

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, SEPTEMBER 28, 2010

SESSION OF 2010 194TH OF THE GENERAL ASSEMBLY

No. 51

SENATE

TUESDAY, September 28, 2010

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

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

PRAYER

The Chaplain, Reverend RONALD BACHMAN, of Trinity Evangelical Congregational Church, Mount Joy, offered the following prayer:

Let us look to the Lord in prayer.

Father God, the foundation of wisdom, whose will is good and gracious and whose law is truth, I ask You to guide and bless these men and women, Father, whom You have called to these positions of authority in this Senate and also in the House of Representatives of this great Commonwealth of Pennsylvania. Bless them today in a way, Father, that they may enact such laws that ultimately please You and the welfare of all Pennsylvanians.

Grant special grace to these, Your servants, Father, and we pray and ask this prayer in the name of He who said, look up, for your redemption draweth nigh. And then, Father, I pray that You would bless Yourself here in these Chambers today. We ask this in Christ's name. Amen.

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

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 699** and **SB 1327**, with the information the House has passed the same without amendments.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 918** and **SB 1169**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIV, section 6, these bills will be referred to the Committee on Rules and Executive Nominations.

GENERAL COMMUNICATIONS

2009 HAZARDOUS SITES CLEANUP FUND ANNUAL REPORT

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

September 13, 2010

Mr. Mark R. Corrigan
Secretary of the Senate
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Mr. Corrigan:

The Department of Environmental Protection (DEP) is pleased to present to you its Hazardous Sites Cleanup Fund Annual Report. This report summarizes the accomplishments of the Hazardous Sites Cleanup Program, which provides DEP with the ability to immediately respond to spills of hazardous substances and to eliminate threats to public health and the environment from hazardous substances through removal and remedial actions.

Act 77 of 2007, the Hazardous Sites Cleanup Fund Funding Act passed by the General Assembly and signed by Governor Edward G. Rendell, provides revenue to the Cleanup Fund of \$40 million annually. On December 31, 2013, with the phase-out of the Capital Stock and Franchise Tax, this revenue source (which represents 90 percent of the yearly revenue) will no longer be available to support the Hazardous Sites Cleanup Program. A long-term solution is needed to keep the full program operational beyond that time. The Hazardous Sites Cleanup Fund is essential to Pennsylvania's ability to address brownfield remediation, emergency response to toxic spills and cleanup of contaminated sites across the commonwealth. DEP respectfully requests your support in identifying a permanent funding source for this important program.

As provided in the Hazardous Sites Cleanup Fund Funding Act, DEP is distributing the report electronically and providing a link for accessing the report online. The report can be found on DEP's Web site at www.depweb.state.pa.us, keyword "HSCA." From that page, click on "Remediation Services" to locate the report.

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safer communities for all Pennsylvanians.

Sincerely,

JOHN HANGER
Secretary

The PRESIDENT. This report will be filed in the Library.

**2009 ANNUAL REPORT OF
PENNSYLVANIA ONE CALL SYSTEM, INC.**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

PENNSYLVANIA ONE CALL SYSTEM, INC.
925 Irwin Run Road
West Mifflin, PA 15122-1078
(412) 464-7100
www.paonecall.org

September 15, 2010

W. Russell Faber
Chief Clerk of the Senate
Pennsylvania Senate
89E Capitol East Wing
Senate Box 203052
Harrisburg, PA 17120-3052

To whom it may concern:

Enclosed for your archives please find six copies of the 2009 Annual Report of Pennsylvania One Call System, Inc.

Yours truly,

S. ROBIN JOHNSON
Pennsylvania One Call System, Inc.
Compliance Coordinator

The PRESIDENT. This report will be filed in the Library.

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

The SECRETARY. Consent has been given for the Committee on Appropriations to add Senate Bill No. 1429 to its agenda for the off-the-floor meeting.

BILLS REPORTED FROM COMMITTEES

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

HB 196 (Pr. No. 195)

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for prohibited acts and penalties.

HB 1322 (Pr. No. 4373) (Amended)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the period of limitation relating to claims of adverse possession under certain circumstances; and providing for uniform notice, for mesne profits and for reimbursement.

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

SB 683 (Pr. No. 765)

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for disclosure of records.

SB 1380 (Pr. No. 2024)

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, providing for a definition of "child"; and further providing for the definition of "medically dependent or technologically dependent child."

HB 1482 (Pr. No. 4370) (Amended)

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for photo identification tag regulations.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bill:

HB 1498 (Pr. No. 3961)

An Act amending the act of December 18, 1987 (P.L.412, No.86), known as the Pennsylvania Fair Dealership Law, further providing for definitions, for termination of dealer agreement, for death or incapacitation of dealer and for repurchase of unused specialized repair tools; repealing provisions relating to coercion; and providing for violations of act, for warranty, for remedies and enforcement and for waiver.

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

HB 1502 (Pr. No. 3556)

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in contracts for public works, providing for verification of the Social Security numbers of all employees for purposes of wage reporting and employment eligibility; prescribing penalties; and establishing good faith immunity under certain circumstances.

RESOLUTION REPORTED FROM COMMITTEE

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

SR 383 (Pr. No. 2184)

A Resolution directing the Legislative Budget and Finance Committee to complete a comprehensive review of State real property, roadways, bridges and waterways.

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

LEGISLATIVE LEAVES

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

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

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola, and a legislative leave for Senator Vogel.

Senator Mellow requests legislative leaves for Senator Leach and Senator Washington.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SPECIAL ORDER OF BUSINESS JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of July 2, 2010, and July 3, 2010, are now in print.

The Clerk proceeded to read the Journals of the Sessions of July 2, 2010, and July 3, 2010.

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

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

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

YEA-48

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

NAY-0

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

The PRESIDENT. The Journals are approved.

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

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

Senator PILEGGI. Mr. President, it is my pleasure this afternoon to introduce Dr. Richard Clark; his wife, Linda; their daughter, Caryn; and Caryn's friends, Sam Stulberg and Whitney Ferguson, who are visiting the State Capitol today and learning more about State government and the legislative process. Dr. and Mrs. Clark and Caryn are residents of Senator Erickson's district in Delaware County.

Our guests are visiting Harrisburg today as winners of a silent auction sponsored by the Colonial Pennsylvania Plantation, a nonprofit educational corporation located in Ridley Creek State Park in Delaware County. This organization provides the context

of early American history. Dr. Clark is a board member of the Colonial Pennsylvania Plantation, and he is also an oral and maxillofacial surgeon in private practice.

Dr. and Mrs. Clark have three children, one of whom is here with us today. Caryn is a senior at Bucknell University majoring in math; her friend Sam is a junior at Bucknell majoring in legal studies; and Whitney is a 2010 graduate of Bucknell who works for Deloitte in Harrisburg. Mr. President, our guests are seated in the gallery, and I ask that we extend our traditional warm welcome to our visitors.

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

(Applause.)

GUESTS OF SENATOR MICHAEL BRUBAKER PRESENTED TO THE SENATE

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

Senator BRUBAKER. Mr. President, Reverend Bachman is the guest Chaplain today. He is from Columbia, Pennsylvania, and is pastor of Trinity Evangelical Congregational Church in Mount Joy. His wife, Jackie Bachman, is seated in the gallery, and she served as a Senate Page from 1995 through 2009. Joining them today is Mary Lou Holland from Columbia, who is also seated in the gallery. I ask my colleagues to give them our usual warm welcome.

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

(Applause.)

Senator BRUBAKER. Mr. President, I also would like to introduce my constituents from New Holland, Mr. John Martin and his son, Brian Martin. They are seated in the gallery. The Martins are the owners of Martin's Chair Shop in New Holland, and he handmade and delivered today a brand new gavel for the Senate, which it will probably use for many, many years to come. Please give them a warm greeting as well, Mr. President.

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

(Applause.)

RECESS

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

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

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

Senator MELLOW. Mr. President, I request that the Members of the Democratic Caucus report to our caucus room at the rear of the Chamber.

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

BILL REREPORTED FROM COMMITTEE
AS AMENDED OVER IN ORDER

SB 1272 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER TEMPORARILY

SB 162 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 384 (Pr. No. 382) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the offense of violation of Fort Indiantown Gap regulations and providing for the powers and duties of police officers employed at State military installations.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-47

Alloway	Farnese	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	McIlhinney	Smucker	Wozniak
Eichelberger	Mellow	Stack	Yaw
Erickson	Mensch	Tartaglione	

NAY-1

Ferlo

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

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

BILL OVER IN ORDER

HB 727 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 890 (Pr. No. 2207) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for disclosure of secondary school athletics equity.

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

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

SB 906 (Pr. No. 2121) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 3 (Agriculture) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the definitions of "agricultural biosecurity area" and for "posted notice"; and further providing for keeping and handling of domestic animals, for ecoterrorism and for criminal trespass.

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 Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I would like to ask some questions of the maker of this bill, if that is permissible.

The PRESIDENT. Senator Dinniman is requesting to interrogate the maker of the bill. Will the maker of the bill stand for interrogation?

Senator FOLMER. Yes, Mr. President, I will stand.

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

Senator DINNIMAN. Mr. President, many of us really liked the amendment that the gentleman had put into this bill, and I noticed that the gentleman withdrew the amendment, and it is not in the final bill. As you know, that amendment would have made sure to protect the Dog Law that was passed, and the inspection of facilities is crucial to that Dog Law. I wonder if the gentleman could explain why he withdrew the amendment and whether this bill still allows for the Dog Law to take priority.

