

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 15, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 76

SENATE

MONDAY, October 15, 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, Father RONALD J. MORATELLI, of St. Catherine's Catholic Church, Quarryville, offered the following prayer:

I ask the God in whom I believe to give you faith. I ask the God in whom I trust to give you hope. I ask my God to share His love with you. I pray to my God to inspire you with a prudent judgment, a temperate manner, a sense of justice, and the courage to act.

May the spirit of God add a divine ingredient to your wisdom and understanding. May He be your counsel and your strength, as you learn to reverence and respect the works of God.

May you find in your life the love, joy, and peace that will make you good, benign, and patient.

May you endure the hardships of life with a mildness born of faith. May you be modest when praised for your achievements, may you approach the mysteries of life with a pure heart, and if there is any other good gift or grace my God can give to you, I pray that you will receive it in abundance. God bless you.

The PRESIDENT. The Chair thanks Father Moratelli, who is the guest today of Senator Armstrong.

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:

JUDGE, COURT OF COMMON PLEAS,
BUCKS COUNTY

October 3, 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, Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge of the Court of Common Pleas of Bucks County, to serve until the first Monday of January 2010, vice The Honorable Kenneth G. Biehn, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
WAYNE COUNTY

October 3, 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, Raymond L. Hamill, Esquire, 450 Alden Road, Honesdale 18431, Wayne County, Twentieth Senatorial District, for appointment as Judge of the Court of Common Pleas of Wayne County, to serve until the first Monday of January 2008, vice The Honorable Robert J. Conway, resigned.

EDWARD G. RENDELL
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

October 3, 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 J. O'Neill, 719 Caledonia Street, Philadelphia 19128, Philadelphia County, Third Senatorial District, for appointment as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2008, vice the Honorable Linda F. Anderson, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD

October 3, 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, Hal Moss, 237 Barclay Circle, Cheltenham 19012, Montgomery County, Fourth Senatorial District, for appointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 2010, and until his successor is appointed and qualified, vice Arthur J. Rooney, II, Esquire, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE
REAL ESTATE COMMISSION

October 3, 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, Dale H. Killmeyer (Public Member), 617 California Avenue, Pittsburgh 15202, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, whose term expired.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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, William D. Kraut, Esquire, 903 Shady Grove Way, West Chester 19382, Chester County, Twenty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-2-03, to serve until the first Monday of January 2008, vice J. Peter Winther, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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 C. Halal, 1881 Georgia Drive, White Hall 18052, Lehigh County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2008, vice Joan L. Snyder, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

October 9, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert M. Geniviva, 1548 Heinz Camp Road, Portersville 16051, Lawrence County, Fiftieth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Robert L. Murray, Oil City, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS

October 9, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Theodore Tesler, P.G., 4602 Abington Drive, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to [data missing] for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

October 9, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Maria Romano Marcinko, (Public Member), 2704 South Second Street, Steelton 17113, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary 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 Mary Evans, West Chester, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN STATE HOSPITAL

October 9, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Edward Matisak, Sugarloaf, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE WASHINGTON COUNTY
BOARD OF ASSISTANCE**

October 9, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Washington County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Frank Burkus, Millsboro, deceased.

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:

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

October 3, 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 September 17, 2007, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Wayne County, to serve until the first Monday of January 2008, vice The Honorable Robert J. Conway, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

October 3, 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

September 17, 2007, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2008, vice The Honorable Linda F. Anderson, deceased.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE
REAL ESTATE COMMISSION**

October 3, 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 September 17, 2007, for the appointment of Stephanie Moore (Public Member), R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, whose term expired.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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 July 27, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-2-03, to serve until the first Monday of January 2008, vice J. Peter Winther, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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 August 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2008, vice Joan L. Snyder, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE ENVIRONMENTAL
HEARING BOARD

October 9, 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 July 3, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Environmental Hearing Board, to serve until January 31, 2012, or until her successor is appointed and qualified, vice Michael Krancer, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

October 9, 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 July 3, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert O. Toombs, New Bern, North Carolina, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

October 9, 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 July 16, 2007, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Robert L. Murray, Oil City, 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 REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS

October 9, 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 July 3, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to [data missing] for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Theodore Tesler, 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 STATE BOARD
OF VETERINARY MEDICINE

October 9, 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 September 17, 2007, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, as a member of the State Board of Veterinary 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 Mary Evans, West Chester, 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 THE
WESTERN YOUTH DEVELOPMENT CENTERS

October 9, 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 July 9, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Gerald J. LaValle, Rochester, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE FRANKLIN COUNTY
BOARD OF ASSISTANCE

October 9, 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 July 9, 2007, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Franklin County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice David McCleary, Chambersburg, resigned.

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

EDWARD G. RENDELL
Governor

**CORRECTIONS TO 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:

JUDGE, PHILADELPHIA MUNICIPAL COURT

October 4, 2007

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

Please note the nomination dated October 3, 2007, for the appointment of Joseph J. O'Neill, 719 Caledonia Street, Philadelphia 19128, Philadelphia County, Third Senatorial District, for appointment as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2008, vice The Honorable Linda F. Anderson, deceased, should be corrected to read:

Joseph J. O'Neill, 719 Caledonia Street, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2008, vice The Honorable Linda F. Anderson, deceased.

