

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

THURSDAY, JULY 1, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 44

SENATE

THURSDAY, July 1, 2010

The Senate met at 4 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend Monsignor JAMES LYONS, of Prince of Peace Parish, Steelton, offered the following prayer:

Let us pray.

Almighty God, we give You thanks for the life You have given to us. It is Your first and greatest gift. May the Members of this Senate use their gifts wisely as they go about the performance of their duties. May they always seek Your divine counsel in their deliberations, and may they always have before them the common good. May they have a special concern for the poor of our society. I ask these blessings, Lord, in Your holy name. Amen.

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

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

July 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, Virginia Birmingham (Public Member), 25 Limestone Court, Lititz 17543, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until March 16, 2014, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice John R. Watson, Wexford, resigned.

EDWARD G. RENDELL

Governor

MEMBER OF THE ARCHITECTS LICENSURE BOARD

July 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, John R. Hill, AIA, LEED AP, 12 Spring Wood Drive, Allentown 18104, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dennis R. Connell, Bethlehem, whose term expired.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

July 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, Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Juniata/Perry, Magisterial District 41-3-04, to serve until the first Monday of January 2012, vice The Honorable Donald F. Howell, resigned.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATION
REFERRED TO COMMITTEE**

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE HEALTH POLICY BOARD

July 1, 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 19, 2010, for the appointment of Daniel D. Blough, Jr., 316

Wooddale Drive, Punxsutawney 15767, Jefferson County, Twenty-fifth Senatorial District, as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Paul H. Boehringer, Lower Gwynedd, whose term expired.

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

EDWARD G. RENDELL
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

June 30, 2010

HB 1498 -- Committee on Consumer Protection and Professional Licensure.

HB 1736 and **2370** -- Committee on Banking and Insurance.

HB 1838 -- Committee on Finance.

HB 1890 -- Committee on State Government.

HB 2189, 2571 and **2572** -- Committee on Judiciary.

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:

July 1, 2010

Senators COSTA, FERLO, MUSTO, STOUT, LOGAN, EARLL, HUGHES, FARNESE, TARTAGLIONE and FONTANA presented to the Chair **SB 1415**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for the Commonwealth Technology Fund.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, July 1, 2010.

BILL REPORTED FROM COMMITTEE

Senator VANCE, from the Committee on Public Health and Welfare, reported the following bill:

HB 254 (Pr. No. 4076) (Amended) (Rereported)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, further providing for determining whether applicants are veterans; in public assistance, further providing for medical assistance payments for institutional care; and providing for Statewide Quality Care Assessment.

LEGISLATIVE LEAVES

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

Senator O'PAKE. Mr. President, I request legislative leaves for Senator Leach, Senator Mellow, and Senator Musto, and temporary Capitol leaves for Senator Stack and Senator Wil-

liams.

The PRESIDENT. Senator O'Pake requests legislative leaves for Senator Leach, Senator Mellow, and Senator Musto, and temporary Capitol leaves for Senator Stack and Senator Williams. Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of June 7, 2010, is now in print.

The Clerk proceeded to read the Journal of the Session of June 7, 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.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room immediately.

The PRESIDENT. The Chair recognizes the gentleman from 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 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.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 53 and **HB 115** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 900 (Pr. No. 2112) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for neighborhood blight reclamation and revitalization.

On the question,

Will the Senate agree to the bill on third consideration?

Senator ARGALL offered the following amendment No. A8296:

Amend Bill, page 2, lines 18 and 19, by striking out "the local housing," in line 18 and "building, plumbing, fire and related" in line 19 and inserting:

State laws and related municipal

Amend Bill, page 5, line 13, by striking out "housing, building, property maintenance or fire safety"

Amend Bill, page 8, lines 4 through 21, by striking out "any of the following final and unappealable" in line 4 and all of lines 5 through 21 and inserting:

the applicant owns real property in any municipality for which there exists on the real property:

(i) a final and unappealable tax, water, sewer or refuse collection delinquency on account of the actions of the owner; or

(ii) a serious violation of State law or municipal code and the owner has taken no substantial steps to correct the violation within six months following notification of the violation.

Amend Bill, page 9, line 11, by striking out "The" and inserting:

the

Amend Bill, page 9, line 12, by striking out ":" and inserting a semicolon

Amend Bill, page 9, line 13, by striking out "The" and inserting:

the

Amend Bill, page 9, line 14, by striking out ":" and inserting:

; or

Amend Bill, page 9, line 15, by striking out "The" and inserting:

the

Amend Bill, page 9, lines 20 through 27, by striking out ", SUBJECT TO THE FOLLOWING:" in line 20 and all of lines 21 through 27 and inserting:

. Acceptance of the plan may be contingent on:

(A) Beginning the remediation plan within no fewer than 30 days following acceptance of the plan.