Senator FOLMER. Well, first, Mr. President, the amendment was withdrawn at the request of the Department of Agriculture, from the agricultural community. In all honesty, the amendment was not necessary. The whole intent of this bill does not impede the Dog Law officers from doing their jobs, going onto a kennel facility. This is purely about protecting our food chain. This is purely about protecting our animals, the livestock of our farmers on private property.

Senator DINNIMAN. If I may, Mr. President, much of the public understanding and much of the investigative work which has led to the protection and the rescue of thousands of dogs in this Commonwealth has come about because private people have been able to go onto the property and see what is happening in these facilities. In my judgment, this law will make it much more difficult for us to protect the dogs. It is a step backward from what we all voted for in the puppy mill legislation. And I know from the correspondence that I have received and the phone calls from citizens of my district who worked very hard for the puppy mill law, they are disappointed.

So I thank the gentleman for explaining and answering, but I cannot vote for this piece of legislation, because I believe it is a step backward in terms of the Dog Law. I thought the gentleman's amendment was excellent. I thought the gentleman's amendment would have made it much easier for all of us to be uniformly supportive of the protection. We all understand the protection of biosecurity areas, but when such protection, in my judgment--and I appreciate the gentleman's answer and judgment as well--when such protection sets us back in terms of the Dog Law, I just have difficulty with it. But I thank the gentleman for his answer, by the way.

Senator FOLMER. Well, Mr. President, I would just like to reply quickly. Let us not forget that this is private property, and this bill does not impede whatsoever the law enforcement agencies or Dog Law officers from coming onto that property to inspect those facilities. But it does protect the rights of private property of the individual citizen, which, by the way, Article I, Section 1 of our State Constitution says is an inalienable and inalienable right, to acquire, possess, and protect property and reputation.

Senator DINNIMAN. I appreciate that, Mr. President, and I thank the gentleman, but I still believe that with many of the dogs that have been saved, it was because people came to the kennel, they saw what was going on, and then they exposed it to the public, and this is a setback because it makes it more difficult for citizens to act in the protection of dogs and cats, and I have trouble with it. But I thank the gentleman for his answer.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

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-32

Alloway	Erickson	Orie	Vance
Argall	Folmer	Piccola	Vogel
Baker	Gordner	Pileggi	Ward
Browne	Kasunic	Pippy	Waugh
Brubaker	McIlhinney	Robbins	White, Donald
Corman	Mellow	Scarnati	White, Mary Jo
Earll	Mensch	Smucker	Wozniak
Eichelberger	Musto	Tomlinson	Yaw

NAY-16

Boscola	Ferlo	Kitchen	Stack
Costa	Fontana	Leach	Tartaglione
Dinniman	Greenleaf	O'Pake	Washington
Farnese	Hughes	Rafferty	Williams

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

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

HB 1281 (Pr. No. 4021) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, providing for notice and a public hearing relating to community corrections facilities.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

Ordered, That the Secretary of the Senate 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.

HB 1376 (Pr. No. 1677) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 18, 1984 (P.L.391, No.82), known as the Continuing-Care Provider Registration and Disclosure Act, further providing for investigations and subpoenas and for audits.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

HB 1515 (Pr. No. 4283) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for general provisions relating to examinations, for rejection of applicant and hearing, for manner of filling appointments, for probation period, for promotions and for physical examinations.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 1516, HB 1517, HB 1518 and HB 1609 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1671 (Pr. No. 2112) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class," increasing the membership of the committee.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

HB 1774 (Pr. No. 4065) -- 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, further providing for marketing and administration of service contracts being distinct from the business of insurance.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL AMENDED

HB 1799 (Pr. No. 2335) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the interchange at Exit 48 of Interstate 79 in Washington County as the Purple Heart Interchange.

On the question,
Will the Senate agree to the bill on third consideration?

Senator RAFFERTY offered the following amendment No. A9220:

Amend Bill, page 1, line 2, by inserting after "Interchange":
; designating a bridge located on that portion of S.R. 3001 over the Chest Creek, Mahaffey, Clearfield County, as the Sergeant Major Morton Shea Landy Memorial Bridge; designating the Donora-Webster Bridge in Donora, Washington County, as the Lieutenant Governor Ernest P. Kline Memorial Bridge; designating a bridge on that portion of S.R. 130 over the Norfolk Southern rail lines, Trafford Borough,

Allegheny and Westmoreland Counties, as the Trafford Veterans Memorial Bridge; and designating the interchange of Business Route 60 with Thorn Run Road in Moon Township, Allegheny County, as the Robert E. Harper Interchange

Amend Bill, page 2, by inserting between lines 5 and 6:

Section 2. Sergeant Major Morton Shea Landy Memorial Bridge.

(a) Findings and declarations.--The General Assembly finds and declares as follows:

(1) Morton Shea Landy of Mahaffey entered the United States Marine Corps in 1946.

(2) He was a highly decorated veteran. When he retired after serving 32 years and 30 days he had attained the rank of Sergeant Major and was only the second person to serve two years beyond the 30-year limit.

(3) He received the Purple Heart and Bronze Star with "V" for valor.

(b) Designation.--The bridge located on S.R. 3001 in Mahaffey, Clearfield County, over the Chest Creek is hereby designated the Sergeant Major Morton Shea Landy Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name designated under subsection (a) to traffic in both directions on the bridge.

Section 3. Lieutenant Governor Ernest P. Kline Memorial Bridge.

(a) Findings and declarations.--The General Assembly finds and declares as follows:

(1) Ernie Kline was born on June 20, 1929, in Allentown.

(2) Ernie Kline graduated from Rostraver High School in 1947.

(3) After graduation, Ernie Kline settled in Beaver Falls, Beaver County, where he won a seat on the Beaver Falls City Council in 1955.

(4) Ernie Kline was elected in 1964 to represent Beaver and Lawrence Counties in the Pennsylvania Senate. He served in this position for six years. He was elected to be the Senate Minority Leader in 1967.

(5) Ernie Kline was elected the 25th Lieutenant Governor of Pennsylvania under Milton Shapp in 1970. In 1974, he became the first lieutenant governor to be re-elected to a second term. He served as the Lieutenant Governor until his second term expired in 1979.

(6) Upon leaving public office, Ernie Kline established a government relations firm where he worked until his death on May 13, 2009.

(b) Designation.--The bridge carrying Route 1022 across the Monongahela River and the Norfolk Southern and CSX Rail Line between Donora, Washington County, and Webster, Westmoreland County, is hereby designated the Lieutenant Governor Ernest P. Kline Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the bridge to traffic in both directions on the bridge.

Section 4. Trafford Veterans Memorial Bridge.

(a) Designation.--The bridge that carries S.R. 130 in Trafford Borough, Allegheny and Westmoreland Counties, over the Norfolk Southern rail lines is hereby designated the Trafford Veterans Memorial Bridge.

(b) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the bridge to traffic in both directions on the bridge.

Section 5. Robert E. Harper Interchange.

(a) Declaration of policy.--The General Assembly finds and declares as follows:

(1) Robert Ernest Harper was born and raised in Coraopolis, Pennsylvania. He graduated from Coraopolis High School in 1964 where he played baseball, played trumpet in the marching band and punted for the football team.

(2) Mr. Harper graduated from the University of Pittsburgh in 1968 with a degree in economics.

(3) Mr. Harper served honorably as a first lieutenant in Vietnam as a combat rifle platoon leader. Upon leaving the Army, he returned home and was conferred a law degree by the University of Pittsburgh in 1974 and began his legal career with Alter, Wright and Baron. He then served as a managing partner at Springer, Bush and Perry before joining Tucker Arensberg to manage the firm's airport office. He practiced law for 36 years.

(4) Mr. Harper served as Moon Township supervisor from 1980 to 1983 and was active in numerous civic organizations where he selflessly worked to improve the community for future generations. He was instrumental in bringing infrastructure improvements to the township and was responsible for bringing Montour Heights Country Club to its current location on Coraopolis Heights Road.

(5) Mr. Harper was a lifelong member of the Coraopolis United Methodist Church where he served as a congregational lay leader, singer in the choir and active participant in the life of the church. In addition, he served as the chairman of the United Methodist Foundation of Western Pennsylvania.

(6) Mr. Harper is survived by his loving wife of 38 years, Barbara; three sons, Robert Evan (Caitlin), Reid Andrew and James Randall; and a granddaughter, Margaret Ruth. He also leaves behind a brother, Jack, and was preceded in death by his parents, Harold and Ruth Harper.

(b) Designation.--Business Route 60 at Thorn Run Road in Moon Township, Allegheny County, is hereby designated as the Robert E. Harper Interchange.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs to indicate the designation under subsection (b).

Amend Bill, page 2, line 6, by striking out "2" and inserting:

6

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.

BILL OVER IN ORDER TEMPORARILY

HB 2172 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL AMENDED

HB 2246 (Pr. No. 4078) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator RAFFERTY offered the following amendment No. A9266:

Amend Bill, page 1, lines 2 through 4, by striking out "; providing for " in line 2, all of line 3 and "providing" in line 4 and inserting:

, for vehicles exempt from registration;

Amend Bill, page 1, line 5, by inserting after "manufacture,":

for general requirement for other vehicles transporting school children,

Amend Bill, page 1, lines 9 and 10, by striking out "for promulgation of rules and " in line 9 and "regulations by department," in line 10

Amend Bill, page 1, line 17, by striking out "and" and inserting a comma:

Amend Bill, page 1, line 17, by inserting after "clearance":

, for weighing and measurement of vehicles and for promulgation of rules and regulations by department

Amend Bill, page 2, lines 29 and 30; page 3, lines 1 through 30; page 4, lines 1 through 8, by striking out all of said lines on said pages and inserting:

Section 2. Section 1302(11) of Title 75 is amended to read:

§ 1302. Vehicles exempt from registration.

