

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MARCH 10, 2009

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 13

SENATE

WEDNESDAY, March 10, 2010

The Senate met at 11 a.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend RONALD BACHMAN, of Rexmont Evangelical Congregational Church, Rexmont, offered the following prayer:

Shall we look to the Lord in prayer.

Father God, we certainly want to thank You for this day, which You have provided for us. And now, Almighty God, regard with favor these, Your servants. Grant them, today, health of body and mind. Make them strong to bear the burdens of their office. Grant them wisdom and understanding, that under their leadership, our State may be led in the way of righteousness and peace. And then, Father, keep us mindful of Your command for us to obey those appointed over us and to support them with fervent prayer. Bless also, Father God, our President, and make him a blessing to our people. And this we ask in the name of the One who said, look up, for your redemption draweth nigh. And may His name be hallowed forever. Amen.

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

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:

JUDGE, COURT OF COMMON PLEAS,
BUCKS COUNTY

March 9, 2010

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 October 7, 2009, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Bucks County, to serve until the first Monday of January 2012, vice The Honorable David W. Heckler, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

March 9, 2010

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 October 2, 2009, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2012, vice The Honorable Tama Myers Clark, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

March 9, 2010

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 October 7, 2009, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-1-02, to serve until the first Monday of January 2012, vice The Honorable Robert V. Manlove, resigned.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES**HOUSE BILL FOR CONCURRENCE**

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

March 10, 2010

HB 2066 -- Committee on Finance.

**HOUSE CONCURS IN SENATE
CONCURRENT RESOLUTION**

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

Weekly recess.

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:

March 10, 2010

Senators BRUBAKER, EICHELBERGER, WAUGH, BOSCOLA, GREENLEAF, WARD, FOLMER, D. WHITE, ALLOWAY and PIPPY presented to the Chair **SB 1232**, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, changing the Commonwealth's fiscal period from one year to two years.

Which was committed to the Committee on STATE GOVERNMENT, March 10, 2010.

Senators WAUGH, ALLOWAY, BOSCOLA, BRUBAKER, EICHELBERGER, FOLMER, KASUNIC, O'PAKE, RAFFERTY, WARD, D. WHITE, M. WHITE, WOZNIAK and FARNESE presented to the Chair **SB 1253**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing a Constitutional Convention.

Which was committed to the Committee on STATE GOVERNMENT, March 10, 2010.

Senators STACK, ORIE, WOZNIAK, MENSCH, BOSCOLA, WARD and FOLMER presented to the Chair **SB 1262**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, providing for Commonwealth land.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 10, 2010.

Senators LOGAN, WILLIAMS, FONTANA, WASHINGTON, TARTAGLIONE, COSTA, RAFFERTY and FARNESE presented to the Chair **SB 1264**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in offenses in general, further providing for leaving an unattended child in a motor vehicle; and, in driving after imbibing alcohol or utilizing drugs, further providing for penalties.

Which was committed to the Committee on TRANSPORTATION, March 10, 2010.

Senators BOSCOLA, ALLOWAY, COSTA, STACK, FARNESE and WASHINGTON presented to the Chair **SB 1265**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, further providing for grounds for involuntary termination.

Which was committed to the Committee on JUDICIARY, March 10, 2010.

Senators EICHELBERGER, ROBBINS, ERICKSON, STOUT and WOZNIAK presented to the Chair **SB 1266**, entitled:

An Act reenacting and amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code.

Which was committed to the Committee on LOCAL GOVERNMENT, March 10, 2010.

BILL SIGNED

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

HB 1533.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Ward, and a temporary Capitol leave for Senator Browne.

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

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

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Ward, and a temporary Capitol leave for Senator Browne.

Senator Mellow requests legislative leaves for Senator Ferlo, Senator Stout, and Senator Washington.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of February 1, 2010, is now in print.

The Clerk proceeded to read the Journal of the Session of February 1, 2010.

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?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,
Will the Senate agree to the motion?

