

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JANUARY 28, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 5

SENATE

MONDAY, January 28, 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 HERB RICE, of New Hope Baptist Church, Duncansville, offered the following prayer:

Hello, folks. I am Herb Rice, from the Altoona area, and I know some of you. I remember Ed Johnson in particular. He would take his shoe and flip it in the air each time he got re-elected. I never quite understood that. He did that regularly.

Let us pray.

Now, Father, we thank You for this time and for these people. Lord, we just pray that everyone within sound of this voice would come to know that life is a test, life is a trust, and life is temporary. May all the decisions that we each make be grounded on the fact that we will see our Maker one of these days and answer for every decision we have made. Bless this time. Bless this meeting.

We pray now in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Reverend Rice, who is the guest today of Senator Eichelberger.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

JOINT SESSION

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

COMMONWEALTH OF PENNSYLVANIA
Office of the Governor
Harrisburg

January 10, 2008

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

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session for the annual budget address on Tuesday, February 5, 2008, at a time convenient to the General Assembly.

EDWARD G. RENDELL
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 ACCOUNTANCY**

January 16, 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, Reverend Albert Davis, Jr. (Public Member), 224 Lippincott Avenue, Ardmore 19003, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

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

January 16, 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, Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Montgomery County, to serve until the first Monday of January 2010, vice The Honorable Toby L. Dickman, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

January 17, 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, Nello Giorgetti (Public Member), 9380 Timber Trail, Pittsburgh 15237, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Deborah Piper, Carlisle, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF COSMETOLOGY

January 22, 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 (Public Member), R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve until June 30, 2008, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marita A. Crawford, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OCCUPATIONAL THERAPY
EDUCATION AND LICENSURE

January 22, 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, Linda G. Trabucco, Esquire (Public Member), 3 Douglass Lane, Chester Springs 19425, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Jeffrey Elliott, Wernersville, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF PODIATRY

January 22, 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, Ingrid W. Jones (Public Member), 122 East Lincoln Highway, #7, Coatesville 19320, Chester County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Podiatry, 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 Aji Abraham, Harrisburg, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE
REAL ESTATE COMMISSION

January 25, 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, Dale H. Killmeyer (Public Member), 617 California Avenue, Pittsburgh 15202, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, whose term expired.

EDWARD G. RENDELL
Governor

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
REAL ESTATE COMMISSION

January 25, 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 Dale H. Killmeyer (Public Member), 617 California Avenue, Pittsburgh 15202, Allegheny County, Thirty-seventh Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD

January 28, 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 Hal Moss, 237 Barclay Circle,

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

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 communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

January 16, 2008

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

Please note the nomination dated December 3, 2007, for the appointment of 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, should be corrected to read:

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 2011, and until her successor is appointed and qualified, vice David A. Shipula, Hanover Township, whose term expired.

MEMBER OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

January 16, 2008

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

Please note the nomination dated December 3, 2007, for the appointment of Jacalyn M. Mogilski, 171 Rose Inn Avenue, Nazareth 18064, Northampton County, Eighteenth 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 Terrance K. Stover, Hydetown, resigned, should be corrected to read:

Jacalyn M. Mogilski, 171 Rose Inn Avenue, Nazareth 18064, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Terrance K. Stover, Hydetown, resigned.

MEMBER OF THE PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

January 16, 2008

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

Please note the nomination dated December 3, 2007, for the appointment of Frank J. Vecchio, 174 Texter Mission Road, Robesonia 19551, Lebanon County, Forty-eighth 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 his successor is appointed and qualified, vice Franklin Herron, Jr., Ed.D., York, whose term expired, should be corrected to read:

Frank J. Vecchio, 174 Texter Mission Road, Robesonia 19551, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Franklin Herron, Jr., Ed.D., York, whose term expired.

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 28, 2008

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

Please note the nomination dated January 11, 2008, for the appointment of 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, should be corrected to read:

Maria L. Mengel (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.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

January 22, 2008

HB 306 -- Committee on Judiciary.