MAGISTERIAL DISTRICT JUDGE

October 9, 2007

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

Please note the nomination dated October 3, 2007, for the appointment of Robert C. Halal, 1881 Georgia Drive, White Hall 18052, Lehigh County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2008, vice Joan L. Snyder, resigned, should be corrected to read:

Robert C. Halal, 4828 Main Street, White Hall 18052, Lehigh County, Eighteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2008, vice Joan L. Snyder, resigned.

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:

October 4, 2007

Senators ORIE, MELLOW, FONTANA, WOZNIAK, RAFFERTY, LAVALLE, BROWNE, C. WILLIAMS, BOSCOLA, REGOLA and WASHINGTON presented to the Chair **SB 1104**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of neglect of a care-dependent person.

Which was committed to the Committee on JUDICIARY, October 4, 2007.

October 15, 2007

Senators WONDERLING, BAKER, WAUGH, EARLL, M. WHITE, BOSCOLA, RAFFERTY, FUMO, ORIE, RHOADES, McILHINNEY, BROWNE, KASUNIC, WASHINGTON, C. WILLIAMS, REGOLA and VANCE presented to the Chair **SB 995**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for product advertising requirements.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, October 15, 2007.

Senators WONDERLING, BRUBAKER, BAKER, WAUGH, BOSCOLA, RAFFERTY, FUMO, ORIE, McILHINNEY, BROWNE, KASUNIC, WASHINGTON, C. WILLIAMS, REGOLA and VANCE presented to the Chair **SB 996**, entitled:

An Act providing a tax credit for use of local agricultural products; and providing for functions of the Department of Agriculture and the Department of Revenue.

Which was committed to the Committee on FINANCE, October 15, 2007.

Senators WONDERLING, BRUBAKER, BAKER, WAUGH, BOSCOLA, RAFFERTY, FUMO, ORIE, RHOADES, McILHINNEY, BROWNE, KASUNIC, WASHINGTON, C. WILLIAMS and VANCE presented to the Chair **SB 997**, entitled:

An Act establishing the Local Agriculture Promotion Program; providing for powers and duties of the Department of Agriculture; establishing the Local Agriculture Promotion Fund; providing for grants; and making an appropriation.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, October 15, 2007.

Senators ORIE, MELLOW, FONTANA, WOZNIAK, RAFFERTY, LAVALLE, BROWNE, C. WILLIAMS, BOSCOLA and REGOLA presented to the Chair **SB 1106**, entitled:

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing for definitions and for reports by employees.

Which was committed to the Committee on AGING AND YOUTH, October 15, 2007.

Senators McILHINNEY, TOMLINSON, BOSCOLA, RAFFERTY, DINNIMAN, C. WILLIAMS, GREENLEAF, WONDERLING, KITCHEN, FERLO and WASHINGTON presented to the Chair **SB 1109**, entitled:

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for safe drinking water, for definitions, for powers and duties of the Department of Environmental Protection and for civil and criminal penalties; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 15, 2007.

Senators C. WILLIAMS, RAFFERTY, TARTAGLIONE, M. WHITE, STOUT, O'PAKE, EARLL, HUGHES, FONTANA and DINNIMAN presented to the Chair **SB 1110**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the definition of "property manager"; and further providing for assessments for common expenses.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, October 15, 2007.

Senator WAUGH presented to the Chair **SB 1111**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the attachment of wages by judgment creditors.

Which was committed to the Committee on JUDICIARY, October 15, 2007.

Senators RAFFERTY, REGOLA, FERLO, ARMSTRONG, BAKER, BROWNE, BRUBAKER, CORMAN, EICHELBERGER, ERICKSON, FOLMER, FONTANA, GREENLEAF, KASUNIC, LAVALLE, McILHINNEY, PUNT, ROBBINS, SCARNATI, STOUT, TOMLINSON, VANCE and WONDERLING presented to the Chair **SB 1126**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further regulating contracts and purchases.

Which was committed to the Committee on LOCAL GOVERNMENT, October 15, 2007.

Senator CORMAN presented to the Chair **SB 1133**, entitled:

An Act designating a portion of State Route 850 in Marysville Borough, Perry County, as the Army Private David E. Dietrich Memorial Highway.

Which was committed to the Committee on TRANSPORTATION, October 15, 2007.

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:

October 15, 2007

Senators GORDNER, SCARNATI, ROBBINS, TARTAGLIONE, ERICKSON, KASUNIC, COSTA, RAFFERTY, PIPPY, ORIE, M. WHITE, D. WHITE, BAKER, WONDERLING, FONTANA, EARLL, C. WILLIAMS, FOLMER, KITCHEN, PUNT, STOUT, WASHINGTON, LAVALLE, O'PAKE, REGOLA, ARMSTRONG, MUSTO and PILEGGI presented to the Chair **SR 190**, entitled:

A Resolution designating the week of October 21 through 27, 2007, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 15, 2007.

