

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JANUARY 26, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 4

SENATE

MONDAY, January 26, 2009

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

The PRESIDENT (Lieutenant Governor Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend SCOTT FISCHER, Executive Director of Lancaster County Council of Churches, Lancaster, offered the following prayer:

Let us join together in prayer.

Eternal, gracious God, Creator and Redeemer, who searches our hearts and minds and knows our intentions as well as our actions, You are the help and hope of all who turn to You. Today, we stand at the crossroads of a new year and a new Session with many challenges and difficult choices that will define whether or not we have been strong and courageous, whether or not we have done the right thing, not because it is popular or politically expedient, but because it is the right thing and because it honors the truth.

We acknowledge our limitations, recognizing that we only see as in a mirror, dimly, and that apart from You, the source of all wisdom, we will never reach the greatness of soul that You created us for and call us to. Save us from discord and confusion, from pride and arrogance, and from all that would keep us from our highest calling. Give us courage to hold onto our convictions, to speak clearly in defense of that which we hold dear, even as we listen intently to those with differing opinions, always searching for a better way that we may walk in it.

This month, as we begin this new year, the 56th Stryker Brigade of the Pennsylvania National Guard takes up watch in Iraq on our behalf. They do so in allegiance to the seven Army values:

Loyalty - Bear true faith and allegiance. Be loyal to the nation and its heritage.

Duty - Fulfill your obligations. Accept responsibility for your own actions and those entrusted to your care.

Respect - Rely upon the golden rule.

Selfless Service - Put the welfare of others before your own.

Honor - Live up to all the Army values.

Integrity - Do what is right, legally and morally, even when no one is looking.

Personal Courage - Face fear, danger, or adversity, with both physical and moral courage.

We pray for Your rich mercy and protection upon them and for success in their mission and ask that as we put our lives at Your disposal, You may do in and through us that which is pleasing in Your sight, glorifying to Your name, and most needed for this day.

This we pray in the spirit of the One who gave His life for others. Amen.

The PRESIDENT. The Chair thanks Reverend Fischer, who is the guest today of Senator Brubaker.

PLEDGE OF ALLEGIANCE

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

RESOLUTION INTRODUCED AND REFERRED

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

January 26, 2009

Senators PILEGGI, MELLOW, ALLOWAY, GORDNER, VOGEL, HUGHES, BRUBAKER, FONTANA, STOUT, O'PAKE, ERICKSON, ROBBINS, FOLMER, PICCOLA, COSTA, ORIE, MUSTO, LOGAN, PIPPY, BAKER, EARLL, WOZNIAK, RAFFERTY and VANCE presented to the Chair **SR 6**, entitled:

A Resolution prohibiting the use of funds appropriated to the Senate to pay or reimburse for costs associated with the use of automatic dialing-announcing devices.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, January 26, 2009.

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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

January 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Sam Cohn (Voting Member), 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF COMMUNITY AND
ECONOMIC DEVELOPMENT

January 21, 2009

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 Community and Economic Development, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

January 21, 2009

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, Nancy A. Houser, 112 Davis Bridge Road, Bernville 19506, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

January 21, 2009

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 J. Lesko, 20 Lupine Lane, Oley 19547, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

January 21, 2009

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, D. Joanne Reckley, 2403 Elizabeth Avenue, Temple 19560, Berks County, Eleventh Senatorial District, for reappointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES
OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 21, 2009

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, Mary A. Coploff, 20 Sylvan Drive, Lock Haven 17745, Clinton County, Thirty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice J. Ralph Lovette, Lock Haven, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES
OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 21, 2009

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, Donald E. Houser, 331 West Main Street, PO Box 45, Lock Haven 17745, Clinton County, Thirty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE COUNCIL OF TRUSTEES
OF LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 21, 2009

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, James W. Swistock, 449 Hunter Avenue, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Council of Trustees of Lock

Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

**SECRETARY OF COMMUNITY AND
ECONOMIC DEVELOPMENT**

January 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable [*sic*] George E. Cornelius, 1058 Farmview Drive, West Chester 19382, Chester County, Twenty-sixth Senatorial District, for appointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

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

**SECRETARY OF COMMUNITY AND
ECONOMIC DEVELOPMENT**

January 23, 2009

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 21, 2009, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as Secretary of Community and Economic Development, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

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

EDWARD G. RENDELL
Governor

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Yaw, and a legislative leave for Senator Tomlinson.