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

YEA-49

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ROBERT D. ROBBINS
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, today I have the pleasure of introducing Gavin Cianci and Courtney Cianci, who are serving as guest Pages in the Senate. Both Gavin and Courtney are currently eighth graders attending Saint Michael School in Greenville. Gavin is an honor student. He is captain of the boys' varsity basketball team and, additionally, is the wide receiver and defensive end for the Kennedy Catholic Firebirds football team. He participates in National History Day, the Pennsylvania Junior Academy of Science, academic games at Slippery Rock University, and the English Festival at Youngstown State University. Gavin is class treasurer and a member of the school's student council. He also is an altar server for his church.

Courtney is an honor student. She is a member of the girls' varsity basketball team, captain of the cheerleading squad, is in the school choir, where she also cantors, and is an altar server for her church. Courtney is vice president of the student council and participates in National History Day, the Pennsylvania Junior

Academy of Science, and the English Festival at Youngstown State University.

Gavin and Courtney are accompanied here today by Gavin's grandfather, Mr. Keith Hittle, who is seated in the Senate gallery. Mr. President and fellow Members, please join me in welcoming our special guests to the Senate of Pennsylvania.

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

(Applause.)

**GUEST OF SENATOR MICHAEL W. BRUBAKER
PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, it is a real privilege of mine to introduce Dianna Richards, who is in the gallery today. Dianna is a volunteer intern in my district office, and she has done remarkable work from day one of being in the office. Her father is Richard, and her mother is Shanna. She is a junior at Millersville University, and she enjoys tennis, reading, and believe it or not, physics is one of her hobbies, music, and theater. Dianna Richards.

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

(Applause.)

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

SB 973 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 53 and **SB 213** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 416 (Pr. No. 2247) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining "licensing board" and "professional or occupational license"; and defining the offense of impersonating the holder of a professional or occupational license.

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 421, SB 432, SB 435, HB 602 and SB 642 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 916 (Pr. No. 1102) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 1117 and HB 1768 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1783 (Pr. No. 2306) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating State Route 35 from Selinsgrove to the Snyder County line near Richfield as the Pfc. Justin W. Drees Memorial Highway.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 67 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 87 (Pr. No. 589) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," expanding applicability of the act to include all active duty personnel and their dependents.

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

BILLS OVER IN ORDER

SB 214 and SB 225 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 526 (Pr. No. 3169) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 2, 1961 (P.L.1232, No.540), known as the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance, further providing for premiums and refunds.

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

BILL REREFERRED

HB 727 (Pr. No. 3144) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION

SB 747 (Pr. No. 1724) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Transportation to sell land under certain conditions; and repealing certain provisions of The Administrative Code of 1929.

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

BILL LAID ON THE TABLE

SB 825 (Pr. No. 1625) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 825 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 825, Printer's No. 1625, 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

HB 933, SB 1019, SB 1020, SB 1021, SB 1022, SB 1023 and SB 1024 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1044 (Pr. No. 1618) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Penal and Correctional Institutions) of the Pennsylvania Consolidated Statutes, providing for drug redistribution within correctional facilities.

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

BILLS REREFERRED

SB 1059 (Pr. No. 1360) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for township manager.

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

SB 1060 (Pr. No. 1361) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for township manager.

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

SB 1061 (Pr. No. 1362) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 24, 1956 (1955, P.L.1674, No.566), entitled "An act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties," further providing for the office of town manager and for powers and duties of a town manager.

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

SB 1062 (Pr. No. 1363) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the office of borough manager and for powers and duties of a borough manager.

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

SB 1063 (Pr. No. 1364) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for the office and powers and duties of a city administrator or manager.

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

BILLS OVER IN ORDER

SB 1076, SB 1092, SB 1112, SB 1159, SB 1176, SB 1186, SB 1196, SB 1197, SB 1250, HB 1515, HB 1516, HB 1517, HB 1518, HB 1519, HB 1520, HB 1523 and HB 1799 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 1859 (Pr. No. 3149) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in enforcement, further providing for the offense of assaulting an officer, for jurisdiction and penalties, for revocation, suspension or denial of license, permit or registration and for determination of second or subsequent convictions; in game or wildlife protection, further providing for endangered or threatened species; in hunting and furtaking, further providing for killing game or wildlife by mistake, for unlawful taking or possession of game or wildlife, for unlawful use of lights while hunting, for buying and selling game, for trespass on private property while hunting, for unlawful killing or taking of big game and for additional penalty for poaching; and, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

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

SENATE RESOLUTION No. 255, ADOPTED

Senator PILEGGI, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 255**, entitled:

A Resolution designating the month of March 2010 as "Problem Gambling Awareness Month" in Pennsylvania and observing the week of March 7 through 13, 2010, as "National Problem Gambling Awareness Week."

