

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 15, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 36

SENATE

TUESDAY, June 15, 2010

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend L. FITZGERALD REESTE II, of Grace United Methodist Church, Harrisburg, offered the following prayer:

Let us pray.

Gracious God, You are the source of all good gifts. You have created beauty that leaves us breathless. Sparkling fireflies and sparkling stars alike point us to You. The flowing river reminds us of You. The warmth of the sun and the coolness of the breeze are gifts of Your grace. You call us to fellowship with You and with one another. Your love overflows.

As we are gathered in this beautiful building and serve in these high offices, we acknowledge that in the rush of our activity and in the conflicts that arise among us, we often forget You and rely upon ourselves and our own wisdom. Forgive us. Forgive us when we seek advantage over service. Save us from that arrogance of station and place that leads us to see the faults of others without acknowledging our own. Save us from that blindness that leads us to see our virtues but hides from us the virtues of others.

Give us, we pray, protection for our families, especially in our times of separation; wisdom and patience for our work; and a peaceful spirit. Help us find ways to fulfill the vision of the psalmist who said, "How very good and pleasant it is when kindred live together in unity." Help us end the day with the satisfaction of hard work completed and hearing Your voice saying, "Well done, good and faithful servant."

We offer our prayers to You, merciful God, each in our own ways, in sure and certain hope that You hear us when we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Reeste, 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:

JUDGE, COURT OF COMMON PLEAS,
CHESTER COUNTY

June 15, 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 April 26, 2010, for the appointment of Virginia H. McMichael, Esquire, 200 Lapp Road, Malvern 19355, Chester County, Nineteenth Senatorial District, as Judge, Court of Common Pleas, Chester County, to serve until the first Monday of January 2012, vice The Honorable Paula Francisco Ott, elected to Superior Court.

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

June 15, 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 March 31, 2010, for the appointment of The Honorable Joyce Eubanks, 5701 Virginian Road, Philadelphia 19141, Philadelphia County, Fourth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2012, vice The Honorable Anne Lazarus, elected to Superior Court.

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

June 15, 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 March 31, 2010, for the appointment of Sean F. Kennedy, Esquire, 248 Rector Street, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2012, vice The Honorable Leslie Fleisher, 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

June 15, 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 March 31, 2010, for the appointment of F. Michael Medway, Esquire, 235 S. 15th Street, #205, Philadelphia 19102, Philadelphia County, First 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

HOUSE MESSAGE

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 48**.

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:

June 15, 2010

Senators WILLIAMS, GREENLEAF, D. WHITE and FOLMER presented to the Chair **SB 1405**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the Opportunity Scholarship Act.

Which was committed to the Committee on EDUCATION, June 15, 2010.

BILL SIGNED

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

HB 48.

BILLS REPORTED FROM COMMITTEES

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

SB 1168 (Pr. No. 1576)

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

SB 1317 (Pr. No. 1857)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for qualifications, eligibility and compensation for district attorneys.

HB 1287 (Pr. No. 3912) (Amended)

An Act amending the act of June 5, 1941 (P.L.84, No.45), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expense on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," further providing for removals, suspensions or reductions in rank of police officers; and providing for certain incompatible offices.

HB 1288 (Pr. No. 3913) (Amended)

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for removals from the police or fire force; and providing for certain incompatible offices.

HB 1289 (Pr. No. 3914) (Amended)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for removals, suspensions or reductions in rank of persons employed in police or fire force; and providing for certain incompatible offices.

HB 1990 (Pr. No. 2692)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

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

SB 976 (Pr. No. 2064) (Amended)

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law,

further providing for Pennsylvania Amber Alert System established, for prohibited use, for coordination with other jurisdictions and for immunity; and creating the Missing Endangered Person Advisory System.

SB 998 (Pr. No. 1278)

An Act amending the act of August 10, 1951 (P.L. 1189, No. 265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

HB 291 (Pr. No. 3911) (Amended)

An Act amending the act of April 12, 1951 (P.L. 90, No. 21), known as the Liquor Code, further providing for definitions, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages alternating brewers' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., and for breweries.

Senator ALLOWAY, from the Committee on Game and Fisheries, reported the following bills:

SB 1272 (Pr. No. 1761)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful acts concerning licenses.

HB 94 (Pr. No. 86)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

HB 460 (Pr. No. 3362)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for unlawful acts concerning licenses.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 357 (Pr. No. 2053)

A Concurrent Resolution congratulating the Local Government Commission on its 75th anniversary.

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Mary Jo White and Senator Greenleaf, and a legislative leave for Senator McIlhinney.

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

Senator O'PAKE. Mr. President, I request a legislative leave for Senator Mellow, and temporary Capitol leaves for Senator Stack, Senator Washington, and Senator Williams.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Mary Jo White and Senator Greenleaf, and a legislative leave for Senator McIlhinney.

Senator O'Pake requests a legislative leave for Senator Mellow, and temporary Capitol leaves for Senator Stack, Senator Washington, and Senator Williams.

Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of May 3, 2010, is now in print.

The Clerk proceeded to read the Journal of the Session of May 3, 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?

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

YEA-50

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

LEGISLATIVE LEAVE CANCELLED

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

**SPECIAL ORDER OF BUSINESS
GUESTS 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 I have the winners of the Westmoreland County fire prevention poster and essay contest. These students are leaders in their various schools and are spreading the word about the importance of fire prevention to

their friends and their communities. And we all know that kids talking to kids is much more effective than adults talking to kids. So I am proud to have the winners here today, and they are Kenny Cipra, Gina Johnson, Ariel Kline, Aubrie Mance, Hannah Morrison, Luke Persin, Sarah Roman, and Jacob Salvatore. Please join me in giving them a warm Senate welcome.

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

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, I have three groups of guests to introduce today. The first is an intern in my office who is serving as our Page today, and his name is Tim Wylie. Tim is attending the University of Connecticut, which seems to do quite well in its women's and men's basketball teams, and is a graduate of Henderson High School in my area. We are very proud to have Tim, and I ask the Senate to welcome him.

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

(Applause.)

Senator DINNIMAN. Mr. President, the second of the three groups are winners of a contest in which when they donate to charity, we give them a tour of the Senate, and they can see these beautiful murals within our presence. We have here today Kayte Connelly, who is chief solutions officer for her company and a member of the policy committee of the National Association of Women Business Owners, and also Jane McLaughlin, who is policy chair of the National Association of Women Business Owners and president of LifeCycle Software.

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

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN AND SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, our final group is a wonderful group of people who represent an organization called Good Works, Inc., that does wonderful things in both my district and Senator Rafferty's district. Good Works is a faith-based organization that has repaired hundreds of houses for people who are elderly or young families who do not have the resources to repair their homes. So, Mr. President, I ask the Senate to welcome the two auction winners and Good Works. Thank you.