(B) Completing the remediation plan within no fewer than 90 days following commencement of the plan.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

HB 1300, HB 1609, HB 1859 and **HB 2070** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2275 (Pr. No. 4055) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to The Pennsylvania State University, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Benner Township, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Fish and Boat Commission, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Game Commission, certain lands situate in Benner Township, Centre County; 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; authorizing the Department of General Services, with the approval of the Department of Education and the Governor, to grant and convey to Marywood University approximately ten acres including nine buildings and all improvements thereon, known as the Scranton State School for the Deaf, situate at 1800 N. Washington Avenue in the City of Scranton and Borough of Dunmore, Lackawanna County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Authority for Industrial Development, certain lands situate in the 38th Ward of the City of Philadelphia, Philadelphia County; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to grant and convey to Frenchcreek Township, Venango County, approximately 1.15-acres and improvements thereon, together with a 50' right-of-way, at Polk Center, situate in Polk Borough, Venango County; authorizing the Pennsylvania Game Commission to transfer, sell and convey certain Project 70 lands free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act; authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of York, York County, under certain conditions; imposing Project 70 restrictions on certain lands being conveyed to the City of York; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Aloe Brothers LLC, certain lands situate in South Fayette Township, Allegheny County.

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

Senator FERLO. Mr. President, I respectfully ask if Senator Pippy would stand for brief interrogation.

The PRESIDENT. Senator Pippy indicates he will. The gentleman is in order.

Senator FERLO. Mr. President, I will be brief, and I did have a conversation with my colleague yesterday. This is a bill that, as we know, authorizes the Department of General Services to convey a whole series of pieces of land all around the Commonwealth. Yesterday, it was amended by my colleague to include the property and buildings known as the Mayview State Hospital. I want to respectfully ask my colleague, Senator Pippy, in terms of the amendment that was added, the company involved has traditionally been recognized as a coal company, the Aloe Coal Company. My understanding, now, is that they also do some level of commercial development. My concern has to do with the value of \$500,000-plus for the sale and acquisition of this property. I realize that the real estate has a negative value, given the deplorable state of the buildings and property, but I want to know whether or not there was an assessment permitted by this coal company or others to evaluate either coal and/or Marcellus Shale natural gas available at this large site. So I respectfully ask if the Senator could respond to some of those concerns. Thank you.

Senator PIPPY. Mr. President, the amendment that I offered is similar to the bill introduced in the House. Originally, we were hoping that this would go through the bill process. As the gentleman mentioned earlier, the Mayview property has a negative-\$5 million assessed value. That is because it has over 50 buildings with asbestos and lead, and significant costs for the razing or remediation of those buildings.

We put together a bipartisan, bicameral task force over the last year, with representatives from environmental and health and human services organizations, and we came up with a set of recommendations that dealt with some of the environmentally sensitive areas. We then asked DGS--and I will make this clear, this was all done by DGS--to put out an RFP and to publicize this property as much as possible to try to get the highest value, understanding that whoever bought that property would have to follow the restrictions that our task force recommended, as well as deal with the remediation.

There were only two bidders. I know that a lot of the local representatives and community leaders in that area acted on their own to try to get people to bid on this property, and the company in question that the gentleman mentioned had the highest bid of, I believe, around \$500,000. As part of that, yes, the mineral rights were in there. In the last task force meeting, we had significant questions as to how that would work. Under the DGS contract, the bidder does have the mineral rights, and there is a belief that they may use some of that to try to recoup the costs. However, that is not part of the contract. They would have to go through a permitting process. It is currently zoned, and the two local communities would be heavily involved with that process.

Because of the concern that we have with the mental health community in particular, I have sponsored a bill, as has my colleague in the House, that would take any of the net proceeds from this property, minus the costs of the sale, which is about \$125,000, and give that to the mental health community of southwestern Pennsylvania. We are having some issues with the department. It is saying that there are some bonds that may be applied to that sale and that there would not be any net value. So, we have asked the potential bidder to sit down with us after this agreement, on their own, and work toward some type of voluntary agreement to help the communities involved.

So, all of that work was done by DGS. Do we have a number? No, they have not given us a number. They were selling the property "as is." There was an RFP, and this company was the highest bidder and, as of yesterday, has agreed to sit down with me, Representative Kotik, the Democratic Representative from that area, and other individuals involved to try to come up with some type of ability to if--and that is a big if--but if there are any mineral rights or if any value is to be gained from the mineral rights, there be some type of, for lack of a better term, contribution.

Now, we are still working with the company. Particularly for Marcellus Shale, I would have some concerns if they actually wanted to put a well there, but as the gentleman knows, there are some lateral lines that could be drilled miles away to still capture some of those rights. So we are working toward that, but we believe that the best way do that would probably be outside of the governmental process because of some of the issues associated with the contract DGS wrote.

Senator FERLO. Thank you, Mr. President. I appreciate the good work of my colleague, Senator Pippy. However, I will be respectfully voting "no." I am still not clear, legally. I am not questioning the good work of my colleague and the Representative from the district, but I want to be clear, legally, what we are approving by way of mineral rights and the potential of Marcellus Shale drilling on this site. I realize it is a local issue, but it is a substantial issue, and I will be respectfully voting "no."

