

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

TUESDAY, MARCH 11, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 14

## SENATE

TUESDAY, March 11, 2008

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

The PRESIDING OFFICER (Senator Jane C. Orie) in the Chair.

## PRAYER

The Chaplain, Right Reverend CHARLIE McNUTT, Retired Bishop of the Episcopal Diocese of Central Pennsylvania, offered the following prayer:

Let us pray.

Almighty and ever-living God, You are the fountain of knowledge and wisdom. Your will is goodness and graciousness for all Your people, and Your law is truth, justice, and peace. Today, we pray in your presence for the Senators of this Commonwealth who convene in this Chamber to do the business of the people of Pennsylvania. So bless and guide them in their work and deliberations, that they may enact laws that are in accordance with Your love, Your justice, and Your will. Grant them courage, wisdom, and foresight to propose and adopt legislation that provides for the needs and well-being of all people. Give them such a regard for all Your creation that they will pass laws that empower the citizens and industries of this State to reverence and use the resources of nature in ways that do not abuse or waste them, but rather protect and conserve them, so that generations yet to come may continue to benefit from the abundance and bounty You have created for all people and for the well-being of Your creation.

To You belong the power, the glory, and the honor, and to us belong the ability to respond with gladness, thankfulness, and in accordance with Your holy will. Amen.

The PRESIDING OFFICER. The Chair thanks Bishop McNutt, who is the guest today of Senator Vance.

## PLEDGE OF ALLEGIANCE

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

## LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, I request temporary Capitol leaves for Senator Wonderling and Senator Waugh.

The PRESIDING OFFICER. Senator Pileggi requests temporary Capitol leaves for Senator Wonderling and Senator Waugh. Without objection, the leaves will be granted.

## LEAVES OF ABSENCE

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

Senator COSTA asked and obtained leaves of absence for Senator FUMO and Senator C. WILLIAMS, for today's Session, for personal reasons.

## SPECIAL ORDER OF BUSINESS JOURNALS APPROVED

The PRESIDING OFFICER. The Journals of the Sessions of January 28, 2008, January 29, 2008, and January 30, 2008, are now in print.

The Clerk proceeded to read the Journals of the Sessions of January 28, 2008, January 29, 2008, and January 30, 2008.

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

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

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

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

## YEA-47

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

## NAY-0

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR RICHARD A. KASUNIC  
PRESENTED TO THE SENATE**

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

Senator KASUNIC. Madam President, I rise today to introduce a very special young lady from Stoystown, Pennsylvania, in Somerset County. Her name is Miranda Zimmerman. Last November, Miranda was selected as Pennsylvania's Outstanding Young Woman for 2008. This competition judges participants by talent, presence and presentation, physical well-being, achievements, and interview. In fact, Madam President, along with winning the overall competition, Miranda also won the performing arts award. The competition takes place annually in Reading, Pennsylvania.

Miranda is a senior at North Star High School, where she is the senior class secretary, National Honor Society treasurer, Student Teaching Advisory Council treasurer, Mu Alpha Theta Mathematics Club member, and student council member. She is an honor roll student and has also attained high honors, student of the month, and the Presidential Physical Fitness Award. Miranda's extracurricular activities include dance, school musicals, and chorus. In her community, she volunteers her time with the Red Cross blood drive, Senior Citizen Health Expo, Vacation Bible School, and Redwood Ministries. She is also an Awesome Angels Cancer Society Benefit performer. Miranda is planning to continue her education at a 4-year university, where she intends to study choreography and dance.

Madam President, Miranda is here today with her parents, Thomas and Jodell Zimmerman, and her grandparents, Thomas and Verdean Zimmerman. She is also accompanied by the chaperone for the Pennsylvania Outstanding Young Women's Contest, Lucy Adams, who is here with her husband, Norm, and her daughter, Yvette.

Madam President, at this time, would you please recognize Miranda Zimmerman, who wishes to address the Senate.

Miss ZIMMERMAN. Honorable Lieutenant Governor, distinguished Members of the Senate, and fellow citizens of Pennsylvania, the topic I have chosen to address today is bullying. Bullying has become an increasingly familiar sight in today's schools. Research has shown that this behavior has harmful effects on both the victim and the bully.

As awareness of the significance of bullying has increased, many school districts, including my own, have implemented programs to combat this problem. These programs tend to focus on bullying among students. However, there is an element of bullying in the school systems that these programs do not adequately address, and that is teachers and/or coaches who bully students. I feel passionate about this topic because I myself have been a victim of bullying from a teacher who was also my coach for 2 years.

Teacher/student bullying puts the victim in a unique situation. In the classroom, the teacher is seen as the authority figure and, to the victim, as all-powerful. The victim is literally trapped in an environment where offensive conduct is upon them, and there is no escape. Any complaint imposed about the bullying behavior puts the victim at risk of retaliation by the teacher. The victims feel helpless, because it is their word against a teacher's. Many

bystanders remain silent in fear of being attacked by the teacher themselves.

Research has shown that teachers who bully are established and secure in their position. Research has also discovered that in many schools, one or more teachers can be identified as abusive toward students. I feel recognition of teacher-to-student bullying is absent in school policies today. This lack of policy enables teachers who bully students. Victims of teacher bullying develop low self-esteem and will experience long-term effects. It is mentally exhausting, with the awareness of having to face your attacker every day.

With the strong support of my family and my faith, I feel it is an accomplishment to be able to stand here and talk about it today. Although the majority of teachers do not possess bullying characteristics, we need to be aware that there are those who do. Ways to address this problem need to be brought to attention before this problem becomes more prominent.

Thank you for allowing me to have this opportunity to speak to you today.

The PRESIDENT. Thank you, Miranda. May I please ask you, your chaperones, your parents, and your grandparents to all please rise so we can again welcome you to the Pennsylvania State Senate. We are very honored that you came here today. Thank you. God bless you.

(Applause.)

**GUEST OF SENATOR ANDREW E. DINNIMAN  
PRESENTED TO THE SENATE**

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

Senator DINNIMAN. Madam President, it is my pleasure to introduce our guest Page for today. His name is Sumair Irfan. Sumair is a student at Westtown School, one of the finest private schools within our Commonwealth. His dad is a prominent physician in our community and a friend. Sumair is a star on the lacrosse team. He has a good position, the attack position, where everyone sends him the ball, and then he gets it in for the goal.

Madam President, I hope the Senate will welcome Mr. Irfan, who is our Page for the day here. Thank you.

The PRESIDENT. Will Sumair Irfan please rise so we can welcome you.

(Applause.)

**LEGISLATIVE LEAVE CANCELLED**

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

**GUESTS OF SENATOR JAKE CORMAN  
PRESENTED TO THE SENATE**

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

Senator CORMAN. Madam President, I actually had quite a few visitors today from my district. Being FFA Day, a lot of school districts were in town. Here in the gallery with us are 30 students and parents, homeschool students from Juniata County. They are here visiting our beautiful Capitol and having an educational day and getting a lot of knowledge of State government and how it runs and an opportunity to see one of the nation's

most beautiful Capitols. So I would like the Senate to give its usual warm welcome to the students from Juniata County.

The PRESIDENT. Will the Juniata County homeschool students please rise so we can welcome you to the State Senate.