HB 652 -- Committee on Finance.

HB 775, HB 776 and HB 777 -- Committee on Veterans Affairs and Emergency Preparedness.

HB 1044 -- Committee on Law and Justice.

HB 1308 -- Committee on Labor and Industry.

January 28, 2008

HB 377 and HB 1947 -- Committee on Finance.

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

January 22, 2008

HR 460 -- Committee on Education.

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 22, 2008

Senators LOGAN, RAFFERTY, COSTA, FONTANA, FERLO, ERICKSON, WOZNIAK, M. WHITE, BOSCOLA, MUSTO, O'PAKE, C. WILLIAMS, ORIE, PUNT, PIPPY, WONDERLING and LAVALLE presented to the Chair **SB 1226**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for sales by Pennsylvania Liquor Stores.

Which was committed to the Committee on LAW AND JUSTICE, January 22, 2008.

Senators RHOADES and BOSCOLA presented to the Chair **SB 1240**, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for unfair practices.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 22, 2008.

Senator RHOADES presented to the Chair **SB 1249**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in community colleges, further providing for tuition.

Which was committed to the Committee on EDUCATION, January 22, 2008.

Senator RHOADES presented to the Chair **SB 1251**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for powers and duties of the Board of Governors.

Which was committed to the Committee on EDUCATION, January 22, 2008.

Senators KASUNIC, LAVALLE, LOGAN, COSTA, STOUT and TARTAGLIONE presented to the Chair **SB 1252**, entitled:

An Act requiring municipal retirement systems to pay annual postretirement adjustments to certain retired municipal employees; and providing for the financing of these adjustments and for the administration of the Commonwealth's reimbursements for these adjustments.

Which was committed to the Committee on FINANCE, January 22, 2008.

Senators LOGAN, TARTAGLIONE, COSTA, FONTANA, RAFFERTY, O'PAKE, FERLO, BOSCOLA, LAVALLE and STACK presented to the Chair **SB 1253**, entitled:

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, further providing for permit regulations.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, January 22, 2008.

January 28, 2008

Senators D. WHITE, REGOLA, WAUGH, CORMAN, C. WILLIAMS, WOZNIAK, TOMLINSON, ARMSTRONG and STACK presented to the Chair **SB 1254**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for marketing and administration of service contracts being distinct from the business of insurance.

Which was committed to the Committee on BANKING AND INSURANCE, January 28, 2008.

RESOLUTIONS INTRODUCED AND REFERRED

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

January 22, 2008

Senators ORIE, TARTAGLIONE, STOUT, LOGAN, COSTA, RAFFERTY, MUSTO, GORDNER, ARMSTRONG, KITCHEN, McILHINNEY, SCARNATI, BAKER, EARLL, O'PAKE, M. WHITE, REGOLA and WASHINGTON presented to the Chair **SR 222**, entitled:

A Resolution requiring the Legislative Budget and Finance Committee to study the impact of closure of State mental health facilities on former residents, families and their communities.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, January 22, 2008.

January 28, 2008

Senators VANCE, BRUBAKER, CORMAN, M. WHITE, MUSTO, TOMLINSON, WONDERLING, SCARNATI, ARMSTRONG, BAKER, EARLL, FERLO, GORDNER, PICCOLA, PUNT, RAFFERTY, REGOLA and C. WILLIAMS presented to the Chair **SR 224**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the cost for wastewater treatment plants to comply with Pennsylvania's Chesapeake Bay Tributary Strategy.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 28, 2008.

GENERAL COMMUNICATION**ANNUAL REPORT OF THE INDUSTRIAL LAND RECYCLING FUND**

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

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

January 16, 2008

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

Dear Mr. Corrigan:

The Department of Environmental Protection (DEP) is pleased to present to you a copy of the Industrial Land Recycling Fund Report for Fiscal Year 2006-2007. This report summarizes the collection of fees, expenditures and planned future commitments made from the Industrial Land Recycling Fund. This report is prepared in accordance with Section 907 of the Land Recycling and Environmental Remediation Standards Act (Act 2 of 1995).