But I do want to indicate my appreciation to Senator Pippy for his due diligence on this bill. I had introduced a bill a couple of years ago, along with Representative Frankel, with the cooperation of then-Secretary Richman, for a transfer of dollars going to community mental health in Allegheny County, and I very much appreciate Senator Pippy's leadership and remembrance of that issue and for his own introduction of a similar bill.

Thank you, Mr. President.

Senator PIPPY. Mr. President, just a point of clarification. As to the gentleman's question, legally, all this does is allow us to execute the contract that DGS has written. There is no language that was put in there by me or anyone else dealing with the specifics. The contract itself had already been written and was solely the responsibility of the administration. So there is no legislative add, per se.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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 vote "aye," the question was determined in the affirmative.

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED**SECOND CONSIDERATION CALENDAR****BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION**

HB 1332 (Pr. No. 4049) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to a critical incident stress management team member by law enforcement officers, public safety responders and corrections officers and for confidential communications to a peer support member by law enforcement officers.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 47, SB 99, HB 123, HB 291, SB 428 and HB 444 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 460 (Pr. No. 3362) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 786, SB 906, SB 971, SB 998, SB 1168 and SB 1171 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

HB 1175 (Pr. No. 3871) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for identification devices and for subcutaneous implanting; and imposing civil penalties.

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

BILL OVER IN ORDER

SB 1231 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 1251 (Pr. No. 1708) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, establishing an amnesty program for traffic violations in cities of the first class.

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

BILL ON SECOND CONSIDERATION

HB 1251 (Pr. No. 3869) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for minimum number of covered employees; further providing for duties of insurers and insurance producers, for investment, for group accident and sickness insurance and for mini-COBRA small employer group health policies; providing for continuation of coverage reinstatement; in long-term care, further providing for definitions; and providing for appealing an insurer's determination the benefit trigger is not met, for prompt payment of clean claims and for applicability.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1255, SB 1272, HB 1281 and SB 1283 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1327 (Pr. No. 1900) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 11, 1889 (P.L.188, No.210), entitled "A further supplement to an act, entitled 'An act to establish a board of wardens for the Port of Philadelphia, and for the regulation of pilots

and pilotage, and for other purposes,' approved March twenty-ninth, one thousand eight hundred and three, and for regulating the rates of pilotage and number of pilots," further providing for certain charges.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1340, SB 1378, SB 1394, HB 1394, SB 1409, HB 1926, HB 1990, HB 2258 and HB 2273 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2493 (Pr. No. 4059) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1974 (P.L.34, No.15), known as the Pennsylvania Municipal Retirement Law, providing for implementation provisions for Deferred Retirement Option Plans, for corrective measures for maintaining tax qualified status of the Pennsylvania Municipal Retirement System and for solicitation of political contributions; and making a related repeal.

Considered the second time and agreed to,

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

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

SENATE RESOLUTION No. 323, AMENDED

Senator PILEGGI, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 323**, entitled:

A Resolution directing the Local Government Commission to conduct a comprehensive study of the number and types of mandates placed upon Pennsylvania's local governments by the Commonwealth.

On the question,

Will the Senate adopt the resolution?

Senator EICHELBERGER offered the following amendment No. A8304:

Amend Resolution, page 1, line 1, by striking out "Joint State" and inserting:

Local

Amend Resolution, page 1, line 7, by striking out "local government units" and inserting:

counties and other municipalities

Amend Resolution, page 1, lines 9 through 13, by striking out all of said lines and inserting:

WHEREAS, An unfunded mandate is a statute or its implementing regulation that requires counties and other municipalities to perform certain actions yet provides no money for fulfilling the requirements while an underfunded mandate provides less funding than counties and other municipalities need; and

Amend Resolution, page 2, by inserting between lines 10 and 11:

WHEREAS, The Local Government Commission has maintained a computerized file of mandatory and discretionary State statutory mandates since 1982; and

Amend Resolution, page 2, lines 14 through 16, by striking out all of said lines and inserting:

WHEREAS, There currently exists no comprehensive information on the types and costs of State mandates upon this Commonwealth's counties and other municipalities; therefore be it

Amend Resolution, page 2, line 17, by striking out "Joint State" and inserting:

Local

Amend Resolution, page 2, line 19, by inserting after "underfunded":

statutory

Amend Resolution, page 2, lines 22 through 30; page 3, lines 1 through 10, by striking out all of said lines on said pages and inserting:

RESOLVED, That the task force be comprised of four members of the Senate, two shall be members of the Local Government Commission, one from the majority caucus and one from the minority caucus appointed by the chairman of the commission and two additional Senators, one appointed by the Majority Leader and one appointed by the Minority Leader, a House member of the Local Government Commission from each party appointed by the chairman of the commission, an expert familiar with the funding and operations of programs implemented by counties and other municipalities, a representative from the County Commissioners Association of Pennsylvania, the Pennsylvania State Association of Boroughs, the Pennsylvania State Association of Township Supervisors and the Pennsylvania League of Cities, as well as such academicians, economists, program directors, finance officers or other administrators from both State and local government as the task force deems appropriate; and be it further