The following types of vehicles are exempt from registration:

(11) Any trailer or semitrailer, including but not limited to non-self-propelled special mobile equipment and amusement rides constructed as an integral part of the trailer chassis to create a single unit, to be used primarily for off highway use and only operated incidentally upon the highway.

Amend Bill, page 4, line 9, by striking out "1.2" and inserting:

3

Amend Bill, page 4, line 28, by striking out "2" and inserting:

4

Amend Bill, page 7, line 12, by striking out "3" and inserting:

5

Amend Bill, page 8, line 17, by striking out "4" and inserting:

6

Amend Bill, page 8, line 17, by striking out "and" and inserting a comma:

Amend Bill, page 8, line 18, by inserting after "3745.1(a)":

, 4553(b) and 4962(f)

Amend Bill, page 9, line 26, by striking out "Section 4.1. Section 4962(f) of Title 75 is amended to read:" and inserting:

§ 4553. General requirements for other vehicles transporting school children.

(b) School-chartered bus.--In addition to school buses, school-chartered buses, which are designed to transport 16 or more passengers, including the driver, and which are operated by a person holding a certificate of the Pennsylvania Public Utility Commission or the Interstate Commerce Commission, may be used under a short-term contract with a school which has acquired the exclusive use of the vehicle at a fixed charge to [provide transportation of] transport school children to a [special] school-related event, provided that the vehicle is not used to transport school children to or from their residences or designated bus stops. A school-chartered vehicle may be used without restriction for the transportation of school children with special needs as may be necessary to make reasonable accommodations pursuant to the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327).

Amend Bill, page 11, by inserting between lines 3 and 4:

Section 4979.6 (relating to permit for movement of waste tires).

Amend Bill, page 11, line 5, by striking out "4.2" and inserting:

7

Amend Bill, page 22, line 28, by striking out "4.3" and inserting:

8

Amend Bill, page 23, line 15, by striking out "4.4" and inserting:

9

Amend Bill, page 24, lines 13 through 30; page 25, lines 1 through 20, by striking out all of said lines on said pages and inserting:

Section 10. Sections 4981(e) and 6103(c) of Title 75 are amended to read:

§ 4981. Weighing and measurement of vehicles.

(e) Certification of accuracy of portable scales.--

(1) Portable scales shall be calibrated [every 90 days] for the purpose of certification of accuracy by the Department of General Services. A certificate from the Department of General Services showing that portable scales were calibrated and found to be accurate shall be competent and prima facie evidence of those facts in every proceeding in which a violation of this chapter is charged.

(2) Portable scales shall be calibrated as follows:

(i) Annually.

(ii) Following any event that could affect the accuracy of

the portable scale or following repairs or failures. If a portable scale is calibrated under this subparagraph, the portable scale shall not need to be calibrated for a period of one year.

§ 6103. Promulgation of rules and regulations by department.

(c) Adoption of Federal statute, regulation, standard or criteria.--The department shall be authorized to adopt by reference any Federal statute, regulation, standard or criteria or provision thereof relating to vehicles or drivers, including, but not limited to, minimum driver qualifications, maximum hours of service, loading, unloading, hazardous materials, operation, equipment, records and inspection.

(1) The department shall be authorized to extend the coverage of any Federal statute, regulation, standard or criteria adopted under this subsection to vehicles and drivers operating only in intrastate commerce, except as follows:

[(ii) No Federal statute, regulation, standard or criteria pertaining to drivers, including, but not limited to, minimum driver qualifications, maximum hours of service or driver records, shall be extended to cover farm trucks, except farm trucks carrying hazardous materials in an amount and type which require the vehicle to be placarded under Chapter 83 (relating to hazardous materials transportation).]

[(iii) No Federal statute, regulation, standard or criteria shall be extended to cover farm tractors or drivers of farm tractors, regardless of whether the farm tractor is operated as a combination.

[(iv) No Federal statute, regulation, standard or criteria shall be extended to cover implements of husbandry other than farm tractors, farm vehicles or drivers of these vehicles, regardless of whether the vehicle is operated as a combination, provided that:

(A) the vehicle's or combination's gross weight, gross vehicle weight rating or gross combination weight rating do not equal or exceed 26,001 pounds;

(B) the vehicle or combination is not carrying hazardous materials in an amount that requires the towing or towed vehicle to be placarded under Chapter 83 (relating to hazardous materials transportation); and

(C) the vehicle or combination is not designated or used to transport 16 or more people, including the driver.

(v) For purposes of this paragraph, the term "farm tractors" includes tractors designed for off-road agricultural use, combines, crop pickers, crop and forage harvesters, threshers, plows, tillers, planters, seeders, field sprayers, forage cutters, balers and similar vehicles that are infrequently operated or moved upon highways and that are used by a farmer in agricultural production.

(2) The regulations promulgated by the department under paragraph (1) may be modified, but shall, to the maximum extent possible, be consistent with safety and correspond to Federal regulations, standards or criteria.

(3) The regulations promulgated by the department under paragraph (1) shall not cause the forfeiture or withholding of Federal funding. If a regulation promulgated under paragraph (1) results in a forfeiture or withholding of Federal funding the regulation shall be void and the department shall publish notice of the voided regulation in the Pennsylvania Bulletin.

Amend Bill, page 25, line 21, by striking out "5" and inserting:

11

Amend Bill, page 25, lines 23 and 24, by striking out all of said lines

Amend Bill, page 25, line 25, by striking out "(3)" and inserting:

(2)

Amend Bill, page 25, line 25, by striking out "§ 6103(c)" and inserting:

§ 4981(e)

Amend Bill, page 25, line 26, by striking out "immediately" and inserting:

in 90 days

Amend Bill, page 25, line 27, by striking out "(4)" and inserting:

(3)

On the question,

Will the Senate agree to the amendment?

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

Senator RAFFERTY. Mr. President, the omnibus transportation amendment does several things. Many of the amended clauses are pieces of legislation that we have already improved in the Senate, once, twice, three times, and there is one particular piece that the House has already approved, which is agreed to.

Mr. President, they include clarifying charter buses and vehicle registration for farm vehicles, which Senator Brubaker and I worked on. Also, Mr. President, this removes the language from House Bill No. 2246 regarding the argument of damages in auto insurance cases. I thank you, Mr. President, and ask for an affirmative vote.

And the question recurring,

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.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2291 (Pr. No. 4311) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2010-2011; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, General Fund current revenue projects, State ATV/Snowmobile Fund projects, State transportation enhancement funds projects and State Stores Fund current revenue projects to be constructed or acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, or the Department of Transportation, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Community and Economic Development, the Department of Conservation and Natural Resources, the Department of Environmental Protection or the Department of Transportation; stating the estimated useful life of the projects; providing an exemption; providing for limitation on certain capital projects; making appropriations; and making a repeal.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CORMAN offered the following amendment No. A9171:

Amend Bill, page 23, lines 8 through 19, by striking out all of said lines

Amend Bill, page 23, line 20, by striking out "(I.2)" and inserting:

(i.1)

Amend Bill, page 24, lines 12 through 30; page 25, lines 1 through 9, by striking out all of said lines on said pages

Amend Bill, page 25, line 10, by striking out "(II.4)" and inserting:

(ii.1)

