

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 9, 2008

SESSION OF 2008 192ND OF THE GENERAL ASSEMBLY

No. 37

SENATE

MONDAY, June 9, 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, Reverend BONNIE CAMARDA, director of Partnership for Salvation Army, Philadelphia, offered the following prayer:

Good morning. The Word says that God has not given us the spirit of fear, but the spirit of power and of a sound mind, II Timothy 1:7. God always gives us what we need to live. Paul reminds Timothy that He has equipped him with love, power, and a sound mind. I ask today for the Lord to give you those three ingredients that are necessary for the leadership of the Senate of our Commonwealth.

Lord, I want to thank You for each State Senator who is in our midst and for those who are not here. I pray You will equip them with Your love, that they will be known in their community by the love for the people whom they serve. Lord, I want to pray for courage. I pray You give them courage and wisdom to make the decisions that need to be made for the benefit of the people of the Commonwealth. Lord, I just pray that You will bless them. I pray that You will, as they decide on the decisions they need to make today and in the rest of this month, the budget, education, energy, and health, all the outstanding issues that are in front of them, that You would give them wisdom.

We bless them, and we bless their families. The Lord says, in Numbers, the Lord bless you and keep you; the Lord make His face shine upon you, and be gracious to you; the Lord turn His face toward you and give you peace.

In the name of Jesus Christ. Amen.

The PRESIDENT. The Chair thanks Reverend Camarda, who is the guest today of Senator Tartaglione.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the

Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

**MEMBER OF THE BOARD OF TRUSTEES
OF CLARKS SUMMIT STATE HOSPITAL**

June 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, Germaine A. Carey, 505 Gladiola Drive, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2009, and until her successor is appointed and qualified, vice Theodore J. Giglio, Old Forge, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF DANVILLE STATE HOSPITAL**

June 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, Lynn Strausser Jeffery, 265 Penn Avenue, Elysburg 17824, Northumberland County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Gregory Wisloski, Ranshaw, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF DENTISTRY

June 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, Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Gwendolyn White, Erie, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

June 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, Eric Battisti, 515 Country Club Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Warren Moser, Downingtown, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

June 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, Anthony W. Salomone, 1312 Upton Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2013, and until his successor is appointed and qualified, vice Paul D. Halliwell, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

June 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, David F. Werner, CPA, CMI, 1885 Herman Drive, York 17408, York County, Twenty-eighth Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2011, and until his successor is appointed and qualified, vice Paula R. Mandle, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

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

June 9, 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, Lynette M. Brown-Sow, 3900 Ford Road, Condo 9-D, Philadelphia 19131, Philadelphia County, Seventh Senatorial District, for reappointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

June 9, 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, Thane C. Martin, CPA, 402 Derby Way, Wilmington, Delaware 19810, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Lorna D. Horsey, Philadelphia, whose term expired.

EDWARD G. RENDELL
Governor

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

June 9, 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, Robert L. Traynham II, 2105 13th St. NW, Washington, DC 20009-7502, for reappointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

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 COUNCIL OF TRUSTEES
OF CHEYNEY UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 4, 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 April 15, 2008, for the appointment of Lynette M. Brown-Sow, 3900 Ford Road, Condo 9-D, Philadelphia 19131, Philadelphia County, Seventh Senatorial District, as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

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

June 4, 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 April 15, 2008, for the appointment of Lorna D. Horsey, 612 Cristina Place, Philadelphia 19139, Philadelphia County, Seventh Senatorial District, as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

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

June 4, 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 April 15, 2008, for the appointment of Robert L. Traynham II, 2105 13th St. NW, Washington, DC 20009-7502, as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

June 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 May 7, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Public Employee Retirement Commission, to serve until October 27, 2011, and until his successor is appointed and qualified, vice Paula R. Mandle, Philadelphia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2008, and until his successor is appointed and qualified, vice Helen-Ann Comstock, Perkasie, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 9, 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 22, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2009, and until his successor is appointed and qualified, vice Jules Rosen, M.D., Pittsburgh, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 9, 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 22, 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 Pennsylvania Council on Aging, to serve until October 8, 2009, and until her successor is appointed and qualified, vice Martin Berger, Ardmore, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE COMMONWEALTH OF
PENNSYLVANIA COUNCIL ON THE ARTS

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2010, and until his successor is appointed and qualified, vice Adrienne Snelling, Fogelsville, resigned.

