

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

WEDNESDAY, DECEMBER 12, 2007

SESSION OF 2007 191ST OF THE GENERAL ASSEMBLY

No. 95

## SENATE

WEDNESDAY, December 12, 2007

The Senate met at 11 a.m., Eastern Standard Time.

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

## PRAYER

The Chaplain, Reverend JERRY FORTUNATO, of Rhawnhurst Baptist Church, Philadelphia, offered the following prayer:

Shall we pray.

Almighty God, King of kings and Lord of lords, from whom proceedeth power and dominion in Heaven and Earth, most heartily we beseech You to look with favor upon each Member of this Senate, the Governor of this State, and all others in authority. Imbue them with a spirit of wisdom, goodness, and truth, and so rule their hearts and bless their endeavors that law and order, justice and peace, may prevail.

Preserve us from public calamities, war, conspiracy, and rebellion, but especially from national sins and corruption. Make each Member of the Senate strong and great in the fear of God and in the love of righteousness, so that being blessed of You, they may become a blessing to all whom they serve. Bring success to their work, and reward them for the good they do. Blessed are You, Lord our God, forever and ever. Amen.

The PRESIDENT. The Chair thanks Reverend Fortunato, who is the guest today of Senator Stack.

## PLEDGE OF ALLEGIANCE

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

## HOUSE MESSAGE

### HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION BY AMENDING SAID RESOLUTION

### SENATE CONCURS IN HOUSE AMENDMENTS

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

In the Senate, December 10, 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 Tuesday, January 1, 2008, 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 Senate recesses on January 1st, it reconvene on Monday, January 14, 2008, 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, December 17, 2007, unless sooner recalled by the Speaker of the House of Representatives; 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 the week of December 17th, it reconvene on Tuesday, January 1, 2008, unless sooner recalled by the Speaker of the House of Representatives; 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 on January 1st, it reconvene on Monday, January 14, 2008, unless sooner recalled by the Speaker of the House of Representatives.

### HOUSE AMENDS THE RESOLUTION BY STRIKING OUT THE FOLLOWING SECTION:

it reconvene on Monday, December 17, 2007, unless sooner recalled by the Speaker of the House of Representatives; 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 the week of December 17th,

On the question,

Will the Senate concur in the amendments made by the House to the Senate Concurrent Resolution?

Senator PILEGGI. Madam President, I move that the Senate do concur in the amendments made by the House to the Senate Concurrent Resolution.

On the question,

Will the Senate agree to the motion?

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

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

## BILL REPORTED FROM COMMITTEE

Senator McILHINNEY, from the Committee on Game and Fisheries, reported the following bill:

**HB 1116 (Pr. No. 1843)**

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for vouchers for licenses.

**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.

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

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

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

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

Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**SPECIAL ORDER OF BUSINESS  
JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of November 27, 2007, and November 28, 2007, are now in print.

The Clerk proceeded to read the Journals of the Sessions of November 27, 2007, and November 28, 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-49**

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

**NAY-0**

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATORS ROBERT M.  
TOMLINSON AND CHARLES T. McILHINNEY  
PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Madam President, today I have William and Jennifer Stewart here, who happen to live in New Hope and are constituents of Senator McIlhinney and Representative Petri. They are here with their two sons, William and Jack, both students at Princeton Academy. They are here with me, Senator McIlhinney, and Representative Petri to observe the goings-on and enjoy this beautiful Capitol, and they are fortunate enough to be here for the tree-lighting ceremony. I ask my colleagues to give them a warm welcome.

The PRESIDENT. Will William and Jennifer Stewart and their children, William and Jack, please stand so we can welcome you 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 Republican caucus to be held in the Majority Caucus Room beginning at 12:30. I would remind the Members of the tree-lighting ceremony to be held at noon in the Rotunda.

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

Senator O'PAKE. Would the Majority Leader consent to brief interrogation?

Senator PILEGGI. It would be my pleasure, Madam President.

The PRESIDENT. He indicates he will.