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

Senator O'PAKE. Mr. President, I request legislative leaves for Senator Stout and Senator Washington.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Yaw, and a legislative leave for Senator Tomlinson.

Senator O'Pake requests legislative leaves for Senator Stout and Senator Washington.

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 26, 2009

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, February 2, 2009, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, February 2, 2009, unless sooner recalled by the Speaker of the House of Representatives.

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

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of January 6, 2009, is now in print.

The Clerk proceeded to read the Journal of the Session of January 6, 2009.

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

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

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

YEA-48

| | | | |
|--------------|------------|----------|----------------|
| Alloway | Ferlo | Musto | Tartaglione |
| Baker | Folmer | O'Pake | Tomlinson |
| Boscola | Fontana | Orie | Vance |
| Browne | Gordner | Piccola | Vogel |
| Brubaker | Greenleaf | Pileggi | Ward |
| Corman | Hughes | Pippy | Washington |
| Costa | Kasunic | Rafferty | Waugh |
| Dinniman | Kitchen | Robbins | White, Mary Jo |
| Earll | Leach | Scarnati | Williams |
| Eichelberger | Logan | Smucker | Wonderling |
| Erickson | McIlhinney | Stack | Wozniak |
| Farnese | Mellow | Stout | Yaw |

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

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

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators RAFFERTY, STACK, SCARNATI, PILEGGI, O'PAKE, EARLL, BOSCOLA, TOMLINSON, GORDNER, ROBBINS, WONDERLING, STOUT, KASUNIC, WASHINGTON, CORMAN, FONTANA, M.J. WHITE, TARTAGLIONE, COSTA, ERICKSON, McILHINNEY, MUSTO, KITCHEN, D. WHITE, WAUGH, FOLMER, DINNIMAN, BAKER, FARNESE, GREENLEAF, PIPPY, BRUBAKER, ALLOWAY, BROWNE, FERLO, SMUCKER, LEACH and PICCOLA, by unanimous consent, offered **Senate Resolution No. 7**, entitled:

A Resolution congratulating the Philadelphia Phillies on winning the 2008 Major League Baseball World Series.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, if I may just for a moment digress from the resolution, originally, Senator Stack and I planned to offer this resolution in November of 2008 honoring the Phillies for their World Series championship in October of 2008. But Mr. President, if you recall, in November of 2008, the Senate was reeling from two horrific losses, and we memorialized, during our November Session, the late Senator Jim Rhoades and the late Lieutenant Governor Catherine Baker Knoll. So both Senator Stack and I did not feel it appropriate at that time to bring up a resolution for the occasion of honoring the Phillies. So we are doing so today, and I coordinated with the Phillies to do it in November, but they were very understanding of the situation and agreed to wait until January.

Compliments of the Fightin' Phils, we have rally towels that were given to us through John Brazer, director of publicity for the Philadelphia Phillies organization. And Mr. President, I must say that I myself, whether at a game or at home, was waving the rally towel, rooting on the boys in red and white, to make sure that they won the World Series. And in a controversial, historic, and action-packed World Series, the Philadelphia Phillies triumphed over Tampa Bay and brought home the World Series championship.

Mr. President, I have to say, I am not one who paid much attention to numerology that people were talking about, but I was there in 1980 when the Philadelphia Phillies clinched it at Veterans Stadium. The pitcher who saved the game was Tug McGraw. He wore number 45. As I am sitting at home watching the final game of this World Series, I am realizing that was 1980, this is 2008. Well, I am looking at Brad Lidge, who is on the mound to save the game for the Phillies, and he is number 54. There were

some real coincidences there. I felt very confident when Brad took the mound, not just because he had 50-some straight saves, but because things seemed to be going well for the Phillies, and I felt more and more confident that evening that they were going to win after the rain-suspended game.

