

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, MARCH 23, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 18

**SENATE**

TUESDAY, March 23, 2010

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

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

**PRAYER**

The Chaplain, Reverend GREG TERRY, Pastor of Bethel Life Worship Center, Greenville, offered the following prayer:

Let us pray.

Gracious God, Creator of heaven and the earth, we thank You for Your goodness today. We thank You that all good things come from You, that You are the author of all mercy and of all grace. And today, as we begin this Session, we take time to pray for our great Commonwealth, the State of Pennsylvania. We pray for every rural community, every township, every borough, and every large metropolis. Lord, we thank You for these Senators who are here today, and we ask You today that You would bless them with all wisdom, knowledge, and understanding as they seek to do Your purposes to create, Father, an atmosphere of love and acceptance in the wonderful place we call the State of Pennsylvania. We bless You today in the name of the Father and the Son and the Holy Ghost. Amen.

The PRESIDENT. The Chair thanks Reverend Terry, who is the guest today of Senator Robbins.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGE**

**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.**

**SPECIAL ORDER OF BUSINESS  
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Local Government to meet off the floor during today's Session to consider Senate Resolution No. 275.

**BILLS REPORTED FROM COMMITTEE**

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

**SB 771 (Pr. No. 867)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, providing for limitations on discovery.

**SB 1072 (Pr. No. 1382)**

An Act designating U.S. Route 62 in Mercer County as the Mercer County Veterans Highway.

**SB 1144 (Pr. No. 1795) (Amended)**

An Act designating the bridge in the Borough of Somerset over Barclay Run as the Trooper Stephen R. Gyurke Memorial Bridge.

**SB 1157 (Pr. No. 1534)**

An Act designating State Route 283, from the PA Turnpike Interchange in Lower Swatara Township, Dauphin County, to State Route 30 in Manheim Township, Lancaster County, as the 283rd Field Artillery Battalion Highway.

**SB 1180 (Pr. No. 1591)**

An Act designating the Donora-Webster Bridge in Donora, Washington County, as the Lieutenant Governor Ernest P. Kline Memorial Bridge.

**HB 117 (Pr. No. 2724)**

An Act authorizing the Department of Transportation to sell land under certain conditions; and making a related repeal.

**HB 2003 (Pr. No. 2882)**

An Act designating the bridge in the Borough of Hatboro (now designated as Bridge Management I.D. No. 46/0263/0050/0057) over Pennypack Creek as the PFC Joseph J. Lannon, Jr., USMC Memorial Bridge.

**HB 2070 (Pr. No. 3439) (Amended)**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for Commonwealth portion of fines, etc.; defining "interactive wireless communication device"; prohibiting use of interactive wireless communication device; and further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for

duty of driver in emergency response areas, for accident report forms, for department to compile, tabulate and analyze accident reports and for applicability and uniformity of title.

**RESOLUTION REPORTED FROM COMMITTEE**

Senator RAFFERTY, from the Committee on Transportation, reported the following resolution:

**SR 146 (Pr. No. 1263)**

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the feasibility of providing passenger rail service between Wilkes-Barre and Scranton in conjunction with the proposed restoration of passenger rail service between Scranton and New York City.

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

**LEAVE OF ABSENCE**

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

**SPECIAL ORDER OF BUSINESS  
JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of February 8, 2010, and February 9, 2010, are now in print.

The Clerk proceeded to read the Journals of the Sessions of February 8, 2010, and February 9, 2010.

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

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

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

**YEA-49**

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

**NAY-0**

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR DOMINIC F. PILEGGI  
PRESENTED TO THE SENATE**

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

Senator PILEGGI. Mr. President, it is my pleasure this afternoon to introduce a number of students from the Notre Dame de Lourdes School in Ridley Township, Delaware County, part of Senator Erickson's district, who are visiting Harrisburg today. The students are visiting as part of their fifth- and sixth-grade history classes and are learning about State government and the legislative process. Senator Erickson has allowed me the privilege of introducing these guests because they were students of my wife, Diana, in first grade. Their teachers are Ms. Kim Hunter, who teaches fifth grade, and Ms. Lauren Farina, who teaches sixth grade. Mr. President, I ask that we extend our traditional warm welcome to these special guests, who are seated in the gallery today.