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

Senator O'PAKE. Madam President, can the gentleman advise us as to approximately what time he intends to come back to the floor?

Senator PILEGGI. Madam President, it is my expectation that our caucus, once begun, will last no more than 1 hour.

Senator O'PAKE. Thank you, Madam President.

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

**AFTER RECESS**

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

**CALENDAR****THIRD CONSIDERATION CALENDAR**

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

**HB 1109 (Pr. No. 2984)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing, in fishing licenses, for nonresident and tourist licenses, for one-day resident fishing licenses, for issuing agents and for license, permit and issuing agent fees.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

#### YEA-47

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

#### 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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

#### RECONSIDERATION OF HB 1109

**HB 1109 (Pr. No. 2984)** -- Senator PILEGGI. Madam President, I move to reconsider the vote by which the bill just passed finally.

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

And the question recurring,

Shall the bill pass finally?

#### LEGISLATIVE LEAVES

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

Senator PILEGGI. Madam President, I request temporary Capitol leaves for Senator Baker and Senator Wonderling, and a legislative leave for Senator Regola.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Baker and Senator Wonderling, and a legislative leave for Senator Regola.

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

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

The PRESIDENT. Senator Mellow requests a temporary Capitol leave for Senator Kitchen.

Without objection, the leaves will be granted.

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

#### NAY-3

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

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

**SB 1135 (Pr. No. 1647)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for tests of certain electronic devices.

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 Montgomery, Senator Rafferty.

Senator RAFFERTY. Madam President, I have remarks for Senate Bill No. 1135, which I will submit 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 Montgomery, Senator RAFFERTY:)*

As sponsor of SB 1135, I submit for the record my support of this legislation and the savings that will result. I believe that it is imperative that the savings to the Pennsylvania State Police budget from this legislation be used entirely to keep State Police barracks open 24 hours a day, 7 days a week.

I have deep concerns about the Rendell administration's decision to end a century-old policy of keeping our stations open to the public 24 hours a day, 7 days a week. At first glance, that may seem to be a prudent move that saves money, but in the end, I believe the savings associated with closing our stations is negligible, especially when you consider the decreased degree of public safety.

Public safety should be the number one priority of our state government, and I hope the savings from this legislation will assist in that responsibility.

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-49

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

#### NAY-0

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

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

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 317 (Pr. No. 1653)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for public buildings to be used where possible, for organization of State committee, for affidavit of circulator, for objections to nomination petitions and papers, for absentee elector files and lists, for filing fees and certificates of filing and for advertising.

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 Montgomery, Senator Rafferty.

Senator RAFFERTY. Madam President, we covered this fairly well in caucus. It is an election reform bill that tightens the penalties for not filing your financial reports on time and also tightens the penalties for not complying with Department of State regulations. There have been some amendments offered and added as well, which are very good amendments regarding absentee ballots for the military, regarding signatures, and who can carry petitions for State Senate and State House seats. It is a very good bill, and I ask for an affirmative vote.

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-49

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

#### NAY-0

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

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

#### BILL OVER IN ORDER

**SB 776** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1621 (Pr. No. 2980)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to

VTE Philadelphia, LP, or its nominee, land within the bed of the Delaware River in the City of Philadelphia; and affirming the authority of the General Assembly to enact certain conveyances.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

#### YEA-48

Armstrong	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	Punt	White, Donald
Dinniman	Kitchen	Rafferty	White, Mary Jo
Earll	LaValle	Rhoades	Williams, Anthony H.
Eichelberger	Logan	Robbins	Williams, Constance
Erickson	Madigan	Scarnati	Wonderling
Ferlo	McIlhinney	Stack	Wozniak

#### NAY-1

Regola

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1627 (Pr. No. 2981)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the concurrence of the Department of Environmental Protection, to lease to NCCB Associates, LP, or its nominee, land within the bed of the Delaware River in the City of Philadelphia; and affirming the authority of the General Assembly to enact certain conveyances.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