On the question,

Will the Senate adopt the resolution?

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

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators BAKER, SCARNATI, PILEGGI, MELLOW, FARNESE, ALLOWAY, ARGALL, BOSCOLA, BROWNE, BRUBAKER, COSTA, DINNIMAN, EARLL, ERICKSON, FERLO, FOLMER, FONTANA, GORDNER, GREENLEAF, KASUNIC, KITCHEN, LOGAN, MUSTO, O'PAKE, ORIE, PIPPY, RAFFERTY, STACK, STOUT, TARTAGLIONE, TOMLINSON, VOGEL, WASHINGTON, WAUGH, D. WHITE, M. WHITE, MENSCH, WOZNIAK and YAW, by unanimous consent, offered **Senate Resolution No. 262**, entitled:

A Resolution designating March 2010 as "American Red Cross Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator BAKER. Mr. President, since its founding in 1881 by Clara Barton, the American Red Cross and its volunteers have been our nation's premier emergency response organization. The American Red Cross offers compassion and care to victims of war and victims of devastating natural disasters. Over the years, the organization has expanded its services with the aim of preventing and relieving suffering. The American Red Cross offers community services that help the needy, support and comfort military members and their families, collect, process, and distribute lifesaving blood and blood products, provide educational programs to promote health and safety, and assist people around the world with disasters, humanitarian emergencies, and life-threatening health conditions. The American Red Cross has been prepared to help us to be ready in times of need.

I thank you for your support of this worthy organization as we designate March as "American Red Cross Month" in Pennsylvania. 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 ORIE, PILEGGI, ALLOWAY, ARGALL, BAKER, BOSCOLA, BROWNE, BRUBAKER, COSTA, DINNIMAN, EARLL, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, KITCHEN, LEACH, LOGAN, McILHINNEY, MELLOW, MENSCH, MUSTO, O'PAKE, PIPPY, RAFFERTY, ROBBINS, STACK, TARTAGLIONE, TOMLINSON, VOGEL, WASHINGTON, WAUGH, D. WHITE, M. WHITE, WOZNIAK, YAW, VANCE and WARD, by unanimous consent, offered **Senate Resolution No. 263**, entitled:

A Resolution recognizing March 2010 as "Women's History Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator ORIE. Mr. President, today I offer a resolution designating March as "Women's History Month" in Pennsylvania. In 1987, the United States Congress declared March "National Women's History Month." It has been celebrated in Pennsylvania each year since then to insure that the history of American women will be recognized and celebrated in schools, workplaces, and communities throughout our country. The resolution is intended to recognize the accomplishments and experiences of women and their contributions to the growth and strength of the Commonwealth of Pennsylvania.

Abigail Adams once said, "If particular care and attention is not paid to the ladies, we are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation."

It is a true honor and privilege to serve with my nine female Senate colleagues, who have all been tremendous trailblazers in their own right. Nationally and within the State of Pennsylvania, we have seen a trend where women are getting involved in government and now are reaching the highest levels of leadership. However, that is only one area where women are breaking through barriers and making huge contributions.

Mr. President, American women were especially important in the establishment of early charitable, philanthropic, and cultural institutions in our nation. Women of every race, class, and ethnic background served as early leaders at the forefront of every major social movement in Pennsylvania and across the nation. American women have been leaders not only in securing the right to vote, but also in the abolitionist movement, the industrial labor movement, and the civil rights movement.

Pennsylvania is home to many women leaders who made their mark on the Commonwealth of Pennsylvania. Florence Kelley of Philadelphia championed sweatshop and child labor reform while helping to organize the NAACP. Lavinia Lloyd Dock of Harrisburg was a hospital nursing reformer and a proponent for women's suffrage who was jailed four times while trying to ensure women could vote. Cornelia Bryce Pinchot, the wife of Governor Gifford Pinchot, served as a nurse during World War I, taking up the suffrage cause and women's rights. She was particularly outspoken on the subject of sweatshop reform. Famed reporter Nellie Bly was born in Armstrong County and first worked for the Pittsburgh Dispatch. Gertrude Stein, another groundbreaking writer, was born in Pittsburgh's North Side.

