

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 8, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 37

SENATE

MONDAY, June 8, 2009

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

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

PRAYER

The Chaplain, Reverend MATT SHOUSE, of the Altar International House of Prayer, Franklin, offered the following prayer:

Let us pray.

Dear Heavenly Father, we graciously come before You and thank You for this day. We humbly cry out for Your presence and Your guidance to strengthen us with Your power. Lord, I ask that You would bless these Senators and the staff, that You would grant them the spirit of wisdom. We ask that You, O God, would be with them, make it that every decision they make, that You are with them for this great Commonwealth of Pennsylvania. We pray blessings upon them as they meet for this Senate Session.

Lord, we pray that Your will be done in this place, and as William Penn, who gave a great vision for Pennsylvania, I stand in agreement for the destiny of this State to turn the course of this nation, O Lord. Pour out Your wisdom and spirit upon these Senators. Lord, we ask that You bless them for their personal sacrifices, that they have made a decision to serve this government of Pennsylvania. I ask that You bless these people and their families. Grant them divine revelation as they serve.

I bless these people. I pray blessings over Pennsylvania, and I call it blessed. And I ask You, O Lord, that You would continue to guide these people and that Your will be done. We thank You, Lord, for Your faithfulness, and we ask these things in Your precious name. Amen.

The PRESIDENT. The Chair thanks Reverend Shouse, who is the guest today of Senator Mary Jo White.

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 PENNSYLVANIA
GAME COMMISSION**

June 3, 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, Ralph Anthony Martone (District 1), 1611 Old Butler Road, New Castle 16101, Lawrence County, Forty-seventh Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve until October 16, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice H. Daniel Hill, Erie, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

June 5, 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, Alfred L. Whitcomb, One Donald Street, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 14, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice George Coury, Jr., Homer City, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA DRUG,
DEVICE AND COSMETIC BOARD**

June 5, 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, Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, 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 Andrew J. Behnke, M.D., Carlisle, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

June 5, 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, G. Warren Elliott (At-Large), 822 Shatzer Orchard Road, Chambersburg 17202, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donald K. Anderson, Meyersdale, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

June 5, 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, Norman R. Gavlick, MBA, CPRW (District 7), 388 N. Maple Avenue, Kingston 18704, Luzerne County, Twentieth Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

June 5, 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, William G. Gordon (District 1), 728 Lakeview Drive, Emlenton 16373, Clarion County, Twenty-first Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Samuel M. Concilla, North East, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

June 5, 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, Leonard L. Lichvar (District 4), 584

Horner Church Road, Stoystown 15563, Somerset County, Thirty-second Senatorial District, for reappointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION

June 5, 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, Steven D. Irwin, 5271 Forbes Avenue, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION

June 5, 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 M. Lam, 1336 Red Rambler Road, Rydal 19046, Montgomery County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION

June 5, 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 Thomas A. Michlovic, 515 Verona Street, North Braddock 15104, Allegheny County, Forty-fifth Senatorial District, for reappointment as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE TIOGA COUNTY
BOARD OF ASSISTANCE

June 5, 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Tioga County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice John R. McCarthy, Mansfield, resigned.

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 PENNSYLVANIA GAME COMMISSION

June 3, 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 April 2, 2009, for the appointment of B.J. Clark (District 1), 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Pennsylvania Game Commission, to serve until October 16, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice H. Daniel Hill, 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 STATE BOARD OF ACCOUNTANCY

June 5, 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 March 31, 2009, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the State Board of Accountancy, to serve until June 14, 2010, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice George Coury, Jr., Homer City, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGE

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 4, 2009

HB 47 -- Committee on Public Health and Welfare.

HB 181 -- Committee on Game and Fisheries.

HB 331 -- Committee on Labor and Industry.

HB 373, 1145 and 1426 -- Committee on Judiciary.

HB 592 -- Committee on Veterans Affairs and Emergency Preparedness.

HB 1128 and 1342 -- Committee on Consumer Protection and Professional Licensure.

HB 1182 -- Committee on Finance.

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 4, 2009

Senators WONDERLING, GREENLEAF, WASHINGTON, FONTANA, WARD, KITCHEN, YAW, EARLL and FERLO presented to the Chair **SB 701**, entitled:

An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Mobile Home Park Rights Act, adding definitions; and providing for written disclosures prior to rental or sale of mobile home lots.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 4, 2009.