Senators RHOADES, GREENLEAF, ORIE, FERLO, PUNT, RAFFERTY, TARTAGLIONE, D. WHITE, WASHINGTON, O'PAKE, STACK, KASUNIC, STOUT, LAVALLE, COSTA, C. WILLIAMS, EARLL, ERICKSON, CORMAN, FONTANA, TOMLINSON, WONDERLING, KITCHEN, PIPPY, McILHINNEY, LOGAN, WAUGH, BROWNE and ARMSTRONG presented to the Chair **SR 191**, entitled:

A Resolution urging the Congress of the United States to provide benefits to certain individuals who served in the United States Merchant Marines, including the Army Transport Service and the Naval Transport Service, during World War II.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 15, 2007.

Senators WAUGH, C. WILLIAMS, PUNT, STOUT, FERLO, FONTANA, TARTAGLIONE, PILEGGI, RAFFERTY, D. WHITE, ERICKSON, LAVALLE, O'PAKE, STACK, WASHINGTON, KASUNIC, PIPPY, COSTA, FOLMER, EARLL, BRUBAKER, WONDERLING, KITCHEN, WOZNIAK, BAKER, DINNIMAN, BROWNE and ARMSTRONG presented to the Chair **SR 192**, entitled:

A Resolution designating the month of November 2007 as "Hydrocephalus Awareness Month" in Pennsylvania.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, October 15, 2007.

GENERAL COMMUNICATION

2008-09 BUDGET REQUEST OF THE CONSUMER ADVOCATE

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

OFFICE OF CONSUMER ADVOCATE
Commonwealth of Pennsylvania
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

October 11, 2007

Hon. Edward G. Rendell
Governor of Pennsylvania
Commonwealth of Pennsylvania
Room 225, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Joseph B. Scarnati
President Pro Tempore
Senate of Pennsylvania
Room 292, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Dennis M. O'Brien
Speaker
House of Representatives
Room 139, Main Capitol Bldg.
Harrisburg, PA 17120

Dear Gentlemen:

Enclosed with this letter is the Budget Request of the Office of Consumer Advocate (OCA) for Fiscal Year 2008-2009. The OCA's requested budget for Fiscal Year 2008-2009 is \$5,205,000. This budget represents an increase of \$136,000 above our approved 2007-2008 budget of \$5,069,000.

The present budget request is submitted pursuant to Act No. 25 of July 20, 1983. *The OCA budget is not derived from the General Fund*, but is funded through a direct assessment on the companies that are under the jurisdiction of the Pennsylvania Public Utility Commission (PUC).

Please contact me if you have any questions about the OCA's budget request or about the Office of Consumer Advocate.

Sincerely,

IRWIN A. POPOWSKY
Consumer Advocate

The PRESIDENT. This report will be filed in the Library.

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Mr. Edward Brownley as a member of the Workers' Compensation Advisory Council.

BILL SIGNED

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

HB 1624.

ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Finance to meet during today's Session in the Rules room to consider Senate Bill No. 65, Senate Bill No. 777, and House Bill No. 169.

BILLS REPORTED FROM COMMITTEE

Senator RAFFERTY, from the Committee on Law and Justice, reported the following bills:

SB 980 (Pr. No. 1222)

An Act providing for a memorandum of understanding between the Commonwealth and the United States Department of Justice or Department of Homeland Security.

HB 606 (Pr. No. 2600) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for court jurisdiction on appeals from decision of the board, for hearings before the board and administrative law judges, for revocation of licenses, for increased fines, for renewal of licenses and for responsible alcohol management.

HB 825 (Pr. No. 2601) (Amended)

An Act amending Title 22 (Detectives and Private Police) of the Pennsylvania Consolidated Statutes, amending the heading of Title 22 and 22 Pa.C.S. Ch. 3; codifying and making extensive revisions to The Private Detective Act of 1953; codifying the Lethal Weapons Training Act; further providing for the definition of "privately employed agents"; providing for the continuation of certain licenses; making an appropriation; and making related repeals.

HB 1420 (Pr. No. 2602) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the definitions of "case," "distributor" and "importing distributor"; providing for the definitions of "holiday package," "out-of-State small manufacturer" and "small manufacturer"; providing for Manufacturer's Packaging Equipment Grant Fund; further providing for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages alternating brewers' licenses, for sales and minimum quantities, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for interlocking business prohibited and for breweries; providing for manufacturer grant program and for product rotation; and further providing for exchange of certain licenses and for moneys paid into the State Stores Fund for use of the Commonwealth.

LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Punt, and a temporary Capitol leave for Senator Piccola.

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

Senator O'PAKE. Madam President, I request legislative leaves for Senator Fumo and Senator Connie Williams, and a temporary Capitol leave for Senator Kitchen.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Fumo and Senator Connie Williams, and a temporary Capitol leave for Senator Kitchen.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

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

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, October 15, 2007

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, October 22, 2007, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, October 22, 2007, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-48

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

NAY-0

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

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

SPECIAL ORDER OF BUSINESS

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Madam President, it is my privilege to introduce some special guests who are on the floor today. The first is Jerry Parsons. Jerry is president of a company located in our Commonwealth which he, along with his brother and father, started 32 years ago in their garage. Today, this company, which is still family owned, has over 3,500 employees, 1,000 of whom are employed in Pennsylvania, and in 37 countries around the world.