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

Senator RAFFERTY. Mr. President, just briefly, I want to echo the statements of my friend and colleague, Senator Dinniman, and to welcome our guests as well, known for outstanding work within their communities. This is what it is all about: helping one another. So I join with Senator Dinniman and ask the Senate to give its traditional warm welcome, Mr. President.

The PRESIDENT. Would the guests of Senator Dinniman and Senator Rafferty please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, it is an honor for me to introduce an intern from my Dallas district office, Jeremy Stull, who is a student at Quinnipiac University with a history major and a Middle Eastern studies minor. He is a graduate of Lake-Lehman High School and lives in the Dallas area with his family. Jeremy is also an avid soccer fan and, like many of us, is currently enjoying the World Cup. He is a certified soccer referee and continues to play when he can. He is an avid golfer as well. So I ask my colleagues to offer a warm welcome to Jeremy Stull, who is interning in my Dallas district office.

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

(Applause.)

GUESTS OF SENATOR DAVID G. ARGALL PRESENTED TO THE SENATE

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

Senator ARGALL. Mr. President, it is my understanding that Julie and Dustin Kunkle from Tilden Township, Berks County, have been named the 2009-10 Pennsylvania State Grange Young Couple of the Year, and I believe that they are located in the Senate gallery.

The PRESIDENT. Would the guests of Senator Argall 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, today we have two outstanding youths from the Pennsylvania State Grange visiting the Capitol. Two of these young people live in my district and are in the gallery.

Jennifer Nauss, the daughter of Bradley and Anna May Nauss of Mechanicsburg, is one of the two 2009-10 Pennsylvania State Grange Youth Ambassadors. She just completed her junior year at Penn State University as a communication sciences and disorders major. Also here today is the other 2009-10 Pennsylvania State Grange Youth Ambassador, Michael Snyder of Boiling Springs. He is the son of Jim and Sue Snyder and will enter his junior year at Boiling Springs High School in the fall.

Youth Ambassadors are charged with promoting the Grange and its youth around the Commonwealth at various events and meetings, including the Pennsylvania Farm Show, the Pennsylvania State Grange Family Festival, and Ag Progress Days. These two youths have been members of Valley Grange No. 1360 in York County all of their lives. In addition, they are cousins. Please give Jennifer and Michael a warm Senate welcome.

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

(Applause.)

GUEST OF SENATOR GENE YAW PRESENTED TO THE SENATE

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

Senator YAW. Mr. President, I would like to follow up with a representative of my district who is also here in conjunction with the Pennsylvania State Grange, and that is Jennifer Reed. She a Junior Grange Princess from Montrose and Susquehanna Counties. So I ask that the Senate give her a warm welcome also.

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

(Applause.)

GUESTS OF SENATOR JOHN N. WOZNIAK PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I have some representatives from the SEIU union here today. You have been seeing them in the purple shirts. I have representatives of the Hiram G. Andrews rehabilitation center, the Ebensburg Center, and a good friend of mine who is a retiree. They were here lobbying today, and I believe they said they would be in the balcony. They were over in the House, and the one lady, Amy, said she was disappointed because all they were doing was introductions of people and no substantive work, and I assured her that this is only temporary, these are the polite things that we do, and we do get down to the meat and potatoes. But people are here visiting, and they like to be recognized. So if you would recognize the members from the SEIU who are in the balcony today, I would appreciate it greatly. I am sure they would be very honored to be welcomed by the Senate of Pennsylvania.

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

(Applause.)

GUEST OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I would like to introduce to the Senate today to a young man from Manheim Central High School who is going into his junior year. He is working on a government project, and he is shadowing me today. I would like to introduce young Joe Cortwright. No, he is not from the Ponderosa. But if he would please stand. Let us give him a hand.

The PRESIDENT. Would the guest of Senator Folmer 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 the purpose of a meeting of the Committee on Transportation to be held in the Rules room immediately. The Senate Republican Caucus will meet in the Majority Caucus Room immediately following the conclusion of the meeting of the Committee on Transportation.

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

Senator O'PAKE. Mr. President, I ask the Democrats to report to our caucus room immediately.

The PRESIDENT. For purposes of a meeting of the Committee on Transportation 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 LEAVES CANCELLED

The PRESIDENT. Senator Washington and Senator Williams have returned, and their temporary Capitol leaves are cancelled.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, actually, my guest was here earlier, and I was neglectful in not introducing him, but I want to make up for my neglect for the reason that his mother is my tax collector, and I want to stay on her good side. Zechariah Houser, who is a junior at Bellefonte Area High School, was here with a bunch of the Grange individuals. He is the Pennsylvania Junior Grange Prince and is very active in this wonderful organization that I think most of us know. He was here before we started Session today, and I wanted to make note that he was here.

I do see a good friend up there in the gallery as well, Joyce Haas, who is the vice chair of the Pennsylvania State Republican Party and a good friend of mine from Centre County, also a candidate for office. So it is good to see her, and I ask the Senate to give her and, in retrospect, Zechariah a warm welcome.

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

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 115 and SB 460 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Mary Jo White has returned, and her temporary Capitol leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 621 (Pr. No. 2027) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to compliance with the Federal REAL ID Act of 2005.

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-50

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

BILL OVER IN ORDER

HB 666 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1057 (Pr. No. 1349) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions, for licensure and for State Board of Vehicle Manufacturers, Dealers and Salespersons.

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-50

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

BILL LAID ON THE TABLE

HB 1300 (Pr. No. 2702) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 1300 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that House Bill No. 1300, Printer's No. 2702, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL OVER IN ORDER

HB 2070 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

**BILL REREPORTED FROM COMMITTEE AS
AMENDED ON SECOND CONSIDERATION**

HB 687 (Pr. No. 3902) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in guaranteed energy savings contracts, further providing for definitions, for contracting procedures and for contract provisions.

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

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

SB 929 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

PREFERRED APPROPRIATION BILLS ON
SECOND CONSIDERATION AND RECOMMITTED

HB 2279 (Pr. No. 3277) -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2010, to June 30, 2011, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund and the Tobacco Settlement Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2010, to June 30, 2011; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2010, to June 30, 2011, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2010; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2009, to June 30, 2010, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2009; and making interfund transfers for the fiscal year July 1, 2010, to June 30, 2011.

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 Appropriations.

HB 2280 (Pr. No. 3260) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

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 Appropriations.

HB 2281 (Pr. No. 3261) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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 Appropriations.

HB 2282 (Pr. No. 3262) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

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 Appropriations.

HB 2283 (Pr. No. 3263) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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 Appropriations.

HB 2284 (Pr. No. 3264) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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 Appropriations.

HB 2285 (Pr. No. 3274) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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 Appropriations.

HB 2286 (Pr. No. 3265) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2010, to June 30, 2011, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2010.

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 Appropriations.

HB 2287 (Pr. No. 3266) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission; and providing for the additional appropriation of Federal funds from the General Fund to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2009, to June 30, 2010.

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 Appropriations.