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

(Applause.)

**GUESTS OF SENATOR MICHAEL BRUBAKER  
PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, it is a real privilege for me today to introduce a great family, friends of my wife Cindy and mine from Lititz, Pennsylvania, Dan and Laura Etter. Dan is a friend of mine. His daughter is with him, Laura. She is a volunteer firefighter, and she is attending college at Marshall University. It is a real privilege for me to introduce Dan and Laura, father and daughter, who are in the gallery today.

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

(Applause.)

**GUESTS OF SENATOR PATRICIA H. VANCE  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, I am very pleased to introduce to the Senate Mark Greenough. He is the Capitol historian and director of tour operations for the Virginia State Capitol. This is his first visit to our Capitol, and by all accounts, he seems to be favorably impressed. Andrea Faber, who is the director of Capitol Visitor Services, and the wife of Russ Faber, our Chief Clerk, is accompanying Mr. Greenough in the gallery. So let us please welcome them to the Senate.

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

(Applause.)

**GUESTS OF SENATOR MICHAEL A. O'PAKE  
PRESENTED TO THE SENATE**

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

Senator O'PAKE. Mr. President, in the gallery, the guys with the white hair are not senior citizens. They are members of the Schuylkill Valley Wrestling Team, which had an outstanding record this year again in the PIAA. They won the southeastern Pennsylvania regional wrestling championship and had several medal winners at the State championship a few weeks ago. I would like the Senate to extend a warm welcome to the following students.

First is Mr. Colin Shober. He has two State gold medals for wrestling in 2009-10. He was the captain of this year's Schuylkill Valley Wrestling Team, and he has the Class AA State record for most wins in his career, 194 career wins, which is almost 50 a year. Colin Shober is going to Northwestern.

(Applause.)

With him are other members of the medal-winning team. We have Ryan Maurer. He was a captain. He won the 160-pound weight southeastern regional championship, and he was a sixth-place State medalist. Ryan Maurer is the other guy with the white hair.

(Applause.)

Also, another medal winner, another captain of the Schuylkill Valley championship team, the 135-pound fifth-place State medalist, Mr. Mike Giorgio, and with him, the 189-pound third-place State medalist, Dylan Scheidt. Mike Giorgio and Dylan Scheidt.

(Applause.)

With them is the coach, the coach who made it all possible, an outstanding leader, outstanding teacher, outstanding at character building. He himself has had 404 wrestling wins. He is the proud coach of the Schuylkill Valley team, an outstanding Berks County wrestling champion, Mr. Duane Maurer. Mr. Maurer, Coach, thank you.

(Applause.)

With them is a new Eagle Scout who is a classmate of these wrestlers. He himself is not a wrestler but is a great fan and friend, Mr. Chris Hartman. Eagle Scout Chris Hartman.

(Applause.)

Thank you, Mr. President. And now, how about a welcome and a great pat on the back and applause for these fine young men, great students, great wrestlers with great careers ahead of them from Schuylkill Valley High School in Berks County.

The PRESIDENT. Would all of the guests of Senator O'Pake please rise to be welcomed by the Senate.

(Applause.)

#### **GUEST OF SENATOR EDWIN B. ERICKSON PRESENTED TO THE SENATE**

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

Senator ERICKSON. Mr. President, today in the Capitol is Undergraduate Research Day. This is an event that showcases and demonstrates that undergraduate research is important to the educational development of college students and shows that undergraduate students can produce important, valuable research that results in help to our communities, our State, and our nation. I have the honor and pleasure to introduce one of the participants in that event today, Natasha Weiser, who is a senior at Swarthmore College.