Senators EICHELBERGER, VANCE, TARTAGLIONE, ALLOWAY, BROWNE, PICCOLA, PIPPY, GREENLEAF, WAUGH, M. WHITE and FERLO presented to the Chair **SB 812**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in administration and enforcement of gaming, further prohibiting political influence.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 4, 2009.

Senators SCARNATI, PILEGGI, ORIE, WAUGH, ROBBINS, BROWNE, PIPPY, BAKER, RAFFERTY, WARD, ERICKSON, GORDNER, VOGEL, ARGALL, ALLOWAY, FOLMER, BRUBAKER, TOMLINSON, McILHINNEY, YAW, WONDERLING, EARLL, WILLIAMS, FONTANA, FARNESE, LOGAN, COSTA, MUSTO, BOSCOLA, VANCE, PICCOLA and FERLO presented to the Chair **SB 896**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for registration fees, fund established, system and regulations.

Which was committed to the Committee on STATE GOVERNMENT, June 4, 2009.

Senators FONTANA, KITCHEN, LOGAN, TARTAGLIONE, FARNESE, BOSCOLA, M. WHITE, FERLO and STACK presented to the Chair **SB 897**, entitled:

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, further providing for indebtedness and for the Second Stage Loan Program.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 4, 2009.

Senators FONTANA, COSTA, ORIE, FERLO, GREENLEAF, HUGHES, PIPPY and LOGAN presented to the Chair **SB 898**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, prohibiting preemption of ordinances.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 4, 2009.

Senators PICCOLA, SCARNATI, DINNIMAN, BAKER, ORIE, M. WHITE, WONDERLING, MUSTO, RAFFERTY, FOLMER, D. WHITE, ERICKSON, WAUGH, EARLL, PIPPY, O'PAKE, GREENLEAF, GORDNER, TOMLINSON, ALLOWAY, VANCE, WASHINGTON, EICHELBERGER, BRUBAKER, WARD and SMUCKER, presented to the Chair **SB 899**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in educational improvement tax credit, further providing for definitions, for tax credit and for limitations.

Which was committed to the Committee on EDUCATION, June 4, 2009.

Senators SCARNATI and M. WHITE presented to the Chair **SB 901**, entitled:

An Act amending the act of July 10, 2008 (P.L.1109, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for biodiesel content in diesel fuel sold for on-road use.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 4, 2009.

Senators MUSTO, TARTAGLIONE, HUGHES, STACK, DINNIMAN and WASHINGTON presented to the Chair **SB 905**, entitled:

An Act amending Title 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, imposing a tax on the extraction of natural gas; providing for natural resource severance tax license, for duties of the Department of Revenue, for tax assessments and tax liens; imposing penalties; providing for service of process, for rulemaking, for cooperation with other governments and for bonds; and making an appropriation.

Which was committed to the Committee on FINANCE, June 4, 2009.

Senators TOMLINSON, ERICKSON, BAKER, BOSCOLA, RAFFERTY, KASUNIC, M. WHITE, ORIE, PIPPY, WOZNIAK, GREENLEAF, WASHINGTON, MELLOW, LOGAN, FERLO, WARD, DINNIMAN, FONTANA, ALLOWAY, STOUT and STACK presented to the Chair **SB 921**, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, providing for the definitions of "dual" or "dualing" and "line-make"; further providing for mediation and arbitration, for unlawful acts by manufacturers or distributors and for manufacturer or distributor repurchase of inventory and equipment.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 4, 2009.

June 5, 2009

Senators BAKER, WASHINGTON, WILLIAMS, VANCE, D. WHITE, ALLOWAY, MUSTO, ARGALL, LEACH, GORDNER and STACK presented to the Chair **SB 872**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for conduct of hearings.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators FOLMER, ALLOWAY, WOZNIAK, WAUGH, COSTA, BOSCOLA, BRUBAKER and STACK presented to the Chair **SB 906**, entitled:

An Act amending Titles 3 (Agriculture) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the definitions of "agricultural biosecurity area" and for "posted notice"; and further providing for keeping and handling of domestic animals, for ecoterrorism and for criminal trespass.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 5, 2009.

