

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JUNE 10, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 39

SENATE

WEDNESDAY, June 10, 2009

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend Dr. PAUL D. GEHRIS, retired pastor of American Baptist Churches - U.S.A., of Shermans Dale, offered the following prayer:

Almighty and everlasting God, You who are called by many names and approached in different ways, accept our gratitude for this day, its privileges, and opportunities. We are thankful for our Commonwealth, its founders, sustainers, and servants, and all who are committed to the principles of the common weal.

I pray for this Senate of Pennsylvania. Grant to its elected Members and staff the gifts of seeking truth and serving justice. May they have a high sense of call, good sense, common sense, and sensitivity. Help them to do good work here and in their districts. Grant that wisdom be shared in committee and caucus and on this historic floor. This prayer is offered in Your name. Amen.

The PRESIDENT. The Chair thanks the Reverend Paul Gehris, who is the guest today of Senator Corman.

PLEDGE OF ALLEGIANCE

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

BILLS REPORTED FROM COMMITTEES

Senator RAFFERTY, from the Committee on Law and Justice, reported the following bills:

SB 883 (Pr. No. 1053)

An Act providing for the establishment and operation of the Pennsylvania Law Enforcement Officer Alert System; and imposing powers and duties on the Pennsylvania State Police and the Department of Transportation.

HB 48 (Pr. No. 2092) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, and for limited number of retail licenses to be issued in each county.

HB 115 (Pr. No. 2093) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for an exception to the interlocking business prohibition; further exempting certain hotels from certain requirements; and further providing for responsible alcohol management.

Senator FOLMER, from the Committee on Communications and Technology, reported the following bills:

SB 621 (Pr. No. 710)

An Act relating to compliance with the Federal REAL ID Act of 2005 and other laws involving biometric and economic privacy.

SB 622 (Pr. No. 711)

An Act providing for the electronic swiping of a driver's license or identification card.

SB 623 (Pr. No. 712)

An Act providing for biometric protection and for penalties.

RESOLUTION REPORTED FROM COMMITTEE

Senator FOLMER, from the Committee on Communications and Technology, reported the following resolution:

SR 133 (Pr. No. 1134)

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.

The PRESIDENT. The resolution will be placed on the Calendar.

LEAVE OF ABSENCE

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

**SPECIAL ORDER OF BUSINESS
JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of June 2, 2009, and June 3, 2009, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 2, 2009, and June 3, 2009.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journals are approved.

SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR VINCENT J. HUGHES
PRESENTED TO THE SENATE

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

Senator HUGHES. Mr. President, we are blessed to have with us today--I am hoping they have arrived here, but it is important that we have in the record books and in the Journal of the Senate of the Commonwealth of Pennsylvania--they have been traveling all across the Capitol, meeting and greeting, and saying hello to folks, but it is the Daroff Dragons from the Samuel H. Daroff Elementary School in my district in Philadelphia. This boys' and girls' team won the elementary school 4x100-meter relay at the Penn Relay Carnival just this past April.

Members of the team include: Jeremiah Kemp, Jamar Barnes, Sihare Morgan, Maria Hairston, Imari Chaney, Lamar Baker, Lheshawn Cephas-Lee, Ramon Leslie, Antonio Lynn, Terrell Miles, Danielle Ashford, Marquis Young, Faith Weaver, Tauheed Davenport, Charlie Wells, Ranisha Johnson, Milan Clover, Darnell Young, Rayshard Johnson, Michael Shewster, Dajon Murray, Davon Gay, Jaris Howard, Stephen Nesmith, Antonio White-Edwards, Hakeem Hurt, Markanthony Berry, and Mr. Andre Adams is a coach, and Ms. Sheena Frankin is also a coach.

If they are here, I hope we recognize them. If they are not, they are running to get here, Mr. President. They are on their way here. Let us recognize them.

The PRESIDENT. Let us recognize them anyway.
(Applause.)

GUEST OF SENATOR JANE M. EARLL
PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Erie, Senator Earll.

Senator EARLL. Mr. President, I rise today to introduce a special guest who is spending the day visiting the State Capitol and is serving as a Page in the Senate, Mr. Justin Schmid. Mr. Schmid is from Jackson Township in Mount Pocono, Pennsylvania. He is currently studying at Lock Haven University, where he will be entering his sophomore year. He is very interested in the field of criminal justice and is hoping to or aspires to be in law enforcement, and I think that he has already evidenced a great deal of work ethic and integrity by receiving an Eagle Scout Award in 2007. I ask, Mr. President, if the Senate could give him our usual warm welcome.