Her project was investigating the effects of mutations in the gene encoding the Escherichia coli universal stress protein A. I

went down and looked at that project today and had Natasha describe it to me. I came away with the thought that this high level of attainment by our students really makes us realize that we have a bright future in our great Commonwealth. So I would like us to recognize one of the people who helped that project along, Natasha Weiser, and ask that she be given a warm welcome.

Thank you, Mr. President.

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

(Applause.)

#### **GUEST OF SENATOR JANE C. ORIE PRESENTED TO THE SENATE**

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

Senator ORIE. Mr. President, I rise to introduce a guest from my district, just like Senator Erickson. I would like to welcome Kaitlyn McConville, who is participating in the Undergraduate Research Day at the Capitol. She is a senior at Westminster College and is majoring in mathematics. She is interested in pursuing a master's degree in biostatistics and has applied to the University of Pittsburgh, Ohio State, the University of North Carolina, and Texas A&M. Kaitlyn has already been accepted to the graduate program at the University of South Carolina. Her parents are Keith and Marcia McConville of Wexford, Allegheny County. And I had the pleasure, also, to go down and look as well as meet with Kaitlyn earlier this morning, and she did a project on the 19th-century Pennsylvania National Guardsmen. We take great comfort, Mr. President, in seeing the Commonwealth continue to produce such impressive young women. Mr. President, I ask my colleagues, especially Senator Rafferty, to join me in a warm welcome for my guest, who is present here today. Thank you.

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

(Applause.)

#### **GUEST OF SENATOR JAY COSTA PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I am pleased to introduce a student visiting with us today, who is here with us on the Senate floor, who is part of the University of Pittsburgh Institute of Politics' Legislator for a Day program. Mr. President, as my colleagues know, the University of Pittsburgh Institute conducts the Legislator for a Day program each spring to provide undergraduate students with the opportunity to shadow Members of the General Assembly and to gain insight into the legislative process and the roles and functions of State Representatives and State Senators. Approximately 120 students have participated in this program thus far.

Today, Mr. President, we are pleased to welcome Ike Chukwu. Ike is a junior at the University of Pittsburgh majoring in psychology and considering a minor in history, philosophy, or math. Ike's family is from Nigeria. He was born and raised in the city of Washington, D.C., and now is a proud resident of the city of Pittsburgh at the university. He participates in two organiza-

tions at the university: FORGE, which means Facilitating Opportunities for Refugee Growth and Empowerment, currently working with children from Burundi; and also the Engineers for a Sustainable World program, ESW, which is researching projects that work on designs for sustainability. Last summer, Ike participated as a volunteer in the Washington, D.C., area. His interest is in policies focusing on youth, education, and infrastructure. He hopes to return to his parents' homeland of Nigeria to help implement change through policies in those particular areas.

Mr. President and my colleagues, I ask that we welcome Ike to the Senate of Pennsylvania, and I ask him to rise so we can give him our usual warm welcome.

The PRESIDENT. Would the Senate join in welcoming Senator Costa's guest.

(Applause.)

### **GUEST OF SENATOR JOHN R. PIPPY PRESENTED TO THE SENATE**

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

Senator PIPPY. Mr. President, like my colleagues, I am very fortunate to have someone from the University of Pittsburgh here today involved with the Institute of Politics. Mary Sisca is a junior at the University of Pittsburgh majoring in both political science and history, with a minor in legal studies. She is a graduate of Mount Lebanon High School, and she is currently on the Dean's List and was invited to Pitt's Honors Convocation last February, which represents the top 15 percent of her class. She serves as the vice president of community service of Pitt's chapter of Sigma Alpha Lambda and has an interest in healthcare and disability services, with a particular interest in autism. She has had the opportunity to shadow me for the day, participated and was able to observe a lot of different meetings we have had, and is still interested in government and politics. So we are very, very excited to have her. She is seated in the gallery, and I would love it if we could give her a warm welcome.