RESOLVED, That the task force compile a comprehensive list describing each statutory mandate placed upon local governments whether voluntary or mandatory, and further indicate in its study, whether the statutory mandate is Federal or State in origin or a combination thereof, whether the origin of the statutory mandate is required or discretionary in nature; the average annual cost of each statutory mandate to a county or other type of municipality, if determinable; and the amount of money provided by the Federal Government or the Commonwealth to implement each statutory mandate; and be it further

Amend Resolution, page 3, line 15, by striking out "local governments" and inserting:

counties and other municipalities

Amend Resolution, page 3, lines 19 through 21, by striking out all of said lines and inserting:

RESOLVED, That it is the intent of the Senate, by this resolution, that State agencies and offices, including Department of Public Welfare, Department of Corrections, Department of Aging, Department of Labor and Industry, Department of Community and Economic Development, Department of Environmental Protection, Department of Health and the Governor's Office of the Budget cooperate with the Local Government Commission during the course of its study of mandates; and be it further

RESOLVED, That the Local Government Commission provide a copy of a report on the foregoing to the Senate and all members of the Local Government Commission no later than October 15, 2012.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the resolution, as amended, was passed over in its order at the request of Senator PILEGGI.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes, first, of a Republican caucus to be held at the Majority Leader's desk briefly, to be followed by a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room, to be followed by a meeting of the Committee on Appropriations in the Rules room, to be followed by a meeting of the Committee on State Government in the Rules room.

The PRESIDENT. For purposes of a Republican caucus to be held at the Majority Leader's desk, followed by a meeting of the Committee on Rules and Executive Nominations, a meeting of the Committee on Appropriations, and a meeting of the Committee on State Government, all to be held in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

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

SB 699 (Pr. No. 1888) (Rereported)

An Act providing for protection of abused, neglected, exploited or abandoned adults; establishing a uniform Statewide reporting and investigative system for suspected abuse, neglect, exploitation or abandonment of adults; providing for protective services; and prescribing penalties.

SB 1305 (Pr. No. 2050) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for promulgation of rules and regulations by department.

HB 1186 (Pr. No. 4077) (Amended) (Rereported)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

HB 2246 (Pr. No. 4078) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for permissible argument as to amount of damages; further providing for annual hauling permits, for permit for movement during course of manufacture, for conditions of permits and security for damages and for permit for movement of bulk refined oil; providing for permit for movement of nonhazardous liquid glue and for permit for movement of waste tires; further providing for promulgation of rules and regulations by department, 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.

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

SB 87 (Pr. No. 1943) (Rereported) (Concurrence)

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel

assigned to an active duty station in Pennsylvania," expanding applicability of the act to include all active duty personnel and their dependents.

SB 260 (Pr. No. 2134) (Amended) (Rereported) (Concurrence)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for corruption of minors and for the offense of sexual abuse of children.

Senator McILHINNEY, from the Committee on State Government, reported the following bill:

HB 1890 (Pr. No. 3954)

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to The Pennsylvania State University, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Benner Township, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Fish and Boat Commission, certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Game Commission, certain lands situate in Benner Township, Centre County.

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

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

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

June 25, 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 May 24, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2010, and until her successor is appointed and qualified, vice Mary Erwine, Shavertown, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA COUNCIL ON AGING

June 25, 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 22, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2010, and until her successor is appointed and qualified, vice Carol Kay, Hazelton, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 25, 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 7, 2010, for the reappointment of William K. Ryan, 1729 Ritter Avenue, Bristol 19007, Bucks County, Sixth Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2011, and until his successor is appointed and qualified.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 25, 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 7, 2010, for the appointment of Diane Slifer, 282 Coach Light Terrace, Huntingdon Valley 19006, Montgomery County, Twelfth Senatorial District, as a member of the Pennsylvania Council on Aging, to serve until October 8, 2012, and until her successor is appointed and qualified, vice Martin Berger, Ardmore, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE APPALACHIAN STATES LOW-LEVEL
RADIOACTIVE WASTE COMMISSION

June 25, 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 May 6, 2010, for the appointment of Amy K. Kokos (Voting Member), 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Calvin B. Johnson, Harrisburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE APPALACHIAN STATES LOW-LEVEL
RADIOACTIVE WASTE COMMISSION

June 25, 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 May 6, 2010, for the appointment of Stephanie Moore (Voting Member), R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice The Honorable Dennis Yablonsky, Harrisburg, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE DANVILLE STATE HOSPITAL

June 25, 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 May 3, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Leonard P. Majikas, ACSW, Ph.D., Bloomsburg, deceased.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE HARNESS
RACING COMMISSION

June 25, 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 22, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Harness Racing Commission, to serve for a term of three years and until her successor is appointed and qualified, vice Arthur Manuel, Peckville, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

July 1, 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 19, 2010, for the appointment of Daniel D. Blough, Jr., 316 Wooddale Drive, Punxsutawney 15767, Jefferson County, Twenty-fifth Senatorial District, as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Paul H. Boehringer, Lower Gwynedd, whose term expired.

