conf. Rm.

RECESS

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

Senator PILEGGI. Madam President, I move that the Senate do now recess until Sunday, July 15, 2007, at 2 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 8:18 p.m., Eastern Daylight Saving Time.