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safer communities for all Pennsylvanians.

Sincerely,

KATHLEEN A. MCGINTY
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 legislative leave for Senator Scarnati.

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

The Chair recognizes the gentleman from Lackawanna, Senator Mellow.

Senator MELLOW. Madam President, I request legislative leaves for Senator Costa and Senator Stout.

The PRESIDENT. Senator Mellow requests legislative leaves for Senator Costa and Senator Stout.

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, January 28, 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, February 4, 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, February 4, 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-50

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

NAY-0

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

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Madam President, being the Senator for the 34th District, which happens to be the home of the University Park campus of Penn State University, I have had the pleasure from time to time to introduce some distinguished Penn State athletes here on the floor of the Senate for their successes. Today, Madam President, I get the opportunity to talk about and introduce some of the athletes and coaches from, really, Penn State's most successful program over the last couple of decades, the Penn State Nittany Lions Women's Volleyball Team. Over the past years, Madam President, Penn State has advanced to the national finals in 1993, 1997, and 1998, winning the national title in 1999 when they beat Stanford in Honolulu, Hawaii.

Madam President, the Penn State Nittany Lions Women's Volleyball Team advanced to the finals again last year and won the national title in a thrilling best 3-out-of-5 match against Stanford, the fourth-ranked Stanford Cardinal. The Lady Lions, the Penn State Women's Volleyball Team, jumped out to a 2-0 lead. We were all relaxed and happy and excited, and then Stanford rallied and won a couple of games. Our team likes to make it exciting. Then in the fifth game, we got the momentum back, and Penn State went on to win that fifth game and win their second national championship in the last few years. They finished the season with a record of 34-2, bringing home the championship to Happy Valley with great honor and great pride.

Madam President, here joining us today are the head coach, an outstanding coach, Russ Rose, who was also the 2007 AVCA National Coach of the Year; assistant coach, Salima Rockwell; and the athletes, players Nicole Fawcett, Alyssa D'Errico, Melissa Walbridge, and Kara Callahan. I ask the Senate to please give all of these athletes and coaches our due welcome and congratulations on another great, successful year.

The PRESIDENT. Will the coaches and players please rise. (Applause.)

GUESTS OF SENATOR JOHN EICHELBERGER PRESENTED TO THE SENATE

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

Senator EICHELBERGER. Madam President, today I have the honor once again of hosting the pastor, the chaplain of the Senate for today, and with him is his wife, Barbara, who is with us in the gallery, and two good friends of theirs who made the trip today, Lyle and Carole Rea.

Last time, I mentioned that the pastor whom I had brought in from our area had a church that had burned. This pastor has a similar tale, but PennDOT actually took his church a number of years ago, and now he is in a new building. It is a very nice building, I have been there to service, and it is one that is new as well, but for different reasons. Occasionally, they do lose a building now and then, but we all know that the church is the congregation, right, Pastor? So they can be moved, and they do so.

Please join me in welcoming Pastor Rice's wife, Barbara, and the Reas.

The PRESIDENT. Will Pastor Rice, Barbara, and their guests please rise so we can welcome you to the Pennsylvania Senate. (Applause.)

GUEST OF SENATOR MICHAEL W. BRUBAKER PRESENTED TO THE SENATE

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

Senator BRUBAKER. Madam President, it is a privilege for me to introduce Jonathan Humma, who is up in the gallery today. Jonathan is a 16-year-old sophomore at Warwick High School. He has been on the distinguished honor roll every semester since junior high school. His current GPA is a whopping 4.35. He earned his Eagle Scout at the age of 15, is a member of the cross country and track teams, and he trains year-round. He recently started volunteering as a demonstrator at the newly opened Lancaster Science Factory, and he is pursuing other volunteer positions as well. He works part-time as a lifeguard, enjoys playing the piano, guitar, and drums, and Jonathan's future goal is to be admitted to the West Point Military Academy.

Will you please welcome Jonathan Humma.