(Applause.)

### GUESTS OF SENATOR RICHARD A. KASUNIC PRESENTED TO THE SENATE

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

Senator KASUNIC. Madam President, I would like to introduce three gentlemen from Fayette County who are here with us in the gallery representing the Fay-Penn Economic Development Council, which is our lead economic development group in Fayette County: Mr. Leo Krantz, Mr. George Rattay, and Mr. Michael Krajovic. Will the Senate extend its usual warm welcome to these gentlemen?

The PRESIDENT. Will the Fay-Penn Economic Development Council please rise so we can welcome you.

(Applause.)

### GUESTS OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

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

Senator FOLMER. Madam President, I am very honored to introduce two Pages here this morning. Galina Summers is 10 years old. She is presently the PA Preteen America JR Speech Winner. She is in the fourth grade, she is very active in her community, and she is currently helping the fundraising for the Reading Hospital NIC unit. Galina is also a member of Odyssey of the Mind and goes to Cornwall Elementary.

My next Page is Julie Summers. She is 13 years old, and she is in the seventh grade. She is very active in her band and chorus, and she just completed a production of "Fiddler on the Roof." Julie also is very actively fundraising for the Reading Hospital NIC unit and goes to Cedar Crest Middle School.

Thank you very much.

The PRESIDENT. Will our two young Pages please rise so we can welcome you.

(Applause.)

### RECESS

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

Senator PILEGGI. Madam President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room. I expect caucus to last between an hour and 90 minutes.

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

Senator O'PAKE. Madam President, I ask the Democrats to report to our caucus room immediately.

The PRESIDENT. For purposes of Republican and Democratic caucuses, without objection, the Senate stands in recess.

### AFTER RECESS

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

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 363 (Pr. No. 427)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying State Route 30 over Main Street in North Huntingdon Township, Westmoreland County, as the Veterans 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-47

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

#### NAY-0

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

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

**SB 483 (Pr. No. 1611)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, defining "department"; and further providing for the definition of "residential mortgage" and for the duties of the Department of Banking.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator BROWNE. Madam President, of all the threads that bind together the patchwork quilt of Pennsylvania's many diverse communities, homeownership is certainly one of the most indelible. For generations, homeownership has stood as the dominant source of wealth creation for Pennsylvania families, and its proliferation is a key component of our many neighborhoods' stability and vitality.

The General Assembly's actions throughout the years in adopting statutes and programs which promote and protect a vibrant residential business sector is a testament to the importance of homeownership to the well-being of a Commonwealth citizenry. It is upon this foundation that the recent escalation of home mortgage foreclosures in the Commonwealth is so alarming. Over the past several years, fueled by the recent and rapid downturn in residential real estate values, a record number of Pennsylvania families have found themselves in default of the very obligation which promised them a path to prosperity. This phenomenon is, of course, not confined to the jurisdictional boundaries of our fair State.

The nation is gripped in a residential credit crisis which has rippled down not only Main Street, but Wall Street as well, threatening to dislodge our country's present and future economic conditions. Unfortunately, the perverse effects of this dilemma do not end here. According to surveys recently conducted by the National League of Cities, the mortgage foreclosure crisis has caused a nationwide drop in municipal revenue, a spike in crime, more homelessness, and an increase in vacant properties and urban blight.

In the spirit of this Chamber's past actions to establish a framework which protects our citizens in their most important financial and personal transactions, a package of legislation is now before this body which is targeted to address the fundamental components of the current residential mortgage dilemma. Furthermore, this package builds on the current infrastructure of State government to provide better tools for this Chamber to respond to future threats to our residential marketplace. Key to its provisions are two pieces of legislation, Senate Bill No. 487 and Senate Bill No. 488, which are targeted to reform the relationship between our citizenry and those who intend to solicit their participation in first and second mortgage products.

Common to many loan arrangements which have gone into default in recent years is the unsuitability of the loan product to the financial circumstances of the borrower. Similar to the professional expectations which correspond with the current licensure of individuals and entities engaged in various other financial transactions with consumers, licensing individuals who originate first and second mortgage products will greater ensure that these individuals stand not only as solicitors, but as fiduciaries. With this greater responsibility, transactions will not only be motivated by pecuniary gain, but the suitability of the product to the particular customer.

In the past, Madam President, this Chamber has made a determination that one of the revenue components of a loan product, prepayment penalties, must be restricted to provide greater protections for those citizens with limited financial means. As rates have adjusted in millions of loans across the country in recent months, prepayment penalty provisions have made it impossible for borrowers to refinance, further escalating defaults.

By amending the Loan Interest Protection Act of 1974, through Senate Bill No. 483, from the current \$50,000 loan cap to an inflation-adjusted \$200,000 cap, this Chamber will eliminate the default risk that prepayment penalties pose to thousands of Pennsylvania consumers.

In addition to the mortgage banker, broker, and solicitor, one of the primary participants in a residential mortgage transaction is the residential real estate appraiser. How they carry out their professional duties does and will have a major effect on the suitability of a home purchase transaction to the consumer. To increase protections for our consumers in the oversight of appraisers in performing their duties, this package seeks to amend the appraiser licensing statute, through Senate Bill No. 485, by adding the participation of the Pennsylvania Attorney General and the Secretary of Banking. It also expands the relevant circumstances upon which the appraisers board may take enforcement action.

Of course, the role of the Secretary of Banking in protecting Pennsylvanians in residential transactions cannot be limited to appraiser oversight. To ensure that those who participate in the residential mortgage business in Pennsylvania adhere to the highest professional standards demanded by our citizens, this package, through Senate Bill No. 485, seeks to allow the Secretary to perform criminal background checks on all those seeking licensure through the Banking Department as well as allow the department to disclose to consumers information on completed disciplinary and pending enforcement actions against licensees.

Last but certainly not least, Madam President, how effective this Assembly is at protecting our consumers depends on how proactively we can respond to signs of growing irregularities in the regulated marketplace, including residential mortgage transactions. This package, through Senate Bill No. 486, increases our ability to be proactive by requiring lending institutions to forward foreclosure notices to the Pennsylvania Housing Finance Agency. With this information, PHFA will be required to monitor foreclosure trends and make appropriate recommendations for remedial action to the General Assembly. The proposed amendments to the PHFA act will also protect current borrowers by requiring face-to-face financial counseling as part of the HEMAP process and by lowering the finance charge applicable to HEMAP assistance payments.

Madam President, with thousands of Pennsylvania homeowners at risk of losing their most important tangible connection to the American dream, it is the responsibility of this Assembly to act to reinforce our framework, crafted over many years, to protect them in their quest for homeownership. It is my sincere belief and the belief of the many parties responsible for the development of this package, including consumer groups, banking and lending institutions, and State banking regulators, that our efforts today will tighten the thread which is indelible to that patchwork quilt which is Pennsylvania.

Thank you, Madam President. I urge the adoption of Senate Bills No. 483 through 488. Thank you very much.

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

Senator FONTANA. Madam President, I rise in support of this mortgage reform package, proud to support and cosponsor it with Senator Browne and many others.