Madam President, today Mr. Parsons is going to be meeting with Secretary Yablonsky. It is our hope that the company will expand in the Commonwealth of Pennsylvania and add another

500 jobs in Chester County and in the suburban Philadelphia area, so it is my privilege to introduce Mr. Parsons and his team to you today.

(Applause.)

The PRESIDENT. Thank you for staying in Pennsylvania.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Kitchen has returned, and her temporary Capitol leave is cancelled.

GUESTS OF SENATOR DON WHITE PRESENTED TO THE SENATE

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

Senator D. WHITE. Madam President, I am pleased to introduce Professor Susan Martin and her students from Indiana University of Pennsylvania, the crown jewel of the State system, all of whom are political science majors at the university, and I would truly appreciate our typical warm welcome for Professor Martin and her students.

The PRESIDENT. Will Professor Susan Martin and all the students from IUP please rise so we can welcome you.

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Madam President, today I have the pleasure of introducing Hannah O'Malley and Gwendolyn Pflieger, who are serving as guest Pages in the Senate.

Hannah and Gwendolyn are both eighth grade students and attend St. Michael School in Greenville, Mercer County.

Hannah is the daughter of John and Michelle O'Malley. She serves as the vice president of her class, is a member of the school choir, and is a basketball cheerleader. She also competes in the "Mr. President" and "Equations" competition at the academic games. Additionally, her other interests include dance, and she is an altar server at Saint Michael's Church.

Gwendolyn is the daughter of Derek and Heather Pflieger. She is a member of the girls' basketball team and is a basketball cheerleader. Gwendolyn also enjoys dance class.

Hannah and Gwendolyn are accompanied today by their teacher, Mrs. Nancy Kremm, and Hannah's father, Mr. John O'Malley, who are seated in the gallery.

Madam President, please join me in welcoming my guests to the Senate of Pennsylvania.

The PRESIDENT. Will Hannah O'Malley, Gwendolyn Pflieger, Mrs. Nancy Kremm, and Mr. John O'Malley please stand.

(Applause.)

GUESTS OF SENATOR GIBSON E. ARMSTRONG PRESENTED TO THE SENATE

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

Senator ARMSTRONG. Madam President, accompanying Father Moratelli today are his two secretaries, Joanne Ruffing and Diane Dalgaard, from my district.

The PRESIDENT. Would Joanne Ruffing and Diane Dalgaard please rise so we can welcome you.

(Applause.)

GUESTS OF SENATOR JAMES J. RHOADES PRESENTED TO THE SENATE

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

Senator RHOADES. Madam President, I have two guests today, Michael Owsinsky and Conner Trainer, who are here on a school government project shadowing me. They are both seniors at Marian Catholic High School in Tamaqua.

Conner is on the golf team, a member of the track team and the basketball team, and he hopes to attend a four-year college where he will major in chemical or forensic science.

Michael is on the cross-country team, a member of the track team, and also plans on attending a four-year college majoring in history or political science.

I would appreciate it if the Senate would extend its usual warm welcome.

The PRESIDENT. Will Michael Owsinsky and Conner Trainer please rise so we can welcome you.

(Applause.)

GUESTS OF SENATOR JOE SCARNATI PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Madam President, it is my pleasure to introduce a great group of Girl Scouts whom I met earlier today. They are here in the Capitol for Stamp Camp USA, which is a great program that introduces youth in the Commonwealth to stamp collecting and all the great aspects that go along with collecting.

Today, from my district of Tioga County, is Girl Scout Troop 502 from Knoxville, Pennsylvania, and I would like to extend a very warm welcome to them.

The PRESIDENT. Would Wendy Swartz, Roxanne Kilburn, Denice Williams, Heather McClaren, Mary Behm, Brynn Williams, Kylie Kilburn, Lynnea DeStasio, Kami Birdsall, Paige Swartz, Kelsey Glover, Jenna Romaneo, Elsa Brown, Grace Cary, Courtney Behm, Darlene Paddleford, Staci Osborn, Nittany Hartman, Melissa Stanton, Kendra Price, Luz Maria Cummings, and Emma McClaren please rise. Welcome to the Senate.

(Applause.)

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 Rules and Executive Nominations to be held immediately in the Rules room, to be followed by a meeting of the Republican Caucus in

the Majority Caucus Room. I would estimate the caucus will last no more than 90 minutes.

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

Senator MELLOW. Madam President, I ask that the Democratic Members report immediately to our caucus room at the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations in the rear of the Chamber, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 17, SB 806, SB 807, SB 808, SB 813 and HB 1166 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

HB 33 (Pr. No. 1418) -- 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 lease to Pine Township, Clearfield County, a certain tract of land situate in Pine Township, Clearfield County, for a consideration of \$1.

Considered the second time and agreed to,

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

BILL AMENDED

SB 117 (Pr. No. 1429) -- 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 establishment and operation of the Juvenile Court Judges' Commission in the Department of Justice; prescribing its powers and duties; and repealing provisions relating to Juvenile Court Judges' Commission.