Mr. President, Senator Stack and I wanted to make sure that we got the adulation and the congratulations due to the Phillies, and I congratulate heartily the Phillies' ownership, Mr. Dave Montgomery, and the management of the Phillies; their field general, Charlie Manuel, and his coaching staff; the players, who did a terrific job all season long, and especially during the Championship Series and the World Series; and most especially, the fans of the Philadelphia Phillies for their support, for all their prayers, and for all their enthusiasm behind the team to make sure that the Philadelphia Phillies prevailed.

It has been a glorious time for us in the southeast and throughout all the Commonwealth of Pennsylvania, and now as we have the very good possibility of having champions from western Pennsylvania in the Super Bowl, we wanted to make sure that we kept this spirit alive as we root on the Steelers this week in the Super Bowl.

Mr. President, the Philadelphia sports fans have consistently demonstrated their devotion to the Philadelphia teams throughout 25 years, and since taking the helm as manager of the Phillies in 2005, Charlie Manuel has guided the players to become the best team in Major League Baseball. Twenty-four-year-old pitcher Cole Hamels was named the most valuable player for both the National League Championship Series and the World Series. And if I could steal one of his lines, how cool is the name "Cole Hamels"? With a 4-0 record and a 1.80 earned run average in the postseason, starting pitchers Cole Hamels, Brett Myers, Joe Blanton, and Souderton native Jamie Moyer delivered outstanding performances throughout our postseason. The Phillies were led by a talented and tough group of players, including 2006 MVP Ryan Howard; all-star second baseman Chase Utley, whom I am often mistaken for; 2007 MVP and 2007 and 2008 Gold Glove winner Jimmy Rollins; third-baseman Pedro Feliz; veteran outfielder Pat Burrell; 2008 Gold Glove winner, the flying Hawaiian, Shane Victorino; outfielder Jayson Werth; catcher Carlos Ruiz; and pitcher Brad Lidge.

Therefore, Mr. President, I ask my colleagues in the Senate, when the time comes, to vote unanimously for this resolution honoring the Philadelphia Phillies for the world championship, sending them our best wishes for continued success. And now, Mr. President, I ask you to recognize my friend and my colleague, Senator Stack, from the county of Philadelphia.

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

Senator STACK. Mr. President, I am so happy to join with my colleague, Senator Rafferty. I was just talking with some of my other colleagues about the rally towel from Philadelphia. There is no question that these are most likely based on the Terrible Towels from our friends from Pittsburgh, and we have always appreciated their fire and their passion, and in many ways, we have the same things in common, and so we tried to take it up a notch with these rally towels and at least rival our friends from the Pittsburgh area, and I really think we did it. And we are very proud that the Pittsburgh Steelers are going to the Super Bowl.

Our beloved Eagles did not make it, but what took the sting out was the glow of the fact that this World Series victory is still going on.

So what I wanted to say, Mr. President, is that we waited for this trophy for a long time in Philadelphia. Our Phillies, Eagles, Sixers, and Flyers came close to achieving victory several times over the past 24 years, but we never got a chance to feel that thrill of victory. Many say our Commonwealth's founder, William Penn, has placed a curse on the city's professional sports teams. That is because in the 1980s, as you know, Mr. President, the city's developers broke the so-called gentlemen's agreement to keep the statue of William Penn, which sits atop city hall, as the highest point in the city of Philadelphia. For over two decades, a shadow had fallen over our old and proud city--the curse of Billy Penn, we knew it as--until October 29, 2008, the day Citizens Bank Park and all of Philadelphia erupted in unbridled joy as the Phillies won the World Series.

I was actually activated for the military during Game 5 and was at Fort Shelby when the first part of the game was rained out. Fortunately, God saw it fit to rain that game out, and I was able to get back and get off active duty and attend the game. At the top of the ninth, it felt like the entire city held its breath until Brad Lidge nailed that final strike, then dropped to his knees and raised his arms to the sky, proclaiming, "We did it!" At that moment, I think Phillies fans everywhere shouted the same thing: "We did it." It was a well-deserved ending to a seemingly never-ending Game 5.