Madam President, as a real estate licensed broker for many years, I witnessed the American dream of homeownership be-

come a nightmare in many cases, usually because of the unscrupulous loan practices practiced throughout the State. These loans appeared, Madam President, to help the consumer. They featured no down payments but high interest rates, inflated closing costs, and more importantly, inflated home appraisals. In many cases, the consumer just plain received bad guidelines and information. They did not help in reality, obviously, and in today's market, many of them led to today's foreclosures.

Madam President, just in Allegheny County this year, foreclosures are expected to exceed 7,000. Compare that to 1980, when in Allegheny County they had a record of 1,800 foreclosures, and that was the time the steel mills closed and they actually put a moratorium on foreclosures at that point in time. In 2005, Pennsylvania's prime foreclosure rate was the ninth highest in the nation. The subprime foreclosure rate was the fourth highest. So as you can see, Madam President, this legislative body should be doing all we can to eliminate those terrible and hurtful lending practices that are going on in this State, from poor disclosure to bad guidelines. We need to have increased license requirements. We need to have more disclosure. We need to have better guidelines and information given to the consumer. This package of mortgage reform bills is a huge step in the right direction, and I urge an affirmative vote from all my colleagues.

Thank you, Madam President.

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

Senator FERLO. Madam President, I want to join my colleagues in especially thanking our chairman of the Committee on Finance, Senator Browne, for his leadership and stewardship in shepherding these bills through the committee. As the lead co-sponsor of these bills, in having worked to begin the formulation of the language of these bills, I want to first and foremost thank Bill Schenck, our former Secretary of Banking, who several years ago initiated the discussion and began to outline the parameters of these reform pieces of legislation that I hope and pray we will vote on in final form today. I want to thank Secretary Schenck and certainly Governor Rendell and his administration for recognizing this several years ago, even before this became the type of topic and national issue of prominence that it is currently.

For those of us out in southwestern Pennsylvania, certainly my Senate district, a three-county area, mortgage foreclosure, and in particular, predatory lending, has been a central issue for a good number of years. So I hope and pray that in our actions today we are not going to be a day late and a dollar short because, unfortunately, thousands of people already have lost their homes. While it is true that some have lost their primary residences due to any number of societal factors, there is an alarming rate of foreclosures directly related not to divorce or loss of job or unemployment or even those who may have speculated on the real estate market as opposed to the stock exchange.

The harsh reality is that taxes, and property taxes in particular, have weighed heavily on the ability of an individual homeowner to maintain his or her own property. But in addition, the horrendous practice of predatory loansharking, or predatory lending, that has existed for far too long in this Commonwealth has gone unabated. And notwithstanding these bills today, which are a tremendous step forward, I would have hoped and prayed today that we would have had a seventh piece of legislation calling for a mortgage foreclosure moratorium for at least 1 year, because

the genesis of these six bills that we are about to approve, and I believe we will, emanated from House Resolution No. 364, which initially recommended that a formal study be done, and one of my colleagues, Senator Fontana, spoke a little bit about the work product of that study. The formal report was the report and study of mortgage foreclosure filings in Pennsylvania, and he quoted a number of the statistics as a result of that study. That study was done several years ago, and I am a little bit disappointed that we did not act in more haste, recognizing that we had an urgent problem.

I know there are people here who are preoccupied with gay marriage constitutional amendments and a lot of other extraneous issues, demagoging on an issue for reelection, but when it comes to bread-and-butter, life-and-blood issues that we should care about, we seem to get lost in the shuffle. So I hope and pray that when enacting this we are not too late. We are certainly too late for thousands of other people who have already lost their homes. And I would hope that when critical issues come up involving the true value of trying to keep families together, this illustrious, august body could act with a little more sensitivity and with a little bit more haste in what is really happening out there to most Pennsylvanians.

There is a muckraker reporter in Pittsburgh, Rich Lord, who at the time when he was working for the Pittsburgh City Paper put a book out, after extensive research, called "American Nightmare: Predatory Lending and the Foreclosure of the American Dream." I encourage folks to look at this book because Mr. Lord, to his credit, outlined what homeowners went through when they could not borrow from traditional banks, quality banks, at decent rates and how they have been preyed upon by fly-by-night contractors, by those who had no license and no ability to be certified.

Some of the elements that will be given protections now are elements which are expressed in the six bills which we are about to vote on, Madam President. I just want to close and indicate a couple of other points. I am pleased to be hosting, with the ACORN organization in Pittsburgh and a lot of other organizations, a mortgage foreclosure fair on March 29. It is a way for individuals who are victims of subprime predatory loans to actually meet with those subprime lenders to try to renegotiate, not just as an individual, but with the power and support of other advocacy individuals and organizations. I invite those in the Pittsburgh area to call our office or find out more from participating organizations about this day-long event in downtown Pittsburgh at the Pittsburgh Regional Alliance headquarters on March 29. It is a mortgage foreclosure fair.

I do want to encourage us to give credit and support to the Pennsylvania Housing Finance Agency, our own banking department, which began a 1-800 hotline number to better understand the problem and to try to deal specifically with providing assistance to individuals going through this crisis. I will note, as Senator Fontana pointed out, that the last sheriff's sale in Allegheny County or the one coming up will have over 4,000 foreclosure notices posted. So again, I hope we are not a day late and a dollar short. I hope the next time we can act more diligently and expeditiously on critical, life-and-death, family-values kinds of issues.

Thank you very much, Madam President.

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Madam President, I, too, rise to support Senator Browne's effort, and I wish to congratulate him on the development of this important legislative package.

As many in this body know, Senator Browne and I, along with four other Members of the Senate, share representation of Monroe County, an area which was seriously impacted by mortgage foreclosures which started in the late 1990s and early 2000s. In Monroe County, many of our homeowners brought forward complaints, complaints about the rise in the number of foreclosures and the impact on their families.

A detailed study was done by the Pocono Record which brought to light the need for action and reform. As some of our colleagues have talked about, the task force that was brought forward to offer input on lending practices, trends in foreclosures, and trends in lending practices, was established along with the General Assembly, the Governor's Office, the Banking Secretary, and Attorney General Tom Corbett, who offered key recommendations that were included in the study. Two of those major changes are part of this legislative package which we are advancing: the changes in the licensing requirements, as well as the changes in the composition of the appraisal board to now include the addition of the Attorney General and the Secretary of Banking.

I believe these bills will go a long way in protecting vulnerable homeowners, and I believe that it will help families. I strongly support Senator Browne's efforts and wish to congratulate him on a job well done.

Thank you, Madam President.

#### LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,  
Shall the bill pass finally?

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

#### YEA-47

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

#### NAY-0

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

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

**SB 484 (Pr. No. 1750)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, further providing for general scope of supervision and exercise of discretion; prohibiting disclosure of certain information; further providing for criminal history record information; and providing for conduct of administrative proceedings relating to institutions and credit unions.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

#### YEA-47

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

#### NAY-0

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

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

**SB 485 (Pr. No. 1751)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

#### YEA-47

Armstrong	Folmer	Musto	Stout
Baker	Fontana	O'Pake	Tartaglione
Boscola	Gordner	Orie	Tomlinson

Browne	Greenleaf	Piccola	Vance
Brubaker	Hughes	Pileggi	Washington
Corman	Kasunic	Pippy	Waugh
Costa	Kitchen	Punt	White, Donald
Dinniman	LaValle	Rafferty	White, Mary Jo
Earll	Logan	Regola	Williams, Anthony H.
Eichelberger	Madigan	Rhoades	Wonderling
Erickson	McIlhinney	Robbins	Wozniak
Ferlo	Mellow	Stack	

## NAY-0

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

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

**SB 486 (Pr. No. 1752)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, further providing for general authority, for notice and institution of foreclosure proceedings, for notice requirements, for assistance payments and for repayment; and providing for an ongoing foreclosure study.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

## YEA-47

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

## NAY-0

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

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

**SB 487 (Pr. No. 1753)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1989 (P.L.687, No.90), known as the Mortgage Bankers and Brokers and Consumer Equity Protection Act, further providing for definitions, for license requirements and exemptions, for application for license, for annual license fee, for issuance of license, for license duration, for licensee requirements, for licensee limitations, for authority of department or commis-

sion, for fees, for suspension, revocation or refusal, for penalties, for referral fees and for Real Estate Recovery Fund.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

## YEA-47

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

## NAY-0

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

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

**SB 488 (Pr. No. 1754)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 12, 1980 (P.L.1179, No.219), known as the Secondary Mortgage Loan Act, further providing for definitions, for license requirements and exemptions, for application for license, for annual license fee, for issuance of license, for license duration, for transfer of license, for powers conferred on licensees, for licensee requirements, for licensee limitations, for prepayment, for open-end loans, for authority of Secretary of Banking, for surrender of license, for suspension, for scope of act, for foreclosure, for penalties, for preservation of existing powers and for exclusions from act.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

## YEA-47

Armstrong	Folmer	Musto	Stout
Baker	Fontana	O'Pake	Tartaglione
Boscola	Gordner	Orie	Tomlinson
Browne	Greenleaf	Piccola	Vance
Brubaker	Hughes	Pileggi	Washington
Corman	Kasunic	Pippy	Waugh
Costa	Kitchen	Punt	White, Donald

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

## NAY-0

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

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

## BILLS LAID ON THE TABLE

**HB 500 (Pr. No. 3216)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 501 (Pr. No. 3217)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

## BILLS OVER IN ORDER

**HB 1152** and **SB 1199** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## SECOND CONSIDERATION CALENDAR

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

**SB 387** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

## BILLS OVER IN ORDER

**SB 9, HB 874, SB 906, SB 963, SB 1153, SB 1169, HB 1214, HB 1281, HB 1329** and **HB 1330** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILLS REPORTED FROM COMMITTEE

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

**SB 359 (Pr. No. 1816)** (Amended)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, repealing provisions relating to home inspections; providing for home inspections; establishing the Pennsylvania Board of Home Inspectors; providing for licensure of home inspectors and for disciplinary proceedings by the Pennsylvania Board of Home Inspectors; and making an appropriation.

**HB 1612 (Pr. No. 3392)** (Amended)

An Act providing for testing standards for cigarette fire safety, for certification of compliance by manufacturers, for package markings and for enforcement and penalties; establishing special funds; and providing for sale of existing inventory, for manufacturers' sale to other states or foreign countries and for regulations and preemptions.

**HB 1693 (Pr. No. 3393)** (Amended)

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further defining "practice of social work"; defining "social worker"; further providing for qualifications for license; providing for endorsement of out-of-State licenses; and further proscribing unlawful practice.

## RESOLUTION REPORTED FROM COMMITTEE

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following resolution:

**SR 206 (Pr. No. 1817)** (Amended)

A Resolution directing the Legislative Budget and Finance Committee to study the improvement and enhancement of telecommunications coverage in the cell phone industry.

UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED

Senators BAKER, PIPPY, STACK, GORDNER, PUNT, WASHINGTON, TOMLINSON, STOUT, MUSTO, FERLO, PILEGGI, WOZNIAC, MADIGAN, ERICKSON, LAVALLE, WAUGH, RAFFERTY, ORIE, O'PAKE, GREENLEAF, BRUBAKER, FONTANA, TARTAGLIONE, KASUNIC, BOSCOLA, KITCHEN, DINNIMAN, LOGAN, WONDERLING, ARMSTRONG, BROWNE, REGOLA, MELLOW, EARLL, FOLMER, A. WILLIAMS and COSTA, by unanimous consent, offered **Senate Resolution No. 254**, entitled:

A Resolution designating March 2008 as "American Red Cross Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Madam President, since its founding in 1881 by Clara Barton, the American Red Cross and its volunteers have been our nation's premier emergency response organization. The Red Cross offers compassion and care to victims of war and the victims of devastating natural disasters, and over the years, this organization has expanded its services to aim at preventing and relieving suffering.



I am proud to say that I display a special part of American Red Cross history in my Capitol office: a faded American Red Cross flag from 1898. The flag was used on a transport train that brought back six soldiers from the Spanish American War to their homes in Philadelphia. My grandfather, Erving Calhoun, was a member of Philadelphia's 1st Regiment who contracted malaria during his encampment, and more than 100 years ago, the American Red Cross helped my grandfather and other soldiers in his regiment. Today, the Red Cross is still the first to respond and the last to leave.

The American Red Cross offers community services that help the needy; support and comfort military members and their families; collect, process, and distribute lifesaving blood and blood products; provide educational programs to promote health and safety; and assist people around the world with disasters and emergencies in life-threatening health conditions. The American Red Cross is always prepared and ready to help in times of need. I want to thank my colleagues for their support of the American Red Cross.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators PIPPY, ORIE, FONTANA, FERLO, COSTA, LOGAN, LAVALLE, STOUT, REGOLA, BROWNE, KASUNIC, O'PAKE, WOZNIAC, PILEGGI, GREENLEAF, McILHINNEY, TARTAGLIONE, ERICKSON, WASHINGTON, C. WILLIAMS, KITCHEN, WONDERLING, ROBBINS, DINNIMAN, WAUGH, RAFFERTY, TOMLINSON, BAKER, BOSCOLA, ARMSTRONG and EARLL, by unanimous consent, offered **Senate Resolution No. 255**, entitled:

A Resolution honoring the 250th anniversary of the naming of the Pittsburgh region.

On the question,

Will the Senate adopt the resolution?

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

Senator PIPPY. Madam President, this resolution commemorates the 250th anniversary of the naming of the Pittsburgh region. Pittsburgh 250--if you watch a Penguins game, they have "250" on their uniforms right now--recognizes a celebration that we will be having over the next year. This is on behalf of myself, Senator Orie, Senator Fontana, Senator Ferlo, Senator Logan, Senator Costa, and the entire Allegheny County delegation. And what we will be doing, or what Pittsburgh 250 will be doing, is acknowledging not only the pivotal role our region played in its colonial history, but also how it has been an integral part of the transformation in our nation and the world as a whole.

So thank you, Madam President, and I appreciate the opportunity.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators COSTA, PIPPY, FERLO, FONTANA, LOGAN, ORIE, LAVALLE, STOUT, TOMLINSON, WASHINGTON, WOZNIAC, PUNT, M. WHITE, TARTAGLIONE, RAFFERTY, BRUBAKER, ERICKSON, CORMAN, D. WHITE, O'PAKE, MADIGAN, FOLMER, KASUNIC, BOSCOLA, GREENLEAF, STACK, REGOLA, EARLL and A. WILLIAMS, by unanimous consent, offered **Senate Resolution No. 256**, entitled:

A Resolution honoring the life of Myron Cope.