#### YEA-49

Armstrong	Fontana	O'Pake	Tomlinson
Baker	Fumo	Orie	Vance
Boscola	Gordner	Piccola	Washington

Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Punt	White, Donald
Corman	Kasunic	Rafferty	White, Mary Jo
Costa	Kitchen	Regola	Williams, Anthony H.
Dinniman	LaValle	Rhoades	Williams, Constance
Earll	Logan	Robbins	Wonderling
Eichelberger	Madigan	Scarnati	Wozniak
Erickson	McIlhinney	Stack	
Ferlo	Mellow	Stout	
Folmer	Musto	Tartaglione	

#### NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**HB 1877 (Pr. No. 2574)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for authorization of hotel tax.

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-45

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

#### NAY-4

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

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

**HB 1961 (Pr. No. 2832)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for information relating to prospective child-care personnel.

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-49

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

#### NAY-0

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

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

#### SENATE RESOLUTION ADOPTED

Senators PICCOLA and PILEGGI, by unanimous consent, offered **Senate Resolution No. 220**, entitled:

A resolution honoring Linda L. Sheaffer upon her retirement.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Madam President, this resolution is being offered to honor a long-serving and very, very distinguished employee of the Senate of Pennsylvania who will be retiring next week after over 34 years of service, Linda Sheaffer.

Madam President, Linda has served in both the House and the Senate, but more recently, of course, as an employee of the Senate Majority Leader's office, particularly on the majority legal staff of the Senate, and more particularly, Steve MacNett. I always wondered why Steve was so good. Now we know. Linda's demeanor and her pleasant personality are two fine examples of why it is such a privilege to work with her, and she will be sorely missed.

Linda also has a life outside the Senate. She is a giver. She gives back to the community. She is active in her church, Saint Andrews in the Valley Episcopal Church, and she is a very active member of the Order of Eastern Star. I also have a personal acquaintance with Linda. We were in high school together, so we will not even talk about when that was.

She and her husband are the proud parents of a daughter, Jennifer, and I would like to have the Senate adopt this resolution to extend hearty congratulations and sincere best wishes for a very prosperous and enjoyable retirement.

Thank you, Linda, for your public service. God bless you.  
(Applause.)

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

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

#### SECOND CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

**SB 232** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

##### BILLS REREFERRED

**SB 387 (Pr. No. 1619)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of stillbirth.

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

**SB 485 (Pr. No. 1651)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for real estate appraiser certification required, for State Board of Certified Real Estate Appraisers, for disciplinary and corrective measures and for penalties.

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 497, SB 584, HB 606 and SB 684** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

##### BILL REREFERRED

**SB 987 (Pr. No. 1620)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for emergency services.

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 1026, SB 1027, SB 1045, SB 1049, SB 1063, SB 1128, SB 1141, SB 1206, SB 1207, HB 1235 and HB 1662** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL ON SECOND CONSIDERATION

**HB 1795 (Pr. No. 2448)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Powell Avenue Bridge on State Route 299 in Millcreek Township, Erie County, Pennsylvania, as the Staff Sergeant Jeremy R. Horton Memorial Bridge.

Considered the second time and agreed to,

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

## BILL OVER IN ORDER

**HB 1830** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

HOUSE CONCURRENT RESOLUTION  
No. 410, ADOPTED

Senator PILEGGI, without objection, called up from page 6 of the Calendar, **House Concurrent Resolution No. 410**, entitled:

A Concurrent Resolution designating December 19, 2007, as "Coal Miner's Day" in Pennsylvania in appreciation, honor and remembrance of the accomplishments and sacrifices of coal miners in this Commonwealth.

On the question,

Will the Senate concur in the resolution?

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

Senator PILEGGI. Madam President, I move that the Senate do concur in House Concurrent Resolution No. 410.

On the question,

Will the Senate agree to the motion?