On the question,

Will the Senate agree to the bill on second consideration?

Senator O'PAKE, on behalf of Senator COSTA, offered the following amendment No. A3393:

Amend Sec. 1 (Sec. 6374), page 3, line 30, by striking out "Office of General Counsel, by and through the commission," and inserting: commission

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 OVER IN ORDER

SB 351 and SB 366 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 465 (Pr. No. 764) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 30, 1996 (P.L.732, No.131), known as the Pennsylvania Innkeepers' Rights Act, providing for prospective employee background checks.

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

BILL OVER IN ORDER

HB 642 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 660 (Pr. No. 1433) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of Labor and Industry; establishing fees, fines and civil penalties; creating the Plumbing Contractors Licensure Account; and making an appropriation.

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

BILLS OVER IN ORDER

SB 751 and SB 861 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 903 (Pr. No. 1434) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for contracts relating to consulting.

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

BILL OVER IN ORDER

SB 920 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 986 (Pr. No. 1435) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for banning bonuses provided to employees of Commonwealth agencies.

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

BILL OVER IN ORDER

HB 1152 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**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 ENVIRONMENTAL
HEARING BOARD**

October 9, 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 July 3, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Environmental Hearing Board, to serve until January 31, 2012, or until her successor is appointed and qualified, vice Michael Krancer, Esquire, Bryn Mawr, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

October 3, 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 September 17, 2007, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Philadelphia Municipal Court, to serve until the first Monday of January 2008, vice The Honorable Linda F. Anderson, deceased.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
WAYNE COUNTY

October 3, 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 September 17, 2007, for the appointment of Adrian R. King, Jr., Esquire, 8833 Norwood Avenue, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, as Judge of the Court of Common Pleas of Wayne County, to serve until the first Monday of January 2008, vice The Honorable Robert J. Conway, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES
OF MANSFIELD UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

October 9, 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 July 3, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert O. Toombs, New Bern, North Carolina, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF POLK CENTER

October 9, 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 July 16, 2007, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Robert L. Murray, Oil City, 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 REGISTRATION
BOARD FOR PROFESSIONAL ENGINEERS,
LAND SURVEYORS AND GEOLOGISTS

October 9, 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 July 3, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to *[data missing]* for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Theodore Tesler, 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 STATE REAL ESTATE COMMISSION

October 3, 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 September 17, 2007, for the appointment of Stephanie Moore (Public Member), R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, 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 STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS

October 1, 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 August 24, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Raymond Hoover, Mechanicsburg, 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 STATE BOARD
OF VETERINARY MEDICINE

October 9, 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 September 17, 2007, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, as a member of the State Board of Veterinary 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 Mary Evans, West Chester, 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 THE
WESTERN YOUTH DEVELOPMENT CENTERS**

October 9, 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 July 9, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Gerald J. LaValle, Rochester, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE FRANKLIN
COUNTY BOARD OF ASSISTANCE**

October 9, 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 July 9, 2007, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Franklin County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice David McCleary, Chambersburg, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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 July

27, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-2-03, to serve until the first Monday of January 2008, vice J. Peter Winther, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

October 3, 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 August 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2008, vice Joan L. Snyder, 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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Connie Williams has returned, and her legislative leave is cancelled.

**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 STATE BOARD OF COSMETOLOGY

September 5, 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, Kimberly C. Nesmith, 1449 Sugartown Road, Berwyn, 19312, Chester County, Twenty-sixth Senatorial District, for reappointment 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.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

September 5, 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, Susanne M. Philo, 423 North Turnpike Road, P.O. Box 373, Dalton, 18414, Lackawanna County, Twenty-second Senatorial District, for reappointment 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.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF KUTZTOWN
UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

July 17, 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, Ramona Turpin, 160 West Greenwich Street, Reading 19601, Berks County, Eleventh Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Thomas Browning, 416 Academy Road, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice John F. Dunham, Wellsboro, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Lewis B. Lee, 88 Coxton Woods Lane, Thompson 18465, Susquehanna County, Twentieth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Craig G. Litchfield, 33 West Avenue, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Ada Mae Saxton, 4845 Springtop Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Howard J. Smith, Jr., R.D. 3, Box 261, Troy 16947, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Carol J. Tama, 214 Granger Street, Blossburg 16912, Tioga County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Richard T. Hawley, O.D., 3512 Margo Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Grove, O.D., Mount Holly Springs, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Marla L. Moon, O.D., F.A.A.O, 905 Walnut Spring Lane, State College 16908, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Optometry, 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 Janet Summers, Oakmont, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Edward B. Savarno, O.D., 144 Linden Avenue, Charleroi 15022, Washington County, Thirty-second Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul Freeman, Sewickley, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF THE PENNSYLVANIA STATE UNIVERSITY**

September 24, 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, Alvin H. Clemens, 500 Huston Road, St. David's 19087, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

September 5, 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, Susan L. Whitney, PhD, PT, NCS, ATC, 314 Sunnyfield Drive, Glen Shaw 15116, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dale Cordial, Greensburg, whose term expired.