The spirit of the fans was truly demonstrated by their faithful attendance for both rounds of Game 5. In my northeast Philadelphia district, thousands of fans poured into the streets to gather at Cottman and Frankford Avenues to celebrate. If you are ever watching on television and you wonder, where is this Frankford and Cottman Avenue, it is in my senatorial district, and it is one of our nerve centers when there is a celebration. It often looks crazy on TV, but it is peaceful, it is joyful, and it is loving.

On that gorgeous Halloween day, over 1 million fans gathered, from Center City to South Philadelphia to all over Pennsylvania, to witness our long-awaited parade. The curse was broken. It is interesting to note that in 2007, a miniature statue of William Penn was placed on the beam at the top of the newly built Comcast building, and he resumed his role as the tallest point in the city. Is it a coincidence that the championship drought ended soon after? Anything is possible, Mr. President, but if it is true, I just want to say, thank you, William Penn.

But we really need to thank the Fightin' Phils. We are so proud of Coach Charlie Manuel and all the players for their determination, dedication, and hard work. Every time they went on the field in their uniform, they proudly represented Philadelphia and our Commonwealth. They brought pure joy to a city that was feeling the burden of a slumping economy. In fact, the team's victory helped boost the city's amusement tax. This championship means so much to the city of Philadelphia, and I am so proud to support this resolution congratulating our fans throughout this great State, New Jersey, Pennsylvania, the whole country, and the whole wide world, congratulating those Phillies on a tremendous season.

I want to thank you, Mr. President, for your patience, I want to thank our colleagues for their patience, and I want to say, thank you, Phillies.

Thank you, Mr. President. And thank you, Senator Rafferty. Now, how about waiving that rally towel, Senator?

And the question recurring,

Will the Senate adopt the resolution?

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

Senators STACK, BAKER, BOSCOLA, WASHINGTON, TARTAGLIONE, KASUNIC, ERICKSON, FONTANA, MUSTO, ROBBINS, TOMLINSON, EARLL, ORIE, SCARNATI, FOLMER, SMUCKER, GORDNER, PILEGGI, RAFFERTY, DINNIMAN, PICCOLA, O'PAKE, PIPPY, WAUGH and GREENLEAF, by unanimous consent, offered **Senate Resolution No. 8**, entitled:

A Resolution declaring the week of January 25 through 31, 2009, as "Catholic Schools Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, I ask unanimous support for this resolution honoring January 25 through 31 as "Catholic Schools Week" in Pennsylvania. Catholic schools instill in our children a quality education and moral values based in Catholic faith. I am proud to say I am a product of Catholic schools. There are more than 180,000 Catholic school students in Pennsylvania and over 19,000 in my district alone. Collectively, these students and their families save taxpayers more than \$1 billion a year. More importantly, they are making a difference in their communities.

This year's theme is "Catholic Schools Celebrate Service." Catholic school students across the State are participating in activities and projects that are making their school and their community a better place to live. Let me give you a few examples of what two local schools are doing today in my district to honor Catholic Schools Week. Students at the Pope John Paul II Regional School are treating local firefighters and police officers to a breakfast in the cafeteria as a thank you for their service to the community. And at Resurrection of Our Lord School, two representatives from St. Francis Inn are visiting the students who have been collecting canned goods for this local soup kitchen. These good deeds are happening all the time at Catholic schools across the State, which is why we should take this week to highlight their contributions and their dedication to education and service.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR JAKE CORMAN
PRESENTED TO THE SENATE**

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

Senator CORMAN. Mr. President, I would like to introduce a constituent of mine who is here with us today, Jonathan Bojan, who is from State College, Pennsylvania, in Centre County, and is a student at the Boyer College of Music and Dance. He is here today with his colleagues, displaying his research on "The Continuous Monochord: A Practical Model of Musical Principle." If you have not already done so, I would suggest you check out some of the work that he and his colleagues have down in the East Wing Rotunda. If you have a love of music, I think you will find it very interesting.