Senators ERICKSON, WONDERLING, KASUNIC, STACK, ALLOWAY, WASHINGTON and COSTA presented to the Chair **SB 907**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in arbitration, further providing for validity of agreement to arbitrate, for common law arbitration and for compulsory arbitration.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 908**, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, in civil service, further providing for rules and regulations and examinations and for selection of appointee from a certified list of applicants.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 909**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probation period and for physical examinations.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 910**, entitled:

An Act amending the act of February 1, 1966 (P.L.1656, No.581), known as The Borough Code, as to civil service for police and firemen, further providing for general provisions relating to examinations, rejection of applicant and hearing, manner of filling appointments, probationary period and physical examination.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 911**, entitled:

An Act amending the act of May 31, 1933 (P.L.1108, No.272), entitled, as amended, "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the third class; defining the powers and duties of civil service commissions for such purposes; and fixing penalties," further providing for civil service examinations and eligibility lists.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 912**, entitled:

An Act amending the act of June 1, 1945 (P.L.1232, No.427), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid operators of fire apparatus in boroughs, incorporated towns and townships of the first class; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties; and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 913**, entitled:

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probationary period and for physical examinations.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 914**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the definition of "employee" and for the definition of "volunteer emergency service provider."

Which was committed to the Committee on LABOR AND INDUSTRY, June 5, 2009.

Senators EICHELBERGER, ERICKSON, STOUT and WOZNIAK presented to the Chair **SB 915**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for form of permanent recordation and for copies of destroyed records.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators ERICKSON, EICHELBERGER and STOUT presented to the Chair **SB 916**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for required financial reporting; and making editorial changes.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators ROBBINS, ERICKSON, EICHELBERGER, STOUT and WOZNIAK presented to the Chair **SB 917**, entitled:

An Act amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class," increasing the membership of the committee.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2009.

Senators EICHELBERGER, ERICKSON and WOZNIAK presented to the Chair **SB 918**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, consolidating and amending the Third Class County Assessment Board Law, The Fourth to Eighth Class and Selective County Assessment Law and provisions of The County Code relating to auxiliary board of assessment appeals and assessment of signs and sign structures; and making related repeals.

Which was committed to the Committee on FINANCE, June 5, 2009.

Senators WASHINGTON, ERICKSON, ALLOWAY, FONTANA, HUGHES, KITCHEN, McILHINNEY, MELLOW, MUSTO, O'PAKE, RAFFERTY, LEACH, STACK, STOUT, TARTAGLIONE, YAW, FARNESE, D. WHITE, BROWNE, LOGAN, WILLIAMS and FERLO presented to the Chair **SB 919**, entitled:

An Act amending the act of December 15, 1988 (P.L.1235, No.151), known as the Children's Trust Fund Act, further providing for the Children's Trust Fund.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators WASHINGTON, ALLOWAY, ERICKSON, FONTANA, HUGHES, KITCHEN, McILHINNEY, MELLOW, MUSTO, O'PAKE, RAFFERTY, LEACH, STACK, STOUT, TARTAGLIONE, YAW, FARNESE, D. WHITE, BROWNE,

LOGAN, WILLIAMS and FERLO presented to the Chair **SB 920**, entitled:

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for funding for victims of domestic violence from marriage and divorce fees; and making a related repeal.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators KITCHEN, WASHINGTON, TARTAGLIONE, FONTANA, HUGHES, DINNIMAN and WILLIAMS presented to the Chair **SB 922**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for lifetime limit; further defining "exempt hospital"; and further providing for administration.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 5, 2009.

Senators WASHINGTON, LOGAN, KITCHEN and HUGHES presented to the Chair **SB 923**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in children and youth, further providing for payment to counties for services to children; and providing for voluntary foster care extension.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 5, 2009.

Senators WASHINGTON, LOGAN, KITCHEN and HUGHES presented to the Chair **SB 924**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further defining "child" and "dependent child"; and providing for court review and approval of voluntary foster care extension agreements.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators TOMLINSON and BOSCOLA presented to the Chair **SB 925**, entitled:

An Act amending the act of October 9, 2008 (P.L.1438, No.118), known as the Massage Therapy Law, further providing for qualification for licensure and for other professions.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 5, 2009.

Senators FOLMER, ORIE, ALLOWAY, VANCE, M. WHITE, WOZNIAK, WAUGH and BROWNE presented to the Chair **SB 926**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for securing loads in vehicles.

Which was committed to the Committee on TRANSPORTATION, June 5, 2009.

Senators VANCE, WASHINGTON, ALLOWAY, BAKER, STACK, O'PAKE, BROWNE, COSTA, EARLL, FARNESE, GORDNER, HUGHES, RAFFERTY, TARTAGLIONE, WAUGH, M. WHITE and WONDERLING presented to the Chair **SB 927**, entitled:

An Act establishing the Department of Aging and Long-Term Living and providing for its powers and duties; and making related repeals.

