

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, SEPTEMBER 25, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 71

**SENATE**

TUESDAY, September 25, 2007

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

**PRAYER**

The Chaplain, Reverend CHARLES GOMMER, retired Superintendent of the United Methodist Church of the Wyoming Annual Conference, Dallas, offered the following prayer:

Will you pray with me, please.

O God, the One in whom we live and move and have our very being, we are grateful to be here on this day. We pray for Your blessings upon the Members of the Senate today and their several responsibilities. Help them in their offices, in committees, and above all, as they meet here in legislative Session. May they never forget that what is said and done here is never hidden from Your scrutiny. To that end, may they feel the weight of their responsibility before You and the people. Inspire them not only to do things right, but at those critical points of choice, to do the right thing.

O God, one of the great leaders of our nation once said that without Your assistance, this nation of ours could not succeed, but that with Your assistance, this nation of ours could not fail. So, grant us this day Your strength and wisdom, Your abiding presence, Your empowering grace, and one last gift, O God, give us the gift of humility. The great ones, O God, knew not only who they were but to whom they belonged, and to whom they were indebted for their powers and their opportunities. To that end, O God, enable us to be a great people, a wise people, a caring people, a humble people, and, most of all, a worthy people.

Be with the Senators this day and empower them to be great Senators for the Commonwealth. We ask it in Your name. Amen.

The PRESIDENT. The Chair thanks Reverend Gommer, who is the guest today of Senator Baker.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGES**

**HOUSE CONCURS IN SENATE  
CONCURRENT RESOLUTION**

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

**Weekly recess.**

**RESOLUTIONS INTRODUCED AND REFERRED**

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

September 21, 2007

Senators O'PAKE, MUSTO, COSTA, FONTANA, FERLO, MELLOW, STACK, KITCHEN, LAVALLE, LOGAN, WOZNIAK, WASHINGTON, BOSCOLA, C. WILLIAMS, HUGHES, RAFFERTY, ERICKSON, TARTAGLIONE and PILEGGI presented to the Chair **SR 171**, entitled:

A Resolution memorializing the President of the United States and the Centers for Medicare and Medicaid Services to rescind certain State Children's Health Insurance Program restrictions.

Which was committed to the Committee on BANKING AND INSURANCE, September 21, 2007.

Senators BAKER, ROBBINS, TOMLINSON, WASHINGTON, KITCHEN, PUNT, PIPPY, PILEGGI, CORMAN, COSTA, FERLO, TARTAGLIONE, FONTANA, LOGAN, GREENLEAF, KASUNIC, LAVALLE, MADIGAN, C. WILLIAMS, STOUT, ERICKSON, FOLMER, FUMO, McILHINNEY, ORIE, MUSTO, RAFFERTY, REGOLA, WONDERLING, O'PAKE, WOZNIAK, BRUBAKER, BOSCOLA, DINNIMAN, SCARNATI and EARLL presented to the Chair **SR 172**, entitled:

A Resolution designating September 30, 2007, as "Gold Star Mother's Day" in Pennsylvania.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 21, 2007.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 351 (Pr. No. 390)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing certain charitable organizations to solicit funds on highways.

**SB 999 (Pr. No. 1216)**

An Act designating a portion of State Route 26 in Centre County as the Marine Sergeant David "DJ" Emery, Jr. Highway.

**HB 17 (Pr. No. 1262)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "serious traffic violation"; and further providing for employer responsibilities and for unlawful activities related to equipment standards.

**HB 872 (Pr. No. 2475) (Amended)**

An Act designating the bridge carrying State Route 1017, known as Lycoming Creek Road, over Bottle Run, Old Lycoming Township, Lycoming County, as the John Gross Memorial Bridge.

**HB 1166 (Pr. No. 1640)**

An Act designating a portion of State Route 2024, known as Dreshertown Road, in Montgomery County, as the Sergeant James R. Miller Memorial Highway.

**HB 1624 (Pr. No. 2077)**

An Act designating a bridge crossing the Catawissa Creek in Catawissa Borough, Columbia County, Pennsylvania, as the William F. Gittler, Sr. Memorial Bridge.

