

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, JANUARY 14, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 2

**SENATE**

MONDAY, January 14, 2008

The Senate met at 1 p.m., Eastern Standard Time.

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

**PRAYER**

The Chaplain, Pastor CRAIG L. GRIFFITH, of Open Door Baptist Church, Lebanon, offered the following prayer:

Let us bow together.

Our Father, we give You thanks for this day. It is a privilege to be in this place to meet with these people. We thank You for their service to this Commonwealth. We understand from the Scriptures that their authority is from You, and so we honor them with the place and the position, the authority that they have. We ask that You might give them wisdom this day in the matters that are before them, that they might act in a way that would bring honor to You and be for the good of the Commonwealth for every Pennsylvanian.

We seek You in this prayer because we know that we need You, and we trust that this day You will do great things and that You would continue to have Your blessing on this Commonwealth and on our country.

In Jesus' name we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Griffith, who is the guest today of Senator Folmer.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD OF NURSING**

January 3, 2008

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, Christopher D. Bartlett (Public Member), 730 East 20th Street, Apartment 3 W, Chester 19013, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Nathan Hershey, Pittsburgh, resigned.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION**

January 3, 2008

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Linda K.M. Ludgate, PO Box 15107, Reading 19612, Berks County, Eleventh Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice William R. Carpenter, Norristown, whose term expired.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION**

January 3, 2008

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, Larry Maggi, 269 East Buffalo Church Road, Washington 15301, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Donna Gority, Altoona, whose term expired.

EDWARD G. RENDELL  
Governor

## MEMBER OF THE STATE BOARD OF PSYCHOLOGY

January 3, 2008

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, Ennes Littrell (Public Member), 2217 Bainbridge Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kendra A. Pfautz, Mechanicsburg, declined appointment.

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

January 10, 2008

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, Beth Ann A. Griggs, 4790 Au Sable Drive, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2008, and until her successor is appointed and qualified, vice Mary Lawton, Elkins Park, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

January 10, 2008

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, Daniel Rodriguez, 505 W. Thompson Street, Philadelphia 19122, Philadelphia County, Third Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2012, and until his successor is appointed and qualified, vice Luis A. Cortes, Philadelphia, resigned.

EDWARD G. RENDELL  
Governor

## MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 11, 2008

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 Mengle (Public Member), 711 General Scott Road, King of Prussia 19406, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the State

Board of Accountancy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ronald Duska, Villanova, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE ENVIRONMENTAL  
HEARING BOARD

January 11, 2008

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

EDWARD G. RENDELL  
Governor

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

January 11, 2008

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Robert O. Toombs, New Bern, North Carolina, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE  
WESTERN YOUTH DEVELOPMENT CENTERS

January 11, 2008

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Gerald J. LaValle, Rochester, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE FRANKLIN COUNTY  
BOARD OF ASSISTANCE

January 11, 2008

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

EDWARD G. RENDELL  
Governor

**RECALL COMMUNICATIONS  
REFERRED TO COMMITTEE**

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

MEMBER OF THE STATE  
CONSERVATION COMMISSION

January 3, 2008

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 November 30, 2007, for the appointment of R. John Dawes, R.D. 1, Box 152, Alexandria 16611, Huntingdon County, Thirtieth Senatorial District, as a member of the State Conservation Commission, to serve until May 30, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Loren Lustig, Biglerville, whose term expired.

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

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BUCKS COUNTY

January 10, 2008

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 3, 2007, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Court of Common Pleas of Bucks County, to serve until the first Monday of January 2010, vice The Honorable Kenneth G. Biehn, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN STATE HOSPITAL

January 10, 2008

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 9, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of White Haven Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Edward Matisak, Sugarloaf, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 16, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-40, to serve until the first Monday of January 2010, vice Cathleen Cawood Bubash, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-16, to serve until the first Monday of January 2008, vice Sally A. Edkins, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 November 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Huntingdon, Magisterial District 20-3-01, to serve until the first Monday of January 2008, vice Daniel S. Davis, resigned.