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

Senator M.J. WHITE. Madam President, I would like to speak very briefly on this resolution designating December 19 as Coal Miner's Day in Pennsylvania. I would like to inform this body that Senator Musto, Senator Kasunic, and I, and our staffs, have been working with the Pennsylvania coal operators and representatives of the United Mine Workers to complete a rewrite of Pennsylvania's mine safety regulation, a rewrite that has not been done in probably 50 years. It incorporates many of the recommendations and changes that came about in the wake of the Quecreek mining incident.

We had hoped to have that bill ready to vote on before we left for this vacation. However, it is over 300 pages in length, and our drafting department was on overload. I would like to advise the Senate that one of the first orders of business when we come back will hopefully be to have an agreed-upon new safety piece of legislation for Pennsylvania's miners that I hope will receive early consideration. I think the best way we can honor Pennsylvania's miners is to do everything we can to give them safe workplaces.

Thank you, Madam President.

And the question recurring,

Will the Senate agree to the motion?

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

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

## THIRD CONSIDERATION CALENDAR RESUMED

## RECONSIDERATION OF HB 1621

**HB 1621 (Pr. No. 2980)** -- Senator PILEGGI. Madam President, I move to reconsider the vote by which the bill passed finally.

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

And the question recurring,

Shall the bill pass finally?

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

## YEA-49

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

## NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

## 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 immediately.

The PRESIDENT. Without objection, the Senate now stands in recess for the purpose of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately.

### AFTER RECESS

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

### 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 FUNERAL DIRECTORS

October 22, 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 T. Burrell, 4203 Haverford Avenue, Philadelphia 19104, Philadelphia County, Seventh Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Morrison, Oil City, whose term expired.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

October 22, 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, James O. Pinkerton, 105 Pinkerton Trail, Prospect 16052, Butler County, Twenty-first Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and 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 FUNERAL DIRECTORS

October 30, 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, Anthony Scarantino, (Public Member), 1213 Zorba Drive, Apartment 6, White Hall 18052, Lehigh County, Eighteenth Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period.

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 FUNERAL DIRECTORS

October 22, 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 T. Burrell, 4203 Haverford Avenue, Philadelphia 19104, Philadelphia County, Seventh Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Morrison, Oil City, whose term expired.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

October 22, 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, James O. Pinkerton, 105 Pinkerton



Trail, Prospect 16052, Butler County, Twenty-first Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and 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 FUNERAL DIRECTORS

October 30, 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, Anthony Scarantino, (Public Member), 1213 Zorba Drive, Apartment 6, White Hall 18052, Lehigh County, Eighteenth Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period.

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-49

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

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.  
Ordered, That the 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  
BILL REPORTED FROM COMMITTEE**

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

**SB 648 (Pr. No. 1486) (Rereported) (Concurrence)**

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Ligonier, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, a third class city, Fayette County, to the City of Connellsville; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Allentown Commercial and Industrial Development Authority, or their assigns, certain lands situate in the City of Allentown, Lehigh County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Bensalem Township, certain lands situate in Bensalem Township, Bucks County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania State Employees Credit Union, certain lands situate in Susquehanna Township, Dauphin County.

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

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 648 (Pr. No. 1486) --** The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Ligonier, Westmoreland County; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey certain lands situate in the City of Connellsville, a third class city, Fayette County, to the City of Connellsville; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Allentown Commercial and Industrial Development Authority, or their assigns, certain lands situate in the City of Allentown, Lehigh County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Bensalem Township, certain lands situate in Bensalem Township, Bucks County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania State Employees Credit Union, certain lands situate in Susquehanna Township, Dauphin County.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 648?

Senator PILEGGI. Madam President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 648.

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

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

## YEA-49

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

## NAY-0

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

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

## SENATE RESOLUTION ADOPTED

Senator MELLOW, by unanimous consent, offered **Senate Resolution No. 218**, entitled:

A Resolution recognizing the life accomplishments and extraordinary contributions of David J. Williams to the vaccine industry in the United States.