HB 2292 (Pr. No. 3268) -- The Senate proceeded to consideration of the bill, entitled:

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

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 Appropriations.

HB 2293 (Pr. No. 3269) -- The Senate proceeded to consideration of the bill, entitled:

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

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 Appropriations.

HB 2294 (Pr. No. 3270) -- The Senate proceeded to consideration of the bill, entitled:

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

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 Appropriations.

HB 2295 (Pr. No. 3271) -- The Senate proceeded to consideration of the bill, entitled:

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

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 Appropriations.

HB 2296 (Pr. No. 3272) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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 Appropriations.

BILLS OVER IN ORDER

HB 47, HB 117, SB 250, HB 264, SB 522, SB 553, HB 621, SB 831, HB 838, SB 890, SB 900, SB 1049, SB 1055, SB 1134, SB 1163, HB 1175 and SB 1181 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1205 (Pr. No. 1931) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for relief from charges for certain employers and for establishment and maintenance of employer's reserve accounts; and providing for relief from charges and for shared work program.

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

BILL OVER IN ORDER

SB 1222 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1248 (Pr. No. 1932) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for financial education.

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

BILLS ON SECOND CONSIDERATION

SB 1250 (Pr. No. 1996) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for disposition of fees, fines and civil penalties.

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

SB 1288 (Pr. No. 1805) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge that carries State Route 2018 over the Monongahela River from the Borough of North Charleroi, Washington County, to the City of Monessen, Westmoreland County, as the Governor John K. Tener Memorial Bridge.

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

BILLS REREFERRED

SB 1297 (Pr. No. 1933) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for minimum number of days and school month.

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

SB 1303 (Pr. No. 2032) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for the Clean Water Fund and for industrial waste discharges.

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 1305, SB 1314 and SB 1318 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1320 (Pr. No. 1859) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating Interstate Route I-84, within the borders of Pennsylvania, as the Fallen Trooper Memorial Highway.

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

BILLS OVER IN ORDER

SB 1327, SB 1328, SB 1334 and SB 1340 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1374 (Pr. No. 1991) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P.L.1069, No.214), known as the Coal and Gas Resource Coordination Act, further providing for definitions and for minimum distance between gas wells.

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 1379, SB 1385, HB 1789 and HB 1800 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

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 laid on the table.

HB 1859 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that House Bill No. 1859, Printer's No. 3149, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL ON SECOND CONSIDERATION

HB 2275 (Pr. No. 3257) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to the Canaan Bible Chapel certain lands situate in South Canaan Township, Wayne County, in exchange for certain property in South Canaan Township, Wayne County, to be conveyed by the Canaan Bible Chapel to the Commonwealth of Pennsylvania.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION
AND RECOMMITTED

HB 2289 (Pr. No. 3267) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2010-2011.

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 Appropriations.

**SENATE RESOLUTION No. 344,
AMENDED AND ADOPTED**

Senator PILEGGI, without objection, called up from page 11 of the Calendar, **Senate Resolution No. 344**, entitled:

A Resolution directing the Joint State Government Commission to establish a criminal justice advisory committee to study the issues raised by The Philadelphia Inquirer and any other relevant issues regarding the criminal justice system in Philadelphia to develop solutions for problems that are identified and to make a report to the Senate with recommendations.

On the question,

Will the Senate adopt the resolution?

Senator COSTA offered the following amendment No. A7721:

Amend Resolution, page 1, line 3, by striking out "raised by The Philadelphia Inquirer" and inserting:

of high violent crime rates, low conviction rates, the bail system, witness intimidation

Amend Resolution, page 1, lines 9 and 10, by striking out "describing a criminal" in line 9 and "justice system in disarray" in line 10 and inserting:

regarding the Philadelphia criminal justice system

Amend Resolution, page 1, line 11, by striking out "The Philadelphia Inquirer" and inserting:

It was

Amend Resolution, page 1, lines 11 and 12, by striking out "'For three" in line 11 and "consecutive years," in line 12

Amend Resolution, page 1, line 13, by striking out "cities" and inserting:

cities in the last three years

Amend Resolution, page 1, line 14, by striking out "'Philadelphia" and inserting:

its

Amend Resolution, page 1, line 15, by striking out "cases";" and inserting:

cases;

Amend Resolution, page 1, lines 16 through 19, by striking out "The Philadelphia Inquirer reported that " in line 16 and all of lines 17 through 19 and inserting:

It was stated the bail program is ineffective;

Amend Resolution, page 2, lines 2 through 5, by striking out "The Philadelphia Inquirer reported that "Witness " in line 2, all of lines 3 and 4 and "recanted testimony – and collapsed cases";" in line 5 and inserting:

It is alleged that witness intimidation is common;

Amend Resolution, page 2, lines 6 through 10, by striking out all of said lines

Amend Resolution, page 2, line 29, by striking out "raised by The Philadelphia Inquirer" and inserting:

of high violent crime rates, low conviction rates, the bail system, witness intimidation

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

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

SENATE RESOLUTION No. 228, ADOPTED

Senator PILEGGI, without objection, called up from page 11 of the Calendar, **Senate Resolution No. 228**, entitled:

A Resolution providing for the adoption of Ethical Conduct Rules of the Senate.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

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

NAY-0

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator ROBBINS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

February 16, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael J. DeRiggi, 106 Robinhood Drive, Cranberry Township 16066, Butler County, Fortieth Senatorial District, for reappointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

March 1, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph F. Marino (Public Member), 1908 S. Jessup Street, Philadelphia 19148, Philadelphia County, First Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve until September 24, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Juli Miller, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

February 12, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James H. Cawley, Esquire, 1020 Kent Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

June 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John F. Coleman, Jr., 100 Sky Harbor Drive, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2012, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice The Honorable Kim Pizzingrilli, Mechanicsburg, resigned.

EDWARD G. RENDELL
Governor

On the question,
Will the Senate advise and consent to the nominations?

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

Senator BOSCOLA. Mr. President, I rise today to speak on the renomination of James Cawley to the Public Utility Commission.

As many of you know, I have been a vocal opponent of Commissioner Cawley in the past. I believed that he was not using his position as chairman of the PUC to protect consumers in Pennsylvania as strongly as he could have. And I believe at the Federal level and at the State level, there is a far-too-cozy relationship among regulatory agencies and those whom they regulate.

Mr. President, we all know when Pennsylvania deregulated the industry in 1996, we handed the regulation of electricity generation over to the Federal government and its Federal Energy Regulatory Commission, FERC. The only piece of electricity supply that remained regulated by the State was the transmission and distribution of electricity. After that deregulation, settlement agreements reached resulted in rate caps on the generation portion of electricity costs.