On the question,

Will the Senate adopt the resolution?

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

Senator COSTA. Madam President, as was stated, this resolution honors the life of one of Pittsburgh's famous and legendary sportscasters, Myron Cope. Mr. Cope was a legendary Pittsburgher and the voice of the Pittsburgh Steelers football team for an unprecedented 35 seasons, from 1970 to 2005. Madam President, we lost Mr. Cope on the morning of February 27, 2008, at the age of 79. It is the intent of this resolution to not only recognize Mr. Cope, but to pay tribute to his life and his service to his community, as well as his legacy with the Pittsburgh Steelers, the game of football, and the city of Pittsburgh.

Madam President, Mr. Cope is best known for his quirky catch phrases and his creation of the Terrible Towel, which you see displayed before me, which is twirled at the Pittsburgh Steelers games as a good luck charm and has since developed into an international symbol of Pittsburgh Steelers pride and the Steelers nation.

Mr. Cope coined the phrase, among other phrases, the "Immaculate Reception," which became a household term to describe the game-winning play in the Pittsburgh Steelers' 1972 American Football Conference divisional playoff victory against the hated and heated rival, the Oakland Raiders, one of the most notable plays ever in all of National Football League sports history. And, Madam President, I might add, I was one of those people who happened to be at that game that day, and it was quite an experience.

But Madam President, he also had a number of other phrases that he used quite frequently. Oftentimes, he talked about the shirt pocket notes that he had when he would try to raise issues. He also talked about the little birdy that came to speak with him about pending issues in the National Football League, in Major League Baseball, and in other sports. And, Madam President, we all know about his phrases "yoi!" and "double yoi!" and, Madam President, there are times here in this Chamber where I have expressed a "yoi!" and "double yoi!" here and there once in a while as well.

Madam President, we know Mr. Cope as a sportscaster, but we do not know about the fact that he spent the first half of his professional career as one of the nation's most widely regarded and widely read freelance sports writers, writing for such notable magazines as Sports Illustrated and the Saturday Evening Post. Mr. Cope became the very first professional football broadcaster to be elected to the National Radio Hall of Fame in 2005, and he became so popular that upon his leaving and retirement from the

Pittsburgh Steelers broadcasting, the team did not try to replace him, Madam President, and they scaled back their radio team from three members to two members.

Madam President, I think when we think about Mr. Cope, we oftentimes think about him in his capacity as a sportscaster for the Steelers, as I stated. But oftentimes, we do not recognize and realize the impact he had in our community. He served his community by serving on the board of directors of the Pittsburgh chapter of the Autism Society of America and the highly successful Pittsburgh Vintage Grand Prix charity auto races, of which he was one of the co-founders. He also served as a tournament committee member of the Myron Cope/Foge Fazio golf tournament for autistic children. In 1996--as you all know, he created the Terrible Towel--he contributed his ownership of the Terrible Towel trademark to the Allegheny Valley Schools, an institution for the mentally and physically disabled.

Mr. Cope was born in Pittsburgh on January 23, 1929, and lived there all but a few months of his life. And whereas the passing of Mr. Cope is a great loss to the city of Pittsburgh and the game of football and the community of the city of Pittsburgh, his life should be honored with highest praise and respect for his heart of the black and gold, and I ask my colleagues to join me in recognizing Myron Cope and one last wave of the Terrible Towel, Madam President.

So thank you all very much. Thank you, Madam President.

The PRESIDENT. Thank you, Senator Costa, for recognizing Myron Cope as the voice of the Pittsburgh Steelers. You also know I am a Pittsburgh girl, and I recognize Senator Pippy for recognizing our 250th anniversary, and there is no one who loved Pittsburgh more than Myron Cope or all of us. So for all the other Senators, I guess it is just within us.

And the question recurring,

Will the Senate adopt the resolution?

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to E. William Andrews by Senator Armstrong.

Congratulations of the Senate were extended to Jeff Berdahl, Linda Dietrick, Dale F. Falcinelli, Mish Ganssle, Jan Haley-Schwoyer, Miriam Huertas, Bill Rambo, Janine Reppert and to Stanley Vasiliadis by Senator Browne and others.

Congratulations of the Senate were extended to Avous E. Greenly by Senator Brubaker.

Congratulations of the Senate were extended to Quentin Wright by Senator Corman.

Congratulations of the Senate were extended to Elsie Hilliard Hillman by Senator Costa.

Congratulations of the Senate were extended to Colby R. Kieffer by Senator Folmer.

Congratulations of the Senate were extended to Mr. and Mrs. Dayton W. Hess and to James P. Cleary by Senator Gordner.

Congratulations of the Senate were extended to the Honorable Robert Kaler III, Thomas R. Campbell and to J. Ronald Miller by Senator Greenleaf.

Congratulations of the Senate were extended to Nicholas S. Nagy by Senator Kasunic.

Congratulations of the Senate were extended to Robert D. Anderson, Joshua R. Phillips, Aaron A. Reed and to Dominic Beau Zappa by Senator Logan.

Congratulations of the Senate were extended to Susan K. Orndorff by Senator Punt.

Congratulations of the Senate were extended to Mr. and Mrs. Martin J. Hanrahan, Barbara Kost and to Sandy Kost-Stern by Senator Rhoades.

Congratulations of the Senate were extended to Jerry T. Jordan, Joseph Sellers, Jr., and to Catherine G. Scott by Senator Tartaglione.

Congratulations of the Senate were extended to Joseph H. Lukens, Jr., by Senator Tomlinson.

Congratulations of the Senate were extended to Minnie Stein by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. E. Earl Fairman, Benjamin Neal Ellenberger and to Anthony Paul Lester by Senator D. White.

Congratulations of the Senate were extended to Frances Lee Rees Bruner by A.H. Williams.

Congratulations of the Senate were extended to Thomas M. Coughlin, Sr., Nicolas Gimenez, Casey Dylan Heisel and to Paul J. McFadden by Senator Wonderling.

Congratulations of the Senate were extended to Susan Bardo, Mitch Christensen, Kim Coleman, Lucas Fanning, Carol Hannan, Travis Hillyer, Krisy Meeker, Susan Peters, Alice Reeder, Marchal Rote, Tammy Russell, Tina Snook and to Steve Stevenson by Senator Wozniak.

### 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 Edmund H. Poggi, Jr., by Senator Baker.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 359, HB 1612 and HB 1693.**

And said bills having been considered for the first time,

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

### PETITIONS AND REMONSTRANCES

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

Senator CORMAN. Madam President, I would like to start off by saying "um-ha," as another phrase that the great Myron Cope used to give out on the radio quite a bit. I was a huge fan. As a matter of fact, the first time my wife came to central Pennsylvania for a visit during a Sunday afternoon, I had a Steelers game on the radio, and she said, who the heck is that? But he was one

of those voices that if he was your voice, you loved him, and I thank Senator Costa for bringing that resolution. It is very fitting to a great man, and I was glad to be part of it.