The PRESIDENT. Jonathan Humma, will you please rise so we can welcome you to the Pennsylvania State Senate. (Applause.)

GUESTS OF SENATOR PATRICK M. BROWNE AND SENATOR ROBERT C. WONDERLING PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Madam President, it gives me great pleasure today to introduce to the Senate, from Emmaus High School in Emmaus, Lehigh County, the first ever in school history 2007 PIAA State Class AAA Girls' Cross Country Champions. The Green Hornets have earned this title with a tremendous score of 78 points.

The team is under the guidance of head coach, Dan Wessner, and assistant head coach, Neil Morgan, and the team is comprised of, and with us today are, Lindsay Graybill, Amanda Faust, Brianna Faust, Christina Faust--I do not want to embarrass them, but they are triplets; the Faust triplets are with us today--Melissa Meade, Kelsey Coates, Rachel Lichtenwalner, and Kelsey Leonard.

Please give them a warm Senate congratulations for their State title.

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

Senator WONDERLING. Madam President, it is indeed a pleasure to recognize a fine, outstanding championship cross country team along with Senator Browne. Emmaus High School produces winners in many different sports, such as swimming, diving, and field hockey, so it is great to add these fine young scholar athletes and their coaches to our list of winners.

Those in the gallery and on the floor who from time to time play golf may have played what was called the old Hershey Parkview Golf Course. It now serves as the cross country course for such championships. So if you have traveled hither and yon, up and around the 13th and 14th holes, and if you remember number 9 in particular, those who have golfed the Parkview course know that these fine ladies scored 78 points on difficult terrain.

So I echo Senator Browne in offering a hearty welcome to this championship team and congratulating them on their season.

The PRESIDENT. Will all of you please rise. Thank you. Welcome to the Senate. (Applause.)

RECESS

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

Senator PILEGGI. Madam President, I request a recess of the Senate for the purpose of a meeting of the Republican Caucus in the Majority Caucus Room. I would expect, for the information of the Members, that we will return at approximately 3 p.m.

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

Senator O'PAKE. Madam President, there will be no need for a Democratic caucus at the present time.

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 OVER IN ORDER

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

SECOND CONSIDERATION CALENDAR**BILL ON SECOND CONSIDERATION
REREPORTED FROM COMMITTEE AS
AMENDED OVER IN ORDER**

SB 313 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 497 (Pr. No. 1610) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 2, 1965 (P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for definitions.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 500, HB 501, HB 606, SB 987, SB 1023, SB 1027, HB 1131, HB 1133 and HB 1134 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1229 (Pr. No. 1693) -- The Senate proceeded to consideration of the bill, 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, in corporate net income, for the definition of "taxable income."

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

**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 PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD**

January 28, 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 Hal Moss, 237 Barclay Circle, Cheltenham 19012, Montgomery County, Fourth Senatorial District, as a member of the Public School Employees' Retirement Board, to serve until January 1, 2010, and until his successor is appointed and qualified, vice Arthur J. Rooney II, Esquire, Pittsburgh, whose term expired.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE
REAL ESTATE COMMISSION**

January 25, 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 Dale H. Killmeyer (Public Member), 617 California Avenue, Pittsburgh 15202, Allegheny County, Thirty-seventh Senatorial District, as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frances Mansberger, York Haven, whose term expired.

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 STATE
CONSERVATION COMMISSION**

November 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, Ross W. Orner, Jr., 3532 Home Camp Road, Rockton 15856, Clearfield County, Forty-first Senatorial District, for reappointment as a member of the State Conservation Commission, to serve until May 30, 2011, 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 DENTISTRY

December 5, 2007

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lisa P. Deem, D.M.D., J.D., 161 Splitrail Lane, Blue Bell 19422, Montgomery County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Richard C. Howells, D.D.S., Roaring Springs, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

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, Pauline Ritter Montgomery, 165 North Main Street, Hughesville 17737, Lycoming County, Twenty-third Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frank Rubino, Huntingdon Valley, 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, 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 suc-

cessor 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 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, Dr. Jane S. Bray, 100 Fieldgate Drive, Lancaster 17603, Lancaster County, Thirteenth 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 Nancy H. Stankus, Ed.D., York, whose term expired.

