

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

THURSDAY, OCTOBER 1, 2009

SESSION OF 2009 193RD OF THE GENERAL ASSEMBLY

No. 86

SENATE

THURSDAY, October 1, 2009

The Senate met at 3 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend DAVID BISER, Pastor of Crosspoint United Methodist Church, Harrisburg, offered the following prayer:

As we gather on this difficult day, once again, we find ourselves in a place where things lie before us that are paramount for us to decide. I believe it is important for us to go to the One who knows all things and believes all things in us.

Let us pray.

Heavenly Father, we thank You for Your gift of this day, Your blessings in our lives, Your encouragement for each one of us, and Your gift of the breath of life for this day. Help us, Lord, to rise to the occasion, to be people who are bold and strong for You, filled with Your wisdom, Your knowledge, and Your ability to accomplish great things in our Commonwealth. You have put us in positions of leadership. Allow us, Lord, strengthen us, Lord, encourage us, Lord, to follow through in what You have asked us to do and the things that You have asked us to accomplish. Give us all we need, Lord, to carry the task to completion. Be with our Governor, those in the House, and those here in the Senate.

We thank You for all of those who are in leadership, not only in our great Commonwealth but across our great nation. Make us a lighthouse and a beacon, Lord, for those who are in need, for those in trouble. Make us a land of the free and a home of the brave. We ask all this, Lord, not by our strength, not in our power, but in respect of all people throughout our Commonwealth, throughout our nation, of all religions, of all faiths. And in the name of the one and only Jesus Christ, our Lord and Savior, amen.

The PRESIDENT. The Chair thanks Reverend Biser, who is the guest today of Senator Piccola.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE 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 FULTON COUNTY
BOARD OF ASSISTANCE**

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Fulton County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Kathleen Zimmerman, Warfordsburg, resigned.

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

EDWARD G. RENDELL
Governor

**MEMBER OF THE FULTON COUNTY
BOARD OF ASSISTANCE**

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Fulton County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Katie Anderton, McConnellsburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE GREENE COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Greene County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice William Thomas, Waynesburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE GREENE COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE GREENE COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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 Peter Rameas, Waynesburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Huntingdon County Board of Assistance, to serve until December 31, 2011, and until his successor is appointed and qualified, vice Joann Condellone, Huntingdon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Huntingdon County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Beverly Gusler, James Creek, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE HUNTINGDON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Huntingdon County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Robert Parsons, Blair Mills, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE INDIANA COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JEFFERSON COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Juniata County Board of Assistance, to serve until December 31, 2011, and until his successor is appointed and qualified, vice Jacquelyn Everitt, Mifflintown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Juniata County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Willis E. Kauffman, Mifflintown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Juniata County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Esther E. Rhine, Mifflintown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Juniata County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Carlen D. McClure, Port Royal, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE JUNIATA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial

District, as a member of the Juniata County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Fred N. Noble, Honey Grove, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Frank Grecco, Carbondale, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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 George Yavorek, Eynon, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Lackawanna County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Dominick Famularo, Carbondale, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LACKAWANNA COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, 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 Fred Donnini, Olyphant, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LANCASTER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Lancaster County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Peter True, Lancaster, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LANCASTER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Lancaster County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Mary J. Loreto, Columbia, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LANCASTER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Lancaster County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice MacDonald Stacks, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Lawrence County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Jean L. Rogan, New Castle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Lawrence County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Joseph Bullano, New Castle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Lawrence County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Frank V. Sylvester, New Castle, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LAWRENCE COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Lawrence County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Robert Session, New Castle, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LEBANON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth

Senatorial District, as a member of the Lebanon County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Joyce Dissinger, Lebanon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LEHIGH COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Lehigh County Board of Assistance, to serve until December 31, 2011, and until his successor is appointed and qualified, vice Wendy Engler Shade, Allentown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LUZERNE COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Luzerne County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Joseph Salvo, Shavertown, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LUZERNE COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LYCOMING COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Lycoming County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Reverend George E. Doran, Jr., Hughesville, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LYCOMING COUNTY
BOARD OF ASSISTANCE

October 1, 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 22, 2009, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, 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.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE LYCOMING COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, 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 John Losch, Montoursville, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 McKean County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Marcia Shuman, Rixford, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the McKean County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Shirley Reed, Eldred, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MCKEAN COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the McKean County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Vincent Goodrich, Bradford, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MERCER COUNTY
BOARD OF ASSISTANCE

October 1, 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 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 Mercer County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Janet McDougall, Grove City, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MERCER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Mercer County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Michael Reichart, Sharpsville, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MERCER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Mercer County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice David Immonen, Greenville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MERCER COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth

Senatorial District, as a member of the Mercer County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Walter Matthews, Sharon, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MONROE COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Monroe County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice W. Andrew Worthington, Stroudsburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MONTOUR COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Montour County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Grace Reinaker, Danville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE MONTOUR COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Montour County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Brian Cope, Danville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Kirk M. Allen, 185 Seyfert Drive, Birdsboro 19508, Berks County, Eleventh Senatorial District, as a member of the Northampton County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Elsie Luciano, Bethlehem, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Sam Cohn, 491 Hillside Drive, Mountville 17554, Lancaster County, Thirty-sixth Senatorial District, as a member of the Northampton County Board of Assistance, to serve until December 31, 2009, and until his successor is appointed and qualified, vice Arthur Panzini, Easton, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Northampton County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Doris Lifland, Easton, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHAMPTON COUNTY
BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Northampton County Board of Assistance, to serve until December 31, 2010, and until her successor is appointed and qualified, vice Fred Davis, Easton, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHUMBERLAND
COUNTY BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as a member of the Northumberland County Board of Assistance, to serve until December 31, 2010, and until his successor is appointed and qualified, vice Frederick Hauk, Sunbury, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHUMBERLAND
COUNTY BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nora Peterman, 4634 Larchwood Avenue, Philadelphia 19143, Philadelphia County, Eighth Senatorial District, as a member of the Northumberland County Board of Assistance, to serve until December 31, 2009, and until her successor is appointed and qualified, vice Michael Carpenter, Coal Township, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE NORTHUMBERLAND
COUNTY BOARD OF ASSISTANCE

October 1, 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 17, 2009, for the appointment of Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, as a member of the Northumberland County Board of Assistance, to serve until December 31, 2011, and until her successor is appointed and qualified, vice Allen Dexter Kunkel, Northumberland, resigned.

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

EDWARD G. RENDELL
Governor

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

BILLS OVER IN ORDER

SB 211, HB 458, SB 746, SB 1042, HB 1468 and HB 1801 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 212 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND RECOMMITTED

SB 1033 (Pr. No. 1326) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for legislative intent, for definitions, for Pennsylvania Gaming Control Board established, for general and specific powers of the Pennsylvania Gaming Control Board, for licensed gaming entity application appeals from board, for regulatory authority of board, for collection of fees and fines, for reports of board, for authorized slot machine licenses, for additional Category 1 slot machine license requirements, for applications for license or permit, for supplier licenses, for manufacturer licenses, for occupation permit applications, for alternative manufacturer licensing standards and for additional licenses and permits and approval of agreement; providing for table games; and further providing for slot machine licensee deposits, for transfers from State Gaming Fund, for responsibility and authority of Department of Revenue, for wagering on credit, for no eminent domain authority, for compulsive and problem gambling program, for political influence, for investigations and enforcement, for prohibited acts and penalties and for interception of oral communications.

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

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

BILL OVER IN ORDER

HB 1300 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1768 (Pr. No. 2725) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for definitions and for recycling fee for municipal waste landfills and resource recovery facilities; providing for used tire pile remediation; and further providing for information provided to host municipalities, for joint inspections with host municipalities, for claims resulting from pollution occurrences, for independent evaluation of permit applications and for host municipality benefit fee.

Considered the second time and agreed to,

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

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

BILL OVER IN ORDER

HB 1779 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1847 (Pr. No. 2428) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 24, 1968 (P.L.1040, No.318), known as the Coal Refuse Disposal Control Act, further providing for site selection.

Considered the second time and agreed to,

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

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

UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Devon Dominici by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Harvey A. Ruth, Mr. and Mrs. Wayne Burkholder, Dr. Charles R. Mershon and to Wesley Berkey by Senator Brubaker.

Congratulations of the Senate were extended to Deborah Yankowski by Senator Costa.

Congratulations of the Senate were extended to the Honorable Florindo J. Fabrizio by Senator Earll.

Congratulations of the Senate were extended to Mr. and Mrs. Harold R. Hons, Sr., and to Mr. and Mrs. Jerome Abraczinskas by Senator Gordner.

Congratulations of the Senate were extended to Patrick G. Roberts, Allen Feldman, Kathy Card, John J. Boyle, Larry Hannon and to Casimer Olszewski by Senator Greenleaf.

Congratulations of the Senate were extended to David He, Paul Martin and to Robert Schleyer by Senators Greenleaf and Tomlinson.

Congratulations of the Senate were extended to Logan Cawley and to Robbie Grasmeyer by Senator McIlhinney.

Congratulations of the Senate were extended to the German-American community of Reading and Berks County and to Abilities In Motion of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Marcus J. Roberge by Senator Piccola.

Congratulations of the Senate were extended to the New Castle Branch of the NAACP by Senator Vogel.

Congratulations of the Senate were extended to Master Sergeant Rodney H. Davis by Senator Ward.

Congratulations of the Senate were extended to the Honorable Lawrence H. Curry, Gail Vinikoor and to the Cheltenham Township Auxiliary Police by Senator Washington.

Congratulations of the Senate were extended to Mr. and Mrs. Bill Kellander by Senator Wozniak.