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

EDWARD G. RENDELL  
Governor

**MAGISTERIAL DISTRICT JUDGE**

January 10, 2008

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 28, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-3-05, to serve until the first Monday of January 2010, vice William A. Slezosky, resigned.

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

EDWARD G. RENDELL  
Governor

**CORRECTIONS TO NOMINATIONS  
REFERRED TO COMMITTEE**

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

**MEMBER OF THE BLAIR COUNTY  
BOARD OF ASSISTANCE**

January 3, 2008

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

Please note the nomination dated December 14, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Thomas Healy, Altoona, resigned, should be corrected to read:

Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Blair County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Thomas Healy, Altoona, resigned.

**MEMBER OF THE NORTHAMPTON  
COUNTY BOARD OF ASSISTANCE**

January 3, 2008

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

Please note the nomination dated December 14, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 2007, and until her successor is appointed and qualified, vice Doris Lifland, Easton, resigned, should be corrected to read:

Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Northampton County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Doris Lifland, Easton, resigned.

**INSURANCE COMMISSIONER OF PENNSYLVANIA**

January 10, 2008

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

Please note the nomination dated December 4, 2007, for the appointment of Joel S. Ario, 6867 Quarry Road, NE, Silverton, Oregon 97381, for appointment as Insurance Commissioner of Pennsylvania, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable M. Diane Koken, Lancaster, resigned, should be corrected to read:

Joel S. Ario, 720 Cocoa Avenue, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as Insurance Commissioner of Pennsylvania, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable M. Diane Koken, Lancaster, resigned.

**MEMBER OF THE STATE BOARD OF PSYCHOLOGY**

January 10, 2008

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

Please note the nomination dated January 3, 2008, for the appointment of Ennes Littrell (Public Member), 2217 Bainbridge Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Kendra A. Pfautz, Mechanicsburg, declined appointment, should be corrected to read:

Ennes Littrell (Public Member), 2217 Bainbridge Street, Philadelphia 19146, Philadelphia County, First Senatorial District, for appointment as a member of the State Board of Psychology, 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 Kendra A. Pfautz, Mechanicsburg, declined appointment.

**MEMBER OF THE FAYETTE COUNTY  
BOARD OF ASSISTANCE**

January 10, 2008

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

Please note the nomination dated December 12, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a mem-

ber of the Snyder County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Jackson B. Thomas, Uniontown, deceased, should be corrected to read:

Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Fayette County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Jackson B. Thomas, Uniontown, deceased.

### BILLS INTRODUCED AND REFERRED

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

January 11, 2008

Senators KASUNIC, MUSTO, M. WHITE, STOUT, A. WILLIAMS, MELLOW, LAVALLE, COSTA, D. WHITE, BOSCOLA, BAKER, BROWNE, FOLMER, FONTANA, GORDNER, KITCHEN, LOGAN, MADIGAN, ORIE, RAFFERTY, STACK, TARTAGLIONE, WASHINGTON, WAUGH, WONDERLING, WOZNIAK and REGOLA presented to the Chair **SB 949**, entitled:

An Act providing for bituminous coal mines; and making a repeal.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 11, 2008.

Senators PIPPY, D. WHITE, KITCHEN, WOZNIAK, WASHINGTON and PUNT presented to the Chair **SB 1232**, entitled:

An Act amending the act of July 22, 1974 (P.L.589, No.205), known as the Unfair Insurance Practices Act, further providing for unfair acts.

Which was committed to the Committee on BANKING AND INSURANCE, January 11, 2008.

Senators PICCOLA, CORMAN, M. WHITE, ERICKSON, ROBBINS, FOLMER, RAFFERTY, BOSCOLA, WONDERLING, WAUGH, D. WHITE, ARMSTRONG and REGOLA presented to the Chair **SB 1233**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for imposition in personal income tax.

Which was committed to the Committee on FINANCE, January 11, 2008.

Senator ORIE presented to the Chair **SB 1234**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for allowable assessments of real property for taxation.

Which was committed to the Committee on FINANCE, January 11, 2008.