Amend Bill, page 26, lines 5 through 28, by striking out all of said lines

Amend Bill, page 29, lines 5 through 27, by striking out all of said lines

Amend Bill, page 32, lines 9 through 17, by striking out all of said lines

Amend Bill, page 32, line 18, by striking out "(VI.2)" and inserting: (vi.1)		and capital renewal repairs	
Amend Bill, page 33, lines 4 through 30; page 34, lines 1 through 22, by striking out all of said lines on said pages and inserting: (vii) (Reserved)		Project Allocation	8,000,000
Amend Bill, page 40, lines 2 through 5, by striking out "FOR" in line 2, all of lines 3 and 4 and "GAS" in line 5		Amend Bill, page 85, line 1, by striking out all of said line and inserting:	
Amend Bill, page 43, lines 15 through 23, by striking out all of said lines		Project Allocation	4,000,000
Amend Bill, page 83, lines 17 through 19, by striking out all of said lines and inserting:		Amend Bill, page 85, line 7, by striking out all of said line and inserting:	
(A) Additional funding for DGS Project 401-60, Sutliff Hall addition		Project Allocation	90,000,000
Project Allocation	2,700,000	(D) Provide for deferred maintenance needs and capital renewal repairs	
(B) Additional funding for Waller Administration Building renovation		Project Allocation	8,000,000
Project Allocation	15,000,000	Amend Bill, page 85, by inserting between lines 13 and 14:	
(C) McCormick Center renovation		(B) Additional funding for DGS Project 408-63, maintenance building upgrade, Phase 1, garage demolition	
Project Allocation	19,000,000	Project Allocation	2,000,000
(D) Provide for deferred maintenance needs and capital renewal repairs		(C) DeFrancesco Education Building renovation	
Project Allocation	4,000,000	Project Allocation	13,000,000
Amend Bill, page 83, by inserting between lines 26 and 27:		(D) Poplar House renovation/addition	
(B) Additional funding for pedestrian and vehicular enhancements, Phase 1		Project Allocation	5,000,000
Project Allocation	1,000,000	(E) Provide for deferred maintenance needs and capital renewal repairs	
(C) Provide for deferred maintenance needs and capital renewal repairs		Project Allocation	9,000,000
Project Allocation	6,000,000	Amend Bill, page 85, line 22, by striking out "Ulmer South" and inserting:	
Amend Bill, page 84, lines 7 through 10, by striking out all of said lines and inserting:		South Ulmer	
(C) Additional funding for DGS Project 403-82, Carver Science Building renovation		Amend Bill, page 86, by inserting between lines 5 and 6:	
Project Allocation	10,000,000	(F) Electrical infrastructure renovation	
(D) Additional funding for DGS Project 403-81, new student housing construction, Phase 1		Project Allocation	10,000,000
Project Allocation	5,000,000	(G) Provide for deferred maintenance needs and capital renewal repairs	
(E) Cope Hall renovation or replacement		Project Allocation	6,000,000
Project Allocation	45,000,000	Amend Bill, page 86, line 8, by striking out all of said line and inserting:	
(F) Provide for deferred maintenance needs and capital renewal repairs		Project Allocation	6,000,000
Project Allocation	9,000,000	(B) New student housing construction	
Amend Bill, page 84, by inserting between lines 14 and 15:		Project Allocation	25,000,000
(B) Additional funding for Becker Hall renovation		(C) Provide for deferred maintenance needs and capital renewal repairs	
Project Allocation	14,000,000	Project Allocation	5,000,000
(C) Provide for deferred maintenance needs and capital renewal repairs		Amend Bill, page 86, lines 15 and 16, by striking out all of said lines	
Project Allocation	10,000,000	Amend Bill, page 86, line 17, by striking out "(C)" and inserting:	
Amend Bill, page 84, line 18, by striking out all of said line and inserting:		(B)	
Project Allocation	36,000,000	Amend Bill, page 86, lines 20 and 21, by striking out all of said lines and inserting:	
(B) Information Commons construction, Phase 2		(C) Additional funding for DGS Project 411-62, electrical utilities upgrade	
Project Allocation	40,000,000	Project Allocation	6,000,000
(C) Provide for deferred maintenance needs and capital renewal repairs		(D) Additional funding for DGS Project 411-64, Ganser Library renovation	
Project Allocation	8,000,000	Project Allocation	10,000,000
Amend Bill, page 84, lines 20 through 22, by striking out all of said lines and inserting:		(E) Additional funding for Stayer Building renovation	
(A) Additional funding for DGS Project 406-51, Cooper Science renovation		Project Allocation	6,000,000
Project Allocation	7,000,000	(F) Provide for deferred maintenance needs and capital renewal repairs	
Amend Bill, page 84, line 27, by striking out all of said line and inserting:		Project Allocation	4,000,000
Project Allocation	3,000,000	(v.1) Pennsylvania State System of Higher Education Universities	
(D) Additional funding for DGS Project 406-51, Human Services Building renovation		(A) Demolition of obsolete and underutilized university buildings	
Project Allocation	1,500,000	Project Allocation	10,000,000
(E) Provide for deferred maintenance needs		Amend Bill, page 86, by inserting between lines 27 and 28:	
		(B) Franklin Science Center renovation	
		Project Allocation	15,000,000
		(C) Provide for deferred maintenance needs and capital renewal repairs	
		Project Allocation	12,000,000

Amend Bill, page 86, lines 29 and 30, by striking out all of said lines and inserting:

(A) Additional funding for DGS Project 413-45, Phase 3, central boiler plant renovation

Project Allocation 4,000,000

(B) Patterson Hall renovation

Project Allocation 5,000,000

(C) West Gym renovation

Project Allocation 5,000,000

(D) Additional funding for McKay Building renovation/addition

Project Allocation 10,000,000

(E) Student Success Center renovation

Project Allocation 15,000,000

(F) Provide for deferred maintenance needs and capital renewal repairs

Project Allocation 8,000,000

Amend Bill, page 87, by inserting between lines 6 and 7:

(C) Geothermal utility and heating plant conversion, Phase 2

Project Allocation 17,000,000

(D) Main Hall replacement

Project Allocation 40,000,000

(E) Provide for deferred maintenance needs and capital renewal repairs

Project Allocation 12,000,000

Amend Bill, page 109, by inserting between lines 6 and 7:

(C) Ten-year maintenance dredging of all Philadelphia Regional Port Authority slips and berths

Project Allocation 20,000,000

(D) General improvements to rail access for port terminals

Project Allocation 15,000,000

(E) General improvements to port facilities

Project Allocation 50,000,000

(F) Improved security systems for port facilities

Project Allocation 5,000,000

Amend Bill, page 114, by inserting after line 30:

(i) Bloomsburg University

(A) Waller Administration Building renovation

Project Allocation 2,200,000

(ii) Cheyney University

(A) Carver Science Building renovation

Project Allocation 2,100,000

(B) New student housing construction

Project Allocation 4,500,000

(iii) Clarion University

(A) Additional funding for Tippin Gymnasium renovation/expansion

Project Allocation 2,500,000

(iv) East Stroudsburg University

(A) Information Commons construction, Phase 1

Project Allocation 3,600,000

(v) Edinboro University

(A) Additional funding for Cooper Science renovation

Project Allocation 1,000,000

(B) Ross Hall renovation or replacement

Project Allocation 1,500,000

(C) Additional funding for maintenance building replacement

Project Allocation 650,000

(vi) Indiana University of Pennsylvania

(A) Additional funding for Keith Hall renovation

Project Allocation 2,000,000
(B) Additional funding for Leonard Hall renovation

Project Allocation 2,000,000
(C) Weyandt/Walsh Hall renovation or replacement

Project Allocation 9,000,000
(vii) Lock Haven University

(A) Additional funding for renovation and construction of Science and Math Center, East Campus

Project Allocation 900,000

(viii) Mansfield University

(A) Straughn Auditorium renovation

Project Allocation 1,000,000

(ix) Millersville University

(A) Ganser Library renovation

Project Allocation 1,600,000

(B) Pennsylvania Academy of Music property acquisition and building modifications

Project Allocation 1,000,000

(C) Stayer Building renovation

Project Allocation 1,000,000

Amend Bill, page 115, line 1, by striking out "(i)" and inserting:

(x) Amend Bill, page 115, lines 4 and 5, by striking out all of said lines and inserting:

Project Allocation 2,000,000

(Base Project Allocation - \$2,000,000)

(xi) West Chester University

(A) Mitchell Hall renovation

Project Allocation 1,500,000

(B) Additional funding for undergraduate business center

Project Allocation 1,000,000

Amend Bill, page 137, by inserting between lines 26 and 27:

(iii) SEDA-COG Joint Rail Authority - Nittany & Bald Eagle Railroad Bridge Replacement

(A) Span replacement and rehabilitation of bridge, including related track improvements, engineering and permitting for structure over Spring Creek in Bellefonte Borough (Tallyrand Bridge)

Project Allocation 2,000,000

(iv) SEDA-COG Joint Rail Authority - Nittany & Bald Eagle Railroad Track Rehabilitation

(A) Replace rail and make upgrades to track from Milesburg to Pleasant Gap on the Bellefonte Industrial and Pleasant Gap Industrial Tracks and related engineering costs

Project Allocation 2,000,000

Amend Bill, page 184, by inserting between lines 28 and 29:

(ZZZZ) Construction, redevelopment and other related costs for The Pittsburgh Project gymnasium building project

Project Allocation 250,000

Amend Bill, page 195, line 4, by striking out all of said line and inserting:

Project Allocation 2,500,000

Amend Bill, page 202, by inserting between lines 2 and 3:

(Q) Altoona-Blair County Development Corporation/Team Ten, LLC, for site development, planning, infrastructure improvements, redevelopment, construction and other costs related to the American Eagle Paper Mill warehousing production facility project

Project Allocation 2,000,000

Amend Bill, page 202, line 26, by striking out "a 443-car"

Amend Bill, page 202, line 27, by striking out "garage/transportation facility" and inserting: transportation facilities

Amend Bill, page 211, line 4, by inserting after "ECONOMIC":

development
 Amend Bill, page 211, line 15, by inserting after "ECONOMIC":
 development
 Amend Bill, page 211, line 21, by inserting after "ECONOMIC":
 development
 Amend Bill, page 221, lines 13 through 16, by striking out all of
 said lines
 Amend Bill, page 223, line 28, by striking out "COMMER-
 CIAL/OFFICE" and inserting:
 Retail/Office
 Amend Bill, page 225, line 21, by striking out "COURT" and in-
 serting:
 County
 Amend Bill, page 228, by inserting between lines 23 and 24:
 (D) Acquisition, construction, redevelopment
 and other related costs for Phase II of the Clearfield
 Firemen's Commerce Park project in Lawrence Town-
 ship
 Project Allocation 5,000,000
 Amend Bill, page 242, by inserting between lines 26 and 27:
 (J) Delaware County Commerce Center, for
 acquisition, construction, renovation, infrastructure
 and other related costs for the Stratford Friends School
 Project Allocation 5,500,000
 Amend Bill, page 243, lines 28 through 30; page 244, lines 1
 through 3, by striking out all of said lines on said pages
 Amend Bill, page 245, line 22, by striking out all of said line and
 inserting:
 Project Allocation 13,000,000
 Amend Bill, page 248, line 1, by striking out "SWATHMORE" and
 inserting:
 Swarthmore
 Amend Bill, page 248, line 4, by striking out "SCIENCE"
 Amend Bill, page 248, line 5, by striking out "SWATHMORE" and
 inserting:
 Swarthmore
 Amend bill, page 249, line 7, by striking out all of said line and
 inserting:
 Project Allocation 7,000,000
 Amend Bill, page 269, lines 6 through 11, by striking out all of said
 lines
 Amend Bill, page 269, by inserting between lines 27 and 28:
 (iv) Indiana Borough and White Township
 (A) Acquisition, infrastructure, construction
 and other related costs for development of the Indiana
 University of Pennsylvania Hotel Project
 Project Allocation 5,000,000
 Amend Bill, page 270, by inserting between lines 16 and 17:
 (C) Construction, redevelopment and other
 related costs for the Syncarpha solar project which in-
 cludes the creation of a five-megawatt solar power
 plant
 Project Allocation 10,000,000
 Amend Bill, page 276, by inserting between lines 3 and 4:
 (G) Acquisition, renovations, rehabilitation,
 construction and other related costs for housing re-
 placement for individuals with mental disabilities
 Project Allocation 500,000
 Amend Bill, page 278, by inserting between lines 11 and 12:
 (M) Construction, infrastructure, redevel-
 opment and other related costs for the Arbor Place Com-
 munity Center
 Project Allocation 1,700,000
 Amend Bill, page 279, lines 4 through 9, by striking out all of said
 lines
 Amend Bill, page 291, by inserting between lines 4 and 5:
 (LL) Acquisition, renovations and other costs
 related to the rehabilitation of a building on the 600
 and 700 blocks of Hamilton Street for the creation of a
 College Access Network center which will house a
 dual enrollment program with the Allentown School