Senator BAKER, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

**SB 592 (Pr. No. 1415) (Amended)**

An Act providing for grants to public schools to purchase advanced emergency alerting devices; and making an appropriation.

**SB 915 (Pr. No. 1416) (Amended)**

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 the establishment of the Veterans' Service Officer Grant Account, for defraying the costs for wages, benefits, training and equipment and for improving outreach and delivery of services to Pennsylvania's veterans.

**SB 1016 (Pr. No. 1304)**

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.

**SB 1036 (Pr. No. 1354)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the offense of violation of Fort Indiantown Gap regulations and providing for the powers and duties of police officers employed at State military installations.

**RESOLUTION REPORTED FROM COMMITTEE**

Senator BAKER, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

**SR 172 (Pr. No. 1391)**

A Resolution designating September 30, 2007, as "Gold Star Mother's Day" in Pennsylvania.

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

**LEGISLATIVE LEAVE**

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

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

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

**LEAVES OF ABSENCE**

Senator MELLOW asked and obtained leaves of absence for Senator FERLO and Senator WASHINGTON, for today's Session, for personal reasons.

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

**SPECIAL ORDER OF BUSINESS  
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of September 18, 2007, is now in print.

The Clerk proceeded to read the Journal of the Session of September 18, 2007.

Senator PILEGGI. Madam President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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-47**

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

**NAY-0**

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR MIKE FOLMER  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Madam President, I am very honored today to have some special guests from Lebanon County. They are Pastor Craig Griffith, who is pastor of the Church of the Open Door, and he also runs the Christian school there, his lovely wife, Ann, their oldest daughter, Hannah, and Craig, Jr., Sarah, Jeremiah, Daniel, and little Mary. I ask the Senate to give them a warm welcome and say hello.

(Applause.)

The PRESIDENT. Will Pastor Griffith and his wife, Ann, and their children please rise so we can welcome you to the Senate.

**GUESTS OF SENATOR CHARLES McILHINNEY  
PRESENTED TO THE SENATE**

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

Senator McILHINNEY. Madam President, I would like to introduce Katharina and Paul Kappils from Bucks County. They toured the Capitol because they are very interested in its history, and I ask them to stand in the gallery so we can give them a warm Senate welcome.

(Applause.)

The PRESIDENT. Welcome.

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

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

Senator WONDERLING. Madam President, I am delighted to introduce two interns seated in the gallery who are spending time in our Harrisburg Capitol office today.

Jessica Sattizahn is currently a senior at Shippensburg University. She is very much interested in the study of the environment and conservation and wants to pursue that upon graduation, and she also wants to have a big family someday.

Joining her is Tasha Wiesner, who is originally from Bedford County, attended Wilson College, and then transferred to the Harrisburg University of Science and Technology, where she is majoring in integrated science with a pre-med concentration. She plans to graduate in May of next year and would like to attend graduate school to earn a master's degree in either public policy or public health.

Madam President, I ask the Senate to offer a warm welcome to Tasha and Jessica.

The PRESIDENT. Tasha and Jessica, welcome.

(Applause.)

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 490 (Pr. No. 1390) --** 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 the definitions of "electronic mail address" and "instant messaging screen name"; further providing for registration procedures and applicability and for duties of Pennsylvania Board of Probation and Parole.

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-47**

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

**NAY-0**

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

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

**SECOND CONSIDERATION CALENDAR**

**BILL REREPORTED FROM COMMITTEE  
AS AMENDED OVER IN ORDER**

**SB 96 --** Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL REREFERRED**

**SB 777 (Pr. No. 874) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, changing the date from which, and the rate of which, interest is charged on certain delinquent taxes and other municipal claims; providing for the duties of third-party collectors and for adoption of ordinance for the exclusive collection of taxes; further providing for locality index; and modernizing the law relating to collection of such taxes and claims.