Which was committed to the Committee on AGING AND YOUTH, June 5, 2009.

Senators DINNIMAN and PICCOLA presented to the Chair **SB 929**, entitled:

An Act providing for the sale of certain course materials at institutions of higher education, for responsibilities of faculty and institutions of higher education and for college textbook rental pilot programs; and establishing the College Textbook Policies Advisory Committee.

Which was committed to the Committee on EDUCATION, June 5, 2009.

Senators STOUT, WONDERLING, FONTANA, MUSTO, M. WHITE, BOSCOLA, FARNESE, O'PAKE, FERLO, KASUNIC and D. WHITE presented to the Chair **SB 930**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restrictions on use of highways and bridges.

Which was committed to the Committee on TRANSPORTATION, June 5, 2009.

Senators STOUT, WASHINGTON, TARTAGLIONE, HUGHES, FONTANA, BOSCOLA, COSTA, ALLOWAY and FARNESE presented to the Chair **SB 931**, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in licenses, tags and kennels, further providing for fees; and, in disposition and appropriation of funds, providing for county dog shelter restricted accounts.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 5, 2009.

Senators STOUT, MUSTO, WOZNIAK, O'PAKE, M. WHITE, FONTANA, FOLMER, WASHINGTON, COSTA and WAUGH presented to the Chair **SB 932**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for motor vehicle driver improvement course.

Which was committed to the Committee on BANKING AND INSURANCE, June 5, 2009.

Senators STOUT, MUSTO, RAFFERTY, WOZNIAK, M. WHITE, BOSCOLA, FONTANA, WASHINGTON, COSTA, WAUGH and FARNESE presented to the Chair **SB 933**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for priority of suspensions.

Which was committed to the Committee on TRANSPORTATION, June 5, 2009.

Senators STOUT, O'PAKE, WOZNIAK, ERICKSON, M. WHITE, FONTANA, WASHINGTON, WAUGH and COSTA presented to the Chair **SB 934**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exceptions to governmental immunity.

Which was committed to the Committee on FINANCE, June 5, 2009.

Senators LEACH and FARNESE presented to the Chair **SB 935**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for same-sex marriages; and making a repeal.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators BROWNE, D. WHITE, O'PAKE, FERLO, BAKER, BOSCOLA, M. WHITE, STACK, TARTAGLIONE, WARD and WASHINGTON, presented to the Chair **SB 936**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensure and consumer protection, further providing for scope, for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers of licensees in mortgage loan business, for mortgage lending authority and for license applications; providing for prelicensing and continuing education; further providing for license fees, for license issuance, for licensee requirements, for administration and for sanctions; and providing for procedure for determination of noncompliance with Federal law.

Which was committed to the Committee on BANKING AND INSURANCE, June 5, 2009.

Senators RAFFERTY, FONTANA, O'PAKE, GREENLEAF, COSTA, WONDERLING, DINNIMAN and WASHINGTON presented to the Chair **SB 937**, entitled:

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for requirements as to open-end loans.

Which was committed to the Committee on BANKING AND INSURANCE, June 5, 2009.

Senators McILHINNEY, RAFFERTY, O'PAKE, BOSCOLA, WILLIAMS, EARLL and D. WHITE presented to the Chair **SB 938**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for emergency paper ballots.

Which was committed to the Committee on STATE GOVERNMENT, June 5, 2009.

Senators McILHINNEY, RAFFERTY, D. WHITE and PIPPY presented to the Chair **SB 939**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for reimbursement to counties for the costs of obtaining paper-ballot-based voting systems.

Which was committed to the Committee on STATE GOVERNMENT, June 5, 2009.

Senators DINNIMAN, STOUT, FONTANA, LEACH, O'PAKE, STACK, TARTAGLIONE, WASHINGTON,

WAUGH, WILLIAMS, BOSCOLA, COSTA and FARNESE, presented to the Chair **SB 940**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in reimbursement by Commonwealth and between school districts, further providing for definitions; and providing for special education funding for student achievement and instruction of eligible students in regular classrooms and for special education accountability to Commonwealth taxpayers.

Which was committed to the Committee on EDUCATION, June 5, 2009.

Senators GREENLEAF, RAFFERTY, WAUGH, HUGHES, BOSCOLA, ERICKSON, STACK, TARTAGLIONE, MELLOW, KASUNIC, ALLOWAY, COSTA, O'PAKE, KITCHEN, DINNIMAN, FERLO, LOGAN and WARD presented to the Chair **SB 941**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

Which was committed to the Committee on FINANCE, June 5, 2009.