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, Jacalyn M. Mogilski, 171 Rose Inn Avenue, Nazareth 18064, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Terrance K. Stover, Hydetown, 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, Christopher A. Prothro, 105 Warrendale Road, Mars 16046, Butler County, Fortieth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2009, and until his successor is appointed and qualified, vice Denise E. Darrah, Ed.D., Douglassville, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF SELINGSGROVE 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, Joan L. Kelley, 2311 Stetler Drive, Shamokin 17866, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF SELINGSGROVE 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, Orlando C. Scopelliti, 1501 West Mulberry Street, Coal Township 17866, Northumberland County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of Selinsgrove Center, to serve until the third Tuesday of January 2013, and until his 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.

SENATE RESOLUTION ADOPTED

Senators ORIE, BOSCOLA, WASHINGTON, BRUBAKER, ERICKSON, KASUNIC, FERLO, FONTANA, MUSTO, PUNT, D. WHITE, PIPPY, STOUT, TARTAGLIONE, C. WILLIAMS, McILHINNEY, MELLOW, STACK, TOMLINSON, WONDERLING, REGOLA, O'PAKE, FOLMER, BROWNE, RAFFERTY, WAUGH, LOGAN, FUMO, COSTA, PILEGGI, WOZNIAC, BAKER, LAVALLE and EARLL, by unanimous consent, offered **Senate Resolution No. 225**, entitled:

A Resolution designating January 2008 as "Cervical Cancer Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator ORIE. Madam President, I rise today for the purpose of asking for support for a resolution recognizing January 2008 as "Cervical Cancer Awareness Month."

Prior to the adoption of widespread screening methods in the 1950s, cervical cancer was the leading cause of cancer death in American women. Today, screening methods have helped reduce cervical cancer deaths in the United States by 70 percent, but it is still the second most common cancer for women worldwide. The American Cancer Society estimates that in 2007, over 11,000 women in the United States were diagnosed with cervical cancer, and over 3,600 died from this disease.

This cancer is almost always caused by a common virus, and a vaccination is available to help prevent this cancer. The median age of patients diagnosed with cervical cancer is 48 years old. A test for the HPV virus in women over 30 years old can better identify women at risk for cancer. Six out of 10 cervical cancers occur in women who have never been screened or have not been screened within the last 5 years.

Cervical cancer is highly preventable. Its screening and vaccination are key to the detection and elimination of this cancer. Women should talk to their healthcare providers about the most advanced and appropriate technologies available for cervical cancer screening and immunization.

Madam President, I hope that with this type of intervention and prevention, we will not see 3,600 deaths as a result of cervical cancer, but instead we will see prevention and intervention intercede so that we can save lives in Pennsylvania.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

**UNFINISHED BUSINESS
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 the Pennsylvania State University Women's Volleyball Team by Senator Corman.

Congratulations of the Senate were extended to Andrew J. Hall by Senator Costa.

Congratulations of the Senate were extended to Chief Daniel Lee Varner by Senator Eichelberger.

Congratulations of the Senate were extended to Janet Smith by Senator Greenleaf.

Congratulations of the Senate were extended to Matthew S. Byrne by Senator McIlhinney.

Congratulations of the Senate were extended to Maurice Umbenhauer by Senator Rhoades.

Congratulations of the Senate were extended to Don Fezell, Xtreme Wear Embroidery and Screen Printing of DuBois and to the First Commonwealth Bank of DuBois by Senator Scarnati.

Congratulations of the Senate were extended to the Very Reverend Larry C. Dunham, Herb Boyd, Kevin Riley, Eugene Kehoe, Thomas J. McCarthy, Nicholas H. Pasqualone, Ronald C. Sauter, Karen Thorpe, Norman Glover and to Herb Lenz by Senator Tomlinson.