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

## BILLS ON SECOND CONSIDERATION

**SB 805 (Pr. No. 934)** -- 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 the educational assistance program.

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

**SB 806 (Pr. No. 935)** -- 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, providing for an annual report on the technology grant program.

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

**SB 807 (Pr. No. 936)** -- 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, providing for an annual report on the elementary science curriculum grant programs.

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

**SB 808 (Pr. No. 937)** -- 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, providing for an annual report on the high school curriculum enhancement grant programs.

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

**SB 813 (Pr. No. 938)** -- 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, providing for an annual report on the Education Technology Program.

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

## BILL OVER IN ORDER

**SB 861** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## SENATE RESOLUTION No. 161, ADOPTED

Senator PILEGGI, without objection, called up from page 3 of the Calendar, **Senate Resolution No. 161**, entitled:

A Resolution designating the month of October 2007 as "Agent Orange Recognition Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED

Senators MELLOW, PIPPY, BOSCOLA, FONTANA, TARTAGLIONE, STOUT, C. WILLIAMS, COSTA, TOMLINSON, KASUNIC, MUSTO, RAFFERTY, WOZNIAK, EARLL, STACK, LAVALLE, KITCHEN, DINNIMAN, HUGHES, McILHINNEY, ERICKSON, GREENLEAF, PILEGGI, ORIE, ARMSTRONG, FUMO, O'PAKE, WASHINGTON and WONDERLING, by unanimous consent, offered **Senate Resolution No. 176**, entitled:

A Resolution designating the week of September 30 through October 6, 2007, as "Latex Allergy Awareness Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator MELLOW. Madam President, this resolution designates September 30 through October 6 as "Latex Allergy Awareness Week" in Pennsylvania. This is an issue we have been dealing with for quite some time, and I believe it has almost complete sponsorship by all Members of the Senate.

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

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

Senators FONTANA, FERLO, ORIE, PILEGGI, REGOLA, STOUT, TARTAGLIONE, D. WHITE, ERICKSON, GREENLEAF, KASUNIC, LAVALLE, MUSTO, O'PAKE, WASHINGTON, STACK, PICCOLA, COSTA and WONDERLING, by unanimous consent, offered **Senate Resolution No. 177**, entitled:

A Resolution recognizing September 2007 as "Infant Mortality Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator FONTANA. Madam President, this resolution asks that the month of September be recognized as "Infant Mortality Awareness Month." Infant mortality is defined as the death of a baby before it reaches its first birthday. That is a significant and

troubling public health issue in our country. The United States ranks 28 among the industrialized nations in the rate of infant mortality. It has been found that infant mortality is especially prevalent in communities with large minority populations, high rates of unemployment and poverty, and limited access to safe housing and medical providers.

The infant mortality rate in Pittsburgh and Allegheny County has been a concern for many years. The Pittsburgh area has been very fortunate to have one of the first Healthy Start projects in the United States, which is a Federal program funded through the U.S. Department of Health and Human Services. The organization utilizes a strong community-based coalition to raise the awareness and impact of these high rates of infant mortality. The rates have been improved during the 10 years since Healthy Start was implemented. Since 1998, Healthy Start projects across the country have successfully increased the rate of a pregnant woman's participation in early prenatal care during her first trimester from 41.8 percent to 70 percent, directly saving the lives of many vulnerable infants. Studies have shown that the cost of care for low birth weight babies has an estimated annual economic impact of \$13 billion. Pennsylvania is home to 6 of the 100 Healthy Start programs in the country, located in Chester, West Chester, southwest and west Philadelphia, Uniontown, north Philadelphia, and Pittsburgh.