Senators GREENLEAF, ALLOWAY, COSTA and KITCHEN presented to the Chair **SB 942**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bases of jurisdiction and interstate and international procedure, providing for foreign depositions and subpoenas; and repealing provisions relating to foreign depositions and evidence.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators GREENLEAF, WASHINGTON, TARTAGLIONE, BAKER, WOZNIAK, FARNESE and STACK presented to the Chair **SB 943**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in alimony and support, repealing and adding provisions relating to alimony; repealing provisions relating to bar to alimony and to effect of death on either party on the payment or receipt of alimony; and making an editorial change.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators GREENLEAF, RAFFERTY, ALLOWAY and COSTA presented to the Chair **SB 944**, entitled:

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, extensively regulating unincorporated nonprofit associations in the areas of organic nature, structure, formation, alteration, management, participation, functions, liability and dissolution.

Which was committed to the Committee on JUDICIARY, June 5, 2009.

Senators WAUGH, FERLO, KASUNIC, KITCHEN, RAFFERTY, WASHINGTON and FARNESE, presented to the Chair **SB 945**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, providing for testing prior to sewage sludge application.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 5, 2009.

Senators WAUGH, ALLOWAY, FERLO, O'PAKE, RAFFERTY, WASHINGTON and WARD presented to the Chair **SB 946**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for required financial responsibility.

Which was committed to the Committee on BANKING AND INSURANCE, June 5, 2009.

Senators WAUGH, ALLOWAY, BRUBAKER, FERLO, WASHINGTON and WARD presented to the Chair **SB 947**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the issuance of identification cards.

Which was committed to the Committee on TRANSPORTATION, June 5, 2009.

Senators WONDERLING and STOUT presented to the Chair **SB 948**, entitled:

An Act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in Title 74, providing for an annual limitation on certain expenditures from the Motor License Fund and for transportation infrastructure partnership and development; and in Title 75, further providing for fees.

Which was committed to the Committee on TRANSPORTATION, June 5, 2009.

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 4, 2009

Senators BRUBAKER, PILEGGI, BOSCOLA, KASUNIC, BAKER, STACK, FONTANA, RAFFERTY, VOGEL, ERICKSON, TARTAGLIONE, ROBBINS, TOMLINSON, DINNIMAN, COSTA, PIPPY, O'PAKE, KITCHEN, WASHINGTON, WOZNIAK, LOGAN, FARNESE, ALLOWAY, WAUGH, FOLMER, WARD, EARLL and D. WHITE presented to the Chair **SR 132**, entitled:

A Resolution designating August 2009 as "Pennsylvania Produce Month" in Pennsylvania.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 4, 2009.

June 8, 2009

Senators FOLMER, WOZNIAK, RAFFERTY, PILEGGI, ARGALL, ERICKSON, FONTANA and D. WHITE presented to the Chair **SR 133**, entitled:

A Resolution urging the Governor and the General Assembly to institute a mobilization strategy to manage funds from the American Recovery and Reinvestment Act of 2009.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, June 8, 2009.

APPOINTMENTS BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointments:

Mr. Wadud Ahmed as a member of the Pennsylvania Intergovernmental Cooperation Authority.

Mr. Christopher R. Booth, Esquire, as a member of the Board of Trustees of Drexel University.

Mr. Christopher Dezzi as a member of the Board of Trustees of the Pennsylvania College of Optometry.

Mr. Marshall P.H. Mitchell as a member of the Board of Trustees of the University of Pennsylvania.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Joseph B. Scarnati III) in the presence of the Senate signed the following bill:

HB 1089.

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 Argall, and a legislative leave for Senator Tomlinson.

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

LEAVES OF ABSENCE

Senator PILEGGI asked and obtained leaves of absence for Senator GORDNER and Senator WONDERLING, for today's Session, for personal reasons.

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, June 8, 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, June 15, 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, June 15, 2009, 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-47

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

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 ANDREW E. DINNIMAN
PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, it is my honor today to have four members of the Moakes family, three of whom are from my district. They won me in an auction, which for good or--and I would request the Chair make no comment on that. Actually, what we do in auctions is, for charity, we give out a book by Violet Oakley about these wonderful paintings, and then they contribute, and then they come here, and I give them a tour of the paintings. And in this case, this family was kind enough to help the American Cancer Society through this donation.

