

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, OCTOBER 30, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 83

**SENATE**

TUESDAY, October 30, 2007

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

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

**PRAYER**

The Chaplain, Reverend WILLIAM DIEHM, of St. John's Lutheran Church of Highland, Pittsburgh, offered the following prayer:

It is a tradition of many persons of faith to remember those who have gone before us, in recognizing that in so doing, there is a connection between those of us who keep the journey and those who have, in fact, gone before us. In our tradition in the Christian church, this is a week where we remember all of the saints, and today I invite you to remember those who have gone before you, who have helped prepare the way as we now remember in prayer.

Let us pray.

Gracious God, we thank You that there have been those in our lives who have taught us, have led us, and have showed us what it means to be human and a citizen of this great country and this Commonwealth. As we remember those who have gone before us, we pray that You would instill in us the kind of pride that will allow us to continue the journey faithfully.

Bless those whom You have called to lead in this government, and help us all to know that those who have prepared the way, who are with us now, continue to cheer us on. We ask this in Your holy name. Amen.

The PRESIDENT. The Chair thanks Reverend Diehm, who is the guest today of Senator Orié.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGE**

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 648**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**GENERAL COMMUNICATIONS**

**2006-07 ANNUAL REPORT OF THE PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY**

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

Department of Environmental Protection  
Rachel Carson State Office Building  
P. O. Box 2063  
Harrisburg, PA 17105-2063

October 26, 2007

Mr. Mark R. Corrigan  
Secretary of the Senate  
Senate Post Office Box 203053  
Harrisburg, PA 17120-3053

Dear Mr. Corrigan:

On behalf of the Board of Directors, I have enclosed the 2006-07 Annual Report of the Pennsylvania Energy Development Authority. This report is required by Section 5 of the Pennsylvania Energy Development Authority and Emergency Powers Act, Act of December 14, 1982, P.L. 1213, No. 280, as amended, §§ 71 P.S. 720.1 *et seq.* We are pleased at the success of our third solicitation, which led to \$6.1 million in grant and loan awards for 16 clean, alternative energy projects. These projects, which are located all around the Commonwealth, involve some of the most promising alternative energy technologies, including wind, solar, biomass, energy efficiency, biofuels and fuel cells. We look forward to working with you in the coming years to bring more clean energy projects and energy manufacturing jobs to Pennsylvania and to increasing jobs and investment in this important, fast-growing sector of our economy.

If you should have any questions, please do not hesitate to contact Scott Pauchnik, Director of Legislative Affairs, at 717-783-8303 or [spauchnik@state.pa.us](mailto:spauchnik@state.pa.us).

Sincerely,

KATHLEEN A. MCGINTY  
Secretary

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

**AUDITED FINANCIAL STATEMENTS OF TEMPLE UNIVERSITY**

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

TEMPLE UNIVERSITY  
Office of the Controller  
1805 N. Broad St. (038-17)  
11th Floor Wachman Hall  
Philadelphia, PA 19122-6094

October 24, 2007

The Honorable Mark R. Corrigan  
Senate Secretary/Parliamentarian  
462 Main Capitol Building  
Senate Box 203053  
Harrisburg, PA 17120-3053

Dear Senator [*sic*] Corrigan:

In compliance with Act 8A of July 17, 2007, I submit to you here-with the consolidated audited financial statements of Temple University - of The Commonwealth System of Higher Education for the fiscal year 2006-2007.

Sincerely,

FRANK ANNUNZIATO  
Associate Vice President  
and Controller

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

#### ANNUAL MACHINERY AND EQUIPMENT LOAN FUND REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Community and Economic Development  
Harrisburg, PA 17120

October 22, 2007

Mr. Mark Corrigan  
Secretary/Parliamentarian of the Senate  
Room 462 Capitol Building  
Senate Room 203053  
Harrisburg, PA 17120-3053

Mr. Roger Nick  
Chief Clerk of the House  
129 Main Capitol Building  
Harrisburg, PA 17120-2020

#### RE: ANNUAL MACHINERY AND EQUIPMENT LOAN FUND REPORT

Dear Mr. Corrigan and Mr. Nick:

Enclosed herewith is the Annual Machinery and Equipment Loan Fund Report covering Fiscal Year 2006-2007, as required by Title 12 of the Pennsylvania Consolidated Statute.

The Department continually refines and improves upon the tools available to help businesses prosper and we appreciate your support in helping us achieve our economic development goals.

Please do not hesitate to contact me or Christian Muniz in DCED's Legislative Affairs Office at 717-783-1886 should you have any questions regarding this document.

Sincerely,

DENNIS YABLONSKY  
Secretary

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

#### APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Mr. Raymond P. Pepe, Esquire, as a member of the Board of Commissioners on Uniform State Laws.

Mr. Charles P. Pizzi as a member of the Board of Trustees of Drexel University.

Hon. John H. Suplezio as a member of the Local Government Advisory Committee.

#### LEGISLATIVE LEAVES

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

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

Senator O'PAKE. Madam President, I request a legislative leave for Senator Fumo.

The PRESIDENT. Senator O'Pake requests a legislative leave for Senator Fumo.