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

(Applause.)

### **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 Azzama Bochenkova, Natalia Didukh, and Regina Dorokhova, who are serving as guest Pages in the Senate. Azzama, Natalia, and Regina are studying abroad in the United States as participants in the Future Leaders Exchange Program, or FLEX. This is the 16th year for the program, which was started by former United States Senator Bill Bradley. Each year, approximately 30,000 students apply for a full U.S. scholarship, and only 1,500 students are accepted into the program. These young ladies are three of this elite group.

Azzama is a citizen of Russia. During this school year, she is residing with her host family, Reverend Greg Terry and his wife, Holly, of Greenville. Azzama is a member of the junior class at Greenville High School. She is a Russian champion chess player, and I would point out, in Russia, her status is equivalent to that

of a Major League baseball player. In addition to the Russian language, she speaks fluent English and German. Her hobbies include reading, music, photography, and spending time with family and friends.

Natalia is a citizen of the Ukraine. This school year, she is residing with Pastor Kent Bell and his wife, Denise, of Greenville. Natalia is a member of the junior class at Greenville High School. In addition to the Ukrainian language, she speaks Russian, English, German, and Spanish. She has lettered in varsity girls' volleyball, volunteers in the high school guidance office, and enjoys puzzles and shopping.

Regina is a citizen of the Ukraine. This school year, she is residing with Tom and Doris Sicignano of Greenville. Regina is a member of the junior class at Greenville High School, where she is a member of the school choir. In addition to the Ukrainian language, she speaks Russian, English, Spanish, and French.

Today, Pastor Greg Terry, from the Bethel Life Worship Center in Greenville, served as our guest Chaplain. Pastor Terry is an international evangelist and motivational speaker. He and his wife, Holly, were the founders of Bridge Builders International Ministries, based in Greenville, Pennsylvania. They work in 13 nations and 4 continents, with their primary focus in the nations of the former Soviet Union. Pastor Greg trains leaders, plants new churches, and supports orphanages and drug and alcohol rehabilitation centers. Greg and Holly have been married for 17 years. They have three biological children, Grace, Annie, and Adam, and have been honored to welcome Azzama into their home this year.

In addition to Reverend Terry, Azzama, Natalia, and Regina are accompanied here today by Mrs. Liz Morris and her husband, Arnie Morris, who are seated in the Senate gallery. Mr. President and fellow Members, please join me in welcoming my 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 KIM L. WARD PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, today, along with Senator Costa and Senator Pippy, I have a student, and her name is Pamela Callahan, and she is shadowing me today. We have had meetings and have met people and have had just, I think, a wonderful time. And one of the -- she had a two-fer today. Besides being able to be here and shadow and learn something about the legislative process, she also got to meet her home Senator, Senator Erickson, from Delaware County. That is something she really wanted to do. She is a business student at Pitt, and it is my honor and privilege to introduce her to everyone here. So please join me in welcoming Pamela Callahan.

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

(Applause.)

### **RECESS**

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Local Government to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator O'PAKE. Mr. President, at the conclusion of those committee meetings, I ask the Democrats to report to our caucus room for a brief caucus.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room, followed by a meeting of the Committee on Local Government in the Rules room, followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVE**

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Piccola.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola. Without objection, the leave will be granted.

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER**

**SB 5** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE**

**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 third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEA-49**

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

**NAY-0**

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

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

**SB 109 (Pr. No. 1767)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain notification in certain advertising.

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

**NAY-0**

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

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

**BILLS OVER IN ORDER**

**HB 602, SB 990, SB 1023 and SB 1024** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1200 (Pr. No. 1605) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Commonwealth of Pennsylvania to join the Interstate Wildlife Violator Compact; providing for the form of the compact; imposing additional powers and duties on the Governor and the Compact Administrator; and limiting the applicability of suspension powers.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, this is a bill that has been a long time coming in Pennsylvania. The sportsmen's community has wanted to pass this bill for many, many years, and we have had problems getting it done in Pennsylvania. It is the Interstate Wildlife Violator Compact bill, and this bill is going to be extremely important in Pennsylvania in protecting wildlife from poachers and other violators. I am so happy to have been a part of this, as chairman of the Committee on Game and Fisheries, to write this legislation and to get this bill passed. I thank my colleagues for allowing me to have this opportunity, and I ask for an affirmative vote. Thank you.