District, community college and State System univer-
 sity partners

Project Allocation 7,000,000
 Amend Bill, page 313, by inserting between lines 5 and 6:
 (B) Construction, infrastructure and critical
 improvements to Interstate exits 298 and 299 and in-
 terchanges in Pocono Township to address traffic is-
 sues and future development
 Project Allocation 3,750,000
 (i.2) Barrett Township
 (A) Infrastructure and redevelopment of the
 former Buck Hill Inn, including construction of a ho-
 tel/condominium complex
 Project Allocation 3,500,000
 Amend Bill, page 318, by inserting between lines 21 and 22:
 (C) Infrastructure, construction and other re-
 lated costs for the Sanatoga Springs commercial devel-
 opment in Limerick
 Project Allocation 6,500,000
 Amend Bill, page 320, by inserting between lines 5 and 6:
 (J) Acquisition, construction and other costs
 related to the development of a new and/or expansion
 of a medical facility
 Project Allocation 500,000
 Amend Bill, page 323, by inserting between lines 22 and 23:
 (v.2) Hatfield Township
 Amend Bill, page 323, line 23, by striking out "(B)" and inserting:
 (A)
 Amend Bill, page 323, line 29, by striking out "(V.2)" and insert-
 ing:
 (v.3)
 Amend Bill, page 324, line 12, by striking out "(V.3)" and insert-
 ing:
 (v.4)
 Amend Bill, page 324, line 18, by striking out "(V.4)" and insert-
 ing:
 (v.5)
 Amend Bill, page 328, line 27, by striking out "THE BOROUGH"
 and inserting:
 Upper Gwynedd Township
 Amend Bill, page 335, by inserting between lines 28 and 29:
 (J) Improvements and renovations to the
 Fowler Family Southside Center at the Northampton
 Community College
 Project Allocation 3,000,000
 Amend Bill, page 346, by inserting between lines 27 and 28:
 (L) Acquisition, clearing, demolition, renova-
 tion, environmental remediation, construction, infra-
 structure, design, streets, utilities and other costs asso-
 ciated with the development of physical assets by
 Drexel University or affiliated entities on or adjacent
 to the campus of Drexel University
 Project Allocation 50,000,000
 Amend Bill, page 359, line 26, by inserting after "COLLEGE":
 multicampus improvement projects
 Amend Bill, page 359, line 27, by striking out all of said line and
 inserting:
 Project Allocation 10,000,000
 Amend Bill, page 364, line 20, by striking out all of said line and
 inserting:
 Project Allocation 31,000,000
 Amend Bill, page 365, line 30, by inserting after "CONSTRUC-
 TION,"
 infrastructure,
 Amend Bill, page 367, lines 4 and 5, by striking out "RESIDENCE
 INN BY" in line 4 and "MARRIOTT" in line 5 and inserting:
 mixed-use hotel development
 Amend Bill, page 369, line 17, by striking out all of said line and
 inserting:
 Project Allocation 25,000,000
 Amend Bill, page 375, line 4, by striking out all of said line and
 inserting:

Project Allocation 35,000,000
Amend Bill, page 375, lines 11 through 15, by striking out all of said lines and inserting:

(M7) Acquisition, construction, design, infrastructure improvements and other related costs for expansion of classroom facilities, multipurpose theater and urban garden for the Philadelphia School

Project Allocation 5,000,000

Amend Bill, page 378, by inserting between lines 15 and 16:

(E8) Acquisition, construction and other related costs for 1000 South Street Bank Branch Redevelopment project

Project Allocation 250,000

(F8) Acquisition, construction and other related costs for former Reading Railroad building redevelopment on Spring Garden Street

Project Allocation 500,000

(G8) Acquisition, construction and other related costs for the Regency Apartment building redevelopment along the North Broad corridor for housing

Project Allocation 1,000,000

(H8) Rehabilitation, renovation and other costs relating to heating, ventilation, air conditioning system, windows, plumbing fixtures and lighting at the International House

Project Allocation 5,250,000

(I8) Construction, renovation, infrastructure improvements and other related costs for the Walnut Lane Golf Course and First Tee for Impact Services

Project Allocation 1,000,000

(J8) Construction and renovation of the Saint Agnes Continuing Care Center, including infrastructure and ADA upgrades

Project Allocation 6,000,000

(K8) Thomas Jefferson University Hospital, for the expansion of a Post Anesthesia Care Unit to increase capacity, accommodate increased patient acuity and enhance operational efficiency and patient safety

Project Allocation 2,000,000

Amend Bill, page 378, by inserting between lines 22 and 23:

(ii) Pike County Economic Development Authority

(A) Infrastructure, construction and other related costs for the Tamiment Town Center in Lehman Township

Project Allocation 4,000,000

Amend Bill, page 378, line 23, by striking out "(ii)" and inserting:

(iii)

Amend Bill, page 382, by inserting between lines 22 and 23:

(C) Expansion, renovation, related infrastructure and construction of the Selinsgrove Community Building

Project Allocation 3,000,000

Amend Bill, page 391, by inserting between lines 22 and 23:

(B) Construction, redevelopment, infrastructure improvements and other related costs for downtown streetscape project Phase II, including sidewalks and burying utility lines

Project Allocation 1,500,000

Amend Bill, page 391, by inserting between lines 27 and 28:

(B) Infrastructure improvements to support the continued development of the Southpointe II Business Park

Project Allocation 3,000,000

Amend Bill, page 397, by inserting between lines 8 and 9:

(ix) Upper Burrell

(A) Acquisition, construction and infrastructure improvements for development of a new corporate headquarters for Apogee

Project Allocation 2,500,000

On the question,

Will the Senate agree to the amendment?

It was agreed to.

RECONSIDERATION OF AMENDMENT A9171

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

Senator PILEGGI. Mr. President, I move that the vote by which amendment No. A9171 was agreed to be reconsidered.

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

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-47

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

NAY-1

Orie

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

The PRESIDENT. The bill will go over as amended.

SECOND CONSIDERATION CALENDAR

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

HB 174 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 47 (Pr. No. 3776) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for education for parents relating to sudden infant death syndrome and sudden unexpected death of infants; establishing the Sudden Infant Death Syndrome Education and Prevention Program; and providing for duties of the Department of Health.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 60, SB 272, HB 281, SB 428 and HB 511 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 672 (Pr. No. 1845) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1983 (P.L.303, No.83), referred to as the Animal Destruction Method Authorization Law, further providing for prohibited means of destroying animals, for exclusions, for use of carbon monoxide systems and for use of drugs by humane societies and animal shelters; providing for enforcement; and further providing for penalties.

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

BILL ON SECOND CONSIDERATION

SB 976 (Pr. No. 2064) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law, further providing for Pennsylvania Amber Alert System established, for prohibited use, for coordination with other jurisdictions and for immunity; and creating the Missing Endangered Person Advisory System.

Considered the second time and agreed to,

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

BILL REREFERRED

SB 1241 (Pr. No. 2198) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for management of concussions and head injuries.

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

BILLS OVER IN ORDER

SB 1307, SB 1331, SB 1371, SB 1392, SB 1404, SB 1414, SB 1422, SB 1441 and HB 1764 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION, AMENDED

HB 1990 (Pr. No. 2692) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on second consideration?

Senator GORDNER offered the following amendment No. A9014:

Amend Bill, page 1, line 9, by inserting after "counties":

and for the office of district attorney in certain counties

Amend Bill, page 2, by inserting between lines 24 and 25:

Section 2. Section 1401 (i) and (m) of the act, amended July 14, 2005 (P.L.312, No.57), is amended and the section is amended by adding a subsection to read:

Section 1401. District Attorney; Qualifications; Eligibility; Compensation.--* * *

(g.1) In counties of the eighth class, a full-time district attorney shall notify the commissioners of the county in writing of his intention to seek reelection no later than ninety days prior to the first day for the circulation of nominating petitions for the office of district attorney. If the full-time district attorney does not notify the commissioners of the county that he intends to seek reelection ninety days prior to the circulation of nominating petitions, the commissioners of the county may by ordinance fix the services of the district attorney as part-time. An ordinance under this subsection may be made no later than thirty days prior to the first day for the circulation of nominating petitions for the office of district attorney. Notwithstanding the provisions of subsection (g)(2), if the commissioners of a county elect to fix the services of the district attorney as part-time under this subsection, the president judge of the court of common pleas shall not have the authority to order that the office of district attorney shall be full-time.

* * *

(i) [Once] Except as provided for in subsection (g.1), once the office of district attorney becomes full time, it shall not thereafter be changed.

* * *

(m) Except as provided in [subsection (g)] subsections (g) and (g.1), any office of district attorney that is part time on January 2, 2012, shall become full time as of that date.