Now, over the past couple of years, as rate caps have been coming off, electric utility ratepayers have been seeing double-digit increases in their electricity bills, and these increases are due in large part to generation costs and the pricing of electricity on the wholesale market. Mr. President, roughly 40 percent of Pennsylvania's electricity customers are out from under rate caps. However, the remaining 60 percent are set to expire at the end of the year. On January 1, every electricity ratepayer in this State will be out from under the protection of rate caps, and every single one of those consumers will be experiencing some kind of rate shock unless something is done and done soon.

Over the past several days, I have been talking to Commissioner Cawley about many of these issues. I again relayed my frustration to him about the lack of progress in bringing relief to ratepayers from wholesale generation pricing. But my frustration is not only with the commissioner and the PUC. This body was the body that deregulated over 10 years ago, and we had hoped that competition would result in lower prices. But over the last several years, only recently have we seen a little bit of competition, but it has not significantly lowered electricity bills.

Now, I remember a year or two ago, this body was working on some energy issues, and I had an amendment that would extend the rate caps for a couple more years, until the legislature could figure out how to handle this issue. And back then, I was told, look, Lisa, we do not need this amendment. We are going to do a rate mitigation plan in this body. And the Governor signed on board and was also vocal about it publicly. Now, that did not occur. So my frustration is not just with the PUC. It is also with the body that deregulated.

And now it is our job to try to figure out how to help our consumers, because if we do not do something soon, it is going to be next year, or 5 years from now, prices will go so high that some companies will be leaving, and some jobs will be lost. And you will see that coming in the next couple of years. So where do we go from here?

As a result of these discussions with Commissioner Cawley, he has agreed to work with me to provide a strong, unified voice to effectuate changes in the pricing of wholesale electricity. Commissioner Cawley has also agreed to work with me to lobby and educate our congressional delegation on the shortcomings of FERC pricing policies. In fact, the commissioner even made this pledge in writing, and I commend him for that.

Additionally, I intend to introduce a resolution--and I hope my colleagues will help support me in that effort in the coming weeks--to inform and encourage our congressional delegation to work on FERC's pricing policy and bring relief to Pennsylvania's 5.6 million electricity consumers.

So as a result of Commissioner Cawley's commitment, I support his renomination to the PUC and encourage an affirmative vote.

Thank you, Mr. President.

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

Senator VANCE. Mr. President, I rise to support the nomination of Commissioner Cawley. This is about his qualifications to be a commissioner and not the wisdom of any specific regulation. He has been evenhanded, with great knowledge of the issues and open to many people. He has a distinguished legal background and has the kind of expertise that we need on the Commission. So I urge his nomination.

Thank you, Mr. President.

And the question recurring,
Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator ROBBINS 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
Dinniman	Logan	Smucker	Wozniak
Earl	McIlhinney	Stack	Yaw
Eichelberger	Mellow	Stout	
Erickson	Mensch	Tartaglione	
Farnese	Musto	Tomlinson	

NAY-1

Ferlo

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEE**

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

SB 1315 (Pr. No. 2066) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for display of registration plate and for automated red light enforcement in first class cities; providing for automated red light enforcement systems in second class, second class A and third class cities and for the Automated Enforcement Fund; and transferring money.

HB 2246 (Pr. No. 3657)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for permissi-

ble argument as to amount of damages; further providing for duty of driver in emergency response areas, for careless driving, for snow and ice dislodged or falling from moving vehicle and for sentencing for homicide by vehicle; providing for the offense of aggravated assault by vehicle; further providing for aggravated assault by vehicle while driving under the influence, for accident involving death or personal injury while not properly licensed and for accident scene clearance; and imposing penalties.

HB 2253 (Pr. No. 3630)

An Act designating a portion of State Route 11 from the bridge carrying State Route 11 over the Susquehanna River in Point Township, Northumberland County, known as the Barry King Memorial Bridge, to the Montour County line as the Sgt. Brett D. Swank Memorial Highway.

SENATE RESOLUTIONS ADOPTED

Senators FONTANA, COSTA, FERLO, LOGAN, ORIE, PIPPY, STOUT, VOGEL, KASUNIC, DINNIMAN, GREENLEAF, PILEGGI, RAFFERTY, EARLL, ERICKSON, BOSCOLA, TARTAGLIONE, D. WHITE, WARD and STACK, by unanimous consent, offered **Senate Resolution No. 359**, entitled:

A Resolution recognizing the 50th anniversary of the 1960 Pittsburgh Pirates World Series Championship and Bill Mazeroski's walk-off, ninth-inning home run that ended Game 7 of the series.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, this resolution recognizes the 50th anniversary of the 1960 Pittsburgh Pirates World Series Championship team and Bill Mazeroski's walk-off ninth-inning home run that ended the game and won the World Series for the Pittsburgh Pirates.

The 1960 Pittsburgh Pirates were considered grossly over-matched by the New York Yankees when they entered the World Series in October 1960, but pushed the Series to a full seven games, with wins in Games 1, 4, and 5. And on October 13, 1960, in the bottom of the ninth inning in Game 7, with the score tied at 9-9, Yankee reliever Ralph Terry faced Pirates second baseman Bill Mazeroski, who, as he stated back then, just wanted "to hit it hard, get on and get us started." Mazeroski, on the second pitch, hit a high fly ball over the 406-foot sign of the Forbes Field wall and into the grass and woods behind that 12-foot wall at Forbes Field. With that walk-off home run, Mr. President, the Pittsburgh Pirates became the 1960 world champions, defeating the New York Yankees by a score of 10-9, winning their third world championship.

Mr. President, in recognition of the 1960 World Series team and the walk-off home run by Bill Mazeroski, the Pittsburgh Pirates plan to erect a statue outside PNC Park. The statue is expected to be 12 feet tall and made from bronze, and it will be of Mazeroski rounding second base after that home run. The statue is intended to stand as a symbol of inspiration to those young and old who aspire to accomplish their dreams.

Mr. President, at the age of 17, Maz signed with the Pittsburgh Pirates as a shortstop before being moved to second base.

He spent his entire career playing for the Pittsburgh Pirates, from 1956 through 1971, where he earned eight Gold Glove awards, had a career .983 fielding percentage, and led the National League in assists nine times. And he still holds the Major League record for double plays by a second baseman.

While Maz was noted for his defensive play, it was his winning World Series home run in the ninth that catapulted him to fame, a play considered by many to be the most dramatic ending in the 106 years of World Series play. Mr. Mazeroski was elected to the National Baseball Hall of Fame in 2001. He still works for the Pittsburgh Pirates, and I am happy to honor him today.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, very briefly, I want to thank my colleague for introducing this resolution. I just want to call attention to this wonderful monument and statute that is being built outside of PNC Park for Bill Mazeroski. There is a fundraising effort at a grassroots level to have individual names in memoriam, favored relatives, your own name. For a small amount of money, you will be placed on a leaf, very much like the ivy that was located on the outfield wall, which is preserved to this day in the original location at Forbes Field in Oakland. I just want to bring attention to supporting this and hope that the public will respond by helping to construct and pay for this unbelievable bronze statue being done by an artist from my district, Susan Wagner. She sculpts. She did the Roberto Clemente statue at PNC Park as well. So thank you very much.