And the question recurring, Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

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

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION REREPORTED FROM COMMITTEE AS AMENDED OVER IN ORDER

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

BILLS OVER IN ORDER

SB 85, SB 174, SB 214 and SB 351 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

HB 464 (Pr. No. 1535) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 2, 1947 (P.L.143, No.62), entitled "An act regulating the sale and resale for profit and the carrying on of the business of selling or reselling tickets or other devices for admission to places of amusement; providing for the licensing of persons reselling such tickets for profit; providing for the suspension and revocation of such licenses; imposing duties on licensees and owners or operators of places of amusement; imposing powers and duties on the Department of Revenue, county treasurers, district attorneys, and the receiver of taxes, and city solicitors in cities of the first class; making disposition of moneys collected and providing penalties," further providing for definitions; prohibiting use of certain ticket purchasing software; and prescribing a penalty.

Considered the second time and agreed to,

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

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.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 964, SB 1059, SB 1060, SB 1061, SB 1062, SB 1063, SB 1147, SB 1198, SB 1202, SB 1238, SB 1252 and HB 1720 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE PENNSYLVANIA  
FISH AND BOAT COMMISSION

March 22, 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 28, 2009, for the appointment of William G. Gordon (District 1), 728 Lakeview Drive, Emlenton 16373, Clarion County, Twenty-first Senatorial District, as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Samuel M. Concilla, North East, whose term expired.

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

EDWARD G. RENDELL  
Governor

MEMBER OF THE STATE PLANNING BOARD

March 22, 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 February 1, 2010, for the reappointment of John A. Westrum, 1545 North Trooper Road, Norristown 19034, Montgomery County, Seventeenth Senatorial District, as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

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

EDWARD G. RENDELL  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**UNFINISHED BUSINESS  
RESOLUTIONS REPORTED  
FROM COMMITTEES**

Senator EICHELBERGER, from the Committee on Local Government, reported the following resolution:

**SR 275 (Pr. No. 1789)**

A Resolution designating the week of April 11 through 17, 2010, as "Local Government Week" in Pennsylvania.

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following resolution:

**SR 277 (Pr. No. 1792)**

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2010, including any amendments offered to or for supplemental appropriations for prior fiscal years.

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

**SENATE RESOLUTIONS ADOPTED**

Senators BRUBAKER, WASHINGTON, KITCHEN, BOSCOLA, SMUCKER, STACK, TARTAGLIONE, YAW, KASUNIC, GORDNER, BAKER, RAFFERTY, FONTANA, DINNIMAN, MENSCH, ARGALL, TOMLINSON, LOGAN, VOGEL, O'PAKE, ERICKSON, GREENLEAF, McILHINNEY, FERLO, MUSTO, D. WHITE, FOLMER, ROBBINS, ORIE, COSTA, WARD, PILEGGI, PIPPY, EARLL and ALLOWAY, by unanimous consent, offered **Senate Resolution No. 279**, entitled:

A Resolution designating March 23, 2010, as "Pennsylvania Farm Bureau Day" and congratulating Pennsylvania Farm Bureau members for their contribution to this Commonwealth and to this Commonwealth's agricultural industry.

On the question,  
Will the Senate adopt the resolution?