Without objection, the leaves will be granted.

#### LEAVES OF ABSENCE

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

Senator O'PAKE asked and obtained leaves of absence for Senator BOSCOLA and Senator WASHINGTON, for today's Session, for personal reasons.

#### SPECIAL ORDER OF BUSINESS JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of October 16, 2007, and October 17, 2007, are now in print.

The Clerk proceeded to read the Journals of the Sessions of October 16, 2007, and October 17, 2007.

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

On the question,

Will the Senate agree to the motion?

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

YEA-46

Armstrong	Fontana	Musto	Stout
Baker	Fumo	O'Pake	Tartaglione
Browne	Gordner	Orie	Vance
Brubaker	Greenleaf	Piccola	Waugh
Corman	Hughes	Pileggi	White, Donald
Costa	Kasunic	Pippy	White, Mary Jo
Dinniman	Kitchen	Punt	Williams, Anthony H.
Earl	LaValle	Rafferty	Williams, Constance
Eichelberger	Logan	Regola	Wonderling

Erickson  
Ferlo  
Folmer

Madigan  
McIlhinney  
Mellow

Rhoades  
Robbins  
Stack

Wozniak

#### NAY-0

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

The PRESIDENT. The Journals are approved.

### SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR MICHAEL A. O'PAKE PRESENTED TO THE SENATE

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

Senator O'PAKE. Madam President, in the gallery are some very interesting and interested high school students from Berks County. They are seniors at Antietam High School, and are here with their teachers, Mr. James Gingrich and Mr. Gary Choyka, and I ask the Chair to extend its usual warm welcome to these outstanding students and future leaders of Berks County.

The PRESIDENT. Will the Antietam High School students, James Gingrich, and Gary Choyka, please rise so we can welcome you to the Pennsylvania Senate.

(Applause.)

#### LEAVE OF ABSENCE

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

#### 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 in the Rules room, to be followed by a Republican caucus, to be held in the Majority Caucus Room.

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

Senator O'PAKE. Madam President, I request the Democratic Members report to our caucus room.

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

#### AFTER RECESS

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

#### CALENDAR

##### THIRD CONSIDERATION CALENDAR

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

**SB 1137 (Pr. No. 1510)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for the Medical Care Availability and Reduction of Error Fund and for actuarial data; providing for the Medical Care Availability and Reduction of Error (Mcare) Reserve Fund; and further providing for abatement program, for the Health Care Provider Retention Account and for expiration.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

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

Senator D. WHITE. Madam President, I would like to submit remarks for the record.

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

*(The following prepared remarks were made a part of the record at the request of the gentleman from Indiana, Senator DON WHITE:)*

Madam President, I rise today to ask for an affirmative vote on Senate Bill No. 1137. This bill has one primary purpose, to reauthorize Pennsylvania's Medical Care Availability and Reduction of Error, or Mcare, program until December 31, 2008. Currently, the authorization for this important program will sunset on December 31, 2007.

As we are all aware, the Mcare program is a key safety net for Pennsylvania's health care providers that assists them in covering some or all of the costs of their medical malpractice insurance premiums. The Mcare program has directly been responsible for keeping many medical practices up and running in Pennsylvania, and we cannot afford to allow it to lapse right now, which brings me to the secondary purpose of this bill.

Over the past few days, we have seen a flurry of news accounts regarding the state of medical malpractice litigation in Pennsylvania, and, depending on whom you believe, either the crisis is over or it is just as bad as or worse than before. Well, the way I see it, Pennsylvania is currently somewhere in between those two positions. However, changes in the marketplace and the success of a reform package passed by the legislature and enacted by Governor Mark Schweiker in 2002, I believe we can look toward phasing out the Mcare program in the foreseeable future.

Senate Bill No. 1137 puts in place measures that will allow the State Insurance Commissioner to more gradually shift health care providers from publicly funded to privately purchased medical malpractice insurance coverage. In addition, it will require the Insurance Commissioner to make an annual determination no later than July 1 on the capacity of medical malpractice insurance available to providers in the Commonwealth.

Under current law, the Commissioner makes a determination biannually. An annual determination will allow the Insurance Commissioner greater flexibility in determining the overall availability of private medical liability insurance coverage. Senate Bill No. 1137 would also permit the Insurance Commissioner to increase the threshold of private coverage required to be carried by providers in increments as little as \$50,000. Current law requires the commissioner to increase the level of medical liability coverage in increments no less than \$250,000.

This legislation also addresses another key issue regarding the Mcare fund. Currently, the Commonwealth allocates approximately

\$220 million annually through the Mcare fund to assist doctors, hospitals, nursing homes, and other medical providers with the purchase of medical liability coverage.

Thanks to the improving medical liability market and stabilizing of premiums, due in large measure to the reforms contained in the Mcare Act of 2002, premium costs have been steadily declining and hundreds of millions in dollars dedicated to pay premiums have remained unused. Recognizing that, my legislation establishes basic, common sense restrictions on how dollars not needed for the abatement can be used.