The PRESIDENT. Would the Senate join in welcoming Senator Earll's guest today.
(Applause.)

GUESTS OF SENATOR JAY COSTA
PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, this morning, I ask that my colleagues join me in welcoming a group of Pennsylvanians who are working tirelessly to help citizens overcome disabilities, allowing them to continue to contribute in their work, in their communities, and in this Commonwealth. My guests are all involved with the Epilepsy Foundation, one of the many great groups that partner with the State to make sure their clients remain productive, rather than dependent, citizens. Their work is something to be admired and very much appreciated, especially now, as we struggle to make the most of what we can do for our Commonwealth citizens.

So Mr. President, I ask my colleagues to join me in welcoming to the Senate the following individuals who are here this morning: Joyce Bender, the president and CEO of Bender Consulting Services, Inc. - Joyce is very much involved with the National Epilepsy Foundation; Denis McCarthy and his wife, Elizabeth - Denis is the president of the board of directors of the Epilepsy Foundation of Western and Central Pennsylvania; Tom Trimm, past president and longtime member of the board of directors of the Epilepsy Foundation of Western and Central Pennsylvania; Judy Painter, executive director of the Epilepsy Foundation of Western and Central Pennsylvania; Jeanette Chelius--and she asked me to make certain I pronounced that properly--executive director of the Epilepsy Foundation of Eastern Pennsylvania. They are here today along with a few other folks, Chuck Kolling from Buchanan Ingersoll & Rooney, as well as Peggy Beam from western Pennsylvania.

So, Mr. President and my colleagues, give all of these individuals a warm welcome, and thank them for the work they do in our communities.

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

(Applause.)

GUESTS OF SENATOR STEWART GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, seated with us in the gallery are several young athletes from my district who have achieved great wins in track and field championships and records.

First, Michael Palmisano, a senior at Upper Dublin High School, has won the Class AAA boys' 1,600-meter run event. Michael also earned second place as a member of the school's 3,200-meter relay team. He holds school records for the 3,200-meter relay, the 800-meter relay, and also the 800-meter run events. Michael now plans to attend Princeton University, where he will continue participating in track and field.

Also with us are the members of the Central Bucks South High School track and field team, who have just won the Class AAA boys' 3,200-meter relay event, in which they set a new State record. Under Head Coach Mike Cox and Assistant Coach Jason Gable, the relay team is comprised of Jeff Dickson, Tom Mallon, David Manion, and Mike Poiesz.

All of these athletes truly deserve recognition and praise for their efforts, ability, diligence, and tenacious pursuit of athletic excellence. They have brought great distinction to their schools and this Commonwealth. Of course, also along with us are Michael's two coaches, as well, who have done an outstanding job of coaching him and bringing him to these achievements and championship records.

Mr. President, I ask that the Senate recognize my guests.

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

(Applause.)

GUESTS OF SENATOR LLOYD K. SMUCKER PRESENTED TO THE SENATE

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

Senator SMUCKER. Mr. President, I am pleased to introduce my guest today, Brian Lyle of Wrightsville, York County. Brian is being recognized as an exemplary citizen for his quick thinking and follow-through in assisting the local police in the apprehension of a person who had just robbed a local bank. We hear often that people are reluctant to get involved or are too busy to notice things that are out of the ordinary in our communities. So it is an honor to recognize someone who did take notice and took the time to provide local authorities with critical information for law enforcement.

Brian is the general manager of the Wrightsville Borough Municipal Authority. He is married to Brenda. They have three children: Travis, Tanya, and Lyndsey; as well as two grandchildren, one who is here today, Skyler. I am delighted that they could visit us today. Please give them a warm Pennsylvania Senate welcome.

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

(Applause.)

GUESTS OF SENATOR LeANNA WASHINGTON PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Washington.

Senator WASHINGTON. Mr. President, today, I am proud to receive a visit from the faculty and students of Khepera Charter School, located in the Fourth Senatorial District in Philadelphia. Khepera educates students from kindergarten to eighth grade, providing an African-centered academic education in addition to teaching young people proper morals and cultural values. I ask my colleagues to join me in giving a warm welcome to the faculty and students of Khepera Charter School.

