

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, SEPTEMBER 23, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 81

**SENATE**

WEDNESDAY, September 23, 2009

The Senate met at 2 p.m., Eastern Daylight Saving Time.

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

**PRAYER**

The Chaplain, Reverend JOHN J. PECK, of Saint Paul the Apostle Roman Catholic Church, Annville, offered the following prayer:

In the Jewish tradition, we are in the days of Rosh Hashanah, a time to celebrate the human ability to grow and change. An old year is let go, with all its fears and anxieties, and a new year is looked forward to with hopeful expectation.

Let us pray.

Let us pray for those whom we have not cared enough for, our families, friends, and the least of our brothers and sisters. Let us pray for the Senate and all governing agencies, that they never are afraid to admit to mistakes and take actions to prevent them in the future.

Let us pray in Saleh, that God's will be done, not in our own selfish agendas of power, greed, and pride. Let us pray, as Saint Francis of Assisi, that we may be a channel of God's peace, a peace that is rooted in justice and reason. Let us pray that we learn to listen beyond the noise of our static world and that God will listen to us.

Entering the season of Eid ul-Fitr, end of Ramadan, (*Translation from Arabic:*) May your year find you in good health.

May God bless you and guide you, give you a year of shana tova, a year of sweetness.

And may God--as we Catholic priests tend to do--may God bless you, in the name of the Father, and of the Son, and of the Holy Spirit. Go in peace.

The PRESIDENT. The Chair thanks Father Peck, who is the guest today of Senator Folmer.

**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 COUNCIL OF TRUSTEES  
OF INDIANA UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION**

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Mary Esther Van Shura, 411 Olympia Road, Pittsburgh 15211, Allegheny County, Forty-second Senatorial District, for appointment as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice David Johnson, Havertown, deceased.

EDWARD G. RENDELL  
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION**

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Barbara Jollie, PO Box 413, Irwin 15642, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Lt. Col. John J. McGeehan, Bethlehem, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Chris Michaels, 107 Greenbrier Drive, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Christopher J. Delozier, New Cumberland, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Deborah A. Sieger, PhD, 30 Forgedale Road, Fleetwood 19522, Berks County, Eleventh Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Bart Burne, Laflin, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE PLANNING BOARD

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Alan Jennings, 2130 Gordon Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE PLANNING BOARD

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John A. Westrum, 1545 North Trooper Road, Norristown 19034, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Robert A. Bittenbender, 292 Founders Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nicholas J. Maiale, 225 South 18th Street, Apartment 905, Philadelphia 19103, Philadelphia County, First Senatorial District, for reappointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

September 21, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Oliver C. Mitchell, Jr., 101 Ellsworth Drive, Sinking Spring 19608, Berks County, Forty-eighth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified, vice Michael J. Acker, Harrisburg, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF THE DANVILLE STATE HOSPITAL

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senato-

rial District, for appointment as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Leonard P. Majikas, ACSW, Ph.D., Bloomsburg, deceased.

EDWARD G. RENDELL  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice William Zimmerman, Pottsville, deceased.

EDWARD G. RENDELL  
Governor

JUDGE, COMMONWEALTH COURT

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Commonwealth Court, to serve until the first Monday of January 2010, vice The Honorable Rochelle S. Friedman, mandatory retirement.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
CAMBRIA COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Cambria County, to serve until the first Monday of January 2010, vice The Honorable Francis J. Leahey, mandatory retirement.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
DELAWARE COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2012, vice The Honorable Kenneth A. Clouse, deceased.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
DELAWARE COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2012, vice The Honorable Robert C. Wright, resigned.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
FRANKLIN/FULTON COUNTY *[sic]*

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Franklin/Fulton Counties, to serve until the first Monday of January 2010, vice The Honorable John R. Walker, resigned.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
LEBANON COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Lebanon County, to serve until the first Monday of January 2010, vice The Honorable Robert J. Eby, resigned.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
LYCOMING COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Lycoming County, to serve until the first Monday of January 2010, vice The Honorable William S. Kieser, resigned.

EDWARD G. RENDELL  
Governor

JUDGE, COURT OF COMMON PLEAS,  
MONTGOMERY COUNTY

September 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Montgomery County, to serve until the first Monday of January 2010, vice The Honorable William T. Nicholas, mandatory retirement.