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

EDWARD G. RENDELL
Governor

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

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Richard Kooman II, Shippenville, deceased.

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

EDWARD G. RENDELL
Governor

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

June 9, 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 22, 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 Council of Trustees of Clarion University

of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Melvin Witherspoon, Erie, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified, vice William Davis, Williamsport, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

June 9, 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 22, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until her successor is appointed and qualified, vice C. Talbot Heppenstall, Jr., Pittsburgh, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2011, and until his successor is appointed and qualified, vice Tyrone J. Christy, Renfrew, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

June 9, 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 22, 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 Pennsylvania Energy Development Authority, to serve until April 8, 2008, and until her successor is appointed and qualified, vice James M. Seif, Blue Bell, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

June 9, 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 19, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Fish and Boat Commission, to serve until June 4, 2009, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frederick Osifat, Tresckow, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 9, 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 22, 2008, for the appointment [data missing] Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until her successor is appointed and qualified, vice R. Benjamin Wiley, Erie, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 9, 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 22, 2008, for the appointment [data missing] Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until her successor is appointed and qualified, vice David Holveck, Malvern, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HISTORICAL AND MUSEUM COMMISSION

June 9, 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 22, 2008, for the appointment [data missing] Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Robert Janosov, Nanticoke, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 9, 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 March 28, 2008, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years and until her successor is appointed and qualified, vice David Alexander, Pittsburgh, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE INDUSTRIAL BOARD

June 9, 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 22, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Industrial Board, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Joseph Steward, Philadelphia, resigned.

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 EXAMINERS
OF NURSING HOME ADMINISTRATORS

June 9, 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 22, 2008, for the appointment [data missing] Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice I. William Goldfarb, Pittsburgh, whose term expired.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE

June 9, 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 22, 2008, for the appointment [data missing] Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Arthur McVitty, Hilton Head Island, resigned.

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

EDWARD G. RENDELL
Governor

PHYSICIAN GENERAL

June 9, 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 22, 2008, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Physician General, to serve at the pleasure of the Governor, vice The Honorable Robert Muscalus, Harrisburg, resigned.

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 EXAMINERS
IN SPEECH-LANGUAGE AND HEARING

June 9, 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 March 6, 2008, for the appointment of Eric Battisti, 515 Country Club Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Examiners in Speech-Language and Hearing, to serve until April 24, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Janis Williams, Pittsburgh, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THADDEUS STEVENS COLLEGE OF TECHNOLOGY

June 9, 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 22, 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 Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Stephen L. Ralston, 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 STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

June 9, 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 22, 2008, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth 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 Gus Pedicone, Philadelphia, 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**

June 9, 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 22, 2008, for the appointment of Gregory A. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth 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 Edwin Galbreath, New Castle, 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**

June 9, 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 22, 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 State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Cernic, Jr., Johnstown, 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**

June 9, 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 22, 2008, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth 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 her successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Zimmerman, Mechanicsburg, 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 VETERINARY MEDICINE**

June 9, 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 22, 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 State Board of Veterinary Medicine, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Cloninger, Center Hall, whose term expired.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 9, 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 19, 2008, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-09, to serve until the first Monday of January 2010, vice Armand Martin, deceased.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

June 6, 2008

HB 1027 -- Committee on Judiciary.

June 9, 2008

HB 2503 -- Committee on Community, Economic and Recreational Development.

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:

June 6, 2008

Senators HUGHES, A. WILLIAMS, C. WILLIAMS, WASHINGTON and KITCHEN presented to the Chair **SB 1433**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for personalized firearms; and prohibiting certain sales of firearms.

Which was committed to the Committee on JUDICIARY, June 6, 2008.

Senators HUGHES, MUSTO, LOGAN, C. WILLIAMS, WASHINGTON and TARTAGLIONE presented to the Chair **SB 1436**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing the Protecting Pennsylvania's Progress Program.

Which was committed to the Committee on FINANCE, June 6, 2008.

Senators MELLOW, MUSTO, LAVALLE, FUMO, BAKER and BROWNE presented to the Chair **SB 1437**, entitled:

An Act making an appropriation to the Commonwealth Medical College, Scranton.