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,
BUCKS COUNTY

June 25, 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 June 14, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Bucks County, to serve until the first Monday of January 2012, vice The Honorable David W. Heckler, resigned.

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

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS,
DELAWARE COUNTY

June 25, 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 May 3, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2012, vice The Honorable Robert C. Wright, 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,
DELAWARE COUNTY

June 25, 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 May 3, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Delaware County, to serve until the first Monday of January 2012, vice The Honorable Kenneth A. Clouse, deceased.

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,
YORK COUNTY

June 25, 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 1, 2010, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2012, vice The Honorable Michael J. Brillhart, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF PODIATRY

June 25, 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 May 17, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board of Podiatry, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Steven J. Collina, M.D., Aston, resigned.

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

EDWARD G. RENDELL
Governor

PROTHONOTARY AND CLERK OF COURTS,
VENANGO COUNTY

June 25, 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 15, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Prothonotary and Clerk of Courts, in and for the

County of Venango, to serve until the first Monday of January 2012, vice The Honorable Peggy L. Miller, resigned.

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

EDWARD G. RENDELL
Governor

PROTHONOTARY, CLERK OF COURTS &
CLERKS OF ORPHANS' COURT,
WYOMING COUNTY

June 25, 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 May 28, 2010, for the appointment of Erin M. Smith, 440 Plaza Drive, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, as Prothonotary, Clerk of Courts & Clerks of Orphans' Court, Wyoming County, in and for the County of Wyoming, to serve until the first Monday of January 2012, vice Paulette A. Burnside, resigned.

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

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
PUBLIC TELEVISION NETWORK COMMISSION

June 25, 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 May 17, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Public Television Network Commission, to serve until August 17, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jacqueline Goodwin, Harrisburg, whose term expired.

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

EDWARD G. RENDELL
Governor

SHERIFF, BRADFORD COUNTY

June 25, 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 May 14, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Sheriff, in and for the County of Bradford, to serve until the first Monday of January 2012, vice The Honorable Steven A. Evans, resigned.

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

EDWARD G. RENDELL
Governor

SHERIFF, MONTGOMERY COUNTY

June 25, 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 May 11, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Sheriff, in and for the County of Montgomery, to serve until the first Monday of January 2012, vice The Honorable John P. Durante, deceased.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 June 14, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-1-02, to serve until the first Monday of January 2012, vice The Honorable Robert V. Manlove, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 1, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Lebanon, Magisterial District 52-3-05, to serve until the first Monday of January 2012, vice The Honorable Lee R. Lehman, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 22, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-04, to serve until the first Monday of January 2012, vice The Honorable David G. Leh, Jr., deceased.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 1, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the County of Luzerne, Magisterial District 11-1-01, to serve until the first Monday of January 2012, vice The Honorable Bill Amesbury, elected to Court of Common Pleas.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 June 3, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of McKean, Magisterial District 48-3-04, to serve until the first Monday of January 2012, vice The Honorable Michael J. Kennedy, resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 1, 2010, for the appointment of Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-12, to serve until the first Monday of January 2012, vice The Honorable Michael J. Koury, Jr., resigned.

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

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

June 25, 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 1, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Magisterial District Judge, in and for the Counties of Wyoming/Sullivan, Magisterial District 44-3-01, to serve until the first Monday of January 2012, vice The Honorable Russell D. Shurtleff, resigned.

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

EDWARD G. RENDELL
Governor

NOMINATIONS RETURNED TO THE GOVERNOR

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

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

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

**REPORT FROM COMMITTEE ON RULES
AND EXECUTIVE NOMINATIONS**

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

April 7, 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, Patrick J. Dugan, CPA, 730 Hickory Road, Secane 19018, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four 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 PENNSYLVANIA
COUNCIL ON AGING**

March 30, 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, Anne C. Bale, 3516 Montour Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for

appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2012, and until her successor is appointed and qualified, vice George Demetriades, Sr., Tamaqua, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 30, 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, Jen Martchek, 2630 Lansdale Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2011, and until her successor is appointed and qualified, vice Harold Jordan, Clarks Summit, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 30, 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, Anthony J. Turo, MPA, 10095 Oakridge Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2010, and until his successor is appointed and qualified, vice Denise Illig Robison, Erie, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF COMMUNITY
AND ECONOMIC DEVELOPMENT

May 24, 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, Austin J. Burke, 263 Laurel Street, Archbald 18403, Lackawanna County, Twenty-second Senatorial District, for appointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable George E. Cornelius, West Chester, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
CONVENTION CENTER AUTHORITY

March 30, 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, The Honorable Michael J. Masch, 143 West Hortter Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Convention Center Authority, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Arthur Makadon, Esquire, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

May 24, 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, MaryLou Enoches, One Manor Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE DANVILLE STATE HOSPITAL