These and millions of other women have contributed to our great Commonwealth, and this resolution offers us a chance to remember and honor their successes. Mr. President, I ask for an affirmative vote for "Women's History Month" in Pennsylvania. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators HUGHES, KITCHEN, STACK, STOUT, FERLO, FONTANA, ALLOWAY, MELLOW, O'PAKE, LOGAN, BRUBAKER, GREENLEAF, DINNIMAN, ORIE, FARNESE, PILEGGI, WASHINGTON, PIPPY, ERICKSON, BOSCOLA,

WAUGH, TARTAGLIONE and EARLL, by unanimous consent, offered **Senate Resolution No. 264**, entitled:

A Resolution recognizing March 10, 2010, as the third annual "National Women and Girls HIV/AIDS Awareness Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator HUGHES. Mr. President, I will be brief, but it is important to state that the context of this resolution, March 10, 2010, is the third annual "National Women and Girls HIV/AIDS Awareness Day" in Pennsylvania. This resolution is designed to promote and raise awareness across the Commonwealth about this disease, this very devastating disease which came into existence nearly three decades ago but, in spite of the many advances in terms of treatment and the knowledge learned in terms of education, still is a disease that is ravaging significant portions of our Commonwealth and folks across the nation and especially, Mr. President, has a dramatic impact on individuals all across the world.

Again, March 10, 2010, is nationally recognized as National Women and Girls HIV/AIDS Awareness Day, and this resolution calls for that awareness to occur and that recognition to occur here in the Commonwealth. Twenty-six percent of all new AIDS cases are attributed to women who have become infected with HIV through heterosexual contact and drug use. Minority women represent a disproportionate number of those affected by HIV/AIDS. In particular, Mr. President, African American women between 25 and 34 years of age see HIV/AIDS as one of the leading causes of death for that particular population. And according to the Office on Women's Health in the United States Department of Health and Human Services, community events and recognition such as these provide some support in addition to the full-fledged fight against this very devastating disease.

March 10, 2010, is recognized nationally, as I said, Mr. President, as "National Women and Girls HIV/AIDS Awareness Day," and this resolution calls for continuity in that recognition here in the Commonwealth of Pennsylvania. Thank you very much.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators BAKER and YAW, by unanimous consent, offered **Senate Resolution No. 265**, entitled:

A Resolution commemorating the 200th anniversary of Susquehanna County.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I am pleased to support this resolution, which commemorates the 200th anniversary of Susquehanna County. Susquehanna County was created by an act of the General Assembly in February of 1810. This county has a very rich and important significance in history. Montrose, which is the county seat, was a station on the Underground Railroad, which, in my district, also was a major thoroughfare in Williamsport in Lycoming County. So it extended at a considerable distance through my district.

Susquehanna County was also the home of Galusha Grow, who was a significant person in history in that he was a U.S. Representative from this area. He also was the Speaker of the House in Washington, D.C., and he was the prime sponsor of the Homestead Bill, which opened up the land in the western territories of the United States. The residents of Susquehanna County have a deep pride in their communities, and they will honor their county with the theme "Celebrating Our Heritage," which will be prevalent during the Independence Day Parade in 2010.

I am very proud to represent a part of Susquehanna County and to be a sponsor of this resolution, along with my colleague, Senator Baker. Thank you.

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

Senator BAKER. Mr. President, I am pleased to join with my colleague, Senator Yaw, in extending our best wishes to the citizens of Susquehanna County on the celebration of their 200th anniversary. I am very pleased to represent 12 townships and 7 boroughs in the eastern part of the county. Senator Yaw has talked about the beautiful history of the community - the Underground Railroad in Montrose, the history in my part of Susquehanna County, recognizing the beautiful viaduct in Starrucca. It is the oldest stone railroad bridge in the United States, currently. We have the rolling hills that peak at Elk Mountain, and for those of you who enjoy skiing, whether it is by trail or a wonderful vertical drop, Elk Mountain is the place to go. We have the dairy and the bluestone industry, and sportsmen and women enjoy game preserves, game lands, and spring-fed lakes. So, Susquehanna County is a beautiful and wonderful part of northeastern Pennsylvania, and we are very proud to honor it on the occasion of its 200th birthday.