* * *

Amend Bill, page 2, line 25, by striking out "2" and inserting:

3

Amend Bill, page 2, line 25, by striking out "in 60 days." and inserting:
as follows:

- (1) The amendment of section 444 of the act shall take effect in 60 days.
- (2) The remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILL OVER IN ORDER

HB 2041 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 2273 (Pr. No. 3704) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in domestic animals, further providing for application.

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.

BILLS ON SECOND CONSIDERATION

HB 2375 (Pr. No. 3938) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, proscribing indemnity agreements in motor carrier transportation contracts.

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

HB 2429 (Pr. No. 3594) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for disposition of dependent child.

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

BILLS OVER IN ORDER

HB 2480, HB 2547 and HB 2591 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR RESUMED

SB 162 CALLED UP

SB 162 (Pr. No. 2186) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

SB 162 (Pr. No. 2186) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

On the question,
Will the Senate agree to the bill on third consideration?
Senator TOMLINSON offered the following amendment No. A9152:

Amend Bill, page 5, line 27, by striking out "2009" and inserting: 2011

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

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, this is a technical amendment and is agreed to, and I ask for its adoption.

And the question recurring,
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.

HB 2172 CALLED UP

HB 2172 (Pr. No. 3706) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

HB 2172 (Pr. No. 3706) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and venue of Philadelphia Municipal Court and of magisterial district judges.

On the question,
Will the Senate agree to the bill on third consideration?
Senator PILEGGI offered the following amendment No. A9104:

Amend Bill, page 1, line 2, by inserting after "for":
courts of common pleas judges and for
Amend Bill, page 1, lines 10 and 11, by striking out all of said lines and inserting:

Section 1. Section 911 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a subsection to read:
§ 911. Courts of common pleas.

(a.2) Fifteenth Judicial District.--Notwithstanding the provisions of subsection (a), the Court of Common Pleas of the Fifteenth Judicial District shall consist of 13 judges. This subsection shall expire January 8, 2014.

Section 1.1. Sections 1123(a)(4) and 1515(a) of Title 42 are amended to read:

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.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations, to be followed by a meeting of the Committee on Labor and Industry, to be followed by a meeting of the Committee on Urban Affairs and Housing, to be followed by a meeting of the Committee on Game and Fisheries, to be followed by a meeting of the Committee on Finance, all meetings to be held in the Rules room.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, to be followed by a meeting of the Committee on Labor and Industry, to be followed by a meeting of the Committee on Urban Affairs and Housing, to be followed by a meeting of the Committee on Game and Fisheries, to be followed by a meeting of the Committee on Finance, all to be held in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

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

BILLS REPORTED FROM COMMITTEES

Senator BROWNE, from the Committee on Finance, reported the following bills:

HB 2066 (Pr. No. 4394) (Amended) (Rereported)

An Act establishing the Independent Fiscal Office; providing for its powers and duties, including a study and report on sales and use tax; and making a related repeal.

HB 2497 (Pr. No. 3928)

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in Title 24, further providing for definitions, for contributions by the Commonwealth, for payments by employers, for actuarial cost method, for additional supplemental annuities, for further additional supplemental annuities, for supplemental annuities commencing 1994, for supplemental annuities commencing 1998, for supplemental annuities commencing 2002, for supplemental annuities commencing 2003, for administrative duties of board, for payments to school entities by Commonwealth, for eligibility points for retention and reinstatement of service credits and for creditable nonschool service; providing for election to become a Class T-F member; further providing for classes of service, for eligibility for annuities, for eligibility for vesting, for member contributions for creditable school service, for contributions for purchase of credit for creditable nonschool service, for maximum single life annuity, for disability annuities, for member's options, for duties of board regarding applications and elections of members and for rights and duties of school employees and members; in Title 71, providing for definitions; further providing for credited State service, for retention and reinstatement of service credits, for creditable nonstate service and for classes of service; providing for election to become a Class A-4 member; further providing for eligibility for annuities, for eligibility for vesting, for waiver of regular member contributions and Social Security integration member contributions, for member contributions for purchase of credit for previous State service or to become a full coverage member, for contributions for the purchase of credit for creditable nonstate service, for contributions by the Commonwealth and other employers, for actuarial cost method, for maximum single life annuity, for disability annuities and for member's options; providing for payment of accumulated deductions resulting from Class A-3 service; further providing for additional supplemental

annuities, for further additional supplemental annuities, for supplemental annuities commencing 1994, for supplemental annuities commencing 1998, for supplemental annuities commencing 2002, for supplemental annuities commencing 2003, for special supplemental postretirement adjustment of 2002, for administrative duties of the board, for duties of board to advise and report to heads of departments and members, for duties of board regarding applications and elections of members, for installment payments of accumulated deductions, for rights and duties of State employees and members, for State accumulation account, for State Police Benefit Account, for Enforcement Officers' Benefit Account, for supplemental annuity account and for construction of part; and providing for recertification to the Secretary of the Budget, for holding certain public officials harmless, for construction of calculation or actuarial method and for certain operational provisions.

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

SB 1398 (Pr. No. 2052)

An Act amending the act of July 9, 1971 (P.L.206, No.34), known as the Improvement of Deteriorating Real Property or Areas Tax Exemption Act, defining "depressed area"; and expanding applicability of the act to certain depressed areas.

Senator YAW, from the Committee on Urban Affairs and Housing, reported the following bill:

SB 1481 (Pr. No. 2219)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, prohibiting private transfer fee obligations; and providing for notice and disclosure of existing private transfer fee obligations.

Senator GORDNER, from the Committee on Labor and Industry, reported the following bill:

HB 1231 (Pr. No. 4393) (Amended)

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease"; and providing for cancer in the occupation of firefighter.

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

SB 1280 (Pr. No. 2231) (Amended) (Rereported)

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict.

SB 1429 (Pr. No. 2204) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for consolidations and mergers.

SB 1469 (Pr. No. 2230) (Amended) (Rereported)

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, further providing for definitions; providing for Pennsylvania Interscholastic Athletic Association; further

providing for requests, for access, for written requests, for exceptions for public records, for general rule, for extension of time for filing of appeal, for appeals officers and for Office of Open Records.

HB 101 (Pr. No. 4389) (Amended) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, further providing for reports to Department of Education and providing for value-added assessment system and for drop-out data collection; in intermediate units, further providing for financial reports; providing for payment of fees associated with certification by the National Board for Professional Teaching Standards; in certification of teachers, further providing for disqualifications relating to teacher's certificate; in pupils and attendance, further providing for residence and right to free school privileges and providing for emergency permits at approved private schools and chartered schools for the deaf and blind; in provisions relating to safe schools, further providing for definitions and for the Office for Safe Schools; providing for regulations; and further providing for reporting by school entities; in school health services, further providing for possession and use of asthma inhalers and epinephrine auto-injectors, for medical examinations of teachers and other persons and for duties of Department of Education; in terms and courses of study, providing for economic education and personal financial literacy programs, for State standards for business, computer and information technology courses and for dating violence education; establishing the Science Technology Partnership Program; in high schools, further providing for academic degrees; in charter schools, further providing for facilities; providing for the Older Pennsylvanian Higher Education Program, for course materials at institutions of higher education and for sexual violence education at institutions of higher education; in reimbursements by Commonwealth and between school districts, further providing for effect of failure to file reports; and making editorial changes and related repeals.

HB 400 (Pr. No. 4289) (Rereported)

An Act providing for the criteria for independent contractors in the construction industry and for the powers and duties of the Department of Labor and Industry and the Secretary of Labor and Industry; and imposing penalties.

HB 1926 (Pr. No. 4390) (Amended) (Rereported)

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for registration of sexual offenders and for sentence for failure to comply with registration of sexual offenders.

HB 2212 (Pr. No. 4391) (Amended) (Rereported)

An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Mobile Home Park Rights Act, further providing for short title and for definitions; providing for written leases; further providing for disclosure of fees; and making editorial changes.

HB 2338 (Pr. No. 3593) (Rereported)

An Act providing for requirements for children in foster care and for grievance policy and procedure.

HB 2368 (Pr. No. 4392) (Amended) (Rereported)

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for definitions; providing for medical professional liability insurance; and making a related repeal.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

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

HB 101, SB 1469, HB 1926 and HB 2212 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

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

SB 1280 (Pr. No. 2231) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict.

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

HB 2368 (Pr. No. 4392) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for definitions; providing for medical professional liability insurance; and making a related repeal.

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

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

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

HB 2066 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators ORIE, RAFFERTY, SCARNATI, PILEGGI, ALLOWAY, ARGALL, BAKER, BOSCOLA, BRUBAKER, COSTA, DINNIMAN, EARLL, EICHELBERGER, ERICKSON, FARNESE, FERLO, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, McILHINNEY, MENSCH, O'PAKE, PICCOLA, PIPPY, ROBBINS, STACK, TARTAGLIONE, TOMLINSON, VOGEL, WARD, WAUGH, D. WHITE, M. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 401**, entitled:

A Resolution honoring all military veterans on November 11, 2010.

On the question,
Will the Senate adopt the resolution?

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

Senator ORIE. Mr. President, today I am offering a resolution asking all Pennsylvanians to honor the contribution of current and former members of the United States Armed Services. On the night of June 5, 1944, in case the D-Day invasion was unsuccessful, General Eisenhower wrote the following: "The troops, the air, and the Navy did all that bravery and devotion to duty could do. If any blame or fault attaches to this attempt, it is mine alone."