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

## CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Austin Pike, Taylor Buerger, Gregory Eckman and to Rich Heslin by Senator Armstrong.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth C. Underwood, Mr. and Mrs. Roger Daneker, Mr. and Mrs. Rinaldo Olivier and to LeVenja Britt by Senator Baker.

Congratulations of the Senate were extended to Frank Victor Neher and to William Roger Grant Webb by Senator Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. Dale Enck, Mr. and Mrs. Jesse Erway, Mr. and Mrs. Frank Fry, Mr. and Mrs. LeRoy Heisey, Mr. and Mrs. Lewis Kahl, Mr. and Mrs. Ron Shade, Mr. and Mrs. Clair E. Sweigart, Mr. and Mrs. Russell R. Yost, Eva York, Chad M. Brooks, Daniel Bryan Lincoln and to Nicholas E. Raymond by Senator Brubaker.

Congratulations of the Senate were extended to Elizabethtown Grange No. 2076 by Senators Brubaker and Folmer.

Congratulations of the Senate were extended to Mr. and Mrs. Lawrence G. Fultz, Virginia Rudy and to Brandon Harrison by Senator Corman.

Congratulations of the Senate were extended to Terry L. Wagner by Senator Eichelberger.

Congratulations of the Senate were extended to Jeremy Michael Neese and to Doris M. Ulrich by Senator Folmer.

Congratulations of the Senate were extended to Gerald M. McShea and to Edwin Parker by Senator Fumo.

Congratulations of the Senate were extended to Courtney Joy Comstock, Harold H. Hurst and to Bernice M. Swank by Senator Gordner.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel Ceccola by Senator Greenleaf.

Congratulations of the Senate were extended to Bishop Maureen L. Davis, Jannie Deloatch, Dr. Richard Franklin Norris and to William George by Senator Kitchen.

Congratulations of the Senate were extended to Benjamin James Gray by Senator Logan.

Congratulations of the Senate were extended to Mr. and Mrs. Anthony DiSalvo, Mr. and Mrs. Stephen Ribovich, Tyler Russell Clemons and to Jack Fox by Senator Madigan.

Congratulations of the Senate were extended to Parker McWilliams Rushworth, Bryce Kruman, Arlene Scott and to Children's Village at Doylestown Hospital by Senator McIlhinney.

Congratulations of the Senate were extended to Joseph C. McCormick, David Allen Barr, Charles M. Gallagher and to Kevin M. Martin, Jr., by Senator O'Pake.

Congratulations of the Senate were extended to Leah Keiser and to Edward Alan Koller by Senator Orie.

Congratulations of the Senate were extended to Terry L. Davis by Senator Piccola.

Congratulations of the Senate were extended to the South Park Senior High School Girls' Soccer Team and to the Bethel Park Senior High School Boys' Soccer Team by Senator Pippy.

Congratulations of the Senate were extended to Mr. and Mrs. James Brier, Mr. and Mrs. Rudy Baccabella, Mr. and Mrs. Don Buffer, Mr. and Mrs. Glenn Long, Mr. and Mrs. Gary Mueller, Mr. and Mrs. Frank Paul Romagnoli and to Mr. and Mrs. Ray A. Young by Senator Regola.

Congratulations of the Senate were extended to the Honorable Edward L. Hart by Senator Rhoades.

Congratulations of the Senate were extended to Benjamin Wayne Morneweck, Sara L. Morneweck, Sarah Rose Davis and to Thomas Kenneth Vierra III by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Seigworth, John Patrick Baummer, Jr., Thomas E. Urban and to Ridgway Area High School by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. Vaughn Ritchey, Mr. and Mrs. G. Faubel Dague and to Mr. and Mrs. Larry Manning by Senator Stout.

Congratulations of the Senate were extended to Robin R. Kemmerer Bolf, Alfonso Durante and to Warwick Township by Senator Tomlinson.

Congratulations of the Senate were extended to Thomas E. Hershberger and to Bradley Charles Calaman by Senator Vance.

Congratulations of the Senate were extended to Catherine Rose Irvine by Senator Washington.