April 9, 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, David N. Peterson III, 206 Orange Street, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Ray Bologna, 1690 Sturbridge Drive, Sewickely [sic] 15143, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Romulo Diaz, 1326 Spruce Street, Apartment 508, Philadelphia 19107, Philadelphia County, First Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Robert G. Sanders, 7022 McCallum Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Lloyd Ayers, 507 Lantern Lane, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice D. Bruce Cahilly, Ulysses, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Paul I. Bartoletti, 718 South State Street, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Susan Navish, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Mary Curet, 3617 Donaldson Road, McDonald 15057, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Denise H. Ross, Laverock, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Ronald C. Dendas, 470 Pine Top Trail, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Steven R. Stroul, Erie, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Denise R. Foltz, 33559 E. Fremont Street, Townville 16360, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Linda G. Trabucco, Chester Springs, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Samuel J. Garloff, D.O., 343 Spring Run Court, Eters 17319, York County, Thirty-first Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Carl Sirio, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Bernard J. Lapine, 1426 East Maple

Street, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice David Kelley, Harrisburg, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Samuel W. Monismith, 5070 Arney Road, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Lupe Pearce, Allentown, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Sister Ruth Neely, RSM, MSN, CRNP, 162 Lake Street, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Leonard S. Kahn, West Conshohocken, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Anne M. Wantz, 315 North Second Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Joseph G. Mraz, Elizabethtown, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 22, 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, Leonard B. Altieri III, 8 Valley View Lane, Newtown Square 19073, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Nicholas J. Barcio, Erie, graduated.

EDWARD G. RENDELL
Governor

MEMBER OF THE INDUSTRIAL BOARD

April 7, 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 A. Bush, Jr., 334 Middle Road, Langhorne 19047, Bucks County, Sixth Senatorial District, for reappointment as a member of the Industrial Board, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY

April 7, 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, The Honorable Joe Martz, 3213 W. Coulter Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2014, and until his successor is appointed and qualified, vice David E. Tungate, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

JUDGE, SUPERIOR COURT

April 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, The Honorable Robert A. Freedberg, 434 Dogwood Terrace, Easton 18040, Northampton County, Twenty-fourth Senatorial District, for appointment as Judge, Superior Court, to serve until the first Monday of January 2012, vice The Honorable Joan Orié Melvin, elected to Supreme Court.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 7, 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, Gregory E. Black, 1421 Main Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Landscape Architects, 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 EXAMINERS
OF NURSING HOME ADMINISTRATORS**

April 7, 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, Nancy Bonalumi, RN, MS, CEN, FAEN, 1285 Hillside Drive, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice I. William Goldfarb, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE**

March 30, 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, Rohit K. Agrawal, DO, MBA, FACEP, FACOEP, 616 Whispering Pines Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE**

March 30, 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, Burton T. Mark, D.O., 25 Stone Ridge Road, Thornton 19373, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve until June 26, 2010, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dr. Charles P. Fasano, Mifflinburg, deceased.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION**

May 6, 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, William K. Lieberman, 201 Gladstone Road, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years or until his successor is appointed and qualified, vice Timothy J. Carson, Rosemont, resigned.

EDWARD G. RENDELL
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

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:

JUDGE, SUPERIOR COURT

April 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, The Honorable Robert A. Freedberg, 434 Dogwood Terrace, Easton 18040, Northampton County, Twenty-fourth Senatorial District, for appointment as Judge, Superior Court, to serve until the first Monday of January 2012, vice The Honorable Joan Orié Melvin, elected to Supreme Court.

EDWARD G. RENDELL
Governor

**MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION**

May 6, 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, William K. Lieberman, 201 Gladstone Road, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years or until his successor is appointed and qualified, vice Timothy J. Carson, Rosement, 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 am proud to support Judge Robert Freedberg to fill the remainder of the term of Justice Orié Melvin on our State Superior Court. I have known Judge Freedberg for many, many years. He was actually my boss, and I had the pleasure of working under him as the deputy court administrator in Northampton County while he was President Judge, so I can personally attest that he has been an expert legal judge. His knowledge and extensive jurisprudence is unmatched. He has always been a man of great honor and integrity, and has been fair and impartial throughout his career. He will once again be an asset to the bench.

I would also like to thank Governor Rendell for his decision to nominate Judge Freedberg, and I would also like to thank my colleagues, especially in the Democratic Caucus, for allowing me to be supportive of his nomination. Again, I am proud to have worked with him for so many years. He was my boss, one of the best bosses I ever had, and that is why I believe he will truly be an asset to the Superior Court for this entire Commonwealth.

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-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
Earl	Logan	Smucker	Wozniak
Eichelberger	McIlhinney	Stack	Yaw
Erickson	Mellow	Stout	
Farnese	Mensch	Tartaglione	

NAY-0

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

Ordered, That the Governor be informed accordingly.