So allow me to introduce the family. First is the daughter, Katharine Moakes, who is a student at Phoenixville Area High School, is very involved in legislative efforts focusing on energy conservation, and hopes to prepare for a career in environmental sciences. I also want to introduce her father, Richard Moakes; her mother, Mary Ellen Moakes; and her grandmother, who is from New Jersey and is joining us today, Mary Schafer.

So, Mr. President, if the Chair would welcome the Moakes family and we can give them a good reception, I would be very grateful.

The PRESIDENT. Would the lucky guests of Senator Dinniman please rise to be welcomed by the Senate.

(Applause.)

GUESTS OF SENATOR MICHAEL BRUBAKER
PRESENTED TO THE SENATE

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

Senator BRUBAKER. Mr. President, it is a privilege of mine to introduce guests from the Mount Joy area of my district. They are affiliated with the Mount Joy Chamber of Commerce, and they were brought up here as a result of Mick Owen's generosity. I would like to introduce Mick Owens; Todd Newpher, who is the president of the Chamber; Nancy Shonk, who is the executive director; Ferne Silberman; Galen Rutt; Mark Hiester; Kim

and Kevin Brewer; and Gene Barton. Mr. President, I would love for the Senate to give them a warm welcome.

The PRESIDENT. Would the guests of Senator Brubaker please rise to be welcomed by the Senate.

(Applause.)

PERMISSION TO ADDRESS

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

Senator RAFFERTY. Mr. President, as chairman of the Senate Committee on Law and Justice, with oversight of the Pennsylvania State Police, on behalf of myself and Senator Sean Logan, we would like to ask the Senate of Pennsylvania and all the people of the Commonwealth of Pennsylvania to remember today a Trooper killed in the line of duty this weekend.

We all heard the news: Two State Troopers responded to a kidnapping, a father kidnapping his 9-year-old son. When the Troopers approached the vehicle, the car in which the man was seated with his child, the man immediately opened fire on the Pennsylvania State Police. One Trooper was killed, once again performing his duties, protecting the lives of the citizens of the Commonwealth. The other Trooper was wounded, and I am happy to say he is in satisfactory condition.

Trooper Joshua D. Miller, 34 years of age, Mr. President, a 7-plus-year veteran of the Pennsylvania State Police, part of the Hazleton Troop, was killed tragically by this man when he was responding to the kidnapping offense. Trooper Robert Lombardo, 35 years of age, is the Trooper who was wounded, and I am told today that he has been upgraded to satisfactory condition at the hospital. Both were members of the Hazleton Troop, and in light of the circumstances and Trooper Joshua Miller giving his life for the young man and for the people of the Commonwealth, Mr. President, I ask that the Members of the Senate please take a moment of silence in honor of the Trooper and his memory.

The PRESIDENT. Would Members and guests please rise for a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Trooper JOSHUA D. MILLER.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room immediately. I expect the caucus to last approximately 1 hour.

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

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

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

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Argall and Senator Tomlinson have returned, and their respective leaves are cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 196 (Pr. No. 204) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-47

Table with 4 columns: Alloway, Farnese, O'Pake, Tomlinson; Argall, Ferlo, Orié, Vance; Baker, Folmer, Piccola, Vogel; Boscola, Fontana, Pileggi, Ward; Browne, Greenleaf, Pippy, Washington; Brubaker, Hughes, Rafferty, Waugh; Corman, Kasunic, Robbins, White, Donald; Costa, Kitchen, Scarnati, White, Mary Jo; Dinniman, Logan, Smucker, Williams; Earll, McIlhinney, Stack, Wozniak; Eichelberger, Mellow, Stout, Yaw; Erickson, Musto, Tartaglione

NAY-0

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

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

BILLS OVER IN ORDER

SB 240 and SB 287 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 297 (Pr. No. 982) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for well reporting requirements.

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 Lycoming, Senator Yaw.

Senator YAW. Mr. President, I rise in support of this bill. This bill amends the Oil and Gas Act relating to reporting requirements. The bill removes the requirement for the Department of Environmental Protection to keep reporting requirements confidential for a period of 5 years. The bill also requires well operators producing gas in the Marcellus Shale to file semiannual reports, and those reports are then posted on the DEP Web site. The bill also provides that any costs associated with it will be paid out of the costs which are collected from the gas companies.