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

(Applause.)

GUEST 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 special honor for me to introduce Joseph Courtright from Manheim, Pennsylvania. He is my shadow today. He enjoys soccer, he enjoys fencing, he is a member of the YR organization, he is a member of COOL, and he is learning Chinese. He goes to school at Manheim Central School. He just finished the ninth grade, and he is looking forward to his tenth-grade year. His parents are Karen and Bob. I ask for a very special and warm greeting, please.

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

(Applause.)

GUESTS OF SENATOR DAVID G. ARGALL PRESENTED TO THE SENATE

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

Senator ARGALL. Mr. President, I am pleased today to introduce my very first guest Page, Joseph Shevokis, from Saint Clair, a young man with a very lively interest in government and politics. He is joined in the gallery by his father, also Joseph Shevokis, and Mr. Tom Cara, who is a member of the Tamaqua Borough Council.

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

(Applause.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes, first, of a meeting of the Committee on Appropriations to be held in the Rules room, to be followed by a meeting of the Committee on Rules and Executive Nominations, also to be held in the Rules room.

The PRESIDENT. Senator Pileggi requests a recess for purposes of a meeting of the Committee on Appropriations, fol-

lowed by a meeting of the Committee on Rules and Executive Nominations in the Rules room. Without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Yaw.

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Yaw. Without objection, the leave will be granted.

REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE ANIMAL HEALTH AND DIAGNOSTIC COMMISSION

May 12, 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, Duane L. Hertzler, RD 1, Box 361, Loysville 17047, Perry County, Thirty-fourth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE ANIMAL HEALTH AND DIAGNOSTIC COMMISSION

May 12, 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, Sheryl Long Vanco, RD 1, Box 61 X, Bear Lake 16402, Warren County, Twenty-first Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE ARCHITECTS LICENSURE BOARD

April 6, 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, Howard K. Graves, AIA, 3479 Beechwood Boulevard, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Architects Licensure Board, to serve until January 23, 2010, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ana Guzman, Pittsburgh, deceased.

EDWARD G. RENDELL
Governor

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

April 15, 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, Raymond L. Dombrowski, Ed.D., 4834 Idyllbrook Village Court, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 15, 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, Dan Higham, 12538 Leslie Road, Meadville 16335, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Benedict J. Miceli, Meadville, whose term expired.

EDWARD G. RENDELL
Governor

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

April 15, 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, John E. Horan, 3931 Trask Avenue, Erie 16508, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 15, 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, Virginia L. McGarvey, 6750 Station Road, Erie 16510, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro 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.

EDWARD G. RENDELL
Governor

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

April 15, 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, John A. Pulice, 3789 Timbercrest Court, Erie 16506, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro 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 EDINBORO UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 15, 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, Harold C. Shields, 2030 Piper Court, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Council of Trustees of Edinboro 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 BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

April 22, 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, Paul S. Dlugolecki, 303 Monroe Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 22, 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, Kenneth Jarin, One Greenbriar Circle, Newtown 18940, Bucks County, Tenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 22, 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, Richard Kneidler, 1416 Newton Road, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until his successor is appointed and qualified, vice Kim Lyttle, Marion Center, whose term expired.

EDWARD G. RENDELL
Governor

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

April 22, 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, Marie A. Conley Lammando, 742 South 80th Street, Harrisburg 17111, Dauphin County, Fifteenth Sena-

torial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 22, 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, Joseph F. McGinn, 150 Edward Street, Linwood 19061, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until his successor is appointed and qualified, vice R. Benjamin Wiley, Erie, deceased.

EDWARD G. RENDELL
Governor

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

April 22, 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, Celestino R. Pennoni, 411 Valley Glen Drive, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 22, 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, Harold C. Shields, 2030 Piper Court, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Daniel P. Elby, York, whose term expired.

EDWARD G. RENDELL
Governor

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

April 22, 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, Thomas M. Sweitzer, 736 Harvard Avenue, Swarthmore 19081, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until his successor is appointed and qualified, vice David Holveck, Malvern, resigned.

EDWARD G. RENDELL
Governor

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

April 22, 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, Christine J. Toretti, 2428 Oak Drive, Indiana 15701, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2010, and until her successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 22, 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, Aaron A. Walton, 4283 Forest Glen Drive, Allison Park 15101, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

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

April 30, 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, Charles T. Blocksidge, PhD, 222 Lakeside Drive, McKees Rocks 15136, Allegheny County, Forty-second Senatorial District, for appointment as a member of the Council of Trustees of Kutztown 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, vice David Jones, Washington, DC, whose term expired.