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 ACCOUNTANCY

April 7, 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, Patrick J. Dugan, CPA, 730 Hickory Road, Secane 19018, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four 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 PENNSYLVANIA
COUNCIL ON AGING

March 30, 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, Anne C. Bale, 3516 Montour Street, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2012, and until her successor is appointed and qualified, vice George Demetriades, Sr., Tamaqua, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 30, 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, Jen Martchek, 2630 Lansdale Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2011, and until her successor is appointed and qualified, vice Harold Jordan, Clarks Summit, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

March 30, 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, Anthony J. Turo, MPA, 10095 Oakridge Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2010; and until his successor is appointed and qualified, vice Denise Illig Robison, Erie, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF COMMUNITY
AND ECONOMIC DEVELOPMENT

May 24, 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, Austin J. Burke, 263 Laurel Street, Archbald 18403, Lackawanna County, Twenty-second Senatorial District, for appointment as Secretary of Community and Economic Development, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable George E. Cornelius, West Chester, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
CONVENTION CENTER AUTHORITY

March 30, 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, The Honorable Michael J. Masch, 143 West Hortter Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Convention Center Authority, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice Arthur Makadon, Esquire, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

May 24, 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, MaryLou Enoches, One Manor Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
THE DANVILLE STATE HOSPITAL

April 9, 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, David N. Peterson III, 206 Orange Street, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Board of Trustees of the Danville State Hospital, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Ray Bologna, 1690 Sturbridge Drive, Sewickely [sic] 15143, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Romulo Diaz, 1326 Spruce Street, Apartment 508, Philadelphia 19107, Philadelphia County, First Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

April 9, 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, Robert G. Sanders, 7022 McCallum Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Lloyd Ayers, 507 Lantern Lane, Philadelphia 19128, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice D. Bruce Cahilly, Ulysses, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Paul I. Bartoletti, 718 South State Street, Clarks Summit 18411, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Susan Navish, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Mary Curet, 3617 Donaldson Road, McDonald 15057, Washington County, Forty-sixth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Denise H. Ross, Laverock, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Ronald C. Dendas, 470 Pine Top Trail, Bethlehem 18017, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Steven R. Stroul, Erie, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Denise R. Foltz, 33559 E. Freemont Street, Townville 16360, Crawford County, Fiftieth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Linda G. Trabucco, Chester Springs, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Samuel J. Garloff, D.O., 343 Spring Run Court, Etners 17319, York County, Thirty-first Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Carl Sirio, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Bernard J. Lapine, 1426 East Maple Street, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice David Kelley, Harrisburg, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Samuel W. Monismith, 5070 Arney Road, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Lupe Pearce, Allentown, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE HEALTH POLICY BOARD

April 19, 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, Sister Ruth Neely, RSM, MSN, CRNP, 162 Lake Street, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Leonard S. Kahn, West Conshohocken, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE INDUSTRIAL BOARD

April 7, 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 A. Bush, Jr., 334 Middle Road, Langhorne 19047, Bucks County, Sixth Senatorial District, for reappointment as a member of the Industrial Board, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified.

EDWARD G. RENDELL
Governor

MEMBER OF THE PENNSYLVANIA
INDUSTRIAL DEVELOPMENT AUTHORITY

April 7, 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, The Honorable Joe Martz, 3213 W. Coulter Street, Philadelphia 19129, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2014, and until his successor is appointed and qualified, vice David E. Tungate, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

April 7, 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, Gregory E. Black, 1421 Main Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Landscape Architects, 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 EXAMINERS
OF NURSING HOME ADMINISTRATORS

April 7, 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, Nancy Bonalumi, RN, MS, CEN, FAEN, 1285 Hillside Drive, Lancaster 17603, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice I. William Goldfarb, Pittsburgh, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

March 30, 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, Rohit K. Agrawal, DO, MBA, FACEP, FACOEP, 616 Whispering Pines Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

March 30, 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, Burton T. Mark, D.O., 25 Stone Ridge Road, Thornton 19373, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve until June 26, 2010, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Dr. Charles P. Fasano, Mifflinburg, deceased.

EDWARD G. RENDELL
Governor

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

The yeas and nays were required by Senator ROBBINS 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 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.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL REREPORTED FROM COMMITTEE AS AMENDED REREFERRED

HB 254 (Pr. No. 4076) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers of the Department of Public Welfare, further providing for determining whether applicants are veterans; in public assistance, further providing for medical assistance payments for institutional care; and providing for Statewide Quality Care Assessment.

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

BILL REREPORTED FROM COMMITTEE AS AMENDED ON SECOND CONSIDERATION

HB 1186 (Pr. No. 4077) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Drug and Alcohol Programs; providing for governing body of the Pennsylvania Higher Education Assistance Agency; making a related repeal; repealing related provisions of the Pennsylvania Drug and Alcohol Abuse and Control Act; and making editorial changes.

Considered the second time and agreed to,

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

The PRESIDING OFFICER (Senator David G. Argall) in the Chair.