EDWARD G. RENDELL  
Governor

MEMBER OF THE FRANKLIN COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Franklin County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Paul Dittmann, Chambersburg, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE GREENE COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senato-

rial District, for appointment as a member of the Greene County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Lloyd Rohanna, Waynesburg, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE INDIANA COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Indiana County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Edward R. Ruffner, Indiana, deceased.

EDWARD G. RENDELL  
Governor

MEMBER OF THE JEFFERSON COUNTY  
BOARD OF ASSISTANCE

September 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, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Jefferson County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Floyd E. Work, Brockway, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE LACKAWANNA COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Mark Micciche, D.P.M., Dunmore, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE LUZERNE COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Luzerne County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Rose Tucker, Exeter, deceased.

EDWARD G. RENDELL  
Governor

MEMBER OF THE LYCOMING COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Lycoming County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Ben Pulizzi, Williamsport, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE SOMERSET COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Somerset County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Ann Bender, Somerset, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE WYOMING COUNTY  
BOARD OF ASSISTANCE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Wyoming County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Grace S. Lundy, Tunkhannock, deceased.

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

September 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, Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-02, to serve until the first Monday of January 2010, vice Elaine M. McGraw, mandatory retirement.

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

September 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, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Dauphin, Magisterial District 12-1-01, to serve until the first Monday of January 2010, vice Ray F. Shugars, mandatory retirement.

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

September 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, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Dauphin, Magisterial District 12-2-02, to serve until the first Monday of January 2010, vice Steven M. Semic, resigned.

EDWARD G. RENDELL  
Governor

MAGISTERIAL DISTRICT JUDGE

September 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, Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-04, to serve until the first Monday of January 2010, vice Diane S. Repyneck, resigned.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS

September 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Matthew C. Rader, 108 Welles Street, Forty Fort 18704, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS

September 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Ralph M. Stewart, 120 West Philadelphia Street, Armagh 15920, Indiana County, Forty-first Senatorial District, for reappointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three 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 STATE BOARD  
OF BARBER EXAMINERS

September 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wendell J. Douglas, 5504 Belmur Terrace, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Evan M. Semoff, Jr., Camp Hill, whose term expired.

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

September 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gary Hines, 42 W Washington Lane,

Philadelphia 19144, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2012, and until his successor is appointed and qualified, vice Daniel Rodriguez, Philadelphia, resigned.

EDWARD G. RENDELL  
Governor

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

September 23, 2009

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen Powell, 209 Emily Lane, Boothwyn 19061, Delaware County, Ninth Senatorial District, for appointment as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Stephen L. Ralston, Coatesville, 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  
COUNCIL ON AGING

September 21, 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 July 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2010, and until her successor is appointed and qualified, vice Denise Illig Robison, 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 BOARD OF TRUSTEES  
OF ALLENTOWN STATE HOSPITAL

September 21, 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 July 24, 2009, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, as a member of the Board of Trustees of Allentown State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Grant Stevenson, Bethlehem, 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 FARM  
PRODUCTS SHOW COMMISSION

September 21, 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 July 17, 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 Farm Products Show Commission, to serve for a term of four years and until his successor has been appointed and qualified, vice Randy King, Harrisburg, resigned.

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

EDWARD G. RENDELL  
Governor

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

September 21, 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 July 15, 2009, for the appointment of Dr. Mary Esther Van Shura, 411 Olympia Road, Pittsburgh 15211, Allegheny County, Forty-second Senatorial District, as a member of the Council of Trustees of Indiana University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice David Johnson, Havertown, deceased.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

September 21, 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 July

15, 2009, for the appointment of Barbara Jollie, PO Box 413, Irwin 15642, Westmoreland County, Thirty-ninth Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Lt. Col. John J. McGeehan, Bethlehem, whose term expired.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

September 21, 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 July 15, 2009, for the appointment of Chris Michaels, 107 Greenbrier Drive, Clarks Green 18411, Lackawanna County, Twenty-second Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Christopher J. Delozier, New Cumberland, whose term expired.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

September 21, 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 July 15, 2009, for the appointment of Deborah A. Sieger, PhD, 30 Forgedale Road, Fleetwood 19522, Berks County, Eleventh Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Bart Burne, Laflin, whose term expired.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

September 21, 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 September 16, 2009, for the reappointment of James Miller, 124 Bel Aire Drive, Archbald 18509, Lackawanna County, Twenty-seventh

Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE PLANNING BOARD

September 21, 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 July 23, 2009, for the reappointment of Alan Jennings, 2130 Gordon Street, Allentown 18104, Lehigh County, Sixteenth Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE PLANNING BOARD

September 21, 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 July 23, 2009, for the reappointment of John A. Westrum, 1545 North Trooper Road, Norristown 19034, Montgomery County, Seventeenth Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION

September 21, 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 July 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Penelope Gerber, Ambler, whose term expired.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC  
TELEVISION NETWORK COMMISSION

September 21, 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 July 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Steven Aaron, Harrisburg, whose term expired.

