

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MAY 5, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 27

**SENATE**

MONDAY, May 5, 2008

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

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

**PRAYER**

The Chaplain, Pastor LOREN CUNNINGHAM, of International Christian Missionary and Youth With a Mission, Kona, Hawaii, offered the following prayer:

I have traveled to every nation on earth in the last 50 years, and I have watched their roots, and I have found their greatness or lack thereof is in their roots. I have enjoyed looking at your roots around this Capitol.

Let us pray.

Our heavenly Father, we are grateful to You for all the bountiful blessings You have given to us in this Commonwealth of Pennsylvania, and its leadership and its influence upon the rest of the States of these United States. We thank You for the many blessings.

As we look past, we see the future. And Lord, we would have Your future. Therefore, we need Your wisdom, Your guidance, Your direction, which is above and beyond our own capabilities. We must understand Your heart, Your spirit, Your love.

As we consider the future, we consider our past. But in our past, Lord, it has not all been rosy, and it has not all been good. We are sorry for that. But Lord, let us not make the same mistakes in the future. Because of Your loving guidance, we can expect something that will come out of this day that will make a difference in the lives of others, that will be an act of love, even as we vote on acts of justice. And we thank You, Lord, that You have Your presence in our midst as we invite You this day, and we receive that in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Cunningham, who is the guest today of Senator Greenleaf.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**SECRETARY OF LABOR AND INDUSTRY**

April 30, 2008

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as Secretary of Labor and Industry, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Stephen M. Schmerin, Gibsonia, resigned.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE PENNSYLVANIA  
CANCER CONTROL, PREVENTION  
AND RESEARCH ADVISORY BOARD**

May 5, 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, Barbara Ellen Jackson, 2316 Thornton Road, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified, vice Julia Bucher, Milton, whose term expired.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE PENNSYLVANIA  
GAME COMMISSION**

May 5, 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, Ronald Weaner (District 6), 435 Celebration Hill Road, Biglerville 17307, Adams County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Stephen Mohr, Bainbridge, 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 BOARD  
OF BARBER EXAMINERS**

May 5, 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 February 1, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the State Board of Barber Examiners, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Papoutsis, Chambersburg, 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 PENNSYLVANIA  
GAME COMMISSION**

May 5, 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 January 15, 2008, for the appointment of B.J. Clark (District 6), 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Stephen Mohr, Bainbridge, whose term expired.

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

EDWARD G. RENDELL  
Governor

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

May 5, 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 January 16, 2008, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Montgomery County, to serve until the first Monday of January 2010, vice The Honorable Toby L. Dickman, deceased.

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**

May 5, 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 January 25, 2008, 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 STATE BOARD  
OF VEHICLE MANUFACTURERS,  
DEALERS AND SALESPERSONS**

May 5, 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 February 1, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, 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 Kenneth I. Glotfelty, Carlisle, 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 BUCKS COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Bucks County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Kimberly Peretik-Jabat, Fairless Hills, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE BUCKS COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Bucks County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Frank Belmonte, Levittown, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Butler County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Joseph Macurak, Chicora, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE BUTLER COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Butler County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Jacqueline Wise, Saxonburg, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Carbon County Board of Assistance, to serve until December 31, 2008, and until his successor is appointed and qualified, vice Marsha M. Macalush, Nesquehoning, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Carbon County Board of Assistance, to serve until December 31, 2008, and until her successor is appointed and qualified, vice Robert Graver, Summit Hill, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CENTRE COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Centre County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Robert Shepherd, Pennsylvania Furnace, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CENTRE COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Centre County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Mary Peterson, Bellefonte, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CENTRE COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown, 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Centre County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Paul Houck, State College, deceased.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CENTRE COUNTY  
BOARD OF ASSISTANCE

May 5, 2007

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 4, 2008, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Centre County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice William Klaban, State College, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Chester County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Caroline A. Novak, declined appointment.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CHESTER COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Chester County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice William Lambert, Coatesville, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CHESTER COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Chester County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Rose Middleton, Thorndale, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Clarion County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Dorothy Ostrander, Lebanon, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CLARION COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Clarion County Board of Assistance, to serve until December 31, 2008, and until her successor is appointed and qualified, vice Sally Hartle, Marble, declined appointment.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CLINTON COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Clinton County Board of Assistance, to serve until December 31, 2008, and until his successor is appointed and qualified, vice Kenneth Boyce, Lock Haven, deceased.