EDWARD G. RENDELL
Governor

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

April 30, 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, Dianne M. Lutz, 6463 West Penn Avenue, Wernersville 19565, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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.

EDWARD G. RENDELL
Governor

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

April 30, 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, Richard L. Orwig, Esquire, 404 Lynne Avenue, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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
KUTZTOWN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 30, 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, John P. Wabby, 50 Bryn Mawr Avenue, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the Council of Trustees of Kutztown 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 MANSFIELD UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 30, 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, Charles Ike, 610 North Abington Road, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Council of Trustees of Mansfield 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, vice Robert O. Toombs, New Bern, North Carolina, resigned.

EDWARD G. RENDELL
Governor

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

April 30, 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 H. Meyer, 333 Fulton Street, South Waverly 18840, Bradford County, Twenty-third Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield 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 MANSFIELD UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

April 30, 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 D. Strohecker, O.D., 64 Prospect Street, Mansfield 16933, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the Council of Trustees of Mansfield 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 STATE BOARD OF NURSING

April 9, 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, Paulet Washington, 1159 Paulson Avenue, Pittsburgh 15206, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Nursing, to serve until September 23, 2009, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mary E. Bowen, R.N., CRNP, Wayne, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF
OSTEOPATHIC MEDICINE

May 15, 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, Thomas Czarnnecki, D.O., P.O. Box 4236, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve until June 26, 2010, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dr. Charles P. Fasano, Mifflinburg, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

April 15, 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 L. Johnson, PT, DPT, DEEd, 104 Merrie Woode Drive, Pittsburgh 15235, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2012, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice add to complement.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

BILLS REPORTED FROM COMMITTEE

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

SB 281 (Pr. No. 1074) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in high schools, further providing for academic degrees; and, in State Board of Education, further providing for powers and duties of board and for cooperation between the board and the Department of Education.

SB 893 (Pr. No. 1147) (Amended) (Rereported)

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for waiver of standards; and providing for State aid for fiscal year 2009-2010.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 138 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 240 (Pr. No. 1071) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 35 (Health and Safety) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, regulating emergency medical services systems; providing for licensure; conferring powers and duties on the Department of Health; further defining "emergency vehicle"; providing for penalties; providing for Emergency Medical Services Operating Fund distributions; and making a related repeal.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, over the past 25 years, emergency response has evolved rapidly, and emergency medical services are no exception. The demands are heavier. More professionals are involved full-time. More time is devoted. Technology and techniques are far advanced. Training requirements are substantially upgraded. These are positive developments for the health and safety of our residents.

But there is a problem. The EMS provisions in current State law no longer reflect what is actually happening in communities across the Commonwealth. In this fast-response, high-tech, crisis-centered world, Pennsylvania is stuck with an outdated law. The stakes are sizeable. During the time it takes to say an average sentence, there will have been an EMS dispatch somewhere in Pennsylvania. Nearly 2 million calls are logged per year; that is a dispatch every 18 seconds. Historically, EMS units were nearly all adjuncts of local fire departments, but today, only about a third are volunteer. This has become serious business. We want to be sure that the training and certifications are in good order. We want to make doubly sure skilled units are enabled to do their jobs and the inefficient ones are brought up to full capacity.

National standards have been developed that should be recognized in State law. And in our border counties, mutual aid from services in neighboring States is a key component, yet right now, there is no legal recognition of the practice. Whenever a body of law is rewritten, there is always suspicion that things will become too bureaucratic and that actions once done on a handshake basis will now require added paperwork and time-sapping approvals. Care was given and taken to avoid those pitfalls.

The legislation we are about to vote on is 10 years in the making. It has been revised countless times to reflect considerable input from providers and concerned organizations. Trust and assurance have come together as a result of the Department of

Health's commitment to a transparent and open process. It costs us almost nothing to do this, but the gain is significant. The re-vamped law prevents confusion, promotes cooperation, provides certainty in standards, and helps those in the business of saving lives to do their work efficiently and effectively. Both sides, the service providers and the families in need, want things done quickly and properly to enhance the chances of a positive outcome.