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

EDWARD G. RENDELL  
Governor

SHERIFF, UNION COUNTY

September 21, 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 July 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as Sheriff, in and for the County of Union, to serve until the first Monday of January 2010, vice John P. Schrawder, deceased.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS

September 23, 2009

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 28, 2009, for the appointment of Senate [sic], Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Auctioneer Examiners, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

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

EDWARD G. RENDELL  
Governor

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

September 23, 2009

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



In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 3, 2009, for the reappointment of Mark C. Aho, 331 Carter Moir Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified.

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

EDWARD G. RENDELL  
Governor

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

September 23, 2009

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 3, 2009, for the appointment of Martin Dees, Jr., 779 Eastside Drive, Landisville 17538, Lancaster County, Thirty-sixth Senatorial District, as a member of the Board of Trustees of Thaddeus Stevens College of Technology, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Stephen L. Ralston, Coatesville, resigned.

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

EDWARD G. RENDELL  
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

September 21, 2009

**HB 1614** -- Committee on Labor and Industry.

**HB 1768** and **1847** -- Committee on Environmental Resources and Energy.

September 23, 2009

**HB 1531** -- Committee on Appropriations.

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:

September 21, 2009

Senator BAKER presented to the Chair **SB 1087**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for use and appropriation of unused Commonwealth funds.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, September 21, 2009.

September 23, 2009

Senator CORMAN presented to the Chair **SB 1093**, entitled:  
An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1094**, entitled:  
An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1095**, entitled:  
An Act making an appropriation to the Lake Erie College of Osteopathic Medicine, Erie.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1096**, entitled:  
An Act making an appropriation to Salus University, Philadelphia.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1097**, entitled:  
An Act making an appropriation to the University of the Arts, Philadelphia, for instruction and student aid.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1098**, entitled:  
An Act making an appropriation to the Johnson Technical Institute of Scranton for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1099**, entitled:  
An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County for operation and maintenance expenses.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1100**, entitled:  
An Act making an appropriation to the Fox Chase Institute for Cancer Research, Philadelphia, for the operation and maintenance of the cancer research program.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1101**, entitled:  
An Act making appropriations to the Wistar Institute, Philadelphia, for operation and maintenance expenses and for AIDS research.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1102**, entitled:  
An Act making an appropriation to the Central Penn Oncology Group.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1103**, entitled:  
An Act making an appropriation to Lancaster Cleft Palate for outpatient-inpatient treatment.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1104**, entitled:  
An Act making an appropriation to the Burn Foundation, Philadelphia, for outpatient and inpatient treatment.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1105**, entitled:  
An Act making an appropriation to The Children's Institute, Pittsburgh, for treatment and rehabilitation of certain persons with disabling diseases.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1106**, entitled:  
An Act making an appropriation to The Children's Hospital of Philadelphia for comprehensive patient care and general maintenance and operation of the hospital.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1107**, entitled:  
An Act making an appropriation to the Philadelphia Health and Education Corporation for the Colleges of Medicine, Public Health, Nursing and Health Professions for continuation of pediatric services.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

Senator CORMAN presented to the Chair **SB 1108**, entitled:  
An Act making an appropriation to the Beacon Lodge Camp.

Which was committed to the Committee on APPROPRIATIONS, September 23, 2009.

**APPOINTMENT BY THE PRESIDENT PRO TEMPORE**

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointment:  
Arthur S. Levine, M.D., as a member of the Health Research Advisory Committee.

**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 Piccola.

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

Senator MELLOW. Mr. President, I request legislative leaves for Senator Ferlo and Senator Stack.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

Senator Mellow requests legislative leaves for Senator Ferlo and Senator Stack.

Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of July 27, 2009, is now in print.