Congratulations of the Senate were extended to Robert Yanover by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Rich Davis, the Honorable Joseph A. Nickleach and to Mark F. Zanella, Jr., by Senator D. White.

Congratulations of the Senate were extended to the Honorable Robert P. McConnell, Nicholas D. Borger and to Tobias James Wolfe by Senator M.J. White.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Yost, Jeannette Docktor, Stephen Andrew Morris and to Tyler Randolph by Senator Wonderling.

Congratulations of the Senate were extended to Mr. and Mrs. Marlin H. Freeman, Mr. and Mrs. Edward Jordan, Robert O. Little and to James P. Webb, Jr., 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 Stephanie Gail Lavender Parke by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Willie Alma Williams by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Barney Jarin by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Alphonse Vincent Germano, Jr., by Senator Regola.

### POSTHUMOUS CITATIONS

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

Posthumous citations honoring the late Richard F. Jones and the late Mamie H. Lee were extended to the families by Senator Ferlo.

A posthumous citation honoring the late Elwood Bahn was extended to the family by Senator Waugh.

### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Regola has returned, and his legislative leave is cancelled.

### BILL ON FIRST CONSIDERATION

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

The motion was agreed to.

The bill was as follows:

#### HB 1116.

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

### PETITIONS AND REMONSTRANCES

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

Senator KASUNIC. Madam President, at a time of year when all of us celebrate this holiday season of hope, love, and faith in God, I am privileged to tell you about a special homecoming that took place at the Happy Valley Baptist Church in Somerset County a couple of nights ago. A young man named Jake Whipkey returned home from Iraq to his loved ones, to his friends, and to his adoring neighbors.

A squad leader of the 101st Airborne Division, Jake was shot

twice in his right arm and six times in his chest in Samarra, Iraq. Luckily, he was wearing a protective vest, which saved his life. I am happy to tell you that Jake will be all right. He will be fine. Is he glad to be home? Yes, he is thrilled to see his parents and his loved ones again. Many of you may wonder what his thoughts are. Well, I will tell you this, he thinks all the time of his buddies who are still in Iraq, and he looks forward to healing quickly so he can return to their side.

Madam President, thank God America has young people like Jake Whipkey, and let us all thank God that on this day, as this Senate prepares to break for the holiday, we celebrate his joyful homecoming rather than solemnly observe yet another heart-breaking loss of one of our fine soldiers in the Middle East.

Madam President, this holiday season, let us keep heroes like Jake and so many others, like our brave young soldiers who are serving our country's needs, in our thoughts and in our prayers. For many of them, the very best of the holiday will be a warm recollection of holidays past and the unwavering hope of spending next year's holidays with family and loved ones.

Thank you, Madam President.

The PRESIDENT. May all the Senate and staff welcome Jake Whipkey back from Iraq on his safe return home.

(Applause.)

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 17**, **HB 43** and **HB 131**.

#### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

#### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 1100** and **SB 1156**, with the information the House has passed the same without amendments.

### PETITIONS AND REMONSTRANCES (Continued)

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

Senator HUGHES. Madam President, yesterday in our legislative work and in the affairs of this body, we unfortunately let an opportunity slip through our grasp, an opportunity to deal with a very significant and very relevant issue of all of Pennsylvania's people. We let it slip through our grasp.

We let something slip through our grasp, Madam President, that other States have had the courage and the political will to address. Even the great State of California with its Governor, Governor Schwarzenegger, had the opportunity, seized the opportunity, and came up with a bold initiative to address a significant problem that exists there. There are 800,000 people in the Commonwealth of Pennsylvania who have no health insurance. As we break and leave this important legislative body, this place where we have the opportunity to make a dramatic and significant impact on the people of this State and set a tone for what can happen around the rest of the country, we are leaving, having failed to address that most significant issue, that most significant problem of 800,000 people who work and serve and address our lives on a daily basis, people with whom we will be interacting in a very significant way over the next several weeks over the holiday season. We will be out shopping, we will be out eating, and we will be out spending money in more environments, in more venues, than at any other time in the course of the year. That is what we do at this time. That is what we have been trained to do as American citizens in this period, to spend money, and spend money well.