But Mr. President, I do think it is important that you officially penalize Senator Mellow for not being here today. He is an avid New York Yankees fan, and I think he should be here to endure this discussion and hear this accolade to Maz and to the great Pittsburgh Pirates organization. Thank you.

The PRESIDENT. The Chair will take that request under consideration.

The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I stand with great pain. I stand to support the resolution for two reasons: one, because of the heroics of the situation, but most importantly--and I know we are not supposed to use nouns or names, but I have to break protocol--because Senator Jim Ferlo, who does not even talk about sports at all to anyone, knows where the ivy wall is. He does not even know that it is fake these days. But the fact that he stood up and recognized this moment is a moment to all of us that we cherish. So whatever he is going to support today, I am required to support.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, I am sorry, this is my second time speaking. Very briefly, I worked my butt off to preserve, protect, and stop the demolition of the original outfield wall at Forbes Field when the University of Pittsburgh bulldozer was about to take it down to build the business school, just like I did outside the Syrian Mosque. I was not successful with the Syrian Mosque, but I was successful with the Forbes Field wall. 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 KITCHEN, LOGAN, WILLIAMS, EARLL, HUGHES, O'PAKE, STOUT, RAFFERTY, WASHINGTON, FERLO, COSTA, TARTAGLIONE, DINNIMAN, ALLOWAY, MELLOW, FONTANA, PIPPY, STACK, PILEGGI, FARNESE, VOGEL, ORIE, M. WHITE, BRUBAKER, BOSCOLA and WOZNAK, by unanimous consent, offered **Senate Resolution No. 360**, entitled:

A Resolution observing June 19, 2010, as "Juneteenth National Freedom Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, Juneteenth National Freedom Day commemorates the anniversary of Juneteenth Day, during which slaves in the American southwest learned that they had been set free. The holiday commemorates the survival of 11.5 million Africans who endured the transatlantic journey known as the Middle Passage on slave ships from their homeland to this country, starting in the 17th century.

This commemoration originated in Galveston, Texas, on June 19, 1865. More than 145 years later, Americans continue to celebrate this day of freedom. Juneteenth National Freedom Day is the oldest African American holiday observance in the United States. The holiday commemorates a joyous day for all African Americans. It is also a reminder that the spirit of freedom is still alive today in this great nation. Juneteenth has become a day of reflection and renewal for people of all races, nationalities, and backgrounds.

Mr. President, I hope that recognizing Juneteenth National Freedom Day in Pennsylvania will give us all an opportunity to remember those who suffered in the bonds of slavery and those who were set free. At the same time, we can all celebrate the spirit of liberty and freedom that defines this nation.

Thank you again, 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.

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 Denton Marshall by Senator Alloway.

Congratulations of the Senate were extended to the members of D Company, 112th Infantry, 56th Stryker Brigade Combat Team, of the United States Army National Guard, by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Jack Meitzler by Senator Browne.

Congratulations of the Senate were extended to Jason Weigold, Lisa Politi, Chris Williams, Edward Lenny, Ray Skotek, Because We Care of Bath, Lehigh Valley Safety Council, Walmart of Allentown, Muhlenberg College, Mahoning Valley Nursing and Rehabilitation Center and to the Majestic Athletic First Aid Response Team of Easton by Senator Browne and others.

Congratulations of the Senate were extended to Ethan D. Pfautz by Senator Brubaker.

Congratulations of the Senate were extended to Terry Jack Willoughby by Senator Corman.

Congratulations of the Senate were extended to Dr. Clifford E. DeBaptiste, Dorothy Mae Wilt and to Nils Andreas Gunnar Mossblad by Senator Dinniman.

Congratulations of the Senate were extended to Ryan G. Veverka by Senator Greenleaf.

Congratulations of the Senate were extended to Kevin Eubanks by Senator Hughes.

Congratulations of the Senate were extended to Dianna Baker by Senator Kasunic.

Congratulations of the Senate were extended to Marvin Louis by Senator Kitchen.

Congratulations of the Senate were extended to David Zaslow, Montgomery County Community College, Great Guys Group of Radnor and to the Greater Valley Forge Transportation Management Association by Senator Leach.

Congratulations of the Senate were extended to Evan R. Spitzer by Senator McIlhinney.

Congratulations of the Senate were extended to the Keystone Extreme All-Star Competitive Cheerleading Squad by Senator Mellow.

Congratulations of the Senate were extended to Ann Crowell by Senator Mensch.

Congratulations of the Senate were extended to Judith C. Lieberman by Senator Mensch and others.

Congratulations of the Senate were extended to James E. Roslevich by Senator Musto.

Congratulations of the Senate were extended to Connor R. Geer by Senator O'Pake.

Congratulations of the Senate were extended to Christina Damiano, North Allegheny Senior High School Boys' Cross Country Team, North Allegheny Senior High School Girls' Water Polo Team, North Allegheny Senior High School Boys' Water Polo Team, North Allegheny Senior High School Girls' Swimming and Diving Team, North Allegheny Senior High School Girls' Gymnastics Team and to the J.A. Sauer Heating and Air Conditioning Company of McKnight by Senator Orie.

Congratulations of the Senate were extended to Mr. and Mrs. William E. Lyle by Senator Scarnati.

Congratulations of the Senate were extended to Esther Lee Bowden-Carrington by Senator Washington.

Congratulations of the Senate were extended to Paige Wyant by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Allen, Mr. and Mrs. Douglas R. Bird, Staff Sergeant Zachary W. Tokach, Olivia Mitchell and to Jarred Gambrell by Senator Yaw.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Honorable Mark Edward Mascara by Senator Stout.

HB 9 AND HB 1609 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that House Bill No. 9, Printer's No. 3517, and House Bill No. 1609, Printer's No. 2269, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 976, SB 998, SB 1168, SB 1272, SB 1315, SB 1317, HB 94, HB 291, HB 460, HB 1287, HB 1288, HB 1289, HB 1990, HB 2246 and HB 2253.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I just want to take a moment of the Senate's time to recognize the passing of a former Senate employee. Last week, unfortunately, Mike McLaughlin, who served in the Senate Democratic Caucus for a good many years, particularly under the leadership of Senator Ed Zemprelli, passed after a long battle.

It might sound a little strange to have a Senate Republican talk about someone who used to work in the Senate Democratic Caucus, but I got to know Mike long after he left the Senate and before I got to the Senate. I had just started working in Harrisburg as a professional with a trade association, and for whatever reason--it was just his way--Mike befriended me, and we got to be very good friends and spent a lot of time together over the years. He never asked me for a thing but always was willing to give many things.

He had a long, distinguished career here in the Senate, and he was just a good person. When I had personal issues I had to deal with, he was the first there to help me, not for any reason other than that he just wanted to be helpful. That was the kind of guy that Mike was. Mike, along with Bill Greenlee, started the Burgess memorial outing here in Harrisburg, which raised--I cannot even tell you how much money--a ton of dollars over the years for a variety of charities. I know I sit on the Second Mile board. The Second Mile was a benefit of that charity for many years, and he was always a leader in trying to raise money for good causes. His legacy will go on.

He was a person who gave a lot and did not ask for much. He served his country in the Marines, I believe he served in Vietnam, and he was a really good person. He fell into ill health and difficult times recently, and it was sad to see that he had passed. And I just want to take a moment of the Senate's time to recognize someone who gave a lot of years of his life to the Senate of Pennsylvania and to the people of Pennsylvania in the way that Mike McLaughlin did. He will be truly missed. He was a dear friend to many of us here, and I just want to take a moment of the Senate's time to recognize his passing.

Thank you, Mr. President.

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

Senator O'PAKE. Mr. President, as one who served with Mike McLaughlin for 10 years here, when he served as chief of staff for Senator Zemprelli from 1979 to 1989, before that, Mike served as press secretary to Governor Shapp for 3 years. And before that, he worked for the Philadelphia Evening Bulletin and the Orlando Sentinel, and then served as a sergeant in the United States Marine Corps in Vietnam. As a matter of fact, his military service led then-Harrisburg-mayor Steve Reed to name him as grand marshal of Harrisburg's 2009 Holiday Parade.

Mike was tireless and dedicated to serving the people of Pennsylvania and the people of the Pennsylvania Senate. I know I learned a lot from him. He was never too busy to share the benefits of his experience, his expertise. He exemplifies the best qualities that we have taken for granted here in our staff. All of us can look to our staff and appreciate what they do, day in and day out, without a whole lot of thanks or recognition. And it is unfortunate that it is only when somebody passes away that we honor and respect and pay tribute to somebody for their dedicated service here. But yes, Mike McLaughlin was a chief of staff par excellence, and many people benefitted. He was very selfless, and he never looked for publicity or credit. He just helped to make this body function in a very professional and a very sensitive and compassionate way.

So we pay our respects to his widow, to his two daughters, to his son. The funeral is tomorrow. Mass is at 10 o'clock in Steelton. Our prayers go out to his wife, and our prayers go up to Mike, and we ask that he help us during this last month, as we try to tackle the State budget once again.

Mr. President, with that, I would like to address that subject briefly. Across the State of Pennsylvania, we are still dealing with the lingering crisis and damage caused by last year's protracted 101-day budget impasse. Nonprofit organizations and other human service agencies that provide invaluable services to families across the State went nearly 4 months without the funding that they needed. From July until October, the unfortunate partisan wrangling stalled essential State funds for everything from daycares to food banks. For what? Thousands of Pennsylvanians lost their jobs, and thousands of families continue to suffer because of last year's impasse.

A recent survey done by the United Way of Pennsylvania revealed that about 61 percent of 350 agencies statewide were forced to cut services during that impasse. The survey also found that nonprofits and counties were forced to take on millions of dollars in debt to maintain essential services while the budget stalemate dragged on. Every community across the State felt the sting of the impasse. Families from Berks County all the way to the Ohio border saw a decrease in their quality of life thanks to

lost jobs and service reductions. We cannot afford to put Pennsylvania families through another partisan tug of war. There is not a Republican or Democratic solution to the State's \$1.3 billion budget deficit. We must come to a reasonable compromise that will not overburden Pennsylvania's taxpayers.

This is perhaps the worst economic climate we have dealt with since the Great Depression, and we are finally starting to claw our way out of that recession. The last thing that we can afford to do now is to let our June 30 deadline come and go without enacting a balanced State budget. Pennsylvania taxpayers deserve more than gridlock and relentless political rhetoric.

Mr. President, we have a little more than 2 weeks to come to an agreement on a spending plan, a balanced spending plan. Let us continue working together and get this job done on time.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I rise to join my friend and colleague, Senator O'Pake, on this very important subject of our budget and the desire of Senate Democrats to make certain that we do everything within our power to move that process forward. And I echo his sentiments about working together with our colleagues--not only here in the Senate, but also those individuals across the Rotunda and in the administration--to make certain that we are able to craft a balanced budget that meets the needs of our Commonwealth residents.

Mr. President, you may recall, in early February, Senate Democrats spoke out about one part of that budget, which we thought was an issue that should be addressed as we go down this path between now and June 30. And we felt it was an important enough subject that we wanted to make certain that it was part of the conversation that we talked about as we went forward. That issue was the importance of passing comprehensive pension reform along with this year's budget.

And I will say, Mr. President, regardless of the outcome of this year's budget, next year, the Commonwealth will face very difficult budget challenges with the loss of Federal stimulus money that we all know about, and we will have lingering effects of the recession as well that we have to deal with. School districts throughout the Commonwealth will also be facing similar challenges.

Now, what is important today, Mr. President, is that earlier today, the House positioned a bill that will be sent to us at some point tomorrow that has broad bipartisan support on this very issue of pension reform. Meaningful, long-term reforms which are fair to labor but also crucial to the Commonwealth, our local school districts, and our taxpayers was contemplated and will be considered tomorrow by the House. Mr. President, we believe it is a very important step in helping us get a budget done on time.

Mr. President, we believe we solve one problem at a time, and it should not be something that we wait for next year's Governor to have to address and to have to deal with. We have many challenges that cannot necessarily be solved now, but we can take great steps toward some of those that we can. One of the issues that we can address now is the pension issue, so we can avoid it in years to come. And if I could, Mr. President, I would like to

take just a moment to share with some of my colleagues here on the floor some of what I believe to be the important details of the legislation that has been proposed.

First, Mr. President, one of the things that the legislation that will be voted on tomorrow in the House--and my hope is that we will entertain and consider it very soon here in the Senate--deals with is the issue of instituting collars on the contribution rates for both systems. When I say both systems, I am referring to the PSERS system, the Public School Employees' Retirement System, as well as the State Employees' Retirement System, SERS.

Those collars represent the maximum percentage amount that the employer contribution rate could increase in any given year and are expressed as a percentage of payroll. As we go forward in fiscal year 2011-12, it recognizes 3 percent; and in 2012-13, 3 1/2; and in the following years, 4 1/2. And then finally, Mr. President, it stays in place, with those increases being a part of what we do going forward until such a time as they are no longer necessary to resolve this issue.

But some of the other issues, Mr. President, are going to allow for the rollback of benefit enhancements that were enacted by Act 9 of 2001 for new employees only. It reverses the 2.5 rate multiplier benefit for new employees to 2 percent of pay. It also maintains the current employee contribution rate, which helps provide more funding to the system, and the vesting period increases from 5 years to 10 years. And finally, Mr. President, it eliminates one of the options with regard to payments or payouts with respect to the lump sum payment upon retirement, which essentially means that the contributions that were made must stay in the system to enhance the system and to help it deal with the unfunded liability issue.