Senators PICCOLA, FOLMER, RAFFERTY, ORIE, WAUGH, PIPPY, ERICKSON, BOSCOLA and C. WILLIAMS presented to the Chair **SB 1236**, entitled:

An Act providing for a limited constitutional convention, for a referendum on the question, for the selection, nomination and election

of delegates; defining the powers and duties of the convention; providing for the convention's operation; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, January 11, 2008.

January 14, 2008

Senators REGOLA, WASHINGTON, SCARNATI, EARLL, PICCOLA, KITCHEN, D. WHITE, ROBBINS, EICHELBERGER, RHOADES and WOZNIAK presented to the Chair **SB 1235**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the chemical treatment of certain sex offenders.

Which was committed to the Committee on JUDICIARY, January 14, 2008.

Senators HUGHES, WASHINGTON, KITCHEN and FONTANA presented to the Chair **SB 1241**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Faculty and College Excellence; establishing the Higher Education Faculty Restoration and Equity Fund; and making an appropriation.

Which was committed to the Committee on EDUCATION, January 14, 2008.

Senators ERICKSON, RAFFERTY, FERLO, WASHINGTON, WONDERLING, EARLL, BOSCOLA, O'PAKE and KITCHEN presented to the Chair **SB 1243**, 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 vehicle rental tax by counties of the first class.

Which was committed to the Committee on FINANCE, January 14, 2008.

Senators ERICKSON, RAFFERTY, FERLO, WASHINGTON, WONDERLING, EARLL, BOSCOLA, O'PAKE and KITCHEN presented to the Chair **SB 1244**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, defining nonprofit carsharing organization; providing an exclusion; and further providing for the Public Transportation Assistance Fund.

Which was committed to the Committee on FINANCE, January 14, 2008.

### GENERAL COMMUNICATION

#### ANNUAL REPORT ON THE STATE FOOD PURCHASE PROGRAM

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

COMMONWEALTH OF PENNSYLVANIA  
 Department of Agriculture  
 2301 North Cameron St.  
 Harrisburg, PA 17110

December 28, 2007

Mark R. Corrigan, Secretary  
 Senate of Pennsylvania  
 462 Main Capitol Building  
 Harrisburg, Pennsylvania 17120

Dear Mr. Corrigan:

On behalf of the Department of Agriculture, I am pleased to provide your office with a report summarizing the activity under the State Food Purchase Program for the year ended June 30, 2007. This report is in accordance with Section 7(b) of the State Food Purchase Program Act (62 P.S. Section 4047(b)), and its attendant regulations.

The program, which is administered by the Department's Bureau of Food Distribution, provides cash grants to each of the state's 67 counties for the purchase of food for distribution to needy individuals, based on the county's weighted percentage of the state's total employment, Medical Assistance Eligibles, and Non-Public Assistance Food Stamp Eligibles.

The report includes:

- Exhibit "A" - Allocation and Expenditure of Funds
- Exhibit "B" - Participation Report
- Exhibit "C" - Variety, Pounds and Cost of Food Purchased

Also provided are the minutes from the October 11, 2006 and March 15, 2006 meeting of the Emergency Food Assistance Advisory Committee.

If you have any questions or require additional information, please contact me.

Sincerely,

DENNIS C. WOLFF  
 Secretary

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

### 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 Don White, and legislative leaves for Senator Punt and Senator Tomlinson.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Don White, and legislative leaves for Senator Punt and Senator Tomlinson.

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.

### LEAVES OF ABSENCE

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

Senator O'PAKE asked and obtained a leave of absence for Senator COSTA, for today's Session, for personal reasons.

## SENATE CONCURRENT RESOLUTION

### WEEKLY RECESS

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

In the Senate, January 14, 2008

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, January 28, 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, January 28, 2008, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

YEA-47

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

NAY-1

Ferlo

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

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

### SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR MICHAEL J. FOLMER AND SENATOR MICHAEL L. WAUGH PRESENTED TO THE SENATE

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

Senator FOLMER. Madam President, I am pleased to welcome to the Senate a very special guest, Ms. Pennsylvania Senior America 2007, Doris Ulrich. The Ms. Senior America Pageant, in which Doris proudly represented Pennsylvania, is the world's first and foremost pageant to emphasize and give honor to women who have reached the age of elegance. It is a search for the gracious lady who best exemplifies the dignity, maturity, and

inner beauty of all senior Americans. Doris certainly embodies those qualities.