These groups and others across the nation are holding special events to raise the awareness of infant mortality and what can be done to prevent it. The State Senate's observation of "Infant Mortality Awareness Month" is intended to assist them in their efforts to increase national awareness of this issue and its contributing factors, and will also allow for facilitation of activities that will help local communities address this issue. I thank my fellow Members for their support of this resolution.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators PICCOLA, STACK, PIPPY, ERICKSON, DINNIMAN, FONTANA, PILEGGI, WASHINGTON and COSTA, by unanimous consent, offered **Senate Resolution No. 178**, entitled:

A Resolution declaring October 17, 2007, as "Harrisburg FIRST Robotics Day" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators PICCOLA, PILEGGI, PIPPY, FONTANA, ERICKSON, DINNIMAN, WASHINGTON, RAFFERTY, FOLMER, TOMLINSON, WONDERLING, BAKER and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 179**, entitled:

A Resolution recognizing the week of October 7 through 13, 2007, as "National Newspaper Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators PICCOLA, PIPPY, FONTANA, LOGAN, ERICKSON, ORIE, DINNIMAN, ARMSTRONG, PILEGGI, WASHINGTON, RAFFERTY, D. WHITE, LAVALLE, TARTAGLIONE, GREENLEAF, COSTA, FOLMER, WONDERLING, BRUBAKER and FERLO, by unanimous consent, offered **Senate Resolution No. 180**, entitled:

A Resolution declaring September 25, 2007, as "International Ataxia Awareness Day" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators PICCOLA, BOSCOLA, TARTAGLIONE, FERLO, PIPPY, MUSTO, COSTA, FONTANA, STOUT, PILEGGI, WOZNIAK, ERICKSON, FOLMER, GREENLEAF, ORIE, ARMSTRONG, C. WILLIAMS, O'PAKE, KITCHEN, WONDERLING, DINNIMAN and WASHINGTON, by unanimous consent, offered **Senate Resolution No. 181**, entitled:

A Resolution designating October 2007 as "Rett Syndrome Awareness Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators PICCOLA, PILEGGI, BAKER, STOUT, KITCHEN, FERLO, CORMAN, ERICKSON, REGOLA, EARLL, WONDERLING, COSTA, TARTAGLIONE, LOGAN, MADIGAN, MELLOW, C. WILLIAMS, PUNT, BRUBAKER, WOZNIAK, PIPPY, M. WHITE, ORIE, FONTANA, ROB-BINS, O'PAKE, GORDNER, WAUGH, D. WHITE, STACK, FOLMER, GREENLEAF, BOSCOLA, VANCE, WASHINGTON, McILHINNEY, ARMSTRONG, KASUNIC, TOMLINSON, RAFFERTY, FUMO, DINNIMAN and SCARNATI, by unanimous consent, offered **Senate Resolution No. 182**, entitled:

A Resolution designating October 13, 2007, as "Military Family Day" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

## CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Ronald Lada, Mr. and Mrs. Eugene Mousley, Mr. and Mrs. Arthur Gable, Mr. and Mrs. Lewis Corcoran, Mr. and Mrs. Raymond Fives, Sarah Martuza Columbo, Katherine Cook and to Mark Lucas Dodson by Senator Baker.

Congratulations of the Senate were extended to Luzerne County Community College by Senators Baker and Musto.

Congratulations of the Senate were extended to Mr. and Mrs. Richard R. Stambaugh, Peggy E. Davis, Dianne L. Snyder, Wanda H. McCullough, Jean R. Abbott, Clare E. Flynn, James K. Shannon, Susan C. Richard, Franklin A. Zook, Joanne B. Johnston, Sylvia S. Crawford, Lucinda K. North, Kathy J. Dodson, Judith A. French, Samuel R. Bray, Diane K. Bray and to Nancy S. Hartley by Senator Corman.

Congratulations of the Senate were extended to Saint Basil Catholic Church of Pittsburgh by Senator Costa.

Congratulations of the Senate were extended to Alvy L. Kelly and to the Little All-American Football Association of West Chester by Senator Dinniman.

Congratulations of the Senate were extended to Jaque Lutz by Senator Ferlo.

Congratulations of the Senate were extended to Philip Malesky by Senator Fontana.

Congratulations of the Senate were extended to Andrew Karl Pfeil and to Sean Cameron Hawley by Senator Greenleaf.

Congratulations of the Senate were extended to Philip J. Riehl, Sr., by Senator Hughes.

Congratulations of the Senate were extended to Jerry S. Walls by Senator Madigan.