At this time, Mr. President, I ask Jonathan to rise and the Senate to give him a warm welcome.

The PRESIDENT. Let us join together and welcome Senator Corman's guest.

(Applause.)

**SPECIAL ORDER OF BUSINESS
BILL IN PLACE**

Senator O'PAKE presented to the Chair a bill.

**UNFINISHED BUSINESS
CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. James F. Ferris and to the Guardians of the Ribbon by Senator Baker.

Congratulations of the Senate were extended to Brandon G. Newton by Senators Boscola and Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Robert L. Foust, John A. Brittain and to DuMor Site Furnishings, Inc., of Mifflintown, by Senator Corman.

Congratulations of the Senate were extended to Chief Michael J. Carroll and to John T. Melton by Senator Dinniman.

Congratulations of the Senate were extended to Sean Kelly by Senator Farnese.

Congratulations of the Senate were extended to Mr. and Mrs. Ross Helwig, Mr. and Mrs. Gary Sheaffer and to Janet I. Allis by Senator Gordner.

Congratulations of the Senate were extended to Tom Achilles by Senator McIlhinney.

Congratulations of the Senate were extended to Lynn Carney and to the Steelton-Highspire High School Football Team by Senator Piccola.

Congratulations of the Senate were extended to Jordan Davis Patterson by Senator Pileggi.

Congratulations of the Senate were extended to Dr. and Mrs. Victor M. Bove, Mr. and Mrs. Allen Palmer, Mr. and Mrs. Barry Lynch, Todd Lehr and to Lewis P. Mede by Senator Smucker.

Congratulations of the Senate were extended to Sarahann Claiborne and to Carl D. Wiley by Senator Tartaglione.

Congratulations of the Senate were extended to Charles Berk, Kevin Transue, Tim Stanford, William Macht and to Jerry Vacchiano by Senator Tomlinson.

Congratulations of the Senate were extended to Matthew Silva and to the Harrisburg Civil War Round Table by Senator Vance.

Congratulations of the Senate were extended to Eric Sharpe by Senator Wonderling.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Gillin, Mr. and Mrs. Edwin Goddard and to Mr. and Mrs. Robert Kauffman by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Jeffrey J. Haberkern, to the family of the late Robert Louis Soffian and to the family of the late Elizabeth Keller Tinsman by Senator McIlhinney.

PETITIONS AND REMONSTRANCES

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

Senator O'PAKE. Mr. President, as we are well aware, we received some rather sobering news last week. First, the Governor announced that the national economic recession is continuing to wreak havoc on our State's finances, with the State's revenue shortfall now projected at \$2.3 billion or more before the end of the current budget year. And secondly, there was word--and more disconcerting news, in my view--that Pennsylvania, for the second consecutive month, lost more than 27,000 jobs in December. In fact, the new data from the State Department of Labor and Industry, counting last month's statistics, now shows that since the official start of the national recession in December 2007, Pennsylvania has lost more than 76,200 jobs, the biggest annual job loss in over 18 years.

Now, Mr. President, I understand that when compared with the nation as a whole, Pennsylvania's seasonally adjusted jobless rate of 6.7 percent is still four-tenths of a percent below the nation's December jobless rate of 7.2 percent. But that is little consolation, especially if you are one of the unemployed. And I also understand, Mr. President, that had it not been for our collective actions during the course of the last 6 years, such as our enactment of a State economic stimulus package that leveraged nearly \$3 billion in State resources to attract \$8.6 billion in private investments to help create tens of thousands of new Pennsylvania jobs, that our employment situation today would be much worse. But that is little solace to the Pennsylvania worker who is worried that the company he or she works for may be the next to close its doors.