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

Senator BRUBAKER. Mr. President, since its creation 60 years ago today, the Pennsylvania Farm Bureau has provided Pennsylvania farmers and rural citizens with a strong voice in government. Since 1950, the Pennsylvania Farm Bureau has played an integral role in the development and implementation of legislation and government programs that have had lasting and positive effects on the economic welfare of agriculture and agribusiness in the Commonwealth of Pennsylvania. Representing 47,697 farm and rural families in 65 counties throughout the Commonwealth, the Pennsylvania Farm Bureau continues to be a strong voice for agriculture at the national, State, and local levels. I ask my colleagues in the State Senate to recognize the Pennsylvania Farm Bureau for 60 years of service to Pennsylvania's economic and agricultural industry and to vote in the affirmative on this valuable resolution.

And the question recurring,  
Will the Senate adopt the resolution?

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

Senators ALLOWAY, FERLO, GREENLEAF, BOSCOLA, STACK, WOZNIAK, LOGAN, RAFFERTY, WASHINGTON, ERICKSON, KASUNIC, PILEGGI, DINNIMAN, WAUGH, TARTAGLIONE, BRUBAKER, O'PAKE, PIPPY, EARLL, McILHINNEY and FONTANA, by unanimous consent, offered **Senate Resolution No. 280**, entitled:

A Resolution designating the month of April 2010 as "Celiac Disease Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, this resolution recognizes April 2010 as "Celiac Disease Awareness Month" in Pennsylvania. Celiac disease is an autoimmune digestive disease that damages the villi of the small intestine and interferes with the absorption of nutrients from food. Celiac disease is triggered by consumption of the protein called gluten, which is found in wheat, barley, and rye. Researchers have determined that celiac disease is a genetic condition, and in some cases, celiac disease becomes active or is triggered by events such as surgery, pregnancy, childbirth, viral infection, or severe emotional distress. Left untreated, people with celiac disease can develop further complications, such as other autoimmune diseases, osteoporosis, thyroid disease, and cancer. There are a number of medical problems that are associated with undiagnosed celiac disease, including cancer, osteoporosis, diabetes Type 1, thyroid problems, and reproductive health issues.

The only treatment for celiac disease is a lifelong gluten-free diet, avoiding all foods that contain wheat. Despite these restrictions, people with celiac disease can eat a well-balanced diet with a variety of foods, including bread and pasta. Roughly one out of every 133 Americans have celiac disease, but 97 percent of those remain undiagnosed, which means that almost 3 million Americans have celiac disease, and only about 100,000 of them even know it. I am offering this resolution today to raise awareness of celiac disease and its treatment.

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 TOMLINSON, BRUBAKER and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 281**, entitled:

A Resolution commending the outstanding service of inspectors of county and city weights and measures offices and the Weights and Measures Division of the Department of Agriculture in the protection of our citizens by ensuring accuracy, equity and confidence in commercial and retail measurements.

On the question,  
Will the Senate adopt the resolution?

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

Senator PILEGGI. Mr. President, I offer the following remarks for the record on behalf of Senator Tomlinson.

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

*(The following prepared remarks were made part of the record at the request of the gentleman from Delaware, Senator PILEGGI, on behalf of the gentleman from Bucks, Senator TOMLINSON:)*

Mr. President, I ask for unanimous consent to consider a resolution commending the great work of the weights and measures inspectors of

this Commonwealth and designating the week of February 28 through March 6, 2010, as "Weights and Measures Week" in Pennsylvania. Most Pennsylvanians are familiar with monitoring accuracy at gas pumps when fueling their cars, but the work of weights and measures inspectors covers a vast array of equipment and industries. Whether it is gas pumps, checkout scanners at grocery stores, or the scale used for measuring the mulch that will be delivered to your home, inspectors certify that all of these things provide accurate measurements. The work of these inspectors protects both the consumer and the retailer and provides confidence in the marketplace. While inspectors are in all of the counties of the Commonwealth, my home of Bucks County has the distinction of having its own Consumer Protection and Weights and Measures Office, run by Mr. Michael Bannon. Their office receives over 8,000 consumer calls a year and serves our residents and businesses well.