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

EDWARD G. RENDELL Governor

MEMBER OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Columbia County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Donna Horsfall Parsell, Berwick, resigned.

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

EDWARD G. RENDELL Governor

MEMBER OF THE COLUMBIA COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Columbia County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Ann Wilson, Bloomsburg, deceased.

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

EDWARD G. RENDELL Governor

MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Cumberland County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Cesar Valdez, Jr., Carlisle, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CUMBERLAND COUNTY  
BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Cumberland County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Harold Frantz, Mechanicsburg, deceased.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CUMBERLAND  
COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Cumberland County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Leonard Sorensen, New Cumberland, resigned.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE CUMBERLAND  
COUNTY BOARD OF ASSISTANCE

May 5, 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 February 11, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Cumberland County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Jeffrey Logan, Mechanicsburg, resigned.

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

EDWARD G. RENDELL  
Governor

**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:

May 1, 2008

Senators COSTA, MUSTO, TOMLINSON, STOUT, BROWNE, FONTANA, WASHINGTON, RAFFERTY, GREENLEAF, ERICKSON, ORIE, PUNT, PIPPY, TARTAGLIONE, LOGAN, FUMO, BOSCOLA, WONDERLING, EARLL, O'PAKE, KITCHEN, GORDNER, WAUGH, VANCE and LAVALLE presented to the Chair **SB 1382**, 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 definitions and for financial program and reimbursement of payments.

Which was committed to the Committee on EDUCATION, May 1, 2008.

Senators WAUGH, McILHINNEY, WASHINGTON, WOZNIAK, RHOADES and VANCE presented to the Chair **SB 1384**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for control of public travel on private property by owner.

Which was committed to the Committee on TRANSPORTATION, May 1, 2008.

May 2, 2008

Senators FERLO, COSTA, FONTANA, WASHINGTON, RAFFERTY, ORIE, MUSTO, LOGAN, EARLL, BAKER, O'PAKE, LAVALLE, C. WILLIAMS and STACK presented to the Chair **SB 1383**, entitled:

An Act amending the act of April 28, 1999 (P.L.24, No.3), known as the Mental Health or Mental Retardation Facility Closure Act,

providing for proceeds derived from facility disposition; and establishing the Mental Health Community Services Account and the Mental Retardation Community Services Account.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, May 2, 2008.

May 5, 2008

Senators EARLL, PILEGGI, M. WHITE, SCARNATI, PUNT, MADIGAN, ERICKSON, TOMLINSON, CORMAN, McILHINNEY, ORIE, RAFFERTY, GREENLEAF, D. WHITE, REGOLA, WONDERLING, FOLMER, MUSTO, WAUGH, KITCHEN, VANCE, GORDNER, BROWNE, PIPPY, ROBBINS, BAKER and BRUBAKER presented to the Chair **SB 2**, entitled:

An Act providing for the allocation of money in the Pennsylvania Gaming Economic Development and Tourism Fund and for funding of water or sewer projects, storm water projects, flood control projects and high hazard dam projects.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 5, 2008.

Senators LAVALLE and ARMSTRONG presented to the Chair **SB 1389**, entitled:

An Act amending the act of July 17, 2007 (P.L. , No.8A), known as the General Appropriation Act of 2007, increasing and decreasing Federal and State appropriations for the Department of Education, the Department of Public Welfare, the Department of State, the Pennsylvania Emergency Management Agency, the Pennsylvania Historical and Museum Commission, the courts of common pleas and community courts and magisterial district judges; and adding a Federal appropriation to the Department of Aging.

Which was committed to the Committee on APPROPRIATIONS, May 5, 2008.

Senators VANCE, BAKER, BOSCOLA, BRUBAKER, COSTA, EARLL, ERICKSON, FERLO, GREENLEAF, KASUNIC, KITCHEN, LAVALLE, LOGAN, MUSTO, O'PAKE, ORIE, PIPPY, PUNT, RAFFERTY, ROBBINS, SCARNATI, TARTAGLIONE, TOMLINSON, WASHINGTON, WAUGH, C. WILLIAMS, WONDERLING and WOZNIAK presented to the Chair **SB 1390**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for blind veterans' pensions and for paralyzed veterans' pensions.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 5, 2008.