Congratulations of the Senate were extended to Pasquale Bangor and to Sandy Insalaco, Sr., by Senator Musto.

Congratulations of the Senate were extended to the members of Grace (Alsace) United Church of Christ of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Alexander C. Aul by Senator Pippy.

Congratulations of the Senate were extended to Dr. Paula Olinger by Senator Punt.

Congratulations of the Senate were extended to Zachary Marcoz, Jacob Marcoz, Brenna Marcoz and to Olivia Marcoz by Senator Regola.

Congratulations of the Senate were extended to Richard P. Boylan by Senator Tomlinson.

Congratulations of the Senate were extended to Goldie Crimmel by Senator M.J. White.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony Terranova, Mr. and Mrs. Darrell Litsinger and to Mr. and Mrs. Herbert Rounsaville by Senator Wonderling.

### CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Alma Heinz Pohland by Senator Regola.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to.

The bills were as follows:

**SB 351, SB 592, SB 915, SB 999, SB 1016, SB 1036, HB 17, HB 872, HB 1166 and HB 1624.**

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 Allegheny, Senator Costa.

Senator COSTA. Madam President, I would like to offer a few remarks relative to the Special Session on energy in which we are now engaged. As indicated last week, we embarked on a Special Session on this issue of clean and renewable energy, energy conservation, and economic development.

While I would like to take a moment to commend the Governor and my colleagues for the work that we look forward to working on in addressing this very important issue, I think it is important to note that this is not the first time we have been encouraged to change our ways about energy consumption and the development of alternative energy resources. Many of my colleagues remember the oil crisis of the early 1970s and 1980s, times when petroleum-based products such as gasoline and home heating oil saw huge leaps in prices and limited availability. During both of these times, there were calls to diversify America's energy portfolio from oil to other sources such as solar, wind, geothermal, and advanced coal products.

Madam President, the crisis passed and we became complacent, relying increasingly on cheap foreign imports of oil. Underscoring this reliance is that in 1995, shortly after the most recent oil crisis, America produced three-fourths of its oil in its domestic refineries, but by 2006, 60 percent of the oil in our refineries came from sources outside the United States. The U.S. consumes 25 percent of all the oil produced in the world, yet we control just 3 percent of the world's oil reserves. This is a dramatic increase that we can no longer afford for a variety of reasons.

Madam President, both the President of the United States and Governor Rendell have challenged us to step up and change the way America powers itself. As we learned yesterday and over the course of the budget deliberations, the Governor has answered the call by requiring us, the lawmakers of the Commonwealth of Pennsylvania, to focus on ways to make Pennsylvania a national leader in this effort. Our Commonwealth is blessed and poised with the few necessary ingredients to make this vision possible.

First, we have a wealth of resourceful and hardworking people to be coupled with some of the leading research institutions in this country. These individuals are working on ways to produce and perfect things like smart coal technologies that include the gasification of coal which can be used for a variety of uses, as well as wind, solar, and other types of energy sources. We also have miles and miles of rich farmland that annually produce large yields of corn and soybeans that are now being transformed to fuel to power our vehicles and heat our homes without the pollution and other byproducts associated with petroleum.

Madam President, encouraging the development of this effort not only reduces our reliance upon foreign oil, but also strengthens and reinvigorates Pennsylvania's first industry and improves the livelihood of our farmers. The administration has produced an ambitious plan for us to consider, and my colleagues have introduced, both individually and collectively, their measures as well, but most importantly, we must give very serious and focused attention to this issue and this Special Session. The Governor's plan includes efforts to provide important funding for emerging industries, as well as consideration of existing power generating sources. He has also asked that we, as individual consumers, do more to recognize and adapt our individual energy consumption under the following proposals.

The PennSecurity Fuels Initiative mandates the use of renewable fuels and promotes the production of renewable fuels in Pennsylvania. The goal is to foster economic development, energy independence, and environmental protection through the use of alternative fuels by requiring diesel fuel to contain a certain percentage of biodiesel and to require all gasoline to contain a certain percentage of ethanol. These percentages would be increased over time as the products become more available, cheaper, and as automotive technologies improve.