Under Senate Bill No. 1137, funds not used for premium costs would have to be allocated as follows: 50 percent would be placed in an escrow account to reduce the unfunded liability of the Mcare fund, 25 percent would be used to establish a medical safety automation fund (electronic medical records) for grants to health care providers, and 25 percent would be used to support the reduction of health care associated infections.

In summary, Madam President, Senate Bill No. 1137 provides the essential reauthorization of Mcare while taking additional steps that I am hopeful will put us on the path toward phasing out this fund without putting the health care of Pennsylvanians or the financial well-being of our health care providers at risk.

I ask for an affirmative vote. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Madam President, I rise today to ask my colleagues to not support Senate Bill No. 1137. Pennsylvania is listed as a crisis State by the American Medical Association, and the last I checked, 92.5 percent of people graduating from their residency programs are leaving Pennsylvania and not practicing medicine in this great State. The Mcare fund is needed at this point in time. We do not have caps on damages in Pennsylvania, we do not have joint and several liability legislation that means anything in Pennsylvania, and we have a bill that has been changed to not just continue the existing Mcare program, but will include two entitlement programs that could take on a life of their own. Madam President, both of these programs are worthy programs that have gained a lot of support in this Senate and the legislature and should not be disparaged in any way by these remarks, but my concern is that we have an Mcare program that has taken on an entirely different context with the passage of this bill, which will have legs that will continue many years into the future because we will not have the political will to cut back on any of the spending we have allocated today if this bill would pass. This Mcare program should be weaned off the taxpayers and handed to the private sector, and we do not have any actuarial information to show where we are going with any of this money. We need to have facts on the table before we take a vote on this, and since we do not have it and since we are starting entitlement programs in a backdoor way with this bill, I ask the Members to not support it.

Thank you.

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

Senator C. WILLIAMS. Madam President, I rise to support this bill. Reports last week indicated that Mcare claims have dropped 50 percent in the last 4 years. That is a good thing. A few years ago, we added midwives to the providers receiving 100-percent abatement. Today we take another step to assist providers of women's health by also including the birth centers in the abatement.

My thanks to Senator Armstrong and the Committee on Appropriations for adding the five birth centers in Pennsylvania to

those receiving abatement. One of them is in the 17th Senatorial District, The Birth Center at Bryn Mawr. Birth centers offer a unique birth setting and a variety of education and support programs. The licensed nurse midwives who practice in these centers have a strong record of providing safe care and support for mothers and their babies. For many of these centers, malpractice premiums represent a growing part of their budget, and they are incredibly grateful that we have included them in the abatement.

Thank you, Madam President. I urge a "yes" vote.

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

Senator D. WHITE. Madam President, I ask for a positive vote on this bill. What is not being discussed and I think is very important which was negotiated is that we are going from a biennial review to an annual review. We also knocked the increments down from \$250,000 to a minimum of \$50,000. I think, while I agree with a lot of what Senator Eichelberger had to say about the tort reform climate in the State, the idea is to wean our doctors off the coverage that is now provided by the State, which was something I did not necessarily agree with when it was officially implemented, so I think these two factors of this bill are very critical and important overall because the climate has improved. The venue change has had an impact, frivolous lawsuit elimination has also had its impact, and we are moving in the right direction for the first time in 4 years. I think this will help expedite it, and I ask for a positive vote on this bill.

Thank you.

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

Senator MELLOW. Madam President, I rise to support Senator White in his request for the bill to be considered in an affirmative way. Madam President, for those of us who have been here for more than just a year or two, it does not take much for us to reflect back as to where we were in January and February of 2002 and 2003 when we were having a mass exodus in Pennsylvania by the practicing physicians in the Commonwealth because of the tremendous costs of medical malpractice insurance and what was taking place with the Mcare fund. It was very, very expensive to the practicing physician, and because of that, we were compromising medical care.

Madam President, this entire proposal came through Governor Rendell with the bipartisan support of the General Assembly, where we affixed a charge to the cigarette tax in Pennsylvania. We increased the cigarette tax for the purpose of helping doctors in Pennsylvania so they would stay here, so they would practice here, and so they would maintain the proper type of healthcare delivery for the 12-plus million people who live in Pennsylvania, and therefore, we first passed the Mcare bill. I believe this is at least the fifth consecutive year that we are asking for an affirmative vote on the Mcare bill, and we do it on an annual basis so that we could review it.

A previous speaker stated that we should not pass it because there is no actuarial data. I would like to point out to the Members of the General Assembly, Madam President, that on page 14, section 745, it does call for actuarial data. It is part of the initial proposal, it is part of the study that must take place, so there is actuarial data. There is enough data that is needed to justify that we must continue this program on an annual basis.

Next year, once again Senator White will have the bill come through his committee, and if the bill is deemed necessary by the Members of the General Assembly based on actuarial studies to maintain the proper type of medical care in Pennsylvania, then, Madam President, we are going to have to do it, but it is the right thing to do at the right time. It is important and incumbent upon this General Assembly, this Senate, for what is taking place for the 12 million people in Pennsylvania to guarantee them quality access to the proper type of physicians in Pennsylvania to take care of their health needs. Without the enactment of this proposal, you are going to severely compromise the care that the people of Pennsylvania are going to receive, because if we do not address this issue appropriately, we, once again, are going to face an exodus of doctors leaving Pennsylvania because of some of the problems that we have had in the past that we have gone a long way to rectify.