PETITIONS AND REMONSTRANCES

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

Senator FONTANA. Mr. President, I want to thank the Majority Leader and the chairman of the Committee on Community, Economic and Recreational Development for recommitting Senate Bill No. 1033 back to the committee for further discussion and possible amendments.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I will be brief. We all know that the clock is ticking as we try to enact a State budget for the Commonwealth of Pennsylvania. But there is another clock that is ticking as well, and I really fear that it is a time bomb just waiting to go off in 91 days. I am talking about electric rate caps expiring at the end of this year, just 3 months away, for a lot of residential and commercial customers. Once those rate caps come off in PPL service territory, over 1 million electric customers could see their monthly bills double overnight.

At a time when we are debating whether to raise the cigarette tax by 25 cents to balance our State budget, a 30- or 40-percent increase in electric bills will take hundreds of dollars out of people's pockets. Smokers can decide whether or not they want to pay that 25 cents, or better yet--and hopefully, some of them will

choose to quit smoking and save money. But no one, no one can choose to stop using electricity. What will happen, I am afraid, is that senior citizens will be forced to choose between paying their light bills or paying for their medicine. And small businesses will be forced out of business, because unlike a huge energy company, they cannot be expected to raise the price of goods and services overnight and expect customers to keep coming back.

I know we are getting late into this year's budget Session. We are already into the 16th or 17th extra inning of this budget process, and there is not a lot of time left for us to do something to protect our customers. But--and I am hopeful--we still have 91 days, Mr. President. Like everyone in this Chamber, I hope we can put this budget behind us very soon so that we can go on to this other very important issue, the expiration of rate caps, by the end of the year.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I rise to once again salute the Philadelphia Phillies on winning the Eastern Division title 3 years in a row. We are all very proud of the Phillies, and they are a Pennsylvania team. We hope that they can make it all the way to--and win--the World Series again. The Phillies are also one of those Pennsylvania products which is truly a moneymaker. When they go on these great runs, the amount of success small businesses have selling Phillies paraphernalia is incredible, not just here in Pennsylvania but around the world. So we wish them luck, and we are in their corner.

Talking about winning teams and budget issues, I am distressed that we still have not reached a final solution to this budget impasse. I know that Governor Rendell has taken exception to the work ethic of the legislature, and I just want to go on record as once again saying that I have been nothing but impressed with the work ethic of my colleagues, Republicans and Democrats alike, here in the Pennsylvania State Senate. There has not been 1 day--I am now in my third term--that I have served here that I have not been honored to serve with my colleagues.

So when I hear Governor Rendell taking a position that somehow, we are all standing around having a good time, I find that I have to take exception to that. I know a lot of folks have families and people at home interested in them. We went through this summer without a summer break, trying to get this thing solved, and we are still, many of us, ready and waiting to get the job done. I would like to see Governor Rendell more engaged in the process, not here in the Pennsylvania Senate, but with people in the House, to help get this thing done. He seems to be waiting for Godot. I like to make a literary reference whenever I can here in the Pennsylvania Senate. The thing about Godot is that he never shows up. So there is no waiting. That does not come in handy in this body. He has to take action.

Once again, I know that our leadership, on both sides of the aisle here in the Senate, is working hard to get this job done. And for the people of Pennsylvania, the people who are really hurting now, who are really counting on what we do here for the funding and for the services we provide, let us hope we can get this thing done soon.

Thank you, Mr. President.

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

Senator O'PAKE. Mr. President, would the Majority Leader consent to very brief interrogation? Is that Senator Godot?

The PRESIDENT. Senator O'Pake requests that the Majority Leader stand for interrogation. Will the gentleman agree?

Senator PILEGGI. Mr. President, I would be happy to stand for interrogation.

The PRESIDENT. The gentleman indicates he will stand for interrogation. The gentleman is in order.

Senator O'PAKE. Mr. President, very simply, would the gentleman be kind enough to share with us and this body his tentative plans for scheduling for tomorrow and the rest of the week?

Senator PILEGGI. Mr. President, we are currently scheduled to be in voting Session tomorrow at 11 o'clock. That schedule will remain in place. From that point forward, our actions will depend on the actions of the House, whether or not they are able to send us any of the bills related to the budget. So tomorrow, we will make a decision about the day after tomorrow.

Senator O'PAKE. Thank you, and I likewise commend the Majority Leader for his work ethic and the attempt to bring this to a final and satisfactory conclusion.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, OCTOBER 2, 2009

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 122, 639, 1036, 1037, 1038, 1039, 1040 and 1085; and House Bill No. 1607)	Rules Cmte. Conf. Rm.
Off the Floor	ENVIRONMENTAL RESOURCES AND ENERGY (to consider House Bill No. 961)	Rules Cmte. Conf. Rm.
Off the Floor	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 922; and House Bill No. 47)	Rules Cmte. Conf. Rm.

TUESDAY, OCTOBER 6, 2009

10:00 A.M.	LABOR AND INDUSTRY (public hearing on Senate Bill No. 1001)	Hrg. Rm. 1 North Off.
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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 Friday, October 2, 2009, at 11 a.m., Eastern Daylight Saving Time.

The motion was agreed to by voice vote.

The Senate recessed at 3:20 p.m., Eastern Daylight Saving Time.