Doris is a native of Bethel in Lebanon County and a graduate of Millersville University with a bachelor's degree in education. She has five children and seven grandchildren. Doris began her professional career in 1958 as a high school librarian and an English teacher.

Doris had to forge a new life for herself and her family when her husband was stricken with polio. She had the responsibility of caring for her wheelchair-bound husband and her children. Her motto is "make the best of things," and she does.

In 1970, she bought an organ and began taking lessons. Doris later secured a real estate broker's license and opened her own office. Today, she has 14 agents working under her. Five years ago, she enrolled in music school and took voice lessons. She found a wonderful vocal coach and is now performing before local groups in nursing homes and senior organizations. She performs a one-act show and also sings with Lebanon seniors at community events. Doris plays the church organ every Sunday, volunteers, solos, and sings with a trio. Challenging herself further, she took flying lessons and golf lessons. Her advice is to always keep a song in your heart.

Accompanying Doris is another special lady who also hails from Lebanon County, Ms. Pennsylvania Senior America 2001, Shirley Karinch of Cornwall. Also with Doris is her granddaughter, Alyssa Geib, and her granddaughter's friend, Alyssa Patches. So please, Madam President, let us give them a warm welcome.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Madam President, tying in with Senator Folmer's presentation, you will notice there are two other very distinguished ladies with sashes who are in attendance in the gallery. They are also former Ms. Pennsylvania Senior America winners, and I am proud to say all three of them hail from my own home county of York. I would like to introduce these ladies, if I may.

First, Ms. Pennsylvania Senior America 2004, Sarah McHale of New Freedom, Pennsylvania, my hometown. Welcome. Secondly, Ms. Pennsylvania Senior America 2005, Barbara DeLeon of Loganville, Pennsylvania. And finally, Ms. Pennsylvania Senior America 2006, Patricia Kuhn of Jacobus, Pennsylvania. All three, again, are proudly from York. Welcome.

The PRESIDENT. Will all of the Ms. Pennsylvania Senior America winners, and Virginia Senior America State Director, Pinky O'Neil, please rise.

(Applause.)

The PRESIDENT. Thank you all for your good work.

**GUEST OF SENATOR EDWIN B. ERICKSON PRESENTED TO THE SENATE**

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

Senator ERICKSON. Madam President, it is a pleasure for me to introduce Denise Kopka, a constituent of mine from Woodlyn, Pennsylvania. Denise is in the Capitol today to participate in the Breathe Free Coalition rally. We here in the Senate have passed a bill to make Pennsylvania smoke-free in public places, and I

applaud Denise for her efforts in this regard. She has particular interest since her husband has lung cancer, and it is attributable by them to secondhand cigarette smoke. I would like to give a warm welcome to Denise Kopka, if I may.

The PRESIDENT. Will Denise Kopka and her guests please rise.

(Applause.)

**LEGISLATIVE LEAVE CANCELLED**

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

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL OVER IN ORDER**

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

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**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 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-48**

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

**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.

## SECOND CONSIDERATION CALENDAR

## BILLS OVER IN ORDER

**SB 232** and **SB 497** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL REREFERRED

**SB 584 (Pr. No. 1636)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, authorizing the establishment of problem-solving courts.

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

## BILL OVER IN ORDER

**HB 606** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## BILLS REREFERRED

**SB 684 (Pr. No. 1648)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for child death review.

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

**SB 1026 (Pr. No. 1649)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for the definition of "children's advocacy centers"; further providing for immunity from liability, for release of information in confidential reports, for studies of data in records, for investigating performance of county agency, for citizen review panels, for services for prevention, investigation and treatment of child abuse and for reports to department and coroner; and providing for release of reports.