This is a very important piece of legislation. I congratulate the chairman of the committee for bringing it out, for discussing it in an open fashion, and for considering the bill at the appropriate time. But for those of us to maybe believe that there is no actuarial data that can justify what is happening here or that there is no actuarial data that is needed to continue to support this legislation, they only have to refer to page 14 of the proposal and find out that it is actually not true.

I ask for an affirmative vote, Madam President, on this very, very important bill so we can maintain the proper type of health care for the people of Pennsylvania.

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

Senator RAFFERTY. Madam President, I rise in support of the legislation. Last year, I was the prime sponsor of the Mcare abatement, and I am happy that Senator Don White has agreed to do it this year. It is a very important and pivotal piece of legislation for the Commonwealth of Pennsylvania. I did not know we would be talking about actual actuarial figures, and I, too, am concerned about some new programs being added, but the bottom line is, we have areas in this Commonwealth where we are without neurosurgeons, or perhaps one to take care of a whole county or two counties. We have critical shortages of other specialty doctors, and this is a piece of legislation that will help us hold and attract the specialty doctors, from the orthopedic surgeons and neurosurgeons to the heart surgeons, the OB-GYNs, and the general surgeons, to help maintain those levels of professions here in the Commonwealth of Pennsylvania, and I urge an affirmative vote on this piece of legislation.

Thank you, Madam President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-44

Armstrong	Fumo	Musto	Stack
Baker	Gordner	O'Pake	Stout
Browne	Greenleaf	Orie	Tartaglione
Brubaker	Hughes	Piccola	Vance
Corman	Kasunic	Pileggi	Waugh
Costa	Kitchen	Pippy	White, Donald

Dinniman	LaValle	Punt	White, Mary Jo
Earll	Logan	Rafferty	Williams, Anthony H.
Erickson	Madigan	Regola	Williams, Constance
Ferlo	McIlhinney	Rhoades	Wonderling
Fontana	Mellow	Robbins	Wozniak

NAY-2

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

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

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 191 (Pr. No. 1007)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the donation of blood by certain persons 16 years of age or older; and making a related repeal.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

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

BILL OVER IN ORDER

**SB 777** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS RECOMMITTED

**SB 1002 (Pr. No. 1229)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was recommitted to the Committee on Local Government.

**SB 1003 (Pr. No. 1230)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was recommitted to the Committee on Local Government.

**SB 1004 (Pr. No. 1231)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for intergovernmental cooperation, joint ownership and maintenance.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was recommitted to the Committee on Local Government.

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1068 (Pr. No. 1372)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, further providing for the fund and for civil penalties.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEA-46**

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

**NAY-0**

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

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1069 (Pr. No. 1373)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act, further providing for annual reports; and making editorial changes.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEA-46**

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

**NAY-0**

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

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 1100 (Pr. No. 1483)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the Hazardous Sites Cleanup Fund, for its funding, for expenditures from the fund and for audits of the fund; making an appropriation; and making related repeals.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator M.J. WHITE. Madam President, I rise to ask for an affirmative vote and to thank my colleagues on both sides of the aisle for, once again, taking up this important issue. Last Session we unanimously passed Senate Bill No. 149, which would have funded the Hazardous Sites Cleanup Act out of the General

Fund. The House and Governor objected, so we took money out of Growing Greener for 2 years. In June, after being told by DEP that the fund would be out of money in a mere 10 days, the Senate again came forth and passed Senate Bill No. 913 to utilize excess realty transfer tax revenue. This time the Governor agreed with our plan, but the House objected, and they left this critical program without funding when the legislature recessed in July.

So here we are again, and I am hoping that the third time is the charm. It is time that the Governor and the House stop paying lip service to the importance of HSCA and stop saying "no" every time we come up with a new proposal to fund it. Frankly, I find it astounding that with a surplus of \$600 million in the last budget cycle, the Governor could not find one penny to fund what his DEP Secretary has said is the most critical environmental funding issue facing the Commonwealth, so once again, the Senate is stepping up. Senator Pileggi's bill allocates \$17 million out of legislative appropriations to get DEP through the remainder of this fiscal year to clean up hazardous sites. We are allocating \$40 million annually out of existing capital stock and franchise tax revenue--it is not a new tax--for the next 3 years until this tax is phased out. This is a commonsense plan. I am asking for a positive vote on Senate Bill No. 1100, and encourage the House to pass it and pass it on to the Governor as soon as possible.

Thank you, Madam President.

And the question recurring,  
Shall the bill pass finally?

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

YEA-46

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

SB 721 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1 (Pr. No. 1520) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for access to public information, for a designated open-records officer in each Commonwealth agency, local agency, judicial agency and legislative agency, for procedure, for appeal of agency determination, for judicial review and for an Open Records Clearinghouse; imposing penalties; providing for reporting by State-related institutions; requiring the posting of certain State contract information on the Internet; and making related repeals.