SENATE RESOLUTIONS ADOPTED

Senators DINNIMAN, WASHINGTON, CORMAN, ERICKSON, FARNESE, FONTANA, GREENLEAF, KASUNIC, KITCHEN, LOGAN, MUSTO, ALLOWAY, O'PAKE, ORIE, RAFFERTY, STACK, STOUT, TARTAGLIONE, COSTA, PIPPY, EARLL and BROWNE, by unanimous consent, offered **Senate Resolution No. 377**, entitled:

A Resolution designating the week of September 20 through 26, 2010, as "Active Aging Week" in Pennsylvania.

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

Senators DINNIMAN, WASHINGTON, BOSCOLA, ERICKSON, FARNESE, FOLMER, FONTANA, GREENLEAF, KASUNIC, KITCHEN, MUSTO, O'PAKE, ORIE, STACK, STOUT, TARTAGLIONE, WAUGH, RAFFERTY, COSTA, ALLOWAY, PIPPY, BRUBAKER, EARLL, GORDNER and BROWNE, by unanimous consent, offered **Senate Resolution No. 378**, entitled:

A Resolution recognizing the month of September 2010 as "Senior Center Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. The only thing I would like to say, Mr. President, is that our senior centers are very important. The reason we are passing this now is because we will not be in Session in the beginning of September, and I wanted to make sure that all Members had a resolution and a citation that they can deliver to their senior centers, showing the respect of this body for the excellent work that they do for the senior citizens of the Commonwealth.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to the Chambersburg-Gotemba Sister City Partnership by Senator Alloway.

Congratulations of the Senate were extended to the Sovereign Majestic Theater of Pottsville by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Gerlach, Mr. and Mrs. Amos Sawyer, Zach Gosling and to Ephrata Area Rescue Services, Inc., by Senator Brubaker.

Congratulations of the Senate were extended to Shirley Sedam, Thomas S. Kurtz, Mark James Bonsell and to Joshua Joseph Walk by Senator Corman.

Congratulations of the Senate were extended to Daniel Jacob Hoover by Senator Earll.

Congratulations of the Senate were extended to Mr. and Mrs. William C. Young by Senator Erickson.

Congratulations of the Senate were extended to Mr. and Mrs. A. Dale Franklin by Senator Gordner.

Congratulations of the Senate were extended to Jacob Soltis by Senator Greenleaf.

Congratulations of the Senate were extended to the Beneficial Society Victor Emmanuel II of Reading by Senator O'Pake.

Congratulations of the Senate were extended to Clark Resources of Harrisburg by Senator Piccola.

Congratulations of the Senate were extended to Captain Mark J. Musser by Senator Vogel.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Richard G. Lambert by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Honorable Ronald B. Merriweather by Senator Washington.

BILL ON FIRST CONSIDERATION

Senator DINNIMAN. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.

The bill was as follows:

HB 1890.

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

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, as we move through our worldly work here, passing a budget and some of the other issues, we have to be reminded every once in a while, because it seems we are inoculated to the fact that this nation is at war on two fronts, in the two nations of Iraq and Afghanistan.

On June 18, I attended the funeral of a young sergeant from Hastings, Pennsylvania, and I have a condolence resolution that I would like to read, in part, to this Chamber so that we do not forget that we have tens of thousands of young men and women who are risking their lives every single day as we watch comfortably from the easy chairs and couches of our homes. Please pray for them and for their loved ones for their loss. And it is interesting that Sergeant Derek L. Shanfield, who died on June 8 in Afghanistan, his family has a commitment, not just he, but his twin brother and a third brother are all members of the United States Marines.

Assigned to the 2nd Battalion, 6th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force, Sergeant Derek L. Shanfield had been serving in support of combat operations in Afghanistan since May 2010. He was killed June 8, 2010, during combat operations in Afghanistan's violent Helmand Province.

A 2006 graduate of Cambria Heights High School, he was a member of the National Honor Society and the cross country, soccer, track and field, and swim teams. As a member of the United States Marine Corps, he wore his uniform proudly, and when called to action, he performed above and beyond the call of duty, giving his life for his country. He brought expertise and proficiency to his challenging assignments, and his conduct,

performance, and devotion to duty reflected his unwavering allegiance to the highest standards of military service.

I have a resolution that will be taken to his family: His mother and father, David and Pamela Shanfield; his brother, Sergeant Sydney David Lee Shanfield; his other brother, Corporal Devin L. Shanfield; sisters, Jessica Petro and Allison Shanfield; his many other beloved family members; and, of course, all of his friends in Hastings.

Folks, please remember that we remain a nation at war. Perhaps we do not see it every day, perhaps we do not see those body counts, but for those individuals who suffer those losses, it is real, and it cuts very deep. Pray for our soldiers. Pray for peace. God bless the United States of America.

Thank you, Mr. President.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

July 1, 2010

HB 511 -- Committee on Agriculture and Rural Affairs.

HB 712 -- Committee on Urban Affairs and Housing.

HB 1774 and **2490** -- Committee on Banking and Insurance.

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETING

FRIDAY, JULY 2, 2010

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 1318 and 1430; and House Bills No. 254, 1800 and 2289)	Rules Cmte. Conf. Rm.
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RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Friday, July 2, 2010, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 8:26 p.m., Eastern Daylight Saving Time.