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

## BILL OVER IN ORDER

**SB 1027** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## BILLS REREFERRED

**SB 1045 (Pr. No. 1344)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for definitions of "board" and "department"; further providing for composition of the Pennsylvania Commission on Sentencing and for powers and duties; providing for adoption of guidelines for resentencing, adoption of guidelines for parole and adoption of recommitment ranges following revocation of parole by the Pennsylvania Board of Probation and Parole; further providing for publication of guidelines, for sentencing generally, for sentence of total confinement, for sentencing proceeding and place of confinement, for information required upon commitment and subsequent disposition and for referral to State intermediate punishment program; and providing for recidivism risk reduction incentive.

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

**SB 1049 (Pr. No. 1650)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for protection of abused, neglected, exploited or abandoned adults; establishing a uniform Statewide reporting and investigative system for suspected abuse, neglect, exploitation or abandonment of adults; providing for protective services; and prescribing penalties.

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

**SB 1063 (Pr. No. 1618)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for recapture of tax, for register for earned income and occupational privilege taxes, for collection of taxes, for audits of earned income taxes and for earned income taxes; providing for the consolidated collection and uniform distribution of local income taxes; further providing for collection of delinquent taxes, for penalties and for costs of delinquent tax collection; making repeals; and making editorial changes.

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

**HB 1116 (Pr. No. 1843)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1128 (Pr. No. 1506)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Criminal Justice and Mental Health Reinvestment Program and providing for the powers and duties of the Pennsylvania Commission on Crime and Delinquency.

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

## BILL ON SECOND CONSIDERATION

**SB 1141 (Pr. No. 1523)** -- 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 real property, for personal property and for letting contracts.

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

## BILLS REREFERRED

**SB 1206 (Pr. No. 1630)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 11, 1923 (P.L.1044, No.425), referred to as the Prisoner Transfer Law, further providing for transfer of inmates.

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

**SB 1207 (Pr. No. 1631)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for intent, for business of the board, for powers and duties of the board, for duties of the chairman of the board, for supervision of parole and probation, for power to parole and for commission of crime during parole.

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

## BILL LAID ON THE TABLE

**HB 1235 (Pr. No. 2235)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading the offense of impersonating a public servant, for exceptions to the prohibition of interception and disclosure of certain communications, for challenge to criminal history records, for review of challenge and for appeals.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was laid on the table.

## BILLS REREFERRED

**HB 1662 (Pr. No. 2197)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**HB 1830 (Pr. No. 2997)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for intent, for definitions, for caregiver support program, for reimbursements and for entitlement.

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

## 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. For the purpose of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room, without objection, the Senate stands in recess.

## AFTER RECESS

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

**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  
CONSERVATION COMMISSION**

January 3, 2008

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 November 30, 2007, for the appointment of R. John Dawes, R.D. 1, Box 152, Alexandria 16611, Huntingdon County, Thirtieth Senatorial District, as a member of the State Conservation Commission, to serve until May 30, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Loren Lustig, Biglerville, whose term expired.

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

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BUCKS COUNTY

January 10, 2008

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 3, 2007, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge of the Court of Common Pleas of Bucks County, to serve until the first Monday of January 2010, vice The Honorable Kenneth G. Biehn, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WHITE HAVEN STATE HOSPITAL

January 10, 2008

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 9, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of White Haven Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Edward Matisak, Sugarloaf, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 16, 2007, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-40, to serve until the first Monday of January 2010, vice Cathleen Cawood Bubash, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-16, to serve until the first Monday of January 2008, vice Sally A. Edkins, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 November 29, 2007, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Huntingdon, Magisterial District 20-3-01, to serve until the first Monday of January 2008, vice, Daniel S. Davis, resigned.

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

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

January 10, 2008

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 28, 2007, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-3-05, to serve until the first Monday of January 2010, vice William A. Slezosky, resigned.

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

EDWARD G. RENDELL  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

Senator ROBBINS. Madam President, I request 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 PROFESSIONAL  
STANDARDS AND PRACTICES COMMISSION**

December 3, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elizabeth A. Brewer, Three Blue Hills Court, PO Box 249, Riverside 17868, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2010, and until her successor is appointed and qualified, vice George Dull, Ph.D., Pittsburgh, resigned.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE PROFESSIONAL  
STANDARDS AND PRACTICES COMMISSION**

December 3, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Patricia Garcia, 4533 Laurelwood Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2008, and until her successor is appointed and qualified, vice David A. Shipula, Hanover Township, whose term expired.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF SELINGROVE CENTER**

November 27, 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, Ann Shadel Sierer, 1200 Leese Hollow Road, Mt. Pleasant Mills 17853, Snyder County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selingsrove Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

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.