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

BILLS OVER IN ORDER

HB 43, SB 366, SB 390, HB 642, SB 920 and SB 1000 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 1013 (Pr. No. 1266) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1051 (Pr. No. 1472) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for governing board and for airport authorities.

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

BILL REREFERRED

SB 1136 (Pr. No. 1485) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in registration of sexual offenders, further providing for legislative findings and declaration of policy, for registration procedures and applicability, for sentencing court information, and for exemption from certain notifications; and providing for residency requirements and for district attorney notification.

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

## BILL ON SECOND CONSIDERATION

**HB 1152 (Pr. No. 1400)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, extensively revising preliminary provisions and provisions relating to warehouse receipts, bills of lading and documents of title; further providing, in secured transactions, for definitions, for perfection and priority in deposit accounts and for perfection upon attachment; and making editorial changes.

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

## BILL OVER IN ORDER

**HB 1420** -- 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 STATE BOARD  
OF BARBER EXAMINERS**

October 25, 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 B.J. Clark, (Public Member), 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gayle Mills-Russell, Camp Hill, whose term expired.

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

EDWARD G. RENDELL  
Governor

**STATE CHARTER SCHOOL APPEAL BOARD**

October 25, 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 14, 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 State Charter School Appeal Board, to

serve until June 14, 2011, and until her successor is appointed and qualified, vice William C. Hittinger, Bethlehem, deceased.

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

EDWARD G. RENDELL  
Governor

**COMMONWEALTH TRUSTEE OF TEMPLE  
UNIVERSITY OF THE COMMONWEALTH  
SYSTEM OF HIGHER EDUCATION**

October 26, 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 October 17, 2007, for the appointment of Michael P. Williams, Esquire, 927 Clinton Street, Apartment 1-F, Philadelphia 19107, Philadelphia County, First Senatorial District, as a Commonwealth Trustee of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2011, and until his successor is appointed and qualified. I respectfully request the return to me of the official message of nomination on the premises.

EDWARD G. RENDELL  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

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

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

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

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

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

**MEMBER OF THE ARCHITECTS  
LICENSURE BOARD**

October 1, 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, Harry Rutledge, FAIA, RIBA, 1633 Rainbow Circle, York 17408, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Architects Licensure Board, 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.

EDWARD G. RENDELL  
Governor



MEMBER OF THE BOARD OF TRUSTEES OF  
CLARK *[sic]* SUMMIT STATE HOSPITAL

October 1, 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, Jan F. Mroz, 588 Hilltop Road, Peckville 18452, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clark *[sic]* Summit State Hospital, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Tina Muncie, Clarks Summit, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

September 28, 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, Isaiah Dent, Jr., 5D Locust Street, McKees Rocks 15136, Allegheny County, Forty-second Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dianna Orndorff, Hanover, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD

July 10, 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, Colena Arlene Johnson-Kemp, DVM, MS, 382 Summerfield Court, Ambler 19002, Montgomery County, Twelfth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Mark Guise, Harrisburg, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD

July 10, 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, Tracy A. Steen, 3900 Chestnut Street, Philadelphia 19104, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Patricia Bricklin, Ph.D., Wayne, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF LINCOLN UNIVERSITY

September 18, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kevin E. Vaughan, 1621 Pine Street, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as a member of the Board of Trustees of Lincoln University, to serve until August 31, 2010, and until his successor is appointed and qualified, vice Christopher R. Booth, Jr., Wyncote, 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 Abbington 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

**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 ARCHITECTS  
LICENSURE BOARD**

October 1, 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, Harry Rutledge, FAIA, RIBA, 1633 Rainbow Circle, York 17408, York County, Twenty-eighth Senatorial District, for reappointment as a member of the Architects Licensure Board, 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.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
CLARK *[sic]* SUMMIT STATE HOSPITAL**

October 1, 2007

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EDWARD G. RENDELL  
Governor

**MEMBER OF THE STATE BOARD OF COSMETOLOGY**

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EDWARD G. RENDELL  
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD**

July 10, 2007

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EDWARD G. RENDELL  
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,  
DEVICE AND COSMETIC BOARD**

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EDWARD G. RENDELL  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF LINCOLN UNIVERSITY**

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EDWARD G. RENDELL  
Governor

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

October 9, 2007

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EDWARD G. RENDELL Governor

MEMBER OF THE STATE BOARD OF VETERINARY MEDICINE

October 9, 2007

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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

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-46

Table with 4 columns of names: Armstrong, Baker, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Ferlo, Folmer, Fontana, Fumo, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, LaValle, Logan, Madigan, McIlhinney, Mellow, Musto, O'Pake, Ori, Piccola, Pileggi, Pippy, Punt, Rafferty, Regola, Rhoades, Robbins, Stack, Stout, Tartaglione, Vance, Waugh, White, Donald, White, Mary Jo, Williams, Anthony H., Williams, Constance, Wonderling, 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 CORMAN, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 313 (Pr. No. 348)

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for definitions; and providing for registration, qualifications and supervision of pharmacy technicians and pharmacy technician trainees.

SB 1023 (Pr. No. 1350)

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, redesignating registration as licensure.