The Clerk proceeded to read the Journal of the Session of July 27, 2009.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**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.

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

Senator MELLOW. Mr. President, I ask our Democratic Members to report immediately to our caucus room.

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

**AFTER RECESS**

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

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT. Senator Piccola and Senator Stack have returned, and their respective leaves are cancelled.

**LEAVE OF ABSENCE**

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

**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 of a meeting of the Committee on Appropriations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Transportation, also to be held in the Rules room.

The PRESIDENT. For purposes of meetings of the Committee on Appropriations and the Committee on Transportation, 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.

**CALENDAR****GOVERNOR'S ITEM VETO MESSAGE  
OVER IN ORDER**

**SB 850** -- Without objection, the item veto message was passed over in its order at the request of Senator PILEGGI.

**THIRD CONSIDERATION CALENDAR****NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE**

**SB 1036 (Pr. No. 1316)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1036 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1036, Printer's No. 1316, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE**

**SB 1037 (Pr. No. 1317)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1037 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1037, Printer's No. 1317, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE**

**SB 1038 (Pr. No. 1318)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1038 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1038, Printer's No. 1318, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

**SB 1039 (Pr. No. 1319)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

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

**SB 1039 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1039, Printer's No. 1319, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

**SB 1040 (Pr. No. 1320)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

**SB 1040 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1040, Printer's No. 1320, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

**SB 746, SB 893 and SB 899** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 987 (Pr. No. 1224)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Washington County Authority, certain lands situate in Cecil Township, Washington County.

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-48

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

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 LAID ON THE TABLE

**SB 1042 (Pr. No. 1331)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for the Pennsylvania Emergency Management Agency.

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

**SB 1042 TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1042, Printer's No. 1331, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL RECOMMITTED

**SB 1088 (Pr. No. 1399)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in administration and enforcement, further providing for declaration of exemption from Federal laws prohibiting slot machines.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was recommitted to the Committee on Community, Economic and Recreational Development.

## SECOND CONSIDERATION CALENDAR

### BILL ON SECOND CONSIDERATION

**HB 792 (Pr. No. 2676)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to grant and convey to Schuylkill County certain lands situate in Ryan Township, Schuylkill County.

Considered the second time and agreed to,

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

### BILLS OVER IN ORDER

**SB 993** and **SB 1007** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

### SENATE RESOLUTION No. 150, ADOPTED

Senator PILEGGI, without objection, called up from page 4 of the Calendar, **Senate Resolution No. 150**, entitled:

A Resolution designating September 27, 2009, as "Gold Star Mother's Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

### UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

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

#### **SB 211 (Pr. No. 1414)** (Amended) (Rereported)

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for prize limits, for insured games, for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance, for separate individual prize limitations, for revocation of licenses and for advertising.

#### **HB 1531 (Pr. No. 22675)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for time for filing returns, for time of payment, for continuation of the Military Family Relief Assistance Program; and providing for a limited tax amnesty program.

Senator D. WHITE, from the Committee on Transportation, reported the following bills:

#### **HB 458 (Pr. No. 1377)**

An Act designating the bridge carrying U.S. Route 522 over the Aughwick Creek in Shirley Township, Huntingdon County, as the Queen Aliquippa Bridge.

#### **HB 1300 (Pr. No. 2702)** (Amended)

An Act designating the interchange at Exit 32-B of Interstate 70 in Washington County as the Nathan Burnfield Memorial Interchange; and designating the Gay Street Bridge on State Route 113, which crosses French Creek in the Borough of Phoenixville, Chester County, as the Veterans Memorial Gay Street Bridge.

#### **HB 1468 (Pr. No. 2402)**

An Act designating a portion of PA Route 378 in Bethlehem, Northampton County, as the Fred B. Rooney Highway.

#### **HB 1779 (Pr. No. 2403)**

An Act designating a bridge in Clarks Summit, Lackawanna County, as the John E. Fitzgerald Memorial Bridge.

#### **HB 1801 (Pr. No. 2404)**

An Act designating the bridge in the Borough of White Oak, Allegheny County, carrying State Route 2033 over Jack's Run Stream as the Milton L. Lebowitz Memorial Bridge.