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 WAUGH, CORMAN, PIPPY, ORIE, EICHELBERGER, ALLOWAY, BAKER, KASUNIC, TARTAGLIONE, COSTA, FONTANA, WARD and GREEN-LEAF, by unanimous consent, offered **Senate Resolution No. 266**, entitled:

A Resolution designating the month of March 2010 as "Kidney Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, as stated, this resolution designates this month, the month of March 2010, as "Kidney Awareness Month" in the Commonwealth. We do this each year. The idea is to spur awareness of kidney disease generally, urging people who may have early symptoms of kidney disease to be treated, and also, just as importantly, to encourage healthy people with healthy kidneys to become organ donors whenever possible in order to help those with untreatable kidney disease. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

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 the Noxen Bible Baptist Church by Senator Baker.

Congratulations of the Senate were extended to the Greek-American community of the City of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to the Villanova University Women's Varsity Cross Country Team by Senators Boscola and Farnese.

Congratulations of the Senate were extended to Volunteer Center of the Lehigh Valley and to the Pulaski Committee of the Lehigh Valley by Senator Boscola and others.

Congratulations of the Senate were extended to Mr. and Mrs. Jay Spece, Mr. and Mrs. Ken Burkholder, Mr. and Mrs. Luke Martin and to Chief Douglas Bagnoli by Senator Brubaker.

Congratulations of the Senate were extended to Matthew J. Coll by Senator Corman.

Congratulations of the Senate were extended to Brett T. Wesson, Bruce Nixdorf, Jeffery Cole, Chris Drago, Katherine A. Klinger, Susan Notaras, Jennifer M. Bogert, Alison R. Walsh, Lindsey D. Mitchell, Jack Claffey, Clarence Hill and to the Child and Career Development Center of Coatesville by Senator Dinniman.

Congratulations of the Senate were extended to Joseph W. Socha by Senators Dinniman and Stack.

Congratulations of the Senate were extended to Bria R. Goldwire and to Ashley E. Mosser by Senator Farnese.

Congratulations of the Senate were extended to Derek P. Bankes and to Connor Allan Henry by Senator Gordner.

Congratulations of the Senate were extended to Christine Sopko and to Charles E. Friedline, Jr., by Senator Kasunic.

Congratulations of the Senate were extended to Sarah Epps Jenkins by Senator Kitchen.

Congratulations of the Senate were extended to Hannah R. Coyle, Jennifer M. McKeown and to Nathan Moriarity by Senator Leach.

Congratulations of the Senate were extended to Allison Scudato and to Cameron J. Judge by Senator Mellow.

Congratulations of the Senate were extended to Mr. and Mrs. Robert H. Strouse and to Patrick Forrest Irick by Senator Mensch.

Congratulations of the Senate were extended to Ashley Ramberger, Martina Quigley, Catherine King, Katelyn Wellnitz,

Justin Isaac Monza, Joel Louis Monza, Alizabeth Drennen, Hope Crowl, Erin N. Carter, Michelle Hoover, Stephanie Forbes, Patricia Finn, Jessica Jordan, Sara Kantner, Kierra Johnson, Julie Herestofa and to Longwood Gardens of Kennett Square by Senator Pileggi.

Congratulations of the Senate were extended to Josh M. Barrette, Matthew Alexander Keller, Brendan Didiano, Bower Hill Elementary School of Venetia, Pleasant Valley Elementary School of McMurray, McMurray Elementary School, Peters Township Middle School and to Peters Township High School by Senator Pippy.

Congratulations of the Senate were extended to Martha Wayland by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Byerly, Ericka Dominick and to the Philadelphia Consular Corps Association by Senator Scarnati.

Congratulations of the Senate were extended to James Balding by Senator Smucker.

Congratulations of the Senate were extended to Erica Ann Bristol by Senator Stout.

Congratulations of the Senate were extended to Kelly Williams by Senator Tomlinson.