HB 489 (Pr. No. 1992)

An Act amending the act of December 4, 1996 (P.L.893, No.141), entitled "An act providing for volunteer health services; limiting liability of a volunteer license holder; and requiring reports," further providing for license renewal, continuing education requirements and disciplinary and corrective measures.

HB 500 (Pr. No. 2777) (Amended)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

HB 501 (Pr. No. 2778) (Amended)

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, providing for perfusionist licensing, qualifications, supervision and scope of practice, regulations and exemptions.

SENATE RESOLUTION ADOPTED

Senators COSTA, FERLO, STOUT, LOGAN, ORIE, WONDERLING, BAKER and PILEGGI, by unanimous consent, offered Senate Resolution No. 208, entitled:

A Resolution designating November 2007 as "Pennsylvania Epilepsy Awareness Month."

On the question, Will the Senate adopt the resolution?

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

Senator COSTA. Madam President, I rise today to offer a resolution which designates November 2007 as "Epilepsy Awareness Month" in Pennsylvania.

Madam President, it is estimated that epilepsy affects more than 1 out of every 100 people in America. Medical research has indicated that epilepsy is not a single entity, but a family of more than 40 different syndromes that affect nearly 2.7 million Americans and more than 120,000 Pennsylvanians. Nearly 70 percent of epilepsy cases have an unknown cause. More importantly, epilepsy can affect anyone at any age, and research indicates that the number of cases in the elderly is beginning to soar as the baby boomer generation begins to approach retirement age.

Because of this, Madam President, public education programs are vital and are needed to educate all of us about epilepsy so we may dismiss the misconceptions regarding this disorder. The Epilepsy Foundation of Western/Central Pennsylvania, and the Epilepsy Foundation of Eastern Pennsylvania as well, are conducting extensive outreach programs to educate the general public about epilepsy. Further, Madam President, the national Epilepsy Foundation, in conjunction with 57 affiliated organizations across this country, are recognizing November as "National Epilepsy Awareness Month." I ask my colleagues to join me in adopting this resolution to designate the same in Pennsylvania.

Madam President, if I could add, I ask my colleagues to join in cosponsoring this resolution, which will be held at the Secretary's desk.

The PRESIDENT. Those who wish to cosponsor the resolution, please sign at the Secretary's desk.

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 Edward Prinz Schreiner, Jeffrey W. Randell, Kevin Anderson, Joshua W. Sindorf, Andrew Ludwik Collier, Paul Retallack, Matthew J. Glick, Kiyana McGille-Jefferson and to Gregory R. Moyer by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Albert Dirlam, Mr. and Mrs. Peter Marcho, Mr. and Mrs. Donald Watchulonis, Mr. and Mrs. Wojciech Kalinowski, LeRoy Gibbons, Jack Firmstone, John Wenders, Ed Rose, Henry Rimlinger, Vincent Miszler, Harold Burdick, Leona Strutko, George J. Fluhr, Christopher Sean O'Day, Melody Brace, Norman Franks, Edgar B. Brannon, Jr., Rebecca Grey, Keith MacDermott and to Damascus Manor United Methodist Church by Senator Baker.

Congratulations of the Senate were extended to Anthony Saraceno, Joe Delfoe and to Thomas Keretz by Senator Boscola.

Congratulations of the Senate were extended to Frances Hughes, Pocono Raceway and to the Pocono Medical Center Auxiliary by Senators Boscola and Browne.

Congratulations of the Senate were extended to Stephen Gardner by Senators Boscola and Fumo.

Congratulations of the Senate were extended to Elsbeth G. Haymon, Gina Kormanik, Charles J. Versaggi, Jr., Alfred Hayward, Stephen Kauffman, Travis Shoemaker, Steven Nakhlah,

Matthew John O'Connell and to the Calvary Temple of Allentown by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Wood, Priscilla Payne Hurd, Frank Banko, Neville Gardner, John Simon, Brent Peters, Robert Friedman, Wildlands Conservancy, Rider-Pool Foundation, Society for the Arts, Keystone Nazareth Bank and Trust, Central Elementary School, C.F. Martin Guitar and Company, Inc., PenTeleData and to the Good Shepherd Rehabilitation Network by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Meck, Mr. and Mrs. Vernon Benner, Mr. and Mrs. Andrew Martin, Mr. and Mrs. Ray Sites, Reverend James Joseph O'Blaney, Lititz Springs Veterans of Foreign Wars Post 1463, Presbyterian Church of Columbia and to the Ephrata Cloister by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Robert E. Peachey and family, Mr. and Mrs. Sam Hostetler and family and to Mr. and Mrs. Douglas R. Wagner by Senator Corman.

Congratulations of the Senate were extended to Steven John Takach by Senator Costa.

Congratulations of the Senate were extended to Douglass D. Hanley, Dawn Sherry Mazzone, Edward Joseph Powers, Richard Graff, Daniel Miller, Sarah G. Howard, John S. Thompson, F. Ernest Coleman, Dr. David R. Noyes, Grace Maina, David R. Motsek, Craig E. Marleton, Studioeec, Inc., of Exton, Siemens Medical Solutions of Malvern and to the Gilbert and Sullivan Society of Chester County by Senator Dinniman.