Madam President, I did want to talk today about a very important issue. Last month before this body, I discussed the level of taxpayer-funded financed healthcare in Pennsylvania. Currently, the taxpayers are spending over \$6.3 billion to provide free or low-cost health insurance to a little over 2 million residents in the Commonwealth. These are individuals who qualify for Medical Assistance through CHIP, the Children's Health Insurance Program, and adultBasic, an insurance program for uninsured adults. If you add the amount of dollars that we get from the Federal government, it is about \$14 billion going to help insure residents of Pennsylvania.

Now Governor Rendell is seeking to cover all Pennsylvanians through a myriad of tax increases and raiding other funding streams. So if these measures are implemented, who else would we be helping? Who is the uninsured population? Well, let us discuss first, before we discuss who they are, who they are not. They are not individuals covered by private insurance. In fact, 66 percent of our population has private health insurance, mainly through their employers. The vast number of these employers in the Commonwealth are small firms with fewer than 50 employees, and they are paying over half the employees' insurance costs. They are not individuals who are already covered through publicly funded programs. As I just mentioned, taxpayers are spending \$6.3 billion to cover 29 percent of our population on Medical Assistance, CHIP, or adultBasic.

So who are they? Well, there are about 8 percent of Pennsylvanians, Madam President, who have no type of health insurance coverage. That is right. We are talking about 8 percent of Pennsylvania residents. I am not pointing this out to make light of those who do not have insurance or saying that number is something we should settle for. But let us be honest about what the numbers are. Eight percent are uninsured, according to the Pennsylvania Insurance Department. This number, fortunately, has been steadily declining as well. Between 2003 and 2005, the number was 11.2 percent, and for the years 2002 through 2004, the percentage of uninsured was 11.5 percent.

Well, this started again with the 8-percent number. Nearly half of this 8 percent are between the ages of 18 and 34. Again, 49 percent of the uninsured are between the ages of 18 and 34. Thirty-eight percent of these uninsured have employers that offer healthcare, and employees have predominantly opted out of it. That is right. Thirty-eight percent of the uninsured have the ability to get private insurance through an employer but have opted out.

The Pennsylvania Department of Insurance tells us that residents without insurance is a temporary situation. Forty-four percent of uninsured Pennsylvanians have been without insurance for less than a year, and again, 38 percent of the uninsured have the ability to pick it up from an employer but have chosen not to. In fact, in Pennsylvania, just 17 percent of Pennsylvania's uninsured are under the Federal poverty level. Let me repeat that. Seventeen percent of the uninsured are under the Federal poverty level. That is compared to 25 percent of the nation's uninsured. And the uninsured rate in the United States is at 17 percent, while we here in Pennsylvania, as I mentioned, are at 8 percent. That means that 83 percent of uninsured Pennsylvanians are living above the poverty level.

Let us get back to rankings, because that is what we do in Harrisburg, we talk about rankings. Good news. Forty-four other States and the District of Columbia have a higher percentage of people without health insurance coverage than Pennsylvania. Only five States have a lower percentage of uninsured than Pennsylvania.

Kids: we cover all kids. But 14 percent of the uninsured population in Pennsylvania are between the ages of 0 and 17. These kids should be signed up with the CHIP program immediately.

Older adults: about 1 percent of the uninsured are over the age of 65. We have programs for these individuals, and again, they should be signed up as soon as possible.

So we are back to those individuals between the ages of 18 and 64, 86 percent of the uninsured. As I said earlier, 38 percent of the total number of the uninsured have employers that offer healthcare, and employees have predominantly opted out of it.

So let us try to bring some sense to all these numbers I am throwing at you. Eight percent of the population of Pennsylvania residents are without health insurance. Fourteen percent of that number are kids who could be covered through CHIP. One percent of that number are over 65 and qualify for Medicaid programs. So we are now down to roughly 650,000 working-age Pennsylvania residents without coverage, but around 250,000 of them decline employer-provided insurance. That leaves us with about 400,000 Pennsylvania residents without access to private insurance who are not purchasing their own insurance.

The bottom line is we have under 4 percent of Pennsylvanians uninsured without access to private insurance. We know that some of that 4 percent are cash customers, individuals who for whatever reason, be it philosophical, religious, or habit, are cash customers. These customers would rather pay out of pocket for what they owe and will, in all probability, be left out of the uninsured rolls, whatever we do to address the problem. So again, by subtraction, we have clearly under 4 percent of Pennsylvania residents without coverage.

Madam President, we do not have an uninsured crisis in Pennsylvania, we have an affordability crisis in Pennsylvania. That is why I am sure that many of these people who are eligible for private insurance are not getting it because they do not want to pay the copays that they are being asked to pay. So if only 17 percent of those 400,000 are living at the poverty level, why are we talking about this whole new universal healthcare package? Should we not be considering every alternative that will lower costs to healthcare so that everyone who wants coverage can have access? If 38 percent of the uninsured are declining employer-provided coverage because copays and payroll deductions are too big, should not we be putting all our energy into cost-saving measures? I say the answer to that question is a resounding yes.

Pennsylvania employers, individuals, local and State governments, school districts, and unions cannot sustain the yearly premium increases that come with providing healthcare. If we subsidize and create new programs, these private plans will continue to struggle to survive. We cannot go there, Madam President. We have to do something about affordability.

Next time I rise to talk about this here, I will discuss the Governor's Cover All Pennsylvanians plan and why I believe it is not in the best interest and how it will not work, but also provide some other alternatives which I think will go at the heart of the problem, which is the affordability of health insurance. Again, I

want to quote Presidential candidate--since this is the time for the Presidential season in Pennsylvania--Senator Barack Obama, who said, I do not think people who are uninsured do not have it because they do not want it, I think they do not have it because they cannot afford it. And I think if we focus our measures and our strength on affordability, we will have a lot longer-lasting assistance to those people who need health insurance and provide a better, sustainable long-term answer to this problem.

Thank you, Madam President.

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

Senator RHOADES. Madam President, today I rise to once again discuss the issue of wireless coverage within the cell phone industry here in Pennsylvania. As I have stated in previous remarks, I have received many e-mails, letters, and phone calls from constituents in my district asking for someone to hold our cell phone companies responsible for their dropped or lost calls. In response to their concerns, I introduced Senate Resolution No. 206, legislation that would study wireless coverage throughout the Commonwealth.

Today, I am pleased to announce that my colleagues on the Committee on Consumer Protection and Professional Licensure, chaired by Senator Tomlinson, overwhelmingly reported the measure out of committee. Working together, we were able to achieve a comprehensive resolution that will strengthen and enhance telecommunication coverage in our Commonwealth. The resolution would authorize Pennsylvania's Legislative Budget and Finance Committee to study the improvement and enhancement of telecommunications in wireless coverage areas throughout Pennsylvania.

While the committee would be requested to study ways to improve telecommunication coverage and eliminate gaps in cell phone service, it would also be required to develop policies to encourage wireless carriers to improve coverage throughout our Commonwealth. Madam President, why should callers be charged for dropped calls? As someone who regularly travels I-81 from Schuylkill County to Dauphin County, I have experienced dropped calls on numerous occasions. As a matter of fact, just yesterday on my way to Harrisburg, I had four dropped calls. Not one, not two, not three, but four dropped calls in 1 hour.