To understand the significance and impact of this resolution, I look to a family in my own district that was featured in the Pittsburgh Tribune-Review this past Sunday, the Caskey family from Westview, Pennsylvania. The Caskey family of Pittsburgh knows all about bravery, devotion, patriotism, and heroism. Gerald Caskey served in the Army for 22 years, while his son, Jeremy, serves in the Air Force, and his sons, Josh and Joe, are Marines. While serving in Iraq in 2007, Josh suffered a traumatic brain injury that robbed him of his short-term memory. Joe was killed on June 26 while serving in Afghanistan.

It makes me wonder, Mr. President, what calls these men and women to rise up above the rest of us to defend this nation. Pondering on that, we think back to the 40th anniversary of D-Day when Ronald Reagan stated, "We look at you and somehow we know the answer. It was faith and belief. It was loyalty and love." President Reagan's words today ring very, very true in this Chamber and reverberate in each of our communities. We salute the courage of all the veterans of the Commonwealth, we salute their service to our nation, and we salute them as American heroes and American patriots.

Mr. President, today is about honoring ordinary men and women in our own communities who make that extraordinary act of heroism, of patriotism for our nation and all of us. Today is about honoring our heroes, saluting our heroes. I ask you, Mr. President, for an affirmative vote for this resolution honoring the contribution of our current and former members of the United States Armed Services as Veterans Day approaches.

Thank you, Mr. President.

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

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

Senators FONTANA, TARTAGLIONE, O'PAKE, DINNIMAN, FARNESE, ORIE, STOUT, ERICKSON, HUGHES, STACK, BOSCOLA, PIPPY, WASHINGTON, ALLOWAY, RAFFERTY, COSTA, MELLOW, FERLO, GREENLEAF, EARLL and PILEGGI, by unanimous consent, offered **Senate Resolution No. 402**, entitled:

A Resolution celebrating 2010 as the 75th anniversary of the National Labor Relations Act and the National Labor Relations Board and the role that both have played in the protection of freedoms provided to workers.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, this resolution celebrates 2010 as the 75th anniversary of the National Labor Relations Act and the National Labor Relations Board and the role both have played in the creation and growth of labor unions.

In the early 1930s, workers began to organize, sometimes with force. Violent confrontations occurred between workers trying to form unions and the police and private security personnel hired by anti-union employers. In 1934, Mr. President, the year before the National Labor Relations Act was passed, more than a million workers went on strike across the country, including 400,000 textile workers in a single month. Hostilities between workers and their employers had become rowdy and unmanageable.

So in the fall of 1934, Senator Robert F. Wagner began revising one of his earlier labor disputes bills to address the issue. The bill passed Congress the following July, and won the approval of President Franklin Roosevelt. On July 5, 1935, the President signed the National Labor Relations Act into law, also known as the Wagner Act. Successful passage of the act eventually gave way to industrial peace and fostered the growth of unions, especially in the steel, automobile, electrical, manufacturing, and rubber industries. By 1945, 35 percent of the American workforce was unionized.

Today, the National Labor Relations Board resolves labor disputes peacefully by providing an orderly regulatory process that allows labor, management, and employees to settle their differences. The turmoil that this country saw 75 years ago is a thing of the past. Employers and labor unions worked together to advance our economy. It is for this reason that I ask the Senate to recognize 2010 as the celebration of the 75th anniversary of the National Labor Relations Act and National Labor Relations Board and the protection of freedoms that they provide to workers across our country.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, KASUNIC, GREENLEAF, ORIE, FARNESE, DINNIMAN, BOSCOLA, GORDNER, FONTANA, MENSCH, WILLIAMS, BAKER, MUSTO, WAUGH, STOUT, ERICKSON, O'PAKE, HUGHES, STACK, WASHINGTON, ALLOWAY, RAFFERTY, BRUBAKER, ROBBINS, ARGALL, MELLOW, VOGEL, TOMLINSON, EARLL, COSTA, KITCHEN, FERLO, D. WHITE, PILEGGI, PIPPY, SCARNATI and McILHINNEY, by unanimous consent, offered **Senate Resolution No. 403**, entitled:

A Resolution recognizing the month of October 2010 as "Breast Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, each year, approximately 2,000 women in the Commonwealth and 390 men in the United States die of breast cancer. It is the leading cause of cancer deaths for women in Pennsylvania between the ages of 25 and 54, and primarily affects men between the ages of 60 and 70. It is the most commonly diagnosed cancer in women in the United States. One in eight American women will be diagnosed with breast cancer during their lifetimes, regardless of their race or ethnicity.

I am sure all of us in this Chamber know someone who has been touched by breast cancer. I myself have been. It took the life of my sister. Despite the grim-sounding statistics, nearly all breast cancers can be treated successfully if found early. When found at its earliest stage, the 5-year survival rate is 98 percent.

Mr. President, Senator Kasunic and I are introducing this resolution to recognize the month of October as "Breast Cancer Awareness Month" to applaud the thousands who fight breast cancer every day and to encourage both men and women to take advantage of the early detection services available to them. I ask all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators WARD, ERICKSON, ORIE, GREENLEAF, PILEGGI, D. WHITE, PIPPY, EARLL, FONTANA, DINNIMAN, O'PAKE, BOSCOLA, ALLOWAY and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 404**, entitled:

A Resolution declaring the week of October 18 through 24, 2010, as "Juvenile Detention Centers Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, Senator Ward.

Senator WARD. Mr. President I rise today to ask the Senate to declare the week of October 18 through 24 as "Juvenile Detention Centers Week" in Pennsylvania. As a former county commissioner, I have witnessed firsthand the commitment and hard work that these folks do in an effort to make sure that our kids have a chance to grow up and be wonderful, good citizens.

Pennsylvania has 18 secure detention centers serving all 67 counties, and these facilities should be recognized for their ongoing protection of our communities and the care of our youth in their custody. There are hundreds of men and women dedicated to ensuring the proper care and supervision of youths in our detention centers and who are committed to the protection of Pennsylvania's communities on a daily basis. Pennsylvania's juvenile detention centers, in coordination with the Juvenile Detention Centers Association of Pennsylvania, merit recognition for their unending services aimed at protecting our communities and assisting our youth.

Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators WAUGH, BOSCOLA, TARTAGLIONE, RAFFERTY, ORIE, BAKER, FERLO, FONTANA, PIPPY, DINNIMAN, O'PAKE, COSTA, GREENLEAF, PILEGGI, ERICKSON and ALLOWAY, by unanimous consent, offered **Senate Resolution No. 405**, entitled:

A Resolution designating November 2010 as "Hydrocephalus Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator WAUGH. Mr. President, this resolution designates November 2010 as "Hydrocephalus Awareness Month" in Pennsylvania. As many know by now, I have offered this resolution on behalf of an unfortunate situation in the city of York, a family that has actually two young people stricken with this ailment, and I have done it each year on their behalf. This resolution encourages public awareness and professional education through partnerships between both the Federal government and local parent advocacy groups. It also urges the Federal government to collect statistics and data regarding the seriousness of hydrocephalus and its impact on American families.

The word "hydrocephalus" is derived from Greek words "hydro," meaning water, and "cephalus," meaning head. It is a neurological condition often referred to as "water on the brain." Unfortunately, it is an abnormal accumulation of fluids in the brain and head that presents itself either at birth or later in life, often-times after head trauma, tumors, or cysts. It occurs in 1 in 500 live births, and it is a more common birth defect than Down Syndrome or deafness, believe it or not. There is no known prevention or cure. That is the unfortunate part, Mr. President. That is the reason I offer this resolution each and every year and ask the support of Members of the Senate today.

Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

The 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 Charles S. Snyder, Inc., of Tamaqua, by Senator Argall.

Congratulations of the Senate were extended to Corey O'Connor and to William George by Senator Costa.

Congratulations of the Senate were extended to Joshua W. Wilkerson and to Joshua James Daniel by Senator Earll.

Congratulations of the Senate were extended to Eric Christopher Shope by Senator Eichelberger.

Congratulations of the Senate were extended to Jack Wisnoff, LaVerne Devenny, Larry Hannon and to the Good Shepherd Catholic Regional School of Ardsley by Senator Greenleaf.

Congratulations of the Senate were extended to Bernard W. Smalley by Senator Hughes.

Congratulations of the Senate were extended to Will Garges, Jr., Edward L. Loux, George D. Rowe, Stefan Green, Michael Sullivan, Paul A. Stubbs, Angela Kelly, Annemieke Van Baelen, Lorraine Yates and to Jason E. Strauss by Senator McIlhinney.

Congratulations of the Senate were extended to Austin Noguera by Senator O'Pake.

Congratulations of the Senate were extended to Families for Russian and Ukranian Adoption by Senator Pileggi.

Congratulations of the Senate were extended to BARC Developmental Services, Inc., of Holicong, by Senators Tomlinson and McIlhinney.

Congratulations of the Senate were extended to York Hospital Medic 97 and to the Exchange Club of Hanover by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Tom Smail and to Nicholas H. Hufnagel by Senator M.J. White.

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 John C. Martin by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Sandra Schattauer by Senator Orie.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 683, SB 1380, SB 1398, SB 1481, HB 196, HB 1231, HB 1322, HB 1482, HB 1498, HB 1502 and HB 2497.

And said bills having been considered for the first time,

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

BILL REREFERRED

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

HB 1231.

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I am elated to stand here this afternoon to share the joy with my colleagues in the Senate of Pennsylvania on the Philadelphia Phillies clinching the National League East last night for the fourth consecutive year. The

Philadelphia Phillies did it in grand fashion. I am very happy that Roy Halladay was on the mound at the time, and with his 21st victory, he helped clinch the National League East pennant.