In a nutshell, this bill, we hope, will encourage all aspects of production and open all records to the public, and also encourage expansion of the gas industry in Pennsylvania, which is needed at this time. Thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-47

Table with 4 columns: Alloway, Farnese, O'Pake, Tomlinson; Argall, Ferlo, Orié, Vance; Baker, Folmer, Piccola, Vogel; Boscola, Fontana, Pileggi, Ward; Browne, Greenleaf, Pippy, Washington; Brubaker, Hughes, Rafferty, Waugh; Corman, Kasunic, Robbins, White, Donald; Costa, Kitchen, Scarnati, White, Mary Jo; Dinniman, Logan, Smucker, Williams; Earll, McIlhinney, Stack, Wozniak; Eichelberger, Mellow, Stout, Yaw; Erickson, Musto, Tartaglione

NAY-0

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

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

BILLS OVER IN ORDER

SB 380, SB 573 and SB 598 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 687 (Pr. No. 890) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,
Will the Senate agree to the bill on third consideration?

Senator PILEGGI offered the following amendment No. A1633:

Amend Bill, page 2, lines 11 through 23, by striking out all of said lines and inserting:

(e) All school property, real and personal, owned by any charter school, cyber charter school or an associated nonprofit foundation, or leased to a charter school or cyber charter school at or below fair market value, that is occupied and used by any charter school or cyber charter school for public school, recreation or any other purposes provided for by this act, shall be made exempt from every kind of State, county, city, borough, township or other tax, as well as from all costs or expenses for paving, curbing, sidewalks, sewers or other municipal improvements: Provided, That any charter school or cyber charter school or owner of property leased to a charter school or cyber charter school may make a municipal improvement in a street on which its school property abuts or may contribute a sum toward the cost of the improvement. This exemption shall apply only where a charter school, cyber charter school or an associated nonprofit foundation is responsible for payment of the aforementioned taxes, costs or expenses.

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

It was agreed to.

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

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 112, SB 138 and SB 143 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 220 (Pr. No. 226) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, making editorial changes by replacing the phrase "justice of the peace" with "magisterial district judge."

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

BILLS OVER IN ORDER

SB 241, HB 262, HB 263, SB 264, SB 354 and SB 441 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 651 (Pr. No. 1073) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, further providing for legislative policy, for definitions, for involuntary intervention by

emergency court order, for information relating to prospective facility personnel and for grounds for denying employment; providing for certificate of employability; further providing for provisional employees for limited periods; providing for requirements concerning employees, for comparison study by Department of Aging and for applicability relating to criminal history for employees.

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 736 (Pr. No. 1076) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession and use of asthma inhalers and epinephrine auto-injectors.

On the question,
Will the Senate agree to the bill on second consideration?
Senator ORIE offered the following amendment No. A1514:

Amend Bill, page 3, line 3, by inserting after "AN":

asthma inhaler or

Amend Bill, page 3, line 7, by inserting after "THE":

asthma inhaler or

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

On the question,
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILL OVER IN ORDER

SB 746 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 783 (Pr. No. 984) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 2007 (P.L.486, No.77), known as the Hazardous Sites CleanUp Funding Act, providing for deposit of funds; and further providing for annual reports.

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

SENATE RESOLUTION No. 52, ADOPTED

Senator PILEGGI, without objection, called up from page 4 of the Calendar, **Senate Resolution No. 52**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to study the effects of parental incar-

ceration on the children of incarcerated parents, to recommend a system for determining and assessing the needs of the children of incarcerated parents, the services available to them and the barriers to accessing those services and to make a report with recommendations to the Senate.

On the question,

Will the Senate adopt the resolution?

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

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEE

Senator CORMAN, from the Committee on Appropriations, reported the following bills:

SB 301 (Pr. No. 300) (Rereported)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for license fee for deployed Pennsylvania National Guard members and for resident license and fee exemptions.

SB 302 (Pr. No. 301) (Rereported)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for resident license and fee exemptions for deployed Pennsylvania National Guard members.

SB 572 (Pr. No. 583) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and repealing an act relating to limitation on complement of the Pennsylvania State police.

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 Stevan R. Dietz and to the Knights of Columbus Council 1426 of Chambersburg by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Woodford, Sr., by Senator Argall.

Congratulations of the Senate were extended to Alta M. Turner by Senator Baker.

Congratulations of the Senate were extended to Jack's Glass, Inc., of Allentown, and to Vistacom, Inc., of Allentown, by Senator Browne and others.