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 STATE BOARD OF COSMETOLOGY

September 5, 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, Kimberly C. Nesmith, 1449 Sugartown Road, Berwyn, 19312, Chester County, Twenty-sixth Senatorial District, for reappointment 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.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

September 5, 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, Susanne M. Philo, 423 North Turnpike Road, P.O. Box 373, Dalton, 18414, Lackawanna County, Twenty-second Senatorial District, for reappointment 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.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

July 17, 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, Ramona Turpin, 160 West Greenwich Street, Reading 19601, Berks County, Eleventh Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Thomas Browning, 416 Academy Road, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice John F. Dunham, Wellsboro, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Lewis B. Lee, 88 Coxton Woods Lane, Thompson 18465, Susquehanna County, Twentieth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Craig G. Litchfield, 33 West Avenue, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Ada Mae Saxton, 4845 Springtop Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Howard J. Smith, Jr., R.D. 3, Box 261, Troy 16947, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF THE
STATE SYSTEM OF HIGHER EDUCATION**

September 6, 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, Carol J. Tama, 214 Granger Street, Blossburg 16912, Tioga County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Richard T. Hawley, O.D., 3512 Margo Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is ap

pointed and qualified, but not longer than six months beyond that period, vice James Grove, O.D., Mount Holly Springs, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Marla L. Moon, O.D., F.A.A.O, 905 Walnut Spring Lane, State College 16908, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Optometry, 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 Janet Summers, Oakmont, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

September 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, Edward B. Savarno, O.D., 144 Linden Avenue, Charleroi 15022, Washington County, Thirty-second Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul Freeman, Sewickley, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF THE PENNSYLVANIA STATE UNIVERSITY**

September 24, 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, Alvin H. Clemens, 500 Huston Road, St. David's 19087, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2009, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY**

September 5, 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, Susan L. Whitney, PhD, PT, NCS, ATC, 314 Sunnyfield Drive, Glen Shaw 15116, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Dale Cordial, Greensburg, whose term expired.

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-48

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

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.

EXECUTIVE SESSION RISES

Senator ROBBINS. Madam President, I move that the Executive Session do now rise.
The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

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

SB 65 (Pr. No. 86)

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, further providing for keystone opportunity zones, for keystone opportunity expansion zones, for application, for tax credit determination and for expiration of act.

SB 777 (Pr. No. 1456) (Amended) (Rereported)

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; modernizing the law relating to collection of such taxes and claims; and providing for severability.

HB 169 (Pr. No. 2631) (Amended)

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for permitted games of chance, for prize limits, for insured games, for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance, for separate individual prize limitations and for advertising.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 190 (Pr. No. 1453)

A Resolution designating the week of October 21 through 27, 2007, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

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

SENATE RESOLUTIONS ADOPTED

Senators ORIE, WASHINGTON, STOUT, MELLOW, FONTANA, LOGAN, KITCHEN, MADIGAN, TOMLINSON, PUNT, MUSTO, TARTAGLIONE, O'PAKE, VANCE, BROWNE, GREENLEAF, PILEGGI, DINNIMAN, PICCOLA, FUMO, ARMSTRONG, STACK, BRUBAKER, LAVALLE, ERICKSON, M. WHITE, GORDNER, BOSCOLA, EARLL, WOZNIAK, RAFFERTY, D. WHITE, COSTA, FOLMER, BAKER, C. WILLIAMS, REGOLA, KASUNIC and FERLO, by unanimous consent, offered **Senate Resolution No. 196**, entitled:

A Resolution designating the month of October 2007 as "Domestic Violence Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ORIE. Madam President, tomorrow I and my fellow colleague, Senator Williams, and others, will be participating in a press conference on domestic violence awareness.

The crime of domestic violence is more prevalent and more underreported than many people realize. We cannot sit by silently because, as you well know, this crime can touch any family at any time. It knows no cultural bounds, no social bounds, no age limits, and we must stop at nothing to stop those who commit crimes of violence.

Domestic violence is the single greatest cause of injury to women. Every 15 seconds a woman in this country is beaten by a current or former husband, or intimate partner. Studies report a range between 2 million and 4 million women are abused annually. These numbers, Madam President, are unacceptable. We need to do more to help identify victims and provide them with

the help they need to break the cycle of abuse. But even more needs to be done to insure that victims of abuse are provided with support and resources they need to get out of abusive situations.

As much as we need to continue working to provide these resources, we must also take this moment to give thanks to the thousands of individuals, staff, volunteers, community-based programs who work tirelessly to provide support and help the lives of abused victims. Without their dedication, many women would not be able to break the chain of abuse and move on to live their lives without fear. For these purposes, I ask that you join me in recognizing October as "Domestic Violence Awareness Month."

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 D. WHITE, BROWNE, DINNIMAN, BAKER, KITCHEN, TOMLINSON, EARLL, C. WILLIAMS, FOLMER, GREENLEAF, KASUNIC, WASHINGTON, O'PAKE, LAVALLE, ERICKSON, RAFFERTY, PILEGGI, ORIE, BOSCOLA, PUNT, ARMSTRONG, FONTANA, TARTAGLIONE, STOUT, FERLO, PIPPY, COSTA, WOZNIAK and REGOLA, by unanimous consent, offered **Senate Resolution No. 197**, entitled:

A Resolution recognizing the week of October 14 through 20, 2007, as "Credit Union Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator D. WHITE. Madam President, I rise today to ask my colleagues to support this resolution designating the week of October 14 through 20 as "Credit Union Week" in Pennsylvania.