### SENATE RESOLUTIONS ADOPTED

Senators ARGALL, BOSCOLA, KASUNIC, BAKER, STOUT, O'PAKE, TARTAGLIONE, KITCHEN, RAFFERTY, COSTA, DINNIMAN, FONTANA, D. WHITE, ALLOWAY, PILEGGI, STACK, WARD, FARNESE, MUSTO, PIPPY, EARLL and WASHINGTON, by unanimous consent, offered **Senate Resolution No. 175**, entitled:

A Resolution designating October 22, 2009, as "Lights on Afterschool! Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator ARGALL. Mr. President, I would like to submit comments for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentleman from Schuylkill, Senator ARGALL:)*

Mr. President, today, I stand to introduce a resolution designating October 22, 2009, as "Lights on Afterschool! Day" in Pennsylvania. This will mark the eighth annual national commemoration of Lights on Afterschool! Day, a national event recognizing the importance of afterschool programs in the lives of children. This resolution had been

introduced several times in previous years by my predecessor and passionate supporter of early childhood education programs, Senator Jim Rhoades.

Pennsylvania has over 2.1 million school-age children and youth, and over 1.3 million of them (6 to 17 years of age) have both parents in the workforce or, in the case of single-parent families, the sole parent in the workforce. Children's out-of-school hours represent the "single biggest block of time" for youth and a key time during the development of children into adolescents and adolescents into adults.

Research on the benefits of afterschool programs is clear - it demonstrates that out-of-school hours have a significant influence on the development of children's and teenagers' habits, attitudes, and skills that will ultimately help determine their academic and lifetime successes. High-quality afterschool programming improves student achievement, reduces crime by and against youth, and promotes positive social development.

Across Pennsylvania, communities are already working together to develop safe, affordable, and enriching afterschool experiences for school-age children and teens. It is vitally important that the Senate recognize the importance of these programs and support the contributions that providers and volunteers make to improve the lives of our young people.

I urge all of my colleagues to unanimously support this resolution.  
Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators DINNIMAN, STACK, LEACH, BAKER, BOSCOLA, COSTA, ERICKSON, FERLO, FONTANA, GREENLEAF, HUGHES, KITCHEN, MELLOW, MUSTO, O'PAKE, ORIE, PILEGGI, PIPPY, RAFFERTY, STOUT, TARTAGLIONE, TOMLINSON, D. WHITE and M. WHITE, by unanimous consent, offered **Senate Resolution No. 176**, entitled:

A Resolution recognizing the holiday beginning with Rosh Hashanah and concluding with Yom Kippur.

On the question,

Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, this resolution has the Senate wishing the Jewish community of this Commonwealth, a very large and vibrant community within the Commonwealth, best wishes for the new year. The new year, as you know, started a couple of days ago with the beginning of Rosh Hashanah and ends in a day of atonement, a day of fasting and prayer, which will be next Monday.

We also thank the President of the Senate for recognizing the holiday by having the Senate not meet on that day, a sign of respect to all of the different faith traditions that make up the Commonwealth, and we thank you, Mr. President, and the Senate, for that courtesy.

So in Jewish tradition, we would say "l'shana tova," best wishes for a happy and a sweet new year.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators VANCE, PILEGGI, ERICKSON, KITCHEN, BAKER, BOSCOLA, BRUBAKER, CORMAN, DINNIMAN, EARLL, FONTANA, GREENLEAF, HUGHES, KASUNIC, LOGAN, O'PAKE, ORIE, PIPPY, RAFFERTY, STACK, TARTAGLIONE, TOMLINSON, WAUGH, M. WHITE, WASHINGTON, ALLOWAY, D. WHITE and COSTA, by unanimous consent, offered **Senate Resolution No. 177**, entitled:

A Resolution designating the week of October 4 through 10, 2009, as "Children Healthy Lifestyles Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators STACK, TARTAGLIONE, KITCHEN, STOUT, FERLO, BAKER, ERICKSON, M. WHITE, ORIE, FONTANA, COSTA, HUGHES, RAFFERTY, PILEGGI, WARD, FARNESE, MUSTO, PIPPY, GREENLEAF, DINNIMAN, ARGALL, WASHINGTON, ALLOWAY, EARLL and D. WHITE, by unanimous consent, offered **Senate Resolution No. 178**, entitled:

A Resolution designating October 4, 2009, as "Pulaski Memorial Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, my friend and colleague, Senator Tartaglione, and I are asking for unanimous consent for the immediate consideration of resolutions honoring October 4 as "Pulaski Memorial Day" in Pennsylvania, and October as "Polish American Heritage Month" in Pennsylvania.