Which was committed to the Committee on APPROPRIATIONS, June 6, 2008.

Senators EARLL, ORIE, FONTANA, PIPPY, COSTA, WASHINGTON, LAVALLE, RAFFERTY, WAUGH and WONDERLING presented to the Chair **SB 1439**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for Lake Erie fishing permits.

Which was committed to the Committee on GAME AND FISHERIES, June 6, 2008.

Senators O'PAKE, WASHINGTON, FONTANA, C. WILLIAMS, M. WHITE, COSTA, GREENLEAF, MUSTO, WOZNAK, KASUNIC, BAKER, RAFFERTY, BRUBAKER, EARLL, BOSCOLA and VANCE presented to the Chair **SB 1440**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the right of a jury to written instructions.

Which was committed to the Committee on JUDICIARY, June 6, 2008.

Senators LAVALLE, WASHINGTON, STOUT, MELLOW and MUSTO presented to the Chair **SB 1441**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for expanded restaurant licenses, fees, privileges and restrictions; and further providing for revocation and suspension of licenses and fees and for premises to be vacated by patrons.

Which was committed to the Committee on LAW AND JUSTICE, June 6, 2008.

Senators RHOADES, MUSTO, DINNIMAN, BAKER, FOLMER, LAVALLE, SCARNATI, PILEGGI, MELLOW, RAFFERTY, WAUGH, MADIGAN, PIPPY, C. WILLIAMS, STOUT, WASHINGTON, LOGAN, O'PAKE, REGOLA, ERICKSON, COSTA, CORMAN, EARLL and TARTAGLIONE presented to the Chair **SB 1442**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in high schools, further providing for academic degrees.

Which was committed to the Committee on EDUCATION, June 6, 2008.

Senator ARMSTRONG presented to the Chair **SB 1443**, entitled:

An Act providing for the capital budget for the fiscal year 2008-2009.

Which was committed to the Committee on APPROPRIATIONS, June 6, 2008.

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Senators DINNIMAN, COSTA, ERICKSON, FONTANA, ORIE, RAFFERTY, WASHINGTON, WAUGH, C. WILLIAMS, WONDERLING, WOZNAK and D. WHITE presented to the Chair **SB 1434**, entitled:

An Act establishing the Student Volunteer Firefighter Housing Grant Program; providing for the powers and duties of the State Fire Commissioner; and making an appropriation.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 9, 2008.

Senators EARLL, PUNT, RAFFERTY, PIPPY, ORIE, KITCHEN, BOSCOLA, M. WHITE, WOZNAK, GORDNER and D. WHITE presented to the Chair **SB 1438**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, further providing for definitions; and providing for loans from the Pennsylvania Industrial Development Authority.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1456**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural

Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1457**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1458**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University—Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1459**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University—Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1460**, entitled:

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1461**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1462**, entitled:

An Act making appropriations to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions and for continuation of pediatric services.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1463**, entitled:

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1464**, entitled:

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1465**, entitled:

An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1466**, entitled:

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1467**, entitled:

An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1468**, entitled:

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1469**, entitled:

An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair **SB 1470**, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, June 9, 2008.

Senator ARMSTRONG presented to the Chair SB 1471, entitled:

An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

Which was committed to the Committee on APPROPRIATIONS, June 9, 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:

June 6, 2008

Senators A. WILLIAMS, KASUNIC, COSTA, WONDERLING, TARTAGLIONE, KITCHEN, WASHINGTON, MUSTO, FOLMER, D. WHITE and BROWNE presented to the Chair SR 338, entitled:

A Resolution urging the Commonwealth and all of its departments, agencies, boards and commissions to procure and utilize, where possible, Pennsylvania remanufactured automobile parts and equipment to perform their designated functions.

Which was committed to the Committee on STATE GOVERNMENT, June 6, 2008.