Pennsylvania's 519 credit unions play important roles in the financial tapestry of our Commonwealth and provide many tangible benefits to the shareholders. Pennsylvania's credit unions empower people to improve their economic situations by serving the financial needs of more than 3.3 million members, including many Members of this Chamber. They are strengthened by their shareholders and use that financial strength for the benefit of the shareholders. It is truly a win-win situation that shows we are truly stronger when we work together. In addition, Pennsylvania's credit unions play a vital role in supporting the Commonwealth and its communities by encouraging and sponsoring activities to promote the charitable acts of their members.

Therefore, Madam President, I urge my colleagues to support this resolution designating the week of October 14 through October 20, 2007, as "Credit Union Week" in the Commonwealth.

Thank you very much, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Gary Chohany and to the Reverend and Mrs. Clemens Rosenberger by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Fred E. Garm, Mary Yelen and to the Bensinger and Weekes Law Firm of Stroudsburg by Senator Baker.

Congratulations of the Senate were extended to Edna Mumma Hoover Landis and to Dairylea of Syracuse, New York, by Senator Brubaker.

Congratulations of the Senate were extended to Anna Marie Chico Disabatino, Patricia A. Todd and to Devereux Kanner Childhood Autism Research and Education Services of Downingtown by Senator Dinniman.

Congratulations of the Senate were extended to William Chertok by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to John H. Newton, Jr., and to the Brandywine Health Foundation of Coatesville by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to the Reflex Sympathetic Dystrophy Syndrome Association, the Northwest Pennsylvania RSDS Association and the Philadelphia RSDS Support Group by Senator Earll.

Congratulations of the Senate were extended to Floyd Sanders by Senator Ferlo.

Congratulations of the Senate were extended to Eric Daniel Snyder by Senator Folmer.

Congratulations of the Senate were extended to Leo Lorence by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Howard Gething, Mr. and Mrs. John Zadiraka, Mr. and Mrs. Robert Thomas and to Patrick Oliver Dorion by Senator Gordner.

Congratulations of the Senate were extended to the San Cataldo Society of Pittston by Senator Musto.

Congratulations of the Senate were extended to David Mayer by Senator Pileggi.

Congratulations of the Senate were extended to Jacob Wildfire by Senator Pippy.

Congratulations of the Senate were extended to Esther Roberts by Senator Rhoades.

Congratulations of the Senate were extended to the Juniata Park Older Adult Center of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to Daniel McCann by Senator Tomlinson.

Congratulations of the Senate were extended to Louise Walker by Senator Vance.

Congratulations of the Senate were extended to the Philadelphia Multicultural Affairs Congress by Senator Washington.

Congratulations of the Senate were extended to Mr. and Mrs. Ray Fescenmyer, Mr. and Mrs. Ray Martz, Mr. and Mrs. Francis Mook, Mr. and Mrs. Don Rice, Mr. and Mrs. Harlan Welton, Mr. and Mrs. Ronald Garris and to Mr. and Mrs. Rich English by Senator M.J. White.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Gerard Joseph McManus by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Adam E. Cole by Senator Punt.

BILLS ON FIRST CONSIDERATION

Senator GREENLEAF. 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 65, SB 980, HB 169, HB 606, HB 825 and HB 1420.

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 gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Madam President, when Governor Rendell addressed the Joint Session of the legislature recently, it was both a wake-up call and a call to action. In the very near future, we will be facing a brave new world when it comes to energy, and that brave new world is filled with uncertainty and upheaval.

Energy powers every aspect of Pennsylvania's economy, from our largest manufacturing plant to each part of our service industry, right down to the tiniest shop that represents the smallest of our small businesses. For instance, take our Commonwealth's number one industry, agriculture. Without reliable, affordable energy, our farmers will not be able to plant their crops or milk their cows. And the future of tourism, our second largest industry, would look awfully dim if every welcome sign suddenly went dark.

The fact is that a perfect storm has been gathering strength for the past 10 years, and millions of homeowners and our small business owners, and even our largest Fortune 500 corporations, stand directly in the path of it. Instead of high winds, this perfect storm is bringing higher electric bills and huge, huge rate hikes. And beginning in 2010, this perfect storm will batter Pennsylvanians in their pocketbooks and cause economic disruption. Welcome to the brave new world of our energy future.

Now, Pennsylvania's power companies will tell you that they did not create this storm. They will point to a lot of other forces that all came together to cause this perfect storm, like electric deregulation and free market pricing. Besides, competition will be good for consumers, because you are going to hear that from the industry. That is the whole idea, is it not? Power companies want us to forget about rate caps and place our trust in the free market. They want us to believe that this perfect storm, this electrical storm, will just blow over.