Congratulations of the Senate were extended to Caryl Groninger, Donald Everitt, Donald Sieber, John Groninger, Da-

vid Lee, Harold Shehan, Norman Hower, William Stoner, Joseph Diehl, Gerald Clark, Phyllis Hackenberger, Joanne Shehan, Joyce Hack, James Wagner, Darla Supplee, Betty Gingrich, Harriet Brown, Jacquelyn Everitt, Dorothy Sheaffer, Sarah Hower, Dianne Diehl and to David Brown by Senator Corman.

Congratulations of the Senate were extended to Epilepsy Support Services by Senator Costa.

Congratulations of the Senate were extended to Noel P. Abraham, Sheila Frech, Shelagh Purnell, Michael J. Magnotta IV, Adam Patrick Muhlenhaupt, Justin Richard Hood, Phoenixville Police Athletic League and to Troop 1 of the Boy Scouts of America by Senator Dinniman.

Congratulations of the Senate were extended to Kevin Michael Hoelzle, Brent Miller and to Tyler Newhouse by Senator Folmer.

Congratulations of the Senate were extended to The Times Herald of Norristown by Senator Leach.

Congratulations of the Senate were extended to Dr. Joshua Feldstein, James Gumkowski, Christopher D. Faust, Peter Kerl, Ryan Walsh, Trout Unlimited Musconetcong Home Rivers Initiative, Historic Delaware Canal Improvement Corporation, Students Against Violating the Earth and to the Citizens of the Borough of Telford by Senate McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Lucas by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Ken Sarver by Senator Orie.

Congratulations of the Senate were extended to Matthew T. George by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. Paul K. Fox by Senator Pippy.

Congratulations of the Senate were extended to Hazleton Area Latino Association and to the Second Baptist Church of Frankford by Senator Tartaglione.

Congratulations of the Senate were extended to the Ambridge Area High School Boys' Volleyball Team by Senator Vogel.

Congratulations of the Senate were extended to Mr. and Mrs. Donald Ruth, Mr. and Mrs. Stewart Rockwell and to Katherine Matelan by Senator Wonderling.

Congratulations of the Senate were extended to the members and coaches of the Lock Haven University Softball Team by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Leo Guiton, Mr. and Mrs. Kenneth Smith, Zachary G. Bird and to Susan J. Mitchell by Senator Yaw.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Tom E. Breslauer by Senator Boscola.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Edgar Putman was extended to the family by Senator McIlhinney.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, JUNE 8, 2009

Off the Floor APPROPRIATIONS (to consider Senate Bills No. 281, 301, 302 and 572) Rules Cmte. Conf. Rm.

TUESDAY, JUNE 9, 2009

9:00 A.M. BANKING AND INSURANCE Senate Maj. Caucus Rm.
(public hearing to accept testimony on issues affecting mail order pharmacies and Senate Bill No. 616; committee meeting to consider Senate Bill No. 936 and House Bill No. 985)

9:30 A.M. ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 547, 886 and 901) Room 8E-B East Wing

12:00 P.M. AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 298, 607 and 698; Senate Resolution No. 132; and House Bill No. 39) Room 8E-A East Wing

12:00 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 187, 288 and 921; and House Bill No. 1342) Room 461 Main Capitol

12:30 P.M. STATE GOVERNMENT (to consider Senate Bills No. 852 and 862) Room 8E-B East Wing

Off the Floor TRANSPORTATION (to consider Senate Bills No. 688, 747 and 888; and House Bills No. 370, 421 and 988) Rules Cmte. Conf. Rm.

WEDNESDAY, JUNE 10, 2009

10:00 A.M. COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bills No. 621, 622 and 623; and Senate Resolution No. 133) Room 8E-B East Wing

10:00 A.M. LAW AND JUSTICE (to consider Senate Bills No. 883 and 894; and House Bills No. 48 and 115) Room 8E-A East Wing

THURSDAY, JUNE 11, 2009

10:00 A.M. URBAN AFFAIRS AND HOUSING (public hearing on urban issues related to third-class cities) Lancaster Chamber of Comm. Bldg.

TUESDAY, JUNE 16, 2009

10:00 A.M. LOCAL GOVERNMENT (to consider Senate Bills No. 285 and 569; and House Bills No. 93, 330 and 842) Room 8E-B East Wing

10:30 A.M. EDUCATION (to consider Senate Bills No. 629, 820, 881, 899 and 929; final omitted PDE Regulation #6-319, 22 PA Code, Chapter 405, Pre-K Counts Requirements, Standards and Procedures) Room 8E-A East Wing

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, June 9, 2009, at 1 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:30 p.m., Eastern Daylight Saving Time.