Senators VANCE, BAKER, BOSCOLA, BRUBAKER, CORMAN, COSTA, ERICKSON, FERLO, FONTANA, GREENLEAF, KASUNIC, KITCHEN, LAVALLE, LOGAN, MUSTO, O'PAKE, ORIE, PIPPY, PUNT, RAFFERTY, ROBBINS, SCARNATI, TARTAGLIONE, TOMLINSON, WASHINGTON, WAUGH, C. WILLIAMS, WONDERLING, WOZNIAK and STACK presented to the Chair **SB 1391**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational gratuity payments.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 5, 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:

May 1, 2008

Senators RHOADES, SCARNATI, ERICKSON, RAFFERTY, BOSCOLA, ORIE, COSTA, TARTAGLIONE, WASHINGTON, LOGAN, FONTANA, FERLO, PUNT, BAKER, KASUNIC, PILEGGI, MELLOW, WAUGH, ROBBINS, D. WHITE and PIPPY presented to the Chair **SR 267**, entitled:

A Resolution urging the President and the Congress of the United States to take action on behalf of the citizens of this Commonwealth and of this nation to control exceedingly high gas and energy prices.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 1, 2008.

Senators WONDERLING, PIPPY, STOUT, D. WHITE, ORIE, COSTA, WOZNIAK, BAKER, FOLMER, RAFFERTY, BOSCOLA and VANCE presented to the Chair **SR 309**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a fiscal impact study on the pension and postretirement health benefits of the Pennsylvania Public School Employees' Retirement System and the Pennsylvania State Employees' Retirement System.

Which was committed to the Committee on FINANCE, May 1, 2008.

Senators GORDNER, DINNIMAN, MUSTO, MADIGAN, TOMLINSON, FONTANA, A. WILLIAMS, KASUNIC, RAFFERTY, M. WHITE, BROWNE, ARMSTRONG, ORIE, WAUGH, BAKER, BOSCOLA, BRUBAKER, COSTA, ERICKSON, FERLO, GREENLEAF, KITCHEN, LOGAN, O'PAKE, PILEGGI, PIPPY, PUNT, RHOADES, SCARNATI, STACK, STOUT, TARTAGLIONE, WASHINGTON, D. WHITE, C. WILLIAMS, WONDERLING and EARLL presented to the Chair **SR 317**, entitled:

A Resolution commemorating the 25th anniversary of the founding of the Ben Franklin Technology Partners.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, May 1, 2008.

## GENERAL COMMUNICATION

### ANNUAL REPORT OF THE FARMLAND PRESERVATION PROGRAM

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

COMMONWEALTH OF PENNSYLVANIA  
 Department of Agriculture  
 2301 North Cameron Street  
 Harrisburg, PA 17110-9408

May 1, 2008

Russell W. Faber  
 Chief Clerk  
 Senate of Pennsylvania  
 Room 89 East Wing  
 Capitol Building  
 Harrisburg, Pennsylvania 17120

Dear Mr. Faber:

The Pennsylvania Department of Agriculture is pleased to submit to the General Assembly an annual report for the period February 28, 2007, through February 29, 2008, in accordance with Section 14.4 of Act 149 of 1988 (the Agricultural Area Security Law).

In the 20 years since the authorizing legislation became effective, Pennsylvania's Farmland Preservation Program has permanently preserved 382,845 acres of farmland. Act 149 provides for permanent preservation of agricultural land through the purchase of conservation easements from qualifying farmers. The Pennsylvania program is first in the nation in the number of acres preserved and is continuing to preserve farmland at a rate greater than any other state.

Should you have any questions about the data supplied in this report or require additional information, please contact my office.

Sincerely,

DENNIS C. WOLFF  
 Secretary

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

**APPOINTMENT BY THE  
 PRESIDENT PRO TEMPORE**

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

The Honorable Elizabeth A. Doyle as a member of the Interbranch Commission for Gender, Racial and Ethnic Fairness.

**BILL REPORTED FROM COMMITTEE**

Senator ARMSTRONG, from the Committee on Appropriations, reported the following bill:

**SB 1250 (Pr. No. 1776) (Rereported)**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for marriage between one man and one woman.

**LEGISLATIVE LEAVES**

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

Senator PILEGGI. Madam President, I request a temporary Capitol leave for Senator Punt, and a legislative leave for Senator Tomlinson.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Punt, and a legislative leave for Senator Tomlinson. Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**SENATE CONCURRENT RESOLUTION**

**WEEKLY RECESS**

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

In the Senate, May 5, 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, May 12, 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, May 12, 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-49**

Armstrong	Fontana	O'Pake	Tartaglione
Baker	Fumo	Orie	Tomlinson
Boscola	Gordner	Piccola	Vance
Browne	Greenleaf	Pileggi	Waugh
Brubaker	Hughes	Pippy	White, Donald
Corman	Kasunic	Punt	White, Mary Jo
Costa	Kitchen	Rafferty	Williams, Anthony H.
Dinniman	LaValle	Regola	Williams, Constance
Earl	Logan	Rhoades	Wonderling
Eichelberger	Madigan	Robbins	Wozniak
Erickson	McIlhinney	Scarnati	
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 JANE C. ORIE  
 PRESENTED TO THE SENATE**

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

Senator ORIE. Madam President, I would like to introduce the Mitrik family: Ron, the father; Candice, the mother; Jordan, the contest winner; and Shayla, the sister.