Congratulations of the Senate were extended to Peter Ryan Williamson by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to the Center for Art and Technology Practical Nursing Program of Coatesville by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Daniel H. Polett by Senators Dinniman, Williams, and Rafferty.

Congratulations of the Senate were extended to Eric S. Davis by Senator Earll.

Congratulations of the Senate were extended to the Brady-Henderson Mill Creek Elementary School by Senator Eichelberger.

Congratulations of the Senate were extended to Michael Alexander and to Jessica R. Conley by Senator Erickson.

Congratulations of the Senate were extended to Benjamin Heath Shirk and to Max Smith by Senator Folmer.

Congratulations of the Senate were extended to Steven Mario Marshall and to Norman M. Simeone by Senator Fontana.

Congratulations of the Senate were extended to Peggy Hodges, Frank Mondrosch, Dana Roth, Tom Chin, Carmen DeClerico and to Charles Harron by Senator Fumo.

Congratulations of the Senate were extended to Mr. and Mrs. Bernard Leshinskie, Mr. and Mrs. Richard Kerschner, Mr. and Mrs. Carl Miller, Mr. and Mrs. Thomas Wills, Mr. and Mrs. Clinton J. Oxenrider, Dr. Joseph J. Mowad and to Justin Baker by Senator Gordner.

Congratulations of the Senate were extended to Frances Chantz, Kevin Austin Pfister, Charles M. Richards and to Foulkeways at Gwynedd by Senator Greenleaf.

Congratulations of the Senate were extended to Cheryl L.A. King and to Ernest G. Green by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Dunaway, John Thomas Meehan, Mount Oliver Baptist Church of Uniontown and to the New Salem Presbyterian Church by Senator Kasunic.

Congratulations of the Senate were extended to the Honorable Thomas R. Ketterer and to the Midland Elementary-Middle School by Senator LaValle.

Congratulations of the Senate were extended to Regis Holden and to Timothy Edwards by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. Grover A. Updegraff, Mr. and Mrs. Robert P. Crowley and to Mr. and Mrs. Andrew Mattie by Senator Madigan.

Congratulations of the Senate were extended to Patrick C. Farley by Senator McIlhinney.

Congratulations of the Senate were extended to Anastasiya Koziychuk, Samantha Gougher and to Carly Blair by Senators McIlhinney and Tomlinson.

Congratulations of the Senate were extended to Leo Yazensky, Gina Tomassoni, Lackawanna County Fire Police and to the Baptist Bible College and Seminary of Clarks Summit by Senator Mellow.

Congratulations of the Senate were extended to Justin M. Whitmore, members of the Reading Branch Number 2289, NAACP, Reading Buccaneers Drum and Bugle Corps of Wyomissing and to the members of the Berks County Chapter, Daughters of the American Revolution, by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Glassbrenner, Mr. and Mrs. William Ometz, Kevin J. McQuaide, Nathaniel S. Oesterling, Stephen Keefer and to the West View Veterans of Foreign Wars Post 2754 of Pittsburgh by Senator Orie.

Congratulations of the Senate were extended to the Honorable Vera Jean White by Senator Piccola.

Congratulations of the Senate were extended to the members of The Benjamin Olewine III 2007 Class of Eagles by Senator Piccola and others.

Congratulations of the Senate were extended to Matthew Pesce, Dallas McClain and to the Deacon's Association of Chester and Vicinity, Ladies' Auxiliary and Youth Department, by Senator Pileggi.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Rennie, William H. Logsdon, Nicholas C. Gelles, Nathan W. Meyers and to the Bethel Park Volunteer Fire Department by Senator Pippy.

Congratulations of the Senate were extended to Eric Roberts by Senator Rafferty.

Congratulations of the Senate were extended to the Honorable Charles Lobb by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to Mr. and Mrs. Don Turley, Mr. and Mrs. Ronald Herrod, Sr., Mr. and Mrs. Charles R. Stamford and to Gladys Robb by Senator Regola.

Congratulations of the Senate were extended to John P. Belsak by Senator Rhoades.

Congratulations of the Senate were extended to the Henninger family and to the City of Allentown Engineering Department and Construction Inspection Staff by Senator Rhoades and others.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Esmond, Charles Manes, Doneva Hyde, Susan Tau, John Fink, AW/ARE, Inc., and to the W.L. Dunn Construction Company of Cochranton by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Phillip Reiter, Mr. and Mrs. John J. Cherry, Sharon L. Kirk, David T. Jesberger and to Anthony J. Moore by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. John Schick by Senator Stack.

Congratulations of the Senate were extended to Mr. and Mrs. Lee A. Robinson and to the Elder Abuse Investigation Unit of Washington County by Senator Stout.

Congratulations of the Senate were extended to the Fairfield family, the Honorable James F. Cawley, Vincent J. Volpe and to the Matrix Development Group by Senator Tomlinson and others.