**UNFINISHED BUSINESS  
SENATE RESOLUTION ADOPTED**

Senator MELLOW, by unanimous consent, offered **Senate Resolution No. 221**, entitled:

A Resolution designating the week of January 13 through 19, 2008, as "Martin Luther King, Jr., Holiday Week."

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

**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, this week marks the 100th anniversary of a tragic fire in the Rhoads Opera House in Boyertown. About 170 people's lives were lost in that fire, and one of the reasons was, at that time, the escape doors opened to the inside rather than to the outside. Panic set in, and as I said, 170 innocent people lost their lives in that tragic fire. That fire resulted in this legislature taking the lead across the nation in all kinds of new regulations of public housing and public events involving fire doors and other things that were designed to protect the public at these public institutions.

We have here three members of the Boyertown Historical Society who yesterday led a commemoration service at St. John's Lutheran Church in Boyertown. I would like the Senate to extend its usual warm welcome to Mary Jane Schneider Lentz, who has written extensively about the fire and is considered the leading historian on this tragic event. She wrote a book and has written and spoken extensively on it.

Also with her from the Boyertown Historical Society are Lindsay Dierolf and Hank Bishe. I ask the Senate to pause in its deliberations and extend its congratulations and thanks to these people who are here commemorating what was a tragic event in the history of Berks County, in the history of Boyertown, and really, in the history of Pennsylvania.

The PRESIDENT. Will Mary Jane Schneider Lentz, Lindsay Dierolf, and Hank Bishe from the Boyertown Historical Society please rise so we can welcome you to the Pennsylvania Senate.  
(Applause.)

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Martin Moyer and to the Lower Macungie Fire Department of Wescosville by Senator Browne.

Congratulations of the Senate were extended to the Dunmore High School Football Team by Senator Mellow.

Congratulations of the Senate were extended to Brian E. O'Donnell by Senator O'Pake.

Congratulations of the Senate were extended to Mr. and Mrs. John Stephen Hudock, Mr. and Mrs. Charles Miller, Jr., Mr. and Mrs. Guy E. Thomas, Mark Ferren, Andrew Katz and to Nicholas Loughner by Senator Regola.

Congratulations of the Senate were extended to Adam Greenfield, Richard Liuzzi, Lisa Milburn, Catherine Scherch, Michael Schmidt and to Thomas Stanton by Senator Tomlinson.

Congratulations of the Senate were extended to Phillip J. Treffinger and to Melvin P. Dankelman by Senator Waugh.

### CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Luis A. Ramos by Senator Baker.

### 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 Dr. Martin Luther King, Jr., were extended to Bethel Baptist Church of Phoenixville and to West Chester University by Senator Dinniman.

A posthumous citation honoring the late Dr. Martin Luther King, Jr., was extended to Historic Kennett Square by Senator Dinniman and Senator Pileggi.

A posthumous citation honoring the late Dr. Martin Luther King, Jr., was extended to the Coatesville VA Medical Center by Senator Dinniman and Senator Rafferty.

### PETITIONS AND REMONSTRANCES

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

Senator ORIE. Madam President, today on behalf of the Allegheny County delegation, I would like to take a few moments to congratulate a constituent of mine, Mr. Bob Kopler, upon his retirement from KDKA News Radio 1020. Bob spent nearly 50 years providing distinguished service in the field of broadcasting and has earned a reputation as a true and fair professional. Before beginning his career with KDKA, Bob served his country in the United States Marines. He then embarked on a long career in his chosen profession, working for numerous radio stations.

Bob joined KDKA in 1988, where he was the popular morning anchor for many years. As a testament to his skills and popularity, he has earned six Achievement in Radio Awards for newscaster of the year, as well as the ultimate achievement, the Lifetime Achievement Award, in 2005. He has long been known by those who work with him for his exceptional talent, commitment to his craft, and integrity, and for that, he has earned the respect and admiration of his friends and colleagues.