Congratulations of the Senate were extended to the Honorable E. Thomas Scarborough, Jr., by Senators Tomlinson and McIlhinney.

Congratulations of the Senate were extended to the Bucks County Association of Township Officials by Senator Tomlinson and others.

Congratulations of the Senate were extended to Genevieve A. Pugh by Senator Vance.

Congratulations of the Senate were extended to Ann Getty DeMoise and to Barbara Ann de León by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Reed by Senator M.J. White.

Congratulations of the Senate were extended to Ryan Patrick Sweitzer by Senator Wonderling.

Congratulations of the Senate were extended to the Allentown Central Catholic High School Girls' Volleyball Team by Senator Wonderling and others.

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 David L. Frame and to the family of the late Gertrude K. Manion by Senator McIlhinney.

PETITIONS AND REMONSTRANCES

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

Senator STACK. Madam President, I would like to take this opportunity to praise the Pennsylvania Housing Finance Agency for its efforts in providing homeowners with mortgage assistance. Under the leadership of the executive director, Brian Hudson, the PHFA has stepped up and responded to the needs of homeowners who are facing a financial burden.

As we all know, the national housing market is not in great shape, and Pennsylvania is feeling the effects. Many homeowners are now facing the consequences of adjustable interest rate loans or loans through a subprime lender. Adjustable interest rate loans lure applicants because of the low introductory rate but often increase at a rate that rises much faster than salaries.

Madam President, these homeowners are good people who only want a part of the American dream, a dream that is rapidly turning into a financial nightmare for many decent folks. The number of mortgage foreclosure notices across the country is at an all-time high. It is estimated that more than 2 million mortgages will go into default this year. Although Pennsylvania ranks 24th in the nation in foreclosure, it is still a very real problem for people across Pennsylvania.

The Pennsylvania Housing Finance Agency is doing its part to help homeowners avoid foreclosure through its HEMAP, REAL, and HERO programs. The Homeowners' Emergency Mortgage Assistance Program, or HEMAP, offers low-interest loans to help homeowners cover their delinquent payments. Qualified applicants can either get continuing or noncontinuing mortgage assistance. The REfinance to an Affordable Loan program, or REAL, helps people who have seen their adjustable rate mortgages skyrocket and need to refinance the mortgages to stay in their homes. REAL offers attractive 30-year fixed rates and 100-percent financing with flexible credit underwriting to help homeowners keep their houses. Homeowners who cannot afford their mortgage payments but do not qualify for the REAL program may be able to get assistance from the Homeowners' Equity Recovery Opportunity loan program, or HERO. Through HERO, the Pennsylvania Housing Finance Agency provides financing by purchasing the homeowner's loan directly from the lender, and then sets up an affordable repayment agreement.

Madam President, homeowners who are having trouble with their mortgage payments do not have to give up. With help, they can still live the American dream.

Thank you, Madam President.

The PRESIDENT. Thank you, Senator Stack, for your clarification of the mortgage assistance program through PHFA, and I am sure that the public appreciates the offers with the HEMAP, REAL, and HERO programs. Thank you.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JANUARY 29, 2008

10:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 295, 976, 1096 and 1201)	Room 461 Main Capitol
12:30 P.M.	APPROPRIATIONS (to consider Senate Bills No. 949, 1019, 1063 and 1122)	Room 461 Main Capitol
12:30 P.M.	STATE GOVERNMENT (to consider Senate Bill No. 820 and House Bill No. 1691)	Room 8E-B East Wing

WEDNESDAY, JANUARY 30, 2008

9:30 A.M.	BANKING AND INSURANCE (to accept testimony on the proposed merger between Highmark and Independence Blue Cross, IBC, and its impact on the health insurance marketplace)	Hrg. Rm. 1 North Off.
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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 request a recess of the Senate for a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room.

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.

BILL REPORTED FROM COMMITTEE

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

SB 1 (Pr. No. 1704) (Amended) (Rereported) (Concurrence)

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

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 29, 2008, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 6:53 p.m., Eastern Standard Time.