Our latest revenue picture and the new job loss data vividly demonstrate that despite our past efforts at economic development, Pennsylvania is far from immune to the dramatic and extremely serious economic downturn that has gripped our nation. That is why, Mr. President, as our Federal government negotiates and finalizes the details of our new President's national economic stimulus plan, I believe Pennsylvania cannot afford to either rest on its laurels or stand on the sidelines. We must be proactive

again. And, as part of our renewed focus on what we can and should be doing to act in partnership with the Federal government's stimulus efforts to get our economy moving again, I am today reintroducing the bill that I first introduced last April to boost the State's job creation tax credit for businesses from \$1,000 to \$3,000 for every new job created. The legislation, Mr. President, is a commonsense, fiscally responsible measure to further incentivize private sector job creation at a time when Pennsylvania's people desperately need private sector job creation.

An unfinished part of the Governor's Protecting Pennsylvania's Progress initiative of last season, this increase in the State's job creation tax credit from \$1,000 to \$3,000 for jobs created would be the first increase since the program's inception. First established during the Ridge administration in 1996, our State's job creation tax credit has helped to create more than 71,000 new jobs. Mr. President, while this increase in the size of the State's job creation tax credit is but one step we should take to further incentivize job creation and to jumpstart our economy, it is one step that, now more than ever, we should take.

I hope that this can be a matter that will be brought up for committee consideration as soon as possible so that it can reach the full Senate for our final consideration in short order. For those of you who have not yet signed on as cosponsors, I leave it on the desk for cosponsorship by all who are interested.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I have to shift gears here for a very serious agenda item, and that is the city of Coatesville, located in Chester County, Pennsylvania. I represent the city of Coatesville, along with my friend and colleague, Senator Dinniman, who for many years as a Chester County Commissioner, before joining the Senate, worked very closely with the city of Coatesville. Today, the two of us sent a letter to the Governor urging his swift action in committing all the resources possible through the State agencies to the city of Coatesville. It is experiencing a horrendous crimewave of arson. And just this past Saturday night, some 15 homes were damaged by fire, some severely damaged, some now uninhabitable.

Last week, I met with the administration of the city of Coatesville and offered them any additional resources from the State. This past week, I also spoke with the Pennsylvania State Police and the Chester County district attorney, and I know that there are a number of resources there through the county, through the Pennsylvania State Police, and an arson task force, and the ATF, as well, from the Federal government. The city of Coatesville has now declared an emergency. So this now will allow additional dollars and resources from the county, the State, and the Federal government to flow through to the city.

So we are asking the Governor to move as quickly as possible, because we know the Governor has a special place in his heart for Coatesville and cities of the third class. And we are asking for the prayers of our colleagues and people throughout Pennsylvania, for their support for the residents of Coatesville as they go through this terrible, terrible encounter with a sick individual or individuals preying upon not only their personal property, but their personal safety.

So, Mr. President, as we go forward, we will continue to update you on the city of Coatesville. Senator Dinniman and I will work very closely with the Governor's Office and the State agencies as well. I thank you, Mr. President, for this time.

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

Senator DINNIMAN. Mr. President, I join with Senator Rafferty in expressing deep concern for what is happening in Coatesville. Arsonists have been burning buildings - 28 homes have been destroyed thus far, 7 over the last weekend. A serious situation. No loss of life, thank God, yet. While the city has declared a state of emergency, Senator Rafferty and I, as Senator Rafferty mentioned, are urging the State to become fully involved, urging the Governor to put at the disposal of Coatesville and Chester County officials all of the resources of the State, be it the State Police, the State Fire Marshal, and if necessary, the National Guard. And like Senator Rafferty, my colleague and friend, the two of us ask not only for State action, but we ask our colleagues to pray - to pray that no one gets injured in this situation and that we can catch the arsonists and stop this destruction and this potential danger to human life as quickly as possible.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, recently, Pennsylvania received some very good news about the health of our citizens, but also about our attempts to deal with the increasing costs of medical care. This State, Mr. President, is making great headway in our efforts to prevent infections acquired in hospitals and healthcare facilities, and also the way in which we treat our chronically ill individuals, in ways that will both help the patients, of course, but equally important, Mr. President, the efficiency of our healthcare delivery system.