Madam President, on behalf of my Allegheny County colleagues, I ask my colleagues to join me today in acknowledging and congratulating Bob Kopler on his retirement from 50 years of tremendous broadcasting service.

The PRESIDENT. Will the Senators all please stand in recognition of Bob Kopler for 50 years on radio news at KDKA Pittsburgh.

(Applause.)

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

Senator RHOADES. Madam President, if we in this Senate are looking for a problem to solve, we do not need to look any further than the gas pumps at the corner convenience stores. We do not need to search beyond the oil and gas prices that are waiting in our mailboxes. For thousands of Pennsylvanians, the price of gas and home heating fuel is a crisis. These costs are stretching family finances to the limit, and this winter, thousands of people we represent could be left out in the cold unless we do something about it. And we can do something about it today.

I have introduced two bills to help solve the problem. The first would freeze the price of gas and home heating fuels. The second would offer \$80 million in rebates to Pennsylvanians who are eligible for the Property Tax and Rent Rebate Program. Now, I know that with some people, this may be a very unpopular action. I also realize that this could impact some local distributors in the short term. But the Federal government, and I bring it out, and I will point to it, both the President and the U.S. Congress, the U.S. Senators and the U.S. Representatives, are the ones who should be acting to freeze prices for fuel producers this year, as far as any State law will allow us to go.

And the only reason I have to do this is I have not heard anything from them. When we go to the pump and are paying \$3.25 or more for a gallon of gas while people are paying \$3.25 a gallon for home heating fuel and stretching it, they are not filling up their tanks now. They cannot. They are ordering it by \$100 or whatever it takes. If you are in the LIHEAP program and you get \$300, that goes in a month's time, if not more, depending upon what the weather is like. That is gone.

What do these people do? Where do they turn? You know, one of the things to think about is that is where fires start because people try to find ways in which to heat their homes outside of the normal or usual or safe way. So I took this action, and this is the action I had to take because of the Interstate Commerce Act. A lot of the bases or the offices for these big oil companies are outside of Pennsylvania, and we cannot interfere with interstate commerce. The Federal government can, the President can, and the U.S. Congress can, and they should.

The other thing, too, is that the oil and gas companies are making more money than they can spend. Just get on the Internet and look at their percentage of profits. Right now there is also approximately \$80 million in unspent State funds in our Pennsylvania Property Tax and Rent Rebate Program.

And let me add this, because this comes to it, too. We are finally getting, I hope, to the verge of giving a property tax break to the citizens of the Commonwealth. When we do that, even those people who participate in the Property Tax and Rent Rebate Program will get money. That should help reduce demand on the property tax and rent rebate money so that they may not need as much. In other words, if they do not need the \$650 because we are giving them \$200 or \$300, that is \$200 or \$300 that is still left in the Property Tax and Rent Rebate Program.

Right now, there was an article in this morning's paper, four of the five highest-ranking, shall we say, casinos bringing money in are located in the Commonwealth of Pennsylvania. In other words, our casinos are doing better, even though they are all not up and running, are doing better now than all the other casinos in the Northeast. Four of the five are right in Pennsylvania.

For me, the question is not why we should do this. It is not why we should enact these bills. It is not why we should solve the problem. The question is why we should not. If we do not, what are we doing here? If we do not, how do we go home and look our constituents in the eye?

Part of my thing, and I think you heard me when we had reorganization on New Year's Day, and I think we have to begin to focus on that point, one of the things we have to do is insure, I think, an entitlement of opportunity. Not welfare, but everyone has food on the table, clothes on their back, a roof over their head, affordable healthcare, and a couple of bucks to enjoy life with.

With the crisis we have in fuel oil and gas, that is being taken away from us. And I will give you some more information on that later as to where this wealth is going. We are elected to solve problems, and so often we spend time listening to the reasons why we cannot, why the problems are too hard to solve, and why the interest groups will oppose them.