Let me be clear. This is no laughing matter. Cell phones are no longer just conveniences or luxury items. With more and more people getting rid of their landline phones and using cell phones in their homes, a dropped call can mean life and death, especially since 55 percent of cell phone consumers have used a cell phone in an emergency situation. That is according to a 2007 study. This is a consumer issue. This is a safety issue. And this is a problem that needs to be resolved. Certainly, this is reason enough for us as a legislative body to approve Senate Resolution No. 206 and require the study.

Madam President, when the time comes to act--and the time is now--we want to find out that the entire Commonwealth is covered, that from north to south, east to west, there are no blank or dead areas. I ask my colleagues for their continued support and continuing consideration of this important consumer issue on its final vote and action.

Thank you, Madam President.

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

Senator COSTA. Madam President, before I take a moment to respond to my friend and colleague, Senator Corman, I wanted to make certain that my colleagues knew that the resolution that we spoke about earlier, the one honoring and recognizing the many achievements and the wonderful life of Myron Cope, it is important for everyone to know that it was a resolution supported by our Allegheny County delegation as well as a number of our Members in this Chamber. So I want to thank those Members for their support, but in particular recognize the Allegheny County Members, who were all primary cosponsors of that resolution.

Madam President, I also wanted to speak, as I indicated, to the issue of the healthcare coverage that Senator Corman raised, and I want to thank him very much because I think the issue that he raised about affordability as it relates to healthcare is really right on the mark. It is something that we have been talking about, I think, for a number of months here in this Senate Chamber and this General Assembly.

As Senator Corman and my colleagues all know, this body, this part of our General Assembly, put forth legislation that began to address that very important issue with the legislation that again was referred to today at an earlier event with Governor Rendell when we had Hillary Clinton here. I am talking about the landmark legislation that this Chamber, Senator Erickson, and the Committee on Public Health and Welfare put forth that addressed the issue of medical errors and hospital-acquired or healthcare-acquired infections, and how that is groundbreaking legislation that is going to result in the savings of literally millions of dollars in the very near future. And I think that is something that we need to recognize as something we have done toward that end, trying to control the costs.

We also addressed the issue of expanding the scope of practice for a number of professionals in the healthcare area. Again, it is geared to drive down the cost of the healthcare system but, more importantly, provide greater access to healthcare to so many individuals across this Commonwealth. And that is something that we have done.

In addition to that, in this year's budget, there is some discussion about providing resources to try to address the issue of the treatment of our chronic care patients, again designed to drive out or to extract from our healthcare system, our healthcare delivery system, literally billions of dollars that are expended unnecessarily. So in terms of the affordability side, we have taken some steps in the last year or so to try to address that, but we have a long way to go, Madam President. We have a long way to go, and the fact of the matter is the problem still exists today with respect to being able to afford healthcare.

Madam President, we know that, as was indicated a number of times from this podium and from other podiums in this Chamber, the fact of the matter is that we still have, despite the fact that there have been rumors or statements that it is less than 10 percent, the fact of the matter is, Madam President, we have about 760,000 Pennsylvanians who are uninsured. And the bulk of those people are working men and women who get up every day, they go to work, and they want to have healthcare, but they simply cannot afford it. What happens in those situations, Madam President, is something that I think, again, goes to driving up the cost of healthcare.

Madam President, we all know when individuals who are sick present themselves to the emergency room, their condition is at a state where it is going to be far more expensive for those indi-

viduals to receive the appropriate treatment at our healthcare facilities than they would have been had they had the opportunity to have some type of a plan in place where they would have the opportunity to visit with a physician or a health clinic or an individual in the healthcare system, to provide them with the appropriate service at the appropriate time to avoid excessive costs.

We all know, through the tobacco settlement money and many other ways in this Commonwealth, we drive out a significant amount of money to our hospitals to try to address the uncompensated care area. Millions of dollars are paid out that, quite frankly, a lot of which can be extracted from our healthcare delivery system if, in fact, individuals had the opportunity to participate in that process.

Madam President, there has been a lot of discussion about the individuals in this Commonwealth who are employed, as I mentioned earlier, but over the past 5 years, the number of individuals in this Commonwealth who have lost healthcare insurance because their employer simply could no longer afford to provide healthcare coverage, that number is about 400,000 individuals in this Commonwealth. That is a staggering, staggering statistic if we stop and think about it. And whether it is 300,000 or up to 500,000, whatever number we want to pick, if we want to look at percentages and listen to what the Department of Insurance says, the fact of the matter is a huge number of Pennsylvanians over the past couple of years have lost access to healthcare. And they are ending up presenting themselves to hospitals and emergency rooms that are far more expensive, or they end up having conditions or they are chronic care type patients who have conditions that simply do not get treated, and that, too, drives up the cost of insurance. It drives up the cost of premiums for so many Pennsylvanians and so many Pennsylvania businesses.

Madam President, quite frankly, not having the ability to go to those physicians, to those doctors and health centers and health clinics, to receive the appropriate treatment, at the end of the day, it ends up increasing the cost of our premiums that are paid by the folks and those people, I think it was 66 percent was the figure that Senator Corman referenced, with healthcare insurance. It drives up those costs anywhere from 6 to 8 percent. That is something we need to take a look at. We do need to address the issue of affordability.

What the Governor has talked about is a program called Cover All Pennsylvanians. It has gone through a couple of versions at this point in time, and I think, as my colleagues know, later this week or maybe next week, there will be a discussion that will take place in the other Chamber across the hall in the House that will provide for a sort of modified version. It would basically be an expansion of our Pennsylvania adultBasic program. I think it is going to be, as I understand it, it will be entitled PA ABC. That program is a program that is primarily funded through the tobacco settlement money. It is a program that has been effective, a program that is working, and a program that continues to grow. Unfortunately, it is a program that has a waiting list. Anywhere from 65,000 to 75,000 individuals are on that waiting list.

What will be discussed in the House, and my hope is that when it gets through the House, it will find its way here, and we will have a very serious dialogue not only about the PA ABC, or revised version of the adultBasic program, but we will do some of the other things that will be talked about in that legislation. Most importantly, the Governor has talked consistently about, as

part of his plan for Pennsylvania, Prescription for Pennsylvania. He has talked about insurance reform. And we cannot kid ourselves. We have to recognize that we need to look at insurance reform. That is part of the problem. We have to do that.

I recognize that we simply cannot treat this symptom with some type of a program. We need to take steps to get to the root cause. As my colleague said, part of the root cause is the cost, making it affordable. One of the ways we can make it affordable is to address insurance reform. The whole issue with community ratings, I believe, as my colleague, Senator Wonderling, who is here, has said a number of times, we need to get on that path as well. I think those are the types of things that we need to take a look at, but we have to have that dialogue. That needs to be part of this discussion.