It is an exciting time now, and it is a time that we all look for with anticipation with the Phillies playing and the quest for gaining the National League pennant. It is a time of late-night games. It is a time, over morning coffee and the water cooler, to give analysis of the game and critique the play of the game. For me personally, Mr. President, it is a time for weeks where people come up to me and pat me on the back and say, well done, Chase Utley, you did a great job with that play. I am often mistaken for Chase Utley. I do not know why. I am kidding, of course.

But, Mr. President, I sincerely, sincerely appreciate the play of the Philadelphia Phillies. They overcame many obstacles this year in the way of injuries. In fact, their shortstop Jimmy Rollins is still nursing an injury, but we hope to have him back for the playoff run.

To Chase Utley and Ryan Howard, to Shane Victorino, to Ryan Madson, to Jimmy Rollins, to Roy Halladay, to all the members of the Philadelphia Phillies, to the management, to the coaching staff and ownership of the Philadelphia Phillies, well done. You have made us proud, and best wishes for success in the quest for the National League pennant.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I want to rise for a moment, and I do appreciate the good comments from our colleague, Senator Rafferty, and I also encourage our Phillies to go forward. Many of us remember the lean years of that baseball organization, fraught with controversy, and unfortunately, in spite of great effort by many players, a significant string of losing seasons. So every time that we can see a Philadelphia Philly post a victory, and in celebratory status with respect to the season and winning in a fashion that they have won, it provides extra comfort for us who have grown up with that organization for many years.

I rise, however, to bring again to the attention of the Members of this body and also to raise again, if you will, the cry of maybe 12,000 people across this Commonwealth who are working right now who within 48 hours' time will see their jobs and their opportunities snatched from them because of a lack of action by our representatives, principally not the Senators from Pennsylvania, but Senators from across the nation who have made a decision not to act on an important jobs bill that is in front of them.

The history is such that, in the stimulus program, several hundred million dollars were targeted for the Commonwealth of Pennsylvania to spend to put people to work. And our great Secretaries of our Department of Labor and Industry and the Department of Public Welfare, under the leadership of Governor Rendell, put together a very forward-thinking program called Pennsylvania Way to Work. And in that process, had employed approximately 12,000 people in meaningful employment opportunities across the entire Commonwealth. I dare say in every county across the State of Pennsylvania, people are working as a result of this program.

Unfortunately, the constraints enacted by the United States Congress call for that program to come to an end on September 30 of this year, even though there is still money remaining that could be spent to put even more folks to work. We have an un-

employment rate in this Commonwealth of over 9 percent, approximately 9.2 percent. We have a national unemployment rate of somewhere around 10 percent. Mr. President, individuals not just in Pennsylvania but across the entire nation will see their work opportunity situations snatched from them on September 30, which is 2 days away.

I rise at this point to use this forum to try to raise the level of attention on this issue, to try to encourage our representatives in Congress, and to try to encourage right-thinking activity by the Members of the United States Senate to make this program see life after September 30. It is incredible that we have money sitting that could be spent, that has been successfully spent so far putting people to work, people who want to work, people who have been looking for work who, when this program started several months ago, found work opportunities, people who have been great contributors to their local communities, people who have used the dollars from this program to invest, if you will, to spend in those local communities as a result of meaningful employment. That program is going to end, even though there are still dollars available to be spent to put people to work.

What is more important right now, Mr. President, than finding jobs and employment opportunities in this Commonwealth? We have a significant employment situation going forward in the context of the conversation of the Marcellus Shale. Thousands of people are working right now as a result of that work effort. And although we still have much more work to be done in that area in terms of trying to determine what amount of dollars can come to the Commonwealth, what amount of dollars can come to local communities, what amount of environmental protections can be put forward to protect local communities, there remains the fact that thousands of people are working, and that is a good thing.

Economic activity is occurring in areas that have been left wanting for years. And while that is happening--and it is a positive thing--there still remains, as I said before, an unemployment rate that is somewhere over 9 percent across this Commonwealth and is still intractable in many communities, even with the employment opportunities that are occurring because of the Marcellus Shale work.

We need this program, and we need the Federal government to act to continue this program. It is vital. It is important. It is something that Members of the Senate have supported at the State level--Senator Tartaglione and I, principally, Senator Costa, and others have supported at our level--to try to move this thing forward. But it will come to an end on September 30 unless our friends and colleagues in the Federal government choose to act.

It is very simple, Mr. President. If you do not work, you cannot feed your family. If you do not work, not only can you not feed your family, but you cannot feed yourself. If you do not work, you cannot pay your bills. If you do not work, you cannot put a roof over your head. If you do not work, it makes it much more difficult for you to contribute to your community, to your family, to society, to your neighborhood, wherever you exist. We need work, and we need real jobs for very real people, and they need to continue on past September 30.

So I stand here again, as I have done for several days consistently, to try to raise additional attention to this issue, to get this program to continue after September 30. The money is there. The desire is there for many people to do the work. We need the Federal government to give the necessary and appropriate relief to

allow these folks to continue to work, to make significant contributions to their communities.

Thank you very much, Mr. President.

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

Senator FERLO. Mr. President, very briefly, and certainly in a nonpartisan fashion, I just want to remind everybody throughout the listening audience that the voter registration deadline is October 4, at the end of the working day. The Pennsylvania Secretary of State and his staff have put together a great Web site, VotesPA. If you go to that Web site, VotesPA, you will be able to see a lot of information online about voting, and they operate a resource center. So whether you want to know more about where your actual voting location is--a lot of people move around the State, and they may or may not be aware of where their current voting location is.

I encourage everybody, if they are not registered to vote or do not have an up-to-date voter registration, regardless of party or political persuasion, please make sure you register to vote. I encourage everyone to get out and voice their opinion. Again, if you want more specific information, including being able to download a voter registration form, absentee ballot, and the like, I encourage folks to visit the Commonwealth of Pennsylvania Secretary of State Web site, VotesPA, and there is a lot of good information. So please, October 4 is the deadline if you intend to vote in the upcoming general election.

Thank you very much, Mr. President.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDING OFFICER 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:

CLERKS [*sic*] OF COURTS, LUZERNE COUNTY

September 28, 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 H. Conyngham, Esquire, 83 Deer Park Lane, Dallas 18612, Luzerne County, Twentieth Senatorial District, for appointment as Clerk of Courts, in and for the County of Luzerne, to serve until the first Monday of January 2012, vice The Honorable Robert Reilly, resigned.

EDWARD G. RENDELL
Governor

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

September 28, 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, Guido M. Pichini, 24 Upland Road,

Wyomissing Hills 19609, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until his successor is appointed and qualified, vice A. Richard Kneedler, Lancaster, resigned.

EDWARD G. RENDELL
Governor

**MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

September 28, 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, Dan Murphy, 833 Colony Court, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until October 23, 2011, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frederick Laurenzo, Lebanon, forfeiture of seat. Laurenzo,

EDWARD G. RENDELL
Governor

**MEMBER OF THE BOARD OF TRUSTEES
OF WHITE HAVEN CENTER**

September 28, 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, Matthew M. Balas, Sr., 307 Adams Street, Freeland 18224, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice The Honorable Timothy Martin, Freeland, deceased.

EDWARD G. RENDELL
Governor

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

The PRESIDING OFFICER 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:

CLERKS [sic] OF COURTS, LUZERNE COUNTY

September 28, 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 September 1, 2010, for the appointment of Stephanie Moore, R.R. 2, Box 397, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as Clerk of Courts, in and for the County of Luzerne, to serve

until the first Monday of January 2012, vice The Honorable Robert Reilly, 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 GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

September 28, 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 September 8, 2010, for the appointment of Kathleen M. Shaw, Ph.D., 224 Dean Street, West Chester 19382, Chester County, Nineteenth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2012, and until her successor is appointed and qualified, vice A. Richard Kneedler, Lancaster, 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,
LUZERNE COUNTY**

September 28, 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 September 24, 2010, for the appointment of William H. Conyngham, Esquire, 83 Deer Park Lane, Dallas 18612, Luzerne County, Twentieth Senatorial District, as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Hugh F. Mundy, resigned.

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

EDWARD G. RENDELL
Governor

BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President in the presence of the Senate:

SB 699, SB 1327, HB 105, HB 106, HB 107 and HB 181.

**CONSIDERATION OF SUPPLEMENTAL
CALENDAR No. 2 RESUMED**

RECONSIDERATION OF HB 2066

BILL OVER IN ORDER

HB 2066 (Pr. No. 4394) -- Senator WAUGH. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 2066, Printer's No. 4394, went over in its order.

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

BILL REREFERRED

HB 2066 (Pr. No. 4394) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Independent Fiscal Office; providing for its powers and duties, including a study and report on sales and use tax; and making a related repeal.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, SEPTEMBER 28, 2010

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 1280, 1429 and 1469; and House Bills No. 101, 400, 1926, 2212, 2338 and 2368)	Rules Cmte. Conf. Rm.
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WEDNESDAY, SEPTEMBER 29, 2010

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (non-voting committee meeting to discuss Senate Bill No. 1480)	Room 461 Main Capitol
9:30 A.M.	LAW AND JUSTICE (to consider Senate Bills No. 1129 and 1456; and House Bill No. 726)	Room 8E-B East Wing
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 873 and 1379; and House Bills No. 708, 1394, 1498, 2066, 2273 and 2521)	Rules Cmte. Conf. Rm.
Off the Floor	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider House Bills No. 2321 and 2357)	Rules Cmte. Conf. Rm.

WEDNESDAY, OCTOBER 13, 2010

9:30 A.M.	EDUCATION (public hearing on the Future of School Choice/Opportunity Scholarships in Pennsylvania)	Hr. Rm. 1 North Off.
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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 Wednesday, September 29, 2010, at 10 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:40 p.m., Eastern Daylight Saving Time.