Well, we have all seen the destruction and the damage this storm caused in Ohio, Illinois, Delaware, and Maryland, and the list goes on and on. It is one thing to see this storm coming. After all, the State legislatures in Ohio and Illinois saw the same storm brewing, but they did not think there was anything that they could do about it, or they spent too much time arguing about exactly what they should do about it. No one there had the common sense to suggest that plywood and sandbags just might be a good idea. But we have a chance here in Pennsylvania to do something before this perfect storm causes the kind of damage and disruption that it did in so many other States.

This is not about profits, because I understand a company's obligation to its shareholders and its employees. PPL in my district, for instance, recently reported record profits, even under the existing rate caps. But we also have an obligation to protect our constituents, and that means homeowners and small business owners, and even our large industrial plants. It is wrong for a handful of power companies to double and triple their profits at the expense of everybody else, and it is wrong to allow energy cartels to set prices like OPEC and pretend that is the way the free market is supposed to work out there.

One of my colleagues was joking with me the other day and said, hey Lisa, sorry, I am against your rate cap bill, until the rate caps come off, that is, and then I am for it. I know wind power and solar power are very sexy green issues to be talking about today, but the perfect storm, this electrical storm, is coming and we must do everything we can to protect those people who will be hurt, and those who might lose and stand to lose.

Madam President, I know this legislature is up to the task. This is going to happen in a couple of years and we can work on it now, and I am just encouraging all my colleagues to help support and to do everything we can to prevent this from happening.

Thank you.

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

Senator WONDERLING. Madam President, I was listening to the excellent remarks delivered by my colleague from the Lehigh Valley, Senator Boscola, and in part, I agree with much of what she said, particularly as it relates to the responsibility of those of us who serve the public to take advantage of the time that we have been afforded, not tomorrow, not next month, and not even next year, but we have time to bring forward a rational solution to the conundrum that we are in, in which over a decade ago we suggested that we ought to bring competition to our electric industry in this Commonwealth, and I think the jury is still out as to whether competition has succeeded or not. That is not what should be debated today or in the months ahead, but what is the appropriate public policy as it relates to what could be a potentially difficult consumer issue when the proverbial rate caps are lifted beginning in 2010 and through the next several years.

It would be my hope, and in fact, we are currently working on legislation, that while we are having that discussion that will be very much oriented towards protecting the consumer, and I do not think you will find any disagreement on either side of the aisle, that we also should take a look at the bureaucratic morass that often exists as it relates to the ability for our generators to bring new technologies to the marketplace, to site facilities that can generate fossil and nonfossil fuels, and to be creative and

innovative in reforming the regulations that oftentimes encumber the development of our electric power in this Commonwealth. Of course, the more time it takes to do anything, in particular, to bring anything to market, and in this case, electricity, you increase the costs, and I am not debating away the notion that bureaucracy is also to blame here, but it is a factor.

If you look at the opportunities that we have through technology, whether to burn waste coal, or clean coal technologies, or new technologies in the burning of natural gas, or even nonfossil fuel technologies, the fact of the matter is that it takes 5, 7, 8, 12, or 15 years to have a generating facility sited in a community, because you spend hour after hour and lawsuit after lawsuit fighting instead of bringing forth these new technologies, and that, too, adds to the increased cost to the consumer.

So, I again applaud my colleague from the Lehigh Valley, but also stand in the voice of reason that we can bring a balanced approach when these caps come off, not only to put forth policy that is consumer friendly, but also policy that I think is crying out and long overdue, and that is regulatory reform for the power generating sector in the Pennsylvania economy.

Thank you, Madam President.

The PRESIDENT. Thank you for your additional comments on the energy question before the Senate.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, OCTOBER 16, 2007

- 11:00 A.M. ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 305, 1017, 1068, 1069 and 1086; and House Bill No. 43) Room 461 Main Capitol
- 11:00 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing regarding nuclear issues) Hrg. Rm. 1 North Off.
- Off the Floor TRANSPORTATION (to consider Senate Bill No. 1065; and House Bill No. 1644) Rules Cmte. Conf. Rm.

WEDNESDAY, OCTOBER 17, 2007

- 9:00 A.M. FINANCE (public hearing on Senate Bill No. 596) Hrg. Rm. 2 North Off.
- 9:00 A.M. STATE GOVERNMENT (public hearing on Senate Bill No. 9) Hrg. Rm. 1 North Off.
- 9:30 A.M. PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 778; and House Bills No. 191 and 874) Room 461 Main Capitol
- 10:00 A.M. LOCAL GOVERNMENT (to consider Senate Bills No. 1002, 1003, 1004, 1051 and 1126) Room 8E-A East Wing

MONDAY, OCTOBER 22, 2007

- 10:30 A.M. COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (informational hearing pertaining to the criminal background investigation process required by the Gaming Act) Room 8E-B East Wing

TUESDAY, OCTOBER 23, 2007

- 10:00 A.M. AGRICULTURE AND RURAL AFFAIRS and LABOR AND INDUSTRY (joint hearing on Agriculture Workforce Issues) Room 461 Main Capitol

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 Tuesday, October 16, 2007, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 4:03 p.m., Eastern Daylight Saving Time.