We need to attack the issue of affordability, but also accessibility. You cannot have 700,000 people not having the ability to have access to healthcare. We have some of the greatest healthcare facilities and providers in our Commonwealth. We have some of the best in the world. But yet there are so many Pennsylvanians who simply cannot get access to it. And we as a Commonwealth, in my opinion, have an obligation to make certain that we provide the healthcare to those individuals. We have to provide them an opportunity to receive the appropriate care that they need to address their illness and their conditions. And we have taken steps toward that end, but I have to tell you, we have done some good things, but we have a long way to go before we are done.

So, Madam President, I thank Senator Corman for raising the issue, particularly the part about affordability. It is a key component to that, but it is not the only component. It is not the only part of that discussion that needs to take place, and there are provisions on the table. Hopefully, there will be discussion very, very soon on the House version that is going to be coming to this Chamber, to allow us the opportunity to discuss not only the affordability, not only access to healthcare, but also addressing many of the measures, for example, the Mcare issue, how we treat the Mcare situation, obviously as we move forward as it relates to the continuation of the Mcare abatement program. All of those types of things need to be part of a comprehensive discussion that needs to take place here in Pennsylvania, and I have no doubt that we will be able to do that very soon.

So, Madam President, thank you very much for allowing me the opportunity to provide some remarks.

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

Senator STACK. Madam President, I rise today to praise passage of Senate Bills No. 483, 484, 485, 486, 487, and 488. As the Democratic chair of the Committee on Banking and Insurance, I think we are on the right path. These bills are a good start to insuring that we have a fair mortgage industry in Pennsylvania. They increase penalties, give the Department of Banking new enforcement powers to get bad actors out of the mortgage industry, and create a licensure for mortgage originators. The measures will protect consumers and help strengthen the mortgage industry, which has been reeling with the effects of the economic slow-down and bad loans.

As Pennsylvania prepares for more difficult economic times, it is imperative that we craft proactive solutions to safeguard our housing industry. The housing industry is not only important to consumers and the American dream, it is an important part of our

overall economy. We have seen the effects of the housing industry's struggles on our economy and stock market as well as pension funds and the student lending industry. In addition to protecting our economy, we want to make sure that no one takes advantage of homeowners who are facing foreclosure, as well as future home buyers.

These bills will certainly help. I want to point out that this legislative package is the result of substantial input and study, working groups, hearings, and debate among numerous groups, including the Department of Banking's 2005 study on mortgage foreclosures called "Losing the American Dream."

I also want to thank Senator Don White, Senator Browne, and Senator Ferlo, as well as their staffs, for all their hard work on this package. I also want to thank Secretary of Banking Steve Kaplan and, of course, former Secretary of Banking Bill Schenk and the Department of Banking's staff for their great work on this issue. Finally, I publicly want to thank all my colleagues for approving these bills, which in the end are going to help Pennsylvanians, and that is what we are here for, Madam President. Thank you.

The PRESIDENT. Thank you, Senator Stack, for your additional clarification of those bills.

The Chair recognizes the gentleman from Montgomery, Senator Wonderling.

Senator WONDERLING. Madam President, I rise today to recognize a group of about 100 students, teachers, and representatives from the private sector who visited Harrisburg today. This group was really part of a much larger group of approximately 3,000 Pennsylvanians, again, students, teachers, and representatives from the private sector who came today to celebrate the 10th anniversary of the Cisco Academy.

Madam President, the Cisco Academy was established 10 years ago, when terms such as "router," "backbone," and "infrastructure" were foreign terms. I served in the executive branch 10 years ago, and someone came up to me and said we need a LAN and a WAN, and I did not know what the heck they were talking about, but now wide area networks, local area networks, and more importantly, the skills required to maintain and establish such networks in our e-economy, is commonplace. So the 100 or so folks who visited the Capitol today were here in celebration to recognize 10 years from which Cisco Corporation, along with many other private sector organizations, have worked with over 100 school districts in this Commonwealth, educating at any given time some 2,000 young Pennsylvanians in the field of networks and network management.

I want to stress, Madam President, that the folks who are taking advantage of this private/public partnership that has been endorsed by the Rendell administration and is cooperatively driven by the private sector are, yes, eighth and ninth graders from places such as Clearfield County or Luzerne County, but also single moms who are working through a curriculum at our Commonwealth's community colleges or perhaps a recent college graduate who is seeing the prospects for even greater economic opportunity are participating in the Commonwealth's Cisco Academy.

It seems to me, as we begin this season of debate over how to spend tax dollars, literally billions of tax dollars, to educate the children of this Commonwealth, that we need to be ever-mindful that there are new models--in fact, in this case, not-so-new models that have been around for over a decade--that do not neces-

sarily rely solely on the public sector for the delivery of education for young people and that, particularly in the area of technology, as we have seen with the Cisco Academy, can bring the private sector involved hand-in-glove with our teachers, hand-in-glove with our school districts, hand-in-glove with our local community employers to create the kind of high-paying job that I think that we all know our Pennsylvanians, particularly our young Pennsylvanians, want to earn and deserve.

So again, Madam President, my hat is off to the Rendell administration, the Department of Education, and well over 100 school districts in this Commonwealth, along with the fine folks at Cisco, in celebrating 10 years of their academy.

The PRESIDENT. Thank you, Senator Wonderling, for recognizing them.

## 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 CONSTABLES' EDUCATION AND TRAINING BOARD

March 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, Teresa J. O'Neal, 902 Cross Street, Port Royal 17082, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Constables' Education and Training Board, to serve until June 4, 2010, and until her successor is appointed and qualified, vice Sandra Miller, Yardley, resigned.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE TRANSPORTATION COMMISSION

March 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, George M. Khoury, P.O. Box 531, 190 Grove Circle, Lemont 16851, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL  
Governor

#### MEMBER OF THE STATE TRANSPORTATION COMMISSION

March 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, Sharon L. Knoll, 955 Persimmon Court, Fairview 16415, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL  
Governor

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

##### WEDNESDAY, MARCH 12, 2008

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on the PUC Budget)	Hrg. Rm. 1 North Off.
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 340; Senate Resolution No. 246; and House Bills No. 883 and 1320)	Room 461 Main Capitol

##### THURSDAY, MARCH 13, 2008

10:00 A.M.	COMMITTEE OF CONFERENCE FOR SENATE BILL No. 246 (public hearing to receive testimony on Senate Bill No. 246)	Hrg. Rm. 1 North Off.
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##### MONDAY, MARCH 17, 2008

10:30 A.M.	JUDICIARY (public hearing on Senate Bill No. 1250)	Hrg. Rm. 1 North Off.
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##### TUESDAY, MARCH 18, 2008

11:30 A.M.	JUDICIARY (to consider Senate Bills No. 1021, 1107, 1149, 1150, 1250, 1269 and 1278; and House Bills No. 306 and 675)	Room 8E-B East Wing
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##### MONDAY, MARCH 31, 2008

10:00 A.M.	COMMITTEE OF CONFERENCE FOR SENATE BILL No. 246 (discussion on Senate Bill No. 246)	Room 8E-B East Wing
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### RECESS

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

Senator ORIE. Madam President, prior to making the recess motion, I just want to say "yoi!" and "double yoi!" on behalf of Myron Cope, who was a true legend in all of our hearts, and every Steeler fan across this country.

Madam President, I move that the Senate do now recess until Wednesday, March 12, 2008, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 5:42 p.m., Eastern Daylight Saving Time.