America has a very long history of welcoming the Polish people to our soil. In fact, the Polish first came here in 1608, over a century before America claimed its independence. Since that time, the Polish people have made great contributions to America. Most notably, Casimir Pulaski, a skilled military leader from Poland, came here to fight in the name of freedom during the American Revolution. Known as the Father of the American Cavalry, Pulaski gave his life in battle so that we could be a free nation. This year marks the 230th anniversary of the death of General Pulaski. We also mark this year the 70th anniversary of the Nazi invasion of Poland and the outbreak of World War II. The Poles put up a courageous resistance against the Nazis and are remembered as the first to stand up to Hitler's army.

Today, the spirit of our nation's Polish ancestors and all notable Polish people is alive and well. In fact, Philadelphia is home to a large community of Polish Americans in my district in Bridesburg and Port Richmond, and basically all across Pennsylvania. So whether we visit the Polish American Cultural Center in Pennsylvania or cheer on the "racing pierogies" during Pittsburgh Pirates games, Pennsylvania clearly has a strong Polish American influence.

Mr. President, Polish Americans have made great contributions to our nation and to Pennsylvania, so I ask my colleagues to join Senator Tartaglione and me in supporting these resolutions honoring Pulaski Memorial Day and Polish American Heritage Month.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators STACK, TARTAGLIONE, KITCHEN, STOUT, FERLO, ERICKSON, M. WHITE, ORIE, FONTANA, COSTA, HUGHES, RAFFERTY, PILEGGI, WARD, FARNESE, MUSTO, PIPPY, GREENLEAF, DINNIMAN, ARGALL, WASHINGTON, ALLOWAY, EARLL and D. WHITE, by unanimous consent, offered **Senate Resolution No. 179**, entitled:

A Resolution designating the month of October 2009 as "Polish American Heritage Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

### 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 Evelyn Marie Gilfert, Northern Lehigh Historical Society and to Zion's Evangelical Lutheran Church of Shoemakersville by Senator Argall.

Congratulations of the Senate were extended to Mark Poderis by Senator Greenleaf.

Congratulations of the Senate were extended to the Bureau of Blindness and Visual Services by Senator Mellow.

Congratulations of the Senate were extended to Benjamin D. Kelly and to the Blue Mountain Eagle Climbing Club of Bernville by Senator O'Pake.

Congratulations of the Senate were extended to the Harrisburg Hunters' and Anglers' Association BB Gun Riflemen Team by Senator Piccola.

Congratulations of the Senate were extended to Maureen Nelson by Senator Rafferty.

Congratulations of the Senate were extended to Parkway Cleaners of West Chester and to the Citadel Federal Credit Union of Thorndale by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to Good Works, Inc., of Coatesville, by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to the Osceola Fire Department by Senator Scarnati.

Congratulations of the Senate were extended to Nicholas R.G. Peters, First Presbyterian Church of Carlisle and to the citizens of the Village of Lisburn by Senator Vance.

Congratulations of the Senate were extended to Dr. Donato B. Zucco and to the Cambria County Association of Township Officials by Senator Wozniak.

### 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 Specialist Chad Allen Edmundson by Senator Eichelberger.

### BILLS ON FIRST CONSIDERATION

Senator ORIE. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

**HB 458, HB 1300, HB 1468, HB 1531, HB 1779 and HB 1801.**

And said bills having been considered for the first time,

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

### BILL RECOMMITTED

Upon motion of Senator PILEGGI, and agreed to by voice vote, the following bill just considered was recommitted to the Committee on Appropriations:

**HB 1531.**

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### WEDNESDAY, SEPTEMBER 23, 2009

Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 211 and House Bill No. 1531)	Rules Cmte. Conf. Rm.
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Off the Floor	TRANSPORTATION (to consider House Bills No. 458, 1300, 1468, 1779 and 1801)	Rules Cmte. Conf. Rm.
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#### THURSDAY, SEPTEMBER 24, 2009

1:00 P.M.	LABOR AND INDUSTRY (to consider House Bill No. 1614)	Room 461 Main Capitol
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Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 212, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, and 1106; and House Bill No. 1531)	Rules Cmte. Conf. Rm.
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Cmte. Conf. Rm.
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### 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 Thursday, September 24, 2009, at 2 p.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 5:28 p.m., Eastern Daylight Saving Time.