Congratulations of the Senate were extended to the First Baptist Church of Crestmont by Senator Washington.

Congratulations of the Senate were extended to Wayne Kessler, Paul Schrum and to Robert F. Kelly by Senator Waugh.

Congratulations of the Senate were extended to Camden Nichols by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. John Beers, Mr. and Mrs. Robert Peterson, Joseph Mark Hummer, Travis McKean and to Aron Yarnell by Senator M.J. White.

Congratulations of the Senate were extended to Major Alan Stein, Dr. Keith T. Miller and to Jerry L. Updegraff by Senator Wozniak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Vera Grace Whitesell Tough and to the family of the late Wayman K. Miers by Senator Baker.

Condolences of the Senate were extended to the family of the late Daniel McIntosh by Senator Tomlinson.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF HB 416

BILL ON FINAL PASSAGE

HB 416 (Pr. No. 2247) -- Senator O'PAKE. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 416, Printer's No. 2247, was passed finally.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-38

Alloway	Folmer	Pippy	Vogel
Argall	Gordner	Rafferty	Ward
Baker	Greenleaf	Robbins	Washington
Boscola	Leach	Scarnati	Waugh
Browne	McIlhinney	Smucker	White, Donald
Brubaker	Mensch	Stack	White, Mary Jo
Corman	Musto	Stout	Williams
Earl	Orie	Tartaglione	Yaw
Eichelberger	Piccola	Tomlinson	
Erickson	Pileggi	Vance	

NAY-11

Costa	Fontana	Kitchen	O'Pake
Farnese	Hughes	Logan	Wozniak
Ferlo	Kasunic	Mellow	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, MARCH 11, 2010

11:00 A.M.	TRANSPORTATION (hearing to focus on the problem of hit and run accidents and discuss Senate Bills No. 522, 1049 and 1177)	Nazareth Hospital 2601 Holme Ave., Phila., PA
1:00 P.M.	AGING AND YOUTH (public hearing on Senate Bill No. 1137)	Hrg. Rm. 2303 Commr's Hall Westmoreland County Community College

MONDAY, MARCH 15, 2010

9:00 A.M.	JUDICIARY (public hearing to receive testimony on Senate Bill No. 99)	Boys Latin Charter School of Philadelphia 5501 Cedar Ave., Phila., PA
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TUESDAY, MARCH 16, 2010

9:30 A.M.	MAJORITY POLICY COMMITTEE (public hearing on the Department of Environmental Protection's Permitting Process)	Hrg. Rm. 1 North Off.
11:30 A.M.	JUDICIARY (to consider the nominations of Joseph Van Jura, Esq. and Lewis Wood	Room 8E-B East Wing

Wetzel, Esq. as Judges, Court of Common Pleas, Luzerne County; John R. Tuttle as a member of the PA Board of Probation and Parole; and Senate Bills No. 707, 1198 and 1238; Senate Resolution No. 256; and House Bill No. 1720)

WEDNESDAY, MARCH 17, 2010

9:00 A.M.	FINANCE (public hearing on Public Pension Issues)	Room 8E-A East Wing
9:30 A.M.	AGRICULTURE AND RURAL AFFAIRS AND ENVIRONMENTAL RESOURCES AND ENERGY (joint public hearing to update members on efforts to develop and implement a Total Maximum Daily Load (TMDL) for the Chesapeake Bay watershed)	Hrg. Rm. 1 North Off.
10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bills No. 964 and 1147)	Room 8E-B East Wing
12:00 P.M.	EDUCATION (public hearing on Mandate Waivers)	Hrg. Rm. 1 North Off.

THURSDAY, MARCH 18, 2010

11:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing to discuss Urban Modernization)	Cora Svcs. 8540 Verree Rd., Phila., PA
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WEDNESDAY, MARCH 24, 2010

9:00 A.M.	BANKING AND INSURANCE (to accept testimony on Senate Bill No. 204, legislation to define vision benefits under the scope of unfair methods of competition, acts and practices)	Hrg. Rm. 1 North Off.
9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the "State's 9-1-1 Emergency Response System and its Funding")	Room 8E-B East Wing

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, March 15, 2010, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:02 p.m., Eastern Standard Time.