There has also been discussion about the implementation of a smart meter program, which encourages utilities and utility consumers to install smart meters for all of their electric consumption, enabling electric consumers to use less electricity during peak times when there is more expansive savings of consumers' money.

Another topic is affordable, reliable electric service. As part of the electric generation Customer Choice Act of 1997, some 10 years ago, electric consumers were empowered to choose their electric supplier. As part of that act, rates were capped for a long period of time to protect consumers from price spikes. Now, in many parts of our Commonwealth and in the next couple of years, those caps will begin to expire, and as I have indicated, they have already done so in the Pittsburgh area and the north-eastern part of our Commonwealth.

During this period of capped prices, energy costs for electric producers has continued to increase. The prices of oil, natural gas, and coal have gone up for power companies as well as individual consumers. Lifting the cap has exposed consumers to spiking electric costs because of production costs tied to the spot market for energy. The administration has proposed that Pennsylvania's electric consumers have prices that are based on a portfolio of stable resources that reflect the cost of electricity production and not on the spot market. Businesses also require reliable and stable rates. Under the proposal presented, large industrial consumers would be allowed to enter long-term contracts with power producers at negotiated prices. This is especially important in the southwest, where large industrial users in the steel industry who have had the opportunity to do so in the recent legislation will need to be able to continue to do so. The Governor has also recommended several important economic development proponents of this plan that encourages the development of new energy production in producing industries, as well as funding to encourage consumer energy conservation.

Madam President, as a Commonwealth we are at a watershed moment in Pennsylvania's history on one of the most important issues that this generation will face, energy independence. We have a choice to follow the Governor's call to change our energy habits and to make Pennsylvania a national leader in this very important cause, or we can sit by and watch technology, jobs, and economic development go from Pennsylvania to other States. I encourage all of my Members, all of the Members of this Chamber, and Members of the General Assembly to join me in working to answer the call to join the Governor, the President, and the Members and my colleagues on the floor who have legislation pending in an effort to develop and help our history.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator Costa, for your meaningful comments on energy.

## ANNOUNCEMENTS BY THE SECRETARY

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

### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### WEDNESDAY, SEPTEMBER 26, 2007

- |            |                                                                                                                                       |                        |
|------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 10:00 A.M. | URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 465)                                                                           | Room 8E-B<br>East Wing |
| 10:00 A.M. | LOCAL GOVERNMENT (to consider Senate Bills No. 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1080, 1082 and 1085; and House Bill No. 131) | Room 8E-A<br>East Wing |

#### TUESDAY, OCTOBER 2, 2007

- |           |                                                                   |                          |
|-----------|-------------------------------------------------------------------|--------------------------|
| 9:00 A.M. | PUBLIC HEALTH AND WELFARE (public hearing on Senate Bill No. 226) | Hrg. Rm. 1<br>North Off. |
|-----------|-------------------------------------------------------------------|--------------------------|

#### WEDNESDAY, OCTOBER 3, 2007

- |           |                                                                                                                                                                                                      |                          |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 9:00 A.M. | FINANCE (public hearing on Senate Bill No. 596)                                                                                                                                                      | Room 461<br>Main Capitol |
| 9:00 A.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS and COMMUNICATIONS AND TECHNOLOGY (joint hearing to receive testimony on the status of the implementation and deployment of PA's Statewide Radio System) | Hrg. Rm. 1<br>North Off. |

#### WEDNESDAY, OCTOBER 10, 2007

- |           |                                                |                                                               |
|-----------|------------------------------------------------|---------------------------------------------------------------|
| 9:00 A.M. | FINANCE (public hearing on Senate Bill No. 65) | Pasquerilla<br>Conf. Center<br>301 Napoleon<br>St., Johnstown |
|-----------|------------------------------------------------|---------------------------------------------------------------|

## 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 Wednesday, September 26, 2007, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 1:38 p.m., Eastern Daylight Saving Time.