June 9, 2008

Senators WAUGH, RAFFERTY, PUNT, STACK, FERLO, TARTAGLIONE, BAKER, BOSCOLA, ROBBINS, GREENLEAF, STOUT, MADIGAN, FONTANA, A. WILLIAMS, TOMLINSON, PIPPY, KASUNIC, LAVALLE, C. WILLIAMS, O'PAKE, BRUBAKER, MELLOW, ERICKSON, COSTA, MUSTO, REGOLA, LOGAN, FOLMER, PILEGGI, CORMAN, BROWNE, DINNIMAN, KITCHEN, EARLL, ARMSTRONG and D. WHITE presented to the Chair SR 340, entitled:

A Resolution designating the month of November 2008 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 9, 2008.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Madam President, I request legislative leaves for Senator Punt and Senator Tomlinson.

The PRESIDENT. Senator Pileggi requests legislative leaves for Senator Punt and Senator Tomlinson.

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

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

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

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, June 9, 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, June 16, 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, June 16, 2008, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

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

NAY-0

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

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR JANE C. ORIE PRESENTED TO THE SENATE

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

Senator ORIE. Madam President, today I have two volunteers seated in the Senate gallery, Sarah Kiser and Andrew Hamm.

Sarah resides in McCandless with her parents, Patricia and Robert Kiser. She is the president of the National Honor Society and graduated this year from Vincentian Academy with honors. She will be attending Fordham University this fall, majoring in

finance. She has volunteered for me for the past 3 years, helping with the Senior and Kids Expos.

Andrew resides in McCandless with his parents, Carol and David Hamm, and his sister, Meghan. He will be a senior this coming year at North Allegheny Senior High School. He is on the North Allegheny School Board as a student representative. He is a conference co-chair for the Pennsylvania Association of Student Councils, District 3, and is vice president of the National Honor Society. Andrew hopes to go into law and into politics sometime in the future. He, too, has volunteered in my office for over 6 months.

Madam President, I am asking all of the Senators--but especially Senator Rafferty and Senator Gordner--to join me in welcoming my guests here today.

The PRESIDENT. Would Sarah Kiser and Andrew Hamm please rise so we can welcome you.

(Applause.)

RECESS

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 our caucus will conclude at approximately 3:30 p.m.

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.

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

REPORT OF COMMITTEE OF CONFERENCE

REPORT OVER IN ORDER

SB 246 -- Without objection, the Report of the Committee of Conference was passed over in its order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1389 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

HB 239 and **HB 1044** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1314 (Pr. No. 2095) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a volunteer responder retention and recruitment tax credit.

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 Berks, Senator O'Pake.

Senator O'PAKE. Madam President, I rise in support of Senate Bill No. 1314. While not identical, it is very similar to the volunteer first responder tax credit bill I first introduced, with bipartisan support, nearly 5 years ago. The fact is, a tax break for our volunteer emergency services first responders is a long overdue, common sense incentive to encourage the retention of the active volunteer firefighters and active volunteer EMS personnel we already have, while also helping to attract the next generation of recruits that our communities so desperately need.

Throughout Pennsylvania, more than 90 percent of our emergency services first responder organizations are still volunteer. As has been mentioned time and again, these volunteers literally save our taxpayers billions of dollars per year, not to mention the fact that they are often called upon to risk their own lives to save others. This is a critical public service they perform without pay, 24/7, 365 days a year. It is a service our communities can neither do without, nor could they afford to pay for if not for our volunteers.

Our volunteers deserve not only our thanks, they deserve a tax break. That is what this bill does. The tax credit was one of the key recommendations of the Senate Resolution No. 60 commission report issued in November 2004. In a survey of 700 Pennsylvania volunteer firefighters, in a study released by the Center for Rural Pennsylvania in May 2006, 91 percent of these volunteers said they strongly agreed that a State income tax credit would encourage them to continue to volunteer, and 82 percent strongly agreed that that would encourage new volunteers to sign up.

And then, in a survey of Pennsylvania's volunteers last summer by our State's fire services caucus--Senator Logan serves very ably for our Caucus--the State income tax credit proposal was the top recommendation of the 1,675 Pennsylvania volunteers who participated. Some 1,197 respondents, or more than 71 percent, said they supported a State income tax credit as their top choice among all 23 recommendations contained in the Senate Resolution No. 60 commission report. In fact, it was their top choice by a wide margin.

Maryland has had a tax credit for their volunteer firefighters since 1996. Since that time, they have seen an increase of nearly 5,000 more volunteers. New York State volunteer firefighters