Mr. President, thanks to more aggressive infection control programs by hospitals, as required by the landmark legislation submitted by Senator Erickson and passed in this General Assembly in a very bipartisan way, hospital-acquired infections declined by nearly 8 percent from 2006 to 2007. According to a recent report issued earlier this month by the Health Care Cost Containment Council, statewide, more than 2,000 fewer patients contracted an infection in a hospital in 2007 than in the previous year.

Mr. President, as my colleague, Senator Hughes, and I and many colleagues in this General Assembly have stated for many, many months now, hospital infections have long been a significant danger to patients. For one thing, the mortality rate is much higher among those who get an infection during a hospital stay than those who do not, as much as 10 percent higher. Hospital-acquired infections also dramatically increase the time sick individuals wind up spending in the hospital. In 2005, the average length of a hospital stay was 4.5 days. But for a patient with hospital-acquired infections, it was 20 days.

So obviously, Mr. President, our progress in this area is beneficial not just to the patients whose well-being is at stake when they entrust their care to hospital staff, it also helps our financial bottom line, and as we know in this day in our Commonwealth, our financial bottom line is significant. In this era of ever-rising healthcare expenses, we must continue to try to extend healthcare

insurance coverage to more Pennsylvanians. And an important component of that effort is reining in healthcare costs. As I have stood on this Senate floor a number of times, Mr. President, trying to determine ways in which we can do that, it is imperative that we continue to work to reduce hospital-acquired infections because we reduce the cost of diagnosis, reduce the cost of medication that the patients must receive, and more importantly, it reduces the length of hospital stays.

Mr. President, the more money we save, the more we have available to extend medical care to those who cannot otherwise afford it. To be sure, we still have room for improvement, and we have discussed a number of those initiatives over the past year or so. Mr. President, some hospitals, however, do not show the signs of gains that the report found statewide. Our new law provides financial incentives for those facilities that significantly reduce hospital-acquired infections. To that end, I am optimistic that those incentives, combined with the scrutiny that comes with the public release of this data, will lead to continued progress. But we must remain watchful, Mr. President.

Another program undertaken by the administration in conjunction with the General Assembly is also likely to pay dividends for patients and providers and the healthcare financing system. We are changing the way in which we treat chronic diseases such as heart conditions, diabetes, and asthma. The administration is working across the State to rule out regional initiatives. A pilot program has already been started in Philadelphia, southeastern Pennsylvania, that will soon be extended to central Pennsylvania as well as to the southwest. Following recommendations by the Governor's Chronic Care Management and Cost Reduction Commission, the State is working in collaboration with insurance companies to change the way that they reimburse for chronic conditions, and with doctors and nurses on the way that they approach chronic care. In each part of the State, the goal is to establish learning collaboratives that will give healthcare providers information on the best practices and protocols for chronic care.

Mr. President, this should result in significant savings. Nearly 80 percent of our healthcare budget currently goes toward chronic care, even though just 20 percent of patients have such conditions. Because of the demographics of our population and because many of our citizens with chronic conditions have not always received the appropriate type of care in the past, Pennsylvania has one of the highest hospitalization rates in the nation for chronic disease. We are now out to change that, and our chronic care management plan is already attracting national attention. Staff working under the proposed Health and Human Services Secretary, Tom Daschle, the pointman for the Obama administration on healthcare reform, have already reached out to learn more about our program.

Making high-quality healthcare available and affordable for everyone is not just a matter of spending money. It also requires using our resources smartly and getting the most out of every dollar we spend. With bipartisan cooperation in this General Assembly and the Governor's Office, Pennsylvania has recently taken very important steps toward that end. That is an effort that I have no doubt will continue.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Tomlinson has returned, and his legislative leave is cancelled.

PETITIONS AND REMONSTRANCES (Continued)

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator White.

Senator M.J. WHITE. Mr. President, I rise for a moment to publicly thank the Department of Environmental Protection, and particularly Kelly Burch of the Meadville office. I have a community of Emlenton, in Venango County, that has been under a boil water order since last April, if you can imagine what that is like for families and nursing homes and hospitals and everything else, to have to boil all the drinking water for all of that period of time. Thanks to Nick DeBenedictis and Aqua America Water Company and the cooperation of the DEP, as of this week, the people of Emlenton are now able to do what so many of us take for granted, and that is turn on the tap and safely drink the water. So I just want to express my appreciation.