Mr. President, this issue of pension reform is very critical. It is something that looms in 2012-13, with a tremendous spike that needs to be addressed. We believe that the House is taking steps in a cooperative way with a number of groups that are obviously interested in this issue, and has taken the time to meet and get us to a point where it appears to be something that a consensus has been built around. We need to continue that dialogue. We need to continue that conversation about putting to rest this pension crisis that looms.

Mr. President, we have 15 days left now before June 30, when we are required to provide a balanced budget for the people of Pennsylvania. We need to take steps to deal with that issue as we did yesterday but also to deal with the other issues that are important to this Commonwealth, like the pension issue, and I look forward to working with my colleagues as we move forward in addressing both of those issues over the course of the next 15 days.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I take this moment to rise just to offer hopefully what will be some brief comments with respect to where we are in this process. And they relate probably directly to a rally that occurred today in the Rotunda, and also, to some extent, numerous meetings that I have had with community folks, religious leaders, business people, and others in my district, and in some cases across the Commonwealth, over the last several weeks and the last several months, with respect to where we are with this budget process.

It is my hope that we are able to soon be successful, as I agree wholeheartedly with my colleague, Senator Costa, with respect to getting this whole thing done on time; done in a timely fashion; done in an orderly way; in a spirit of bipartisanship, working with our good friends on the other side of the aisle here, and working with the Members in the House and, of course, with the Governor's Office; that we move quickly through the next couple of weeks to get this thing done and finish the business, at least the budgetary business for this year for the Commonwealth.

But I cannot--maybe "but" is not the correct word to use in this situation--I am mindful, however, as we go through this process, as we try to get it done with speed and accuracy and with few mistakes, that we also be very deliberate and thoughtful about the business that we are about to take upon ourselves. We are--again, as a result of being reminded once again by the several hundred folks I spoke to this morning in the Rotunda--we are reminded once again that there are very real people connected to the line items, the 6,000 or so line items that exist in this State budget. In many respects, their lives hang on the balance with respect to what it is that we do.

From every particular line item that I can think of, that I can look at and try to figure out where there may be resources connected that may require some shaving, some adjustments, you cannot escape the fact that there is a lot of suffering that is going on in this Commonwealth and across the nation, largely as a result of a problem that was not created by the people who will be impacted.

Certain issues have occurred. An international financial collapse has caused nations around the world to have to make extremely substantial changes in how they do business with respect to their own economies. That has readjusted the financial equations of how nations and States and international banking communities deal with one another. They have all had to adjust. Many of those individuals in that adjustment process have made out extremely well.

The stories are extensive, long, frightening, very real, and, in many respects, very painful, about how individuals have benefited so much out of this international financial collapse. Through the result of governments and banking communities trying to step up to make some resolve in this, folks have done very well. But more people have not done well. Millions of people across this State and across this nation have lost their homes, have lost their jobs, have lost their savings, have lost everything connected--maybe even their families--everything connected to their reality, as a result of this crisis.

I think we need to be very thoughtful, very deliberate, and very conscious about the decisions that we make over the next several days, hopefully no longer than 2 weeks, to come to a resolve here, as we talk about what happens in the spending for education, as we examine the significant pluses that have been made in this State, the only State in the nation to be able to say that we have been moved up in every grade level and every subject matter, as a result of some thoughtful practices and spending programs that we put together. Needless to say, the investments that we make now in our education system pay off now, but they pay off far greater dividends in the future.

We need to be very thoughtful when the conversation comes around to maybe having to make some cuts there. The investments in early childhood education, those folks were in front of us a week or so ago to talk about the important work that they

do. And it is important. We understand now that if we make the important investments in that area, make strong investments in that area, we can create an opportunity for those young people to realize their dreams, because they will have a successful educational outcome at the end of the line.

We also understand that many people, right now, can make a determination, we have heard it said and heard it studied, and friends of ours and folks who have been important political figures have indicated to us in their research that the success of a child's academic reality around the third or fourth grade really determines what happens with them, whether they will be incarcerated or not when they get to high school or the early years of their early adult life. A child who is underperforming in third grade or fourth grade will more than likely have a bad outcome with respect to incarceration when they get into eleventh and twelfth grade, and hopefully, they will get a chance to graduate from high school.

So the early investments now with respect to early childhood education have an impact later on down the line. I do not think we need to lose sight of that. We need to be mindful, need to be thoughtful, but not lose sight of that. We need to be clear and mindful. Remember, the unemployment rate in this Commonwealth is hovering around 9 1/2 to 10 percent, depending upon which county, which community, which area we come from, all of us come from. Many communities, many devastated communities, many distressed communities, have unemployment rates of 20 and 30 and 40 percent, some even higher than that.

We need to be very thoughtful about what happens when we make our decisions here on this floor and when we make our budgetary decisions, about what we are creating. What impact will we have if we cut some of those line items that might service some of those individuals who may not be working right now? What does it mean to them that the support that they thought they would get from Harrisburg is no longer there, that the program that they used to involve themselves in to try to help them through is not quite there?

We need to be mindful about this, Mr. President, because we are making important decisions that impact the lives of people who did not cause this financial calamity right now. The people we help, the people those line items are focused on, did not cause the problem that we are all suffering from, and we need to be thoughtful about that.

We talk about economic development. I can tell you that one of the programs that has worked so great for my district, for our city, and for the region in the southeast has been an example for the rest of the nation of how we can do strong and important and really thoughtful economic development in distressed communities and has received national attention because of that. But those programs are being threatened. Those programs are being cut. That is not a good thing.

The arts and culture community, a community that has said time and time again that an investment in our community, an investment in the work that we do, an investment in the creative lives of our community, is an investment that has economic rewards that far surpass any one of our professional sports teams, whether they be the Eagles or the Pirates or the Penguins or the Flyers or whoever, any investment that we make in the arts and culture community has an incredible return on its investment, economically, but also because of the cultural life that is so important to every one of us across this Commonwealth.

We have a mission and a responsibility to make sure, Mr. President, that we serve the people and we respond to the people who do not have big lobbyists walking around this Chamber, who do not have big lobbyists who are representing them in the halls of power, who do not have individuals who move from office to office and move from department to department trying to advocate for their issues. These are the hidden individuals. These are the 370,000 people who are on the waiting list for the adultBasic program, who have no health insurance and will not be impacted for another couple of years until the President's health reform agenda takes effect.

These are real people, Mr. President. They are in our midst. They work every day. They need the resources that we have provided for them. They struggle to try to make it through. They are trying to send their kids to school. They are trying to find childcare. They are trying to find a job. They are trying to make it through in any way, shape, or form.