Mr. President, I ask for unanimous support for this resolution.

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 Hamburg Center by Senator Argall.

Congratulations of the Senate were extended to Harrison Stewart King by Senator Corman.

Congratulations of the Senate were extended to Audrey Cohen and to Nicholas Bilski by Senator Folmer.

Congratulations of the Senate were extended to Ruth Kifer by Senator Kasunic.

Congratulations of the Senate were extended to Alexander Philip Cull and to James Lawrence McGee IV by Senator McIlhinney.

Congratulations of the Senate were extended to Dr. and Mrs. James Burne, Eric Laytos and to P. Robert Hart by Senator Mellow.

Congratulations of the Senate were extended to KC Auto Body and 24-Hour Towing of Exeter Township by Senator O'Pake.

Congratulations of the Senate were extended to Michael Mauer by Senators Orié and Costa.

Congratulations of the Senate were extended to Brigadier General Scott D. Wagner by Senators Orié and Folmer.

Congratulations of the Senate were extended to Alexander R. Heiberger by Senator Pileggi.

Congratulations of the Senate were extended to George Galbraith, Kerma Nordyke and to the members and coaches of the Mt. Lebanon High School Boys' Basketball Team by Senator Pippy.

Congratulations of the Senate were extended to Helen Patterson by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Floyd Harvey O'Neil by Senator M.J. White.

Congratulations of the Senate were extended to Daniel R. DeVos and to John J. Donnelly by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. William Brooks III, Matthew Ryan McGee, Philip A. Petter and to Robert E. Steele by Senator Yaw.



**POSTHUMOUS CITATION**

The PRESIDENT laid before the Senate the following citation, which was read, considered, and adopted by voice vote:  
 A posthumous citation honoring the late Lewis Wilson Foy was extended to the family by Senator Wozniak.

**BILLS ON FIRST CONSIDERATION**

Senator RAFFERTY. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committee for the first time at today's Session.  
 The motion was agreed to by voice vote.  
 The bills were as follows:

**SB 771, SB 1072, SB 1144, SB 1157, SB 1180, HB 117, HB 2003 and HB 2070.**

And said bills having been considered for the first time,  
 Ordered, To be printed on the Calendar for second consideration.

**HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

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

March 23, 2010

**HB 794 and 929** -- Committee on Education.  
**HB 2291** -- Committee on Appropriations.

**BILL INTRODUCED AND REFERRED**

The PRESIDENT laid before the Senate the following Senate Bill numbered, entitled, and referred as follows, which was read by the Clerk:

March 23, 2010

Senators WILLIAMS, FONTANA, O'PAKE, TARTAGLIONE, WASHINGTON, WARD and BOSCOLA presented to the Chair **SB 1285**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, further providing for definition, for reporting, for contents of report and for copies and posting.

Which was committed to the Committee on STATE GOVERNMENT, March 23, 2010.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, MARCH 23, 2010

Off the Floor      LOCAL GOVERNMENT (to consider Senate Resolution No. 275)      Rules Cmte. Conf. Rm.

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
9:00 A.M.	MAJORITY POLICY COMMITTEE (joint public hearing with the House Republican Policy Committee to examine Pennsylvania's public pension systems)	Room 418 Main Capitol
10:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 1245; and House Bill No. 422)	Rules Cmte. Conf. Rm.

THURSDAY, MARCH 25, 2010

1:00 P.M.	MAJORITY POLICY COMMITTEE (joint public hearing with the Republican Policy Committee to examine Pennsylvania's public pension systems)	TEK Park 9999 Hamilton Blvd., Breinigsville, PA
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TUESDAY, APRIL 13, 2010

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider the nomination of John Quigley as Secretary of Conservation and Natural Resources)	Maj. Caucus Room 156 Main Capitol
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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 Wednesday, March 24, 2010, at 11 a.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 4:47 p.m., Eastern Daylight Saving Time.