We are fortunate enough to have money to spend, and we will be spending money and interacting with people in all kinds of environments. Far too many of them, Madam President, will be workers who have no health insurance, and they will be waiting and wondering when their opportunity to have a little place in the sun will come their way. They have no health insurance. They make dramatic decisions about whether to buy the medication, to seek the treatment, to get the assistance, and face that and relate that to their reality of the rest of the aspects of their life. Will they eat? Will they have a roof over their head? Will they be able to get to and from their jobs? Because, what I must add, Madam President, is that 70 percent of these 800,000 people are working individuals. They are trying to make ends meet. Many of them are working more than one job, are working two and three jobs. They come to their places of employment early in the morning, and they move, in many respects and many cases, to two and three different jobs during the course of the day. On a good day, maybe they get 6 hours of sleep, and they are back at work, some place of employment, early in the morning on the next day. They are doing what we have asked them to do in the context of the American dream and American values. They are picking it up and putting it down. They are putting in their hours. They are playing, quote, unquote, "by the rules." But we do not seem to want to respond to their needs. More than 70 percent of these 800,000 people are working. They are making a contribution.

Almost 30 percent of those individuals have been without health insurance for at least 5 years. That is a new statistic that just came my way in the last 24 hours, but I would like folks to think about that, to be in an environment where you have no health insurance for a 5-year period. Five years, Madam President. Five years and no health insurance. And what is the impact on the rest of us? Every year, Pennsylvania businesses, consumers, and taxpayers pay well over \$7 billion for unnecessary and avoidable healthcare costs because we choose not to be proactive and progressive and aggressive on this issue. We choose not to be responsive to the needs of these 800,000 individuals. We choose to look the other way and, especially at this time when we

walk away from this body, we walk away from this Chamber and we are going to walk back to our homes, drive back to our homes, or wherever we are going to go for the holidays and enjoy ourselves, while we are confronted with the reality of 800,000 people who have no health insurance. We missed an opportunity.

For those of us who do have health insurance, Madam President, we need to be mindful. Premium prices have gone up dramatically, largely as a result of this unaddressed issue. Premium prices over a 5- or 6-year period have gone up 75 percent. Seventy-five percent. Regular inflation has only gone up 17 percent in the same period, and wages have gone up only 13 percent, Madam President. How do we expect people to keep up? How do we expect people to compete? How do we expect people to stay in the game and continue to play by the rules when they are at a competitive disadvantage?

And we choose to go home. Well, Madam President, in the course of the conversation yesterday on the floor, we were talking about trying to utilize a significant option that was available to us, which is a huge surplus in the Mcare fund, a half-billion dollar surplus in the Mcare fund. A significant opportunity walked away from us. We allowed it to walk away from us yesterday, Madam President. In the course of that deliberation, my good friend and colleague, Senator Fumo, in the course of his speech on the floor of this Senate, came up with something very significant, which I think we need to take a lot more seriously. In his comments, he talked about trying to find a little love for the people in Pennsylvania, and he came up with the day of Valentine's Day, February 14.

Well, maybe that is the challenge that we need to place on ourselves, on this body, at this time. Let us have the will and the integrity and the capacity to move an initiative forward that will move the process further down the road in a dramatic way, so that we can provide healthcare coverage for these 800,000 people by February 14, so that we can put a plan in place on February 14, on Valentine's Day. That would be a great thing.

Let us show a little love for the people of this Commonwealth, for those who are missing out. Let us show a little compassion for these 800,000 people. Let us figure out a way, Madam President, that we can do something dramatic and impactful for these 800,000 people, and let us put a timeline to it. Valentine's Day is a great day. It is a wonderful day, and it is an even better day to find a resolve for these individuals, our Pennsylvanians, our brothers and sisters in this Commonwealth, the people with whom we live and work and struggle and try to enjoy life, except for the fact that those individuals have no healthcare coverage, and they make some very difficult decisions.