I choose to rise not to preach to this body. It is not my mission here, Mr. President. I choose to make sure that those here on this floor and whoever may be watching us--who may be paying attention on their televisions, on the Internet, however they hear the work that we do--I choose to make sure that we communicate to them that we are responsible for their lives and their realities also. As we make cuts, let us be thoughtful, with all speed, but let us also make sure that we are deliberate and conscious of the people who need us the most. They do not have big lobbyists, but they have big needs, and we have a responsibility to serve them, too.

Thank you, Mr. President.

THE PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I would like to be able to rise today, at this budgetary time, and paint a picture that would suggest I can be all things to all people. That time is long past. I am very confident that this year, we will not disappoint Pennsylvania with another drag-out monologue of who is right and who is wrong while people suffer. I believe that if we do not make the date, we certainly will not be going days beyond that. So I am comfortable that daycare providers, school systems, and parents sending their children off to college this year need not sweat it out as they did last year.

But what I am very concerned about is that, constantly, we sort of give the public the short shrift. We do not provide the detailed information that they need, and I am quite clear about why. You know, sound bites are the method by which we are informed of information and news today, not complete reading of the Wall Street Journal or the New York Times. We much prefer to turn on our computers and read AOL and the quick bites there. But the truth is the economic tsunami, which is global in nature, which is driven primarily by comments which were mentioned earlier today, we in Pennsylvania need to learn those lessons before they rest upon our shores.

The pension crisis is not a crisis. It will take down nations. It has taken down Greece, it has infected Spain, and it is cancerous to all of Europe. The largest bank in the entire world, the IBS, the bank of banks, the Federal Reserve for the entire global community, is quivering today, as we watch all of these markets go up and down. And it is because politicians like us, when we were confronted with this moment, what we did was talk, not act. We

were more concerned about getting reelected than telling the public the truth.

The truth is that we can no longer afford to pay pensions in the way that we have in the past. But those of us who are currently sitting here and enjoying what the majority of Pennsylvanians enjoy--and that is a pension--those who will be newly signed up to this process need no longer talk about the pension of the past. It is what the pension of the future will look like. And for those who are all scared to talk about it, defined benefits versus defined contributions is the hallmark phrase we have to confront.

And with all due respect to all of our friends who will invade the hallways, because I know they will all watch this and say--they will not come to my office; they will run around my office, just like they do when it comes to talking about educational issues. And the ironic part, about 12 years ago, when I started talking about reform and things that we had to do -- and I just had the opportunity to run statewide. When I started out, there were six of us. I was the only one who talked about how we should reform the educational process by creating total choice. By the time it was over, there was only one person who was out of step with my view. That is because they actually finally heard from Pennsylvanians, Pennsylvanians who demand options and the truth.

On the pension process, the truth is that for every person whom we talk about and are concerned about who is struggling, who is impoverished, who does not have money, guess what? They are in rural Pennsylvania, they are in suburban Pennsylvania, and they are in Philadelphia and in all urban parts of Pennsylvania. If we want to talk about their future, then we in government have to do that which is responsible. We have to look at the lessons which have been taught to us by nations that are falling in front of our eyes today. And if we do not look, and if we do not listen, and if we do not follow, I guarantee you, we will not be the ones to pay the price. We will not be the ones to pay the price, because we will not sacrifice it.

With all due respect, the moves and the mechanisms and the process by which we are moving forward, the House sending over its legislation--of course I am going to vote for it, and of course I am going to support it--but I want you to understand, it parallels the growth that we are making in public education. For all that we want to pound our chests and brag about the strides that we are making there, our children will be retired by the time they reach proficiency. Another generation will have been failed by a public process. The incremental growth or reforms that we are making to the pension process by doing what we are doing in the House, the same thing will be true. We will be bankrupt in this Commonwealth if we follow that process. We are deferring the debt to another generation.

Yes, I stand here proudly today to say we are going to pass a budget. We will probably get it done on time. It may not be as painful as the last one. But I want to assure you, we can no longer turn the page, look at a reluctant crisis and describe it as such. This crisis will sink this State. And politicians who dare stand up to it will be challenged. The first initial wave, like me, always will be shot at, because I am telling the truth. And the truth is that we cannot talk about any absolutes anymore. We have to talk about what we can afford first, what the taxpayer can afford first, what our children can afford first, and no longer defer to another generation.

These are not my truths. These are realities. Look at what is happening to an entire continent. And of course, because it is happening someplace else, we think Greece is another place that just tourists reside in. No, Greece houses a large portion of borrowed money from the entire continent of Europe and, by the way, some of the American currency. When it fails, we fail. The Federal debt, which is now a trillion dollars, will multiply by the borrowed dollars from Greece.

Add that to our ability as a State to do what all States do, borrow money. Bonding, which has removed us from sins of the past, running to the bonding shop--that is our way of printing money--that will not be available, because credit will not be available. Government notes, which are normally quite stable and quite available, are not quite nearly as stable as they have been in the past.

So, yes, this is a cautionary note. All is not well in Pennsylvania. And simply because we pass a budget on the ultimate date that we are required to in this State does not mean that you should not be picking up the phone, reading every possible periodical that you can possibly learn from, and then beginning to discipline us.

The problem is that it seems that when the public does not know, they are not knocking at our doors, they are not building pink pigs outside, and we do whatever we choose to do, and that is simply to get reelected -- not to tell the truth before we are required to, not to turn over our palms and say, we have problems. That is not what we do. What we do is we wait until the moment we have to pull the trigger, and then we blame it on the other guy. I cannot stomach that anymore. I cannot stomach that anymore.

We have to face this pension problem this year, not next year, when a new Governor shows up, but this year. And the Band-Aids we are putting on the elephant's butt simply require surgery, and we need to get to the business of providing it to a very sick, sick pension system across the State of Pennsylvania. I hope, I hope that someone out there is listening and will pick up the phone or write a letter and begin to require us to do what we have avoided for such a long time.

I thank you, Mr. President.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 15, 2010

Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 330; and certain executive nominations)	Rules Cmte. Conf. Rm.
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Off the Floor	TRANSPORTATION (to consider Senate Bill No. 1315; and House Bills No. 2246 and 2253)	Rules Cmte. Conf. Rm.
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WEDNESDAY, JUNE 16, 2010

9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider House Bill No. 60)	Room 8E-B East Wing
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CANCELLED

10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (briefing on public safety and environmental impact of recent events associated with Marcellus Shale natural gas development)	Senate Maj. Caucus Rm.
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THURSDAY, JUNE 17, 2010

10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (gather information on the Keystone Initiative for Network Based Education and Research)	Room 8E-B East Wing
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WEDNESDAY, JUNE 23, 2010

10:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider House Bill No. 60)	Room 461 Main Capitol
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TUESDAY, JUNE 29, 2010

10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing to review emergency response plans and natural gas drilling in the Commonwealth)	Hrg. Rm. 1 North Off.
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RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Erickson.

Senator ERICKSON. Mr. President, I move that the Senate do now recess until Wednesday, June 16, 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 3:53 p.m., Eastern Daylight Saving Time.