The nearly 3,500 entities that are part of the EMS system play an indispensable role in our communities. We owe them our respect and gratitude, but we also owe them a law that allows them to operate in the best fashion possible. So I urge your support of Senate Bill No. 240. It is essential to insuring the highest quality of patient care and public safety within our emergency medical system in Pennsylvania.

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-49

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

NAY-0

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

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

SB 241 (Pr. No. 246) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, defining "qualified association"; further providing for prohibited acts and for duties of licensee generally; and providing for handling of deposits and other escrows.

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-49

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

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.

BILL OVER IN ORDER

SB 287 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 380 (Pr. No. 378) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of Route 219 over the Little Toby Creek, Brockway Borough, Jefferson County, as the Christopher E. Loudon Memorial Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, it is with great honor today that we consider Senate Bill No. 380. Senate Bill No. 380 is a bridge-naming bill which names a bridge in my hometown, Brockway, as the Christopher E. Loudon Memorial Bridge.

Christopher was born on March 25, 1983, in DuBois. He graduated from Slippery Rock University with a degree in environmental science in 2005. After graduation, Christopher entered the United States Army on September 9, 2005, was commissioned as an infantry officer, and was assigned to the 2nd Platoon, Charlie Company, 1st Battalion, 22nd Infantry Regiment, 1st Brigade, 4th Infantry Division, at Fort Hood, Texas. Second Lieutenant Loudon deployed to Iraq in 2006 in support of Operation Iraqi Freedom. During his service, Second Lieutenant

Loudon was killed in Baghdad on October 17, 2006, when an improvised explosive device detonated near his vehicle.

During his service in the United States Army, Christopher received the following awards and decorations: the Bronze Star Medal, the Purple Heart, the National Defense Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Combat Infantryman Badge, and the Ranger Tab.

GUESTS OF THE PRESIDENT
PRESENTED TO THE SENATE

The PRESIDENT pro tempore. I had a very distinct honor, after Christopher was killed in Iraq, to visit the home of his parents and present them with a condolence citation from this body. Today, Christopher's parents, Randy and Susan, and his brother, Jonathan, are joining us here in the gallery. Today, we honor their son and their family for their sacrifice, their tremendous strength, and their service to our nation. If the family could please rise to be welcomed by the Senate.

The PRESIDING OFFICER. Would the guests of Senator Scarnati please stand.

(Applause.)

The PRESIDENT pro tempore. Today, I thank my colleagues and the Loudon family, and I certainly thank their son for his great sacrifice. I ask for support of this bill. 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-49

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

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.

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

BILL LAID ON THE TABLE

SB 573 (Pr. No. 757) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failure to provide identification to law enforcement authorities.

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

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 598 (Pr. No. 888) -- 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, in pupils and attendance, further providing for liability for tuition and enforcement of payment and for cost of tuition.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-41

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

NAY-8

Farnese	Hughes	Stack	Washington
Ferlo	Kitchen	Tartaglione	Williams

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

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

SB 736 (Pr. No. 1145) -- 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.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator ORIE. Mr. President, I rise in support of Senate Bill No. 736. This legislation would amend the School Code by allowing students with severe allergies to carry EpiPens, upon approval by their physicians and parents. There are 3 million children suffering from allergies in the United States, and this would allow them to carry their medication to school, where many are allergic to peanuts, bee stings, et cetera. This could lead to a life or death situation. There are 44 States that allow students to carry EpiPens, and it is time for Pennsylvania to address this issue as well. I ask for an affirmative vote.

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-49

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

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.

SECOND CONSIDERATION CALENDAR

BILL REREFERRED

HB 39 (Pr. No. 2058) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 112 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 143 (Pr. No. 939) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for prohibiting the operation of motor vehicles while using electronic wireless communications devices.

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

BILLS OVER IN ORDER

SB 187, HB 262, HB 263, SB 264, SB 288 and SB 298 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 301 (Pr. No. 300) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

SB 302 (Pr. No. 301) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,
Ordered, To be printed on the Calendar for third consideration.

BILL LAID ON THE TABLE

SB 354 (Pr. No. 352) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for restroom access for certain customers of retail establishments and for a penalty.

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

BILLS OVER IN ORDER

HB 370, HB 421, SB 441, SB 547, SB 572, SB 607, SB 688, SB 698, SB 746, SB 747, SB 852, SB 862, SB 886, SB 888, SB 901, SB 921, SB 936, HB 985, HB 988 and HB 1342 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