Congratulations of the Senate were extended to Lieutenant Colonel and Mrs. Ahcene Hamrouni, Colonel and Mrs. David Coghlan, Colonel and Mrs. Marcos Silva Alvim, Lieutenant Colonel and Mrs. Dimitar Iliev, Brigadier and Mrs. Rizwan Akhtar, Lieutenant Colonel and Mrs. Howard Duffy, Colonel and Mrs. Ahmad Al-Thagafi, Brigadier General and Mrs. Juan Tovia Mazon, Brigadier General and Mrs. Ottallah Butosh, Lieutenant Colonel and Mrs. Vasile Roman, Colonel and Mrs. Oleh Svystak, Lieutenant Colonel and Mrs. Andre Bou Maachar, Lieutenant Colonel and Mrs. Vladimer Chachibaia, Colonel and Mrs. Jesus Loza, Colonel and Mrs. Wai Kit Ng, Colonel and Mrs. Nicolaas Tak, Lieutenant Colonel and Mrs. Arsenio Diaz del Rio, Mr. and Mrs. Chia-Chih Yang, Brigadier General and Mrs. Mohamed El-Sangak, Colonel and Mrs. Ian Rigden, Colonel and Mrs. Franz Pfrengle, Brigadier and Mrs. Ashok Mehta, Lieutenant Colonel and Mrs. Roland Berzani, Colonel and Mrs. Abakar Abdallah, Lieutenant Colonel and Mrs. Ian Hope, Colonel and Mrs. Alberto Mejia, Lieutenant Colonel and Mrs. Esteban Guarda, Colonel and Mrs. Imam Mulyono, Colonel and Mrs. Ben Zion Mehr, Colonel and Mrs. Salvatore Cuoci, Colonel and Mrs. Slawomir Wojciechowski, Colonel and Mrs. Bienvenido Casis, Colonel and Mrs. Dashdavaa Dashtseren, Colonel and Mrs. Frankonero Nganga, Colonel and Mrs. Byung Hyuk Choi, Colonel Mohammed Al Muhairi, Lieutenant Colonel Faycal El Alami, Colonel Hiroaki Nakamura, Colonel Yngve Odlo, Colonel Haqi Al Mafrachi, Colonel Mohammad Faqirzada, Brigadier General Martin Kaiche, Colonel Hamad Al-Khulaifi, William Jared Orosz, Ester Hazzard, Northern High School Girls' Cross Country Team of Dillsburg and to the members and coaches of the Cumberland Valley High School Girls' Water Polo Team of Mechanicsburg by Senator Vance.

Congratulations of the Senate were extended to Tyler Michael Godfrey, Ian G. Morrow, Dorothy E. Taylor, Andrew James Foust and to St. John's United Church of Christ of Red Lion by Senator Waugh.

Congratulations of the Senate were extended to Alex Drescher, David S. Lobach, Zachary Grove, Ryan M. List, Christian Fetterman and to Thomas J. Lobach by Senators Waugh and Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Sausman by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Walter L. Goughler, Mr. and Mrs. Jeffrey Devey, Mr. and Mrs. John Cecil Miller, Mr. and Mrs. Norbert Ochs, Mr. and Mrs. Art Mattern, Mr. and Mrs. Shurl Perry and to Matthew Edward Brozenic by Senator M.J. White.

Congratulations of the Senate were extended to Reverend Jerry L. Sanders, Reverend Dr. Willie E. Robinson, Curtis Johnson, Michael J. Jacobs, Vincent Grant and to Josephine Blow by Senator A.H. Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas A. Timperio, Carolyn Wolfe and to Hildegard Weissenberg by Senator C. Williams.

Congratulations of the Senate were extended to Claire Elizabeth Smith, Dale Richard Wilson, Jr., Alfredean Jones, William D. Houston and to Zachary Eric Leuschner by Senator Wonderling.

Congratulations of the Senate were extended to Mr. and Mrs. Vincent Pelletier, Shelley Brown and to KidsPeace of Bethlehem by Senator Wonderling and others.

Congratulations of the Senate were extended to Mr. and Mrs. George Milkie, Sr., Mr. and Mrs. Matthew Kelly, Mr. and Mrs. Alonzo Johnson, Mr. and Mrs. Charles D. Heffner, Mr. and Mrs. Harvey Hahl, Mr. and Mrs. Francis Renzo, Mr. and Mrs. Charles Fairbank, Mr. and Mrs. Harry Birkhimer, Sr., Mr. and Mrs. Merle Wissinger, Michael Bodolosky, Kary Scott Roberts, Kurtis Scott Roberts and to Korey Scott Roberts by Senator Wozniak.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Irving Brown by Senator Baker.

Condolences of the Senate were extended to the family of the late Sherman L. Wellons, Sr., by Senator Fontana.

Condolences of the Senate were extended to the family of the late Honorable Toby Lynn Dickman by Senator Greenleaf and others.

Condolences of the Senate were extended to the family of the late Mary E. Watson by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Evelyn M. Wood by Senator Robbins.

### BILLS ON FIRST CONSIDERATION

Senator STACK. 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 313, SB 1023, HB 489, HB 500 and HB 501.**

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

### 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, November 13, 2007, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:06 p.m., Eastern Daylight Saving Time.