So let us try it, Madam President, let us try Valentine's Day. Let us see by February 14. I like that day, and I am not sure how many days we are scheduled to be in Session between now and then, probably only 6, 7, 8, or 9 days, or something like that. But maybe we should add some more days to the Calendar. Maybe we should make a commitment, you know, let us come back a few more days. Let us utilize our capacity. We have all the information. We have all the research. We have everything laid down in front of us. What we do not have, apparently, Madam President, is the will to act.

Maybe it is time now. Valentine's Day, Madam President. Let us show some love for the people of this Commonwealth. Let us

show how compassionate we are. Let us show that we can move beyond all circumstances and do something progressive, aggressive, and impactful in this State. How can we let Arnold Schwarzenegger, the Governor, lead us and beat us to the punch? Let us do better, Madam President. Valentine's Day. Let us show some love for those who need it the most. Valentine's Day, Madam President, February 14. Let us provide healthcare coverage. Let us make a commitment to come back here and do the work that has to be done, add some more days to the Calendar so we can get this mission accomplished, to take care of those who need us the most. Valentine's Day.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator Hughes, for that excellent petition.

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

Senator M.J. WHITE. Madam President, I would like to correct the record on a couple of respects. First of all, we are not refusing to act on this healthcare coverage because we simply do not want to take the time. There are many people in this body who totally disagree with the approach that is being recommended under this proposal to fund universal healthcare.

Secondly, the Mcare abatement money that the gentleman keeps referring to that is so flush with all this cash, the Mcare abatement is a 1-year program. We are extending it for 1 year. How do we fund these wonderful healthcare proposals when the Mcare abatement fund is not there anymore? These are the kinds of things we need to think about.

It is important that we do this. No one in this body is proposing that we neglect the people who do not have healthcare. All of us are concerned with that challenge. But, certainly, to tack it on as an amendment to an Mcare abatement fund with no debate and no discussion in this body is the wrong procedural way to do it, as well as the wrong content.

Everyone here cares about the issue. We will certainly be tackling it, possibly and hopefully before Valentine's Day, but not today.

Thank you, Madam President.

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

Senator HUGHES. Madam President, I really appreciate the fact that everybody has love and compassion. What I also know is that there are 800,000 people who have no health insurance. We had a point of leverage yesterday to get something significantly done in the context of keeping the fund solvent, keeping the fund moving forward as the Governor has indicated to us, and allowing us to creatively finance the situation so that we could address the issue and come up with a resolution by the end of June. But we did not.

What we do know is the facts are the facts. There are 800,000 people who will go without health insurance until who knows when. They have gone without it to this point. It will continue on, and, quite frankly, they cannot get a resolve. They cannot see a resolve coming from this body. There is no hope right now coming from this body. There is no movement forward coming from this body. There is no action coming from this body. There are recommendations coming from everywhere else, but nothing is happening in this body.

We need to act. We need to take care of these people. We cannot leave them hanging out there. It is not right for them. It is not fair to them. We have been talking about this for years, but there has been no action. We have the capacity to do it.

It is great that there remains one-half billion dollars sitting in a fund for physicians, whom we have taken care of. No one said that we would put a proposal in place that denies them long-term care for the problems and the issues that they are confronted with, long-term coverage securing their financial situation. Remember, we are not securing the financial situation for minimum wage workers. We are securing the financial situation for doctors and physicians, who are some of the highest paid individuals in this State, in this country, in the world. They are the folks we took care of.

But what about the least of these? What about the least of these? What are we doing for them? And there is the silence. Nothing.

### BILLS SIGNED

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

**SB 648, SB 1100, SB 1156, HB 17, HB 43, HB 131, HB 1877 and HB 1961.**

### 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, January 1, 2008, at 11:50 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 2:21 p.m., Eastern Standard Time.