Thank you, Mr. President.

ANNOUNCEMENT BY THE MINORITY LEADER

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

Senator MELLOW. Mr. President, I would like to ask, upon the recess, that the Democratic Members report to our caucus room in the rear of the Chamber.

The PRESIDENT. Senator Mellow requests that the Democratic Members please report to their caucus room immediately following recess.

ANNOUNCEMENT BY THE MAJORITY LEADER

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

Senator PILEGGI. Mr. President, as a point of information for the Republican Members, there will be a Republican caucus in the Majority Caucus Room after recess.

The PRESIDENT. Republican Members will report to their caucus room following recess.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JANUARY 27, 2009

9:00 A.M.

TRANSPORTATION (public hearing on transportation project delivery improvements)

Hrg. Rm. 1
North Off.

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| 10:30 A.M. | JUDICIARY (public hearing on the issue of parole and violent offenders) | Room 8E-B East Wing |
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolutions No. 5 and 6; and certain executive nominations) | Rules Cmte. Conf. Rm. |
| <u>WEDNESDAY, JANUARY 28, 2009</u> | | |
| 9:00 A.M. | EDUCATION (public hearing on School Violence; to gather information relevant to Senate Bills No. 55 and 56) | Hrg. Rm. 1 North Off. |
| 9:30 A.M. | FINANCE (public hearing on taxes on cigars and smokeless tobacco products) | Room 461 Main Capitol |
| <u>TUESDAY, FEBRUARY 10, 2009</u> | | |
| 10:00 A.M. | PUBLIC HEALTH AND WELFARE (public hearing on overview of drug and alcohol funding and service delivery system) | Hrg. Rm. 1 North Off. |
| <u>MONDAY, FEBRUARY 23, 2009</u> | | |
| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of Labor and Industry) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Office of Open Records) | Hrg. Rm. 1 North Off. |
| 2:30 P.M. | APPROPRIATIONS (BUDGET HEARING - Budget Secretary/Revenue Secretary) | Hrg. Rm. 1 North Off. |
| <u>TUESDAY, FEBRUARY 24, 2009</u> | | |
| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of General Services) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Corrections) | Hrg. Rm. 1 North Off. |
| 3:00 P.M. | APPROPRIATIONS (BUDGET HEARING - PA Commission on Crime and Delinquency) | Hrg. Rm. 1 North Off. |
| <u>WEDNESDAY, FEBRUARY 25, 2009</u> | | |
| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of Agriculture) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Treasury Department) | Hrg. Rm. 1 North Off. |
| 2:30 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Environmental Protection) | Hrg. Rm. 1 North Off. |
| <u>THURSDAY, FEBRUARY 26, 2009</u> | | |
| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Gaming Control Board) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Office of Administration/ Governor's Office/Executive Offices) | Hrg. Rm. 1 North Off. |

MONDAY, MARCH 2, 2009

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| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of Public Welfare) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Public Welfare) | Hrg. Rm. 1 North Off. |

TUESDAY, MARCH 3, 2009

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| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of Education) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Education) | Hrg. Rm. 1 North Off. |

WEDNESDAY, MARCH 4, 2009

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| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - Department of Conservation and Natural Resources) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Aging) | Hrg. Rm. 1 North Off. |
| 2:30 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Transportation) | Hrg. Rm. 1 North Off. |

THURSDAY, MARCH 5, 2009

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| 10:00 A.M. | APPROPRIATIONS (BUDGET HEARING - SERS/PSERS) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS (BUDGET HEARING - Department of Community and Economic Development) | Hrg. Rm. 1 North Off. |

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, January 27, 2009, at 1 p.m., Eastern Standard Time.

The motion was agreed to by voice vote.

The Senate recessed at 1:50 p.m., Eastern Standard Time.