Can we freeze fuel prices? Yes, we can, so let us do it. Can we give needy Pennsylvanians, can we give our senior citizens living on limited Social Security, home heating fuel rebates? Yes, we can. The money is there, so let us do it. We can do this if we have the will, if we have the courage, and if we have the strength to say, yes, we can.

I am going to continue to fight for this and for similar measures, because the people who elected me elected me to fight for them. It is awfully difficult to face them and throw your hands up and say, I cannot do anything because that is the big oil companies. Well, somebody has to stand up. And although I am big, I will probably be a David in terms of the Goliaths of the oil companies. But they have to have a responsibility as much as anyone else.

Have you also noticed, if some of you remember, the last time that we had a shortage, the price went up. But as long as you are willing to put the \$3.25 out, the only place I have seen it at \$3.05 was Love's on Routes 72 on 81 on the way down today. The rest are \$3.19 and \$3.25 at the gas pump. As long as you are willing to pay it, there is plenty of gas around. Somebody has to stand up and be counted. And if we cannot move this measure, then I want to say this to those local distributors complaining: Write to the President, write to your Congressman or Congresswoman, whoever it is, and let them know how dissatisfied you are.

I think we should say the same thing loud and clear, and maybe it should be in this Chamber. People should not have to live in the cold. People should not have to suffer and worry whether they are going to make it from one day to the next. Madam President, let us stand up for the people today. Let us help to solve this problem. Let us not allow a single one of our citizens to be out in the cold.

Thank you, Madam President.

## ANNOUNCEMENTS BY THE SECRETARY

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

### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### TUESDAY, JANUARY 15, 2008

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 949)	Room 8E-B East Wing
-----------	--	------------------------

#### WEDNESDAY, JANUARY 16, 2008

9:30 A.M.	FINANCE (to consider Senate Bill No. 1229)	Room 461 Main Capitol
-----------	--	--------------------------

#### MONDAY, FEBRUARY 25, 2008

9:30 A.M.	APPROPRIATIONS (Auditor General Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (Historical and Museum Commission Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of State Budget Hearing)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Secretary Budget Hearing)	Hrg. Rm. 1 North Off.

#### TUESDAY, FEBRUARY 26, 2008

9:00 A.M.	APPROPRIATIONS (Department of Labor and Industry Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (Department of Insurance Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of Revenue Budget Hearing)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (State Related Universities Budget Hearing)	Hrg. Rm. 1 North Off.

#### WEDNESDAY, FEBRUARY 27, 2008

9:00 A.M.	APPROPRIATIONS (Attorney General Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (PSERS/SERS Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Gaming Control Board Budget Hearing)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (State System of Higher Education Budget Hearing)	Hrg. Rm. 1 North Off.

#### THURSDAY, FEBRUARY 28, 2008

9:00 A.M.	APPROPRIATIONS (Department of Agriculture Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (Department of Health Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of Corrections Budget Hearing)	Hrg. Rm. 1 North Off.

MONDAY, MARCH 3, 2008

9:30 A.M.	APPROPRIATIONS (Treasury Department Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (Department of Military and Veterans Affairs Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of Aging Budget Hearing)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Liquor Control Board Budget Hearing)	Hrg. Rm. 1 North Off.

TUESDAY, MARCH 4, 2008

9:00 A.M.	APPROPRIATIONS (Department of Conservation and Natural Resources Budget Hearing)	Hrg. Rm. 1 North Off.
10:30 A.M.	APPROPRIATIONS (State Police Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of Transportation Budget Hearing)	Hrg. Rm. 1 North Off.

WEDNESDAY, MARCH 5, 2008

9:00 A.M.	APPROPRIATIONS (Department of Education Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of General Services Budget Hearing)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Department of Environmental Protection Budget Hearing)	Hrg. Rm. 1 North Off.

THURSDAY, MARCH 6, 2008

9:00 A.M.	APPROPRIATIONS (Department of Public Welfare Budget Hearing)	Hrg. Rm. 1 North Off.
1:15 P.M.	APPROPRIATIONS (Department of Community and Economic Development Budget Hearing)	Hrg. Rm. 1 North Off.

**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 15, 2008, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 1:56 p.m., Eastern Standard Time.