Jordan Mitrik, an eighth grader from Holy Spirit, was the winner of the "Dear Senator Orié, Pennsylvania is a great place to live because..." essay contest that was sponsored by North Catholic High School. Jordan's essay goes on to explain that Pennsylvania is a great place to live because of:

Our outstanding health facilities. "Western PA has some of the top rated hospitals in the nation."

The remarkable seasonal changes. He specifically states that "Pennsylvania has a special blessing from Mother Nature. It's like she paints a beautiful scenery canvas in all four of our seasons."

Diverse entertainment opportunities. That "Pennsylvania offers a variety of entertainment opportunities to satisfy whatever you are passionate about, such as successful sports teams"--like the Steelers--"different museums, as well as fine arts."

As Jordan stated so well, Madam President, "Pennsylvania has something to offer everyone, if you'll just give us a try." He and his family are here, and I ask my colleagues to join me in giving them a warm welcome.

The PRESIDENT. Will the Mitrik family, Ron, Candice, Jordan, and his sister, all please rise so we can welcome you.

(Applause.)

#### **GUESTS 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 privilege to introduce some guests today from the Kimberton Waldorf School in Chester County. The students are here with their teacher, Ms. Anna Zay, and Mr. Miller. Kimberton Waldorf School is a very fine private institution in our county which has its own unique and very effective philosophy of education based on the writings of Rudolph Steiner.

So if you would, I ask the Senate to welcome the students and faculty from the Kimberton Waldorf School.

The PRESIDENT. Will the students and faculty from Kimberton Waldorf School in Chester County, Ms. Zay, and Mr. Miller please rise so we can welcome you to the Pennsylvania State Senate.

(Applause.)

#### **GUESTS OF SENATOR ROBERT T. REGOLA PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland, Senator Regola.

Senator REGOLA. Madam President, I am pleased to introduce to the Senate a group of students from Wendover Middle School in Hempfield Township, the very same school that I attended many years ago. They are here today visiting the Capitol and learning about State government.

As my colleagues know and can appreciate, it is always a pleasure to see our young people take an interest in government and its role in serving the people. While I always enjoy hearing feedback from every group of students who visit the Capitol, it is not often that those comments take place at a dinner table, as

I expect will be the case here, since my son, John, and my daughter, Marlina, are among the young people in the gallery today. Madam President, I ask the Senate to extend its usual warm welcome to the students from Wendover Middle School.

The PRESIDENT. Will the students and teachers from Wendover Middle School in Hempfield Township please rise so we can welcome you.

(Applause.)

#### **GUESTS OF SENATOR MICHAEL BRUBAKER PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Madam President, it is a real distinct honor and privilege for me to introduce some guests from outside of our country. They are here from Haiti, and they are here to observe how Pennsylvania does this thing we call democracy. It is my privilege for us to host our Haitian friends today, and at this time I ask that you acknowledge them with your due respect.

The PRESIDENT. Will the students from Haiti and Reverend Cunningham please rise so we can welcome you here.

(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, first, of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator MELLOW. Madam President, I request that the Democratic Members report to our caucus room upon the conclusion of the meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. There will be a brief recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations, and 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.

#### **LEAVE CHANGED**

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

Senator O'PAKE. Madam President, I request that Senator Washington's leave be changed from personal leave to legislative leave.

The PRESIDENT. Senator O'Pake requests that Senator Washington's leave be changed from personal leave to legislative leave. Without objection, the leave will be changed.

**LEGISLATIVE LEAVE**

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

Senator PILEGGI. Madam President, I request a temporary Capitol leave for Senator Mary Jo White.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Mary Jo White. Without objection, the leave will be granted.

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**HB 500** and **HB 501** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL AMENDED**

**SB 684 (Pr. No. 1970)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for child death review.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BAKER offered the following amendment No. A6857:

Amend Sec. 4, page 4, by inserting between lines 11 and 12:

(vi) The Director of the Bureau of Emergency Medical Services of the Department of Health.

Amend Sec. 5, page 5, line 21, by inserting after "SELECTED": jointly

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

**BILL OVER IN ORDER**

**SB 1028** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1149 (Pr. No. 1973)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault.

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 gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Madam President, Senate Bill No. 1149 amends our assault law to add further protection for public transportation employees. The number of assaults committed against public transportation employees has increased substantially over the last few years. These assaults endanger lives and put innocent citizens at risk. Madam President, we have passed this legislation in previous Sessions, and I ask my colleagues to once again join me with an affirmative vote.

Thank you, Madam President.

And the question recurring,  
Shall the bill pass finally?

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

**YEA-48**

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

**NAY-2**

Earl                      White, Mary Jo

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

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

**SECOND CONSIDERATION CALENDAR**

**BILL ON SECOND CONSIDERATION**

**HB 239 (Pr. No. 1441)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for liens for assessments and for connection to water system.

Considered the second time and agreed to,

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

BILL LAID ON THE TABLE

**SB 428 (Pr. No. 1571)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, adding a definition of "community paper of mass dissemination"; and further providing for legal advertising.

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

BILL REREFERRED

**SB 472 (Pr. No. 547)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Science Technology Partnership Program; and providing for State grants.

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

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF SB 1149

BILL ON FINAL PASSAGE

**SB 1149 (Pr. No. 1973)** -- Senator BOSCOLA. Madam President, I move that the Senate do now reconsider the vote by which Senate Bill No. 1149, Printer's No. 1973, just passed finally.

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

And the question recurring,  
Shall the bill pass finally?

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

YEA-47

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

NAY-3

Boscola	Earll	White, Mary Jo
---------	-------	----------------

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

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

SECOND CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

**SB 615** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

**HB 675 (Pr. No. 1267)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of illegal dumping of methamphetamine waste; and imposing a penalty.

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

BILL AMENDED

**SB 731 (Pr. No. 1986)** -- The Senate proceeded to consideration of the bill, 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 possession and use of asthma inhalers.

On the question,  
Will the Senate agree to the bill on second consideration?  
Senator ORIE offered the following amendment No. A6865:

Amend Title, page 1, line 6, by inserting after "inhalers": and epinephrine auto-injectors

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

On the question,  
Will the Senate agree to the bill on second consideration, as amended?  
It was agreed to.

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

BILLS REREFERRED

**HB 775 (Pr. No. 3081)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 11, 1935 (P.L.326, No.149), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further providing for flags, markers and headstones.

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

**HB 776 (Pr. No. 3082)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for flags and grave markers of certain deceased service persons.

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

**HB 777 (Pr. No. 3083)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for markers on graves and for flags to decorate graves.

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

**BILL OVER IN ORDER**

**HB 1044** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL REREFERRED**

**SB 1062 (Pr. No. 1983)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for reimbursement to developers of brownfield sites; authorizing the Secretary of Environmental Protection to enter into redevelopment agreements; and establishing the Brownfield Site Reimbursement Fund.

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

**BILLS OVER IN ORDER**

**SB 1283** and **SB 1285** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILLS REREFERRED**

**SB 1312 (Pr. No. 1835)** -- The Senate proceeded to consideration of the bill, 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 State reimbursement for health services.

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

**SB 1315 (Pr. No. 1852)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for a Postsecondary Education Tuition Reimbursement Program for volunteer firefighters and emergency services personnel.

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

**SB 1330 (Pr. No. 1984)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Coal Methane Review Board to resolve disputes between property owners over the location of coal bed methane wells and access roads.

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

**SB 1373 (Pr. No. 1965)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for an annual allocation of funds to county mental health and mental retardation programs.

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

**SENATE RESOLUTION No. 294, ADOPTED**

Senator PILEGGI, without objection, called up from page 4 of the Calendar, **Senate Resolution No. 294**, entitled:

A Resolution reaffirming that the consent of the Commonwealth of Pennsylvania to the acquisition of Allegheny National Forest Lands by the United States is conditioned on the preservation of property interests of the Commonwealth of Pennsylvania and privately owned property interests.

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.
Earl	Logan	Rhoades	Williams, Constance
Eichelberger	Madigan	Robbins	Wonderling
Erickson	Mellhinney	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.

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

**BILL ON SECOND CONSIDERATION**

**SB 1250 (Pr. No. 1776)** -- The Senate proceeded to consideration of the bill, entitled:

