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SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 1

SENATE

TUESDAY, January 4, 2011

The PRESIDENT. This is the constitutional day and hour for the convening of the 195th Regular Session of the General Assembly.

The PRESIDENT (Lieutenant Governor Joseph B. Scarnati III) called the Senate to order at 12 m., Eastern Standard Time.

PRAYER

The Chaplain, Reverend SHARON M. PRICE, of New Life Church of God, Pittsburgh, offered the following prayer:

Good afternoon. Before we go into prayer, I would like for us to take a moment to remember a Pennsylvania son who stood in these Chambers and walked these halls, Senator Michael O'Pake. He served the 11th Senatorial District with great distinction.

(Whereupon, a moment of silence was observed.)

Next, I would like for us to remember all of our service men and women who are serving in our military and their families. Please take a moment to remember them in prayer.

(Whereupon, a moment of silence was observed.)

Let us pray.

Almighty, most gracious and loving God, we come to You this day with a very humble heart, first, to give You the highest in honor and praise for being the Creator of all that is righteous, a God who is just. We take this moment to say, thank You, Lord, that You have given the elected men and women of this 195th General Assembly the opportunity to serve the citizens of this great Commonwealth of Pennsylvania. It is by Your ordained authority that made this day and occasion possible.

Father, we ask for Your divine guidance, wisdom, and courage to be bestowed to each Senate Member and each House Member during this 2011 and 2012 Session. Lord, grant each Officer of this legislative body the insight and boldness to follow Your divine will and not their own.

Father, we ask that You remember the family members of the Senators. We ask that You bless the staff members of the Senators as well as the support staff of different State government agencies. We also ask that You continue to remember the family of the late Senator O'Pake as well as the families of those who have gone on. We ask that You bring comfort to them, knowing that sorrow is only endured for a night and that joy will come in the morning.

But, God, You are our Heavenly Father, and because of the sacrifice of Your son, Jesus, we can come boldly before Your throne of grace, and it is here that we come to lay our petitions today. Lord, we ask these things in Your name. Amen.

The PRESIDENT. The Chair thanks Reverend Price, who is the guest today of Senator Costa.

PERMISSION TO ADDRESS

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

Senator COSTA. Mr. President, today I rise to take a moment to recognize and comment on the loss of our dear friend and our colleague, Senator Michael A. O'Pake.

On December 27, 2010, Pennsylvania lost one of its greatest statesmen and one of its best public servants. Senator O'Pake was truly the people's Senator, and he devoted his life to public service and helping others. Mike was first elected to the State House in 1968, to the State Senate here in 1972, and was the longest-serving Member of the Pennsylvania General Assembly when he passed away.

But, Mr. President, it was not the quantity of time that Mike served with us that was important, it was the quality of the work that made him truly remarkable. Senator O'Pake committed his life to public service and to making life better for others.

Mr. President, I recognize that later this month, or early next month, we will have a memorial service here in this Senate Chamber recognizing and honoring the life of Michael A. O'Pake, but at this time, I ask that we have a moment of silence recognizing and remembering our dear friend, Senator Michael O'Pake.

Thank you, Mr. President.

The PRESIDENT. Let us all stand in a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Senator MICHAEL A. O'PAKE.)

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was recited by those assembled, led by the gentleman from Lancaster, Senator BRUBAKER.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair wishes to announce that Sheryl Lee Ralph will not be able to be here today, and we will be skipping the next order of business. The Chair would like to also announce at this time that three photographers have been given permission to take pictures on the floor during today's ceremonies.

PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary of the Commonwealth, the Honorable Basil L. Merenda.

Mr. MERENDA. Mr. President, as Secretary of the Commonwealth, I have the honor to present the official returns and statements of campaign expense compliance for the offices of Governor, Lieutenant Governor, and Senator in the General Assembly for the election held on November 2, 2010.

The PRESIDENT. The Chair thanks Secretary Merenda.

ELECTION RETURNS OF SENATORS

The PRESIDENT. The returns of the Senators will be read by the Clerk.

The Clerk read the election returns as follows:

Philadelphia	SECOND SENATORIAL DISTRICT	
	Christine Tartaglione (Dem)	37,825
	Gary Adam Feldman (Rep)	8,446
Philadelphia	FOURTH SENATORIAL DISTRICT	
	LeAnna Washington (Dem)	84,167
Bucks	SIXTH SENATORIAL DISTRICT	
	Robert Tommy Tomlinson (Rep)	49,958
	Bryan Allen (Dem)	35,879
Philadelphia	EIGHTH SENATORIAL DISTRICT	
	Anthony Hardy Williams (Dem)	62,920
	Rhashea Harmon (Rep)	10,326
Bucks	TENTH SENATORIAL DISTRICT	
	Chuck McIlhinney (Rep)	59,763
	Cynthia M. Philo (Dem)	40,282
Montgomery	TWELFTH SENATORIAL DISTRICT	
	Stewart J. Greenleaf (Rep)	62,748
	Ruth S. Damsker (Dem)	35,266
Luzerne	FOURTEENTH SENATORIAL DISTRICT	
	John T. Yudichak (Dem)	37,466
	Stephen A. Urban (Rep)	26,212
	Betsy Summers (Lib)	3,748
Lehigh	SIXTEENTH SENATORIAL DISTRICT	
	Pat Browne (Rep)	46,402
	Richard J. Orloski (Dem)	29,028
Northampton	EIGHTEENTH SENATORIAL DISTRICT	
	Lisa Boscola (Dem)	44,364
	Matt Connolly (Rep)	28,538
Luzerne	TWENTIETH SENATORIAL DISTRICT	
	Lisa Baker (Rep)	63,010
Lackawanna	TWENTY-SECOND SENATORIAL DISTRICT	
	John Blake (Dem)	49,299
	Frank Scavo (Rep)	29,432
Montgomery	TWENTY-FOURTH SENATORIAL DISTRICT	
	Bob Mensch (Rep)	52,395
	Bill Wallace (Dem)	34,481
Delaware	TWENTY-SIXTH SENATORIAL DISTRICT	
	Edwin B. Erickson (Rep)	54,408
	Michael T. Farrell (Dem)	38,413

York	TWENTY-EIGHTH SENATORIAL DISTRICT	
	Mike Waugh (Rep)	62,061
	Edward W. Gately, Sr. (Lib)	11,499
Blair	THIRTIETH SENATORIAL DISTRICT	
	John H. Eichelberger, Jr. (Rep)	67,457
Fayette	THIRTY-SECOND SENATORIAL DISTRICT	
	Richard A. Kasunic (Dem)	58,000
Centre	THIRTY-FOURTH SENATORIAL DISTRICT	
	Jacob D. Corman III (Rep)	53,822
	Jon Eich (Dem)	23,697
Lancaster	THIRTY-SIXTH SENATORIAL DISTRICT	
	Michael W. Brubaker (Rep)	65,329
Allegheny	THIRTY-EIGHTH SENATORIAL DISTRICT	
	Jim Ferlo (Dem)	54,012
Allegheny	FORTIETH SENATORIAL DISTRICT	
	Jane Orié (Rep)	58,825
	Dan DeMarco (Dem)	42,643
Allegheny	FORTY-SECOND SENATORIAL DISTRICT	
	Wayne Fontana (Dem)	51,358
Allegheny	FORTY-FOURTH SENATORIAL DISTRICT	
	John C. Rafferty, Jr. (Rep)	56,388
	Matt Stehman (Dem)	34,180
Washington	FORTY-SIXTH SENATORIAL DISTRICT	
	Timothy J. Solobay (Dem)	40,560
	Kris Vanderman (Rep)	35,528
Lebanon	FORTY-EIGHTH SENATORIAL DISTRICT	
	Mike Folmer (Rep)	63,609
	Jo Ellen Litz (Dem)	24,298
Mercer	FIFTIETH SENATORIAL DISTRICT	
	Bob Robbins (Rep)	59,267
	Roberta Biros (Uni)	13,211

*Party Designation - (Dem) Democrat, (Rep) Republican, (Lib) Libertarian, (Uni) Unitarian

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

Second District—Christine Tartaglione
 Fourth District—LeAnna Washington
 Sixth District—Robert Tommy Tomlinson
 Eighth District—Anthony Hardy Williams
 Tenth District—Chuck McIlhinney
 Twelfth District—Stewart J. Greenleaf
 Fourteenth District—John T. Yudichak
 Sixteenth District—Pat Browne
 Eighteenth District—Lisa Boscola
 Twentieth District—Lisa Baker
 Twenty-second District—John Blake
 Twenty-fourth District—Bob Mensch
 Twenty-sixth District—Edwin B. Erickson
 Twenty-eighth District—Mike Waugh
 Thirtieth District—John H. Eichelberger, Jr.
 Thirty-second District—Richard A. Kasunic
 Thirty-fourth District—Jacob D. Corman III
 Thirty-sixth District—Michael W. Brubaker
 Thirty-eighth District—Jim Ferlo

Fortieth District—Jane Orié
 Forty-second District—Wayne Fontana
 Forty-fourth District—John Rafferty
 Forty-sixth District—Timothy J. Solobay
 Forty-eighth District—Mike Folmer
 Fiftieth District—Bob Robbins

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Chair has been informed by the Secretary of the Commonwealth that all the Senators-elect have filed in his office the accounts and affidavits as required by the Election Code.

Before proceeding to the administration of the oaths of office, the Chair would like to request the cooperation of the news photographers and others who would like to take pictures or videotape, so that during each of the actual ceremonies there will be no picture taking. Those Senators who are sworn in are asked to please, at the conclusion of their actual administration of the oath of office, stay at the bar for a few minutes for the convenience of any person who would desire to take pictures. The rest of us will be at ease for those few minutes.

ADMINISTRATION OF OATH OF OFFICE TO REPUBLICAN SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the reelected Republican Senators. It is a distinct honor and privilege to have with us today the Chief Justice of the Supreme Court of Pennsylvania, The Honorable Ronald D. Castille. Justice Castille has kindly consented to come here today to administer the oaths of office to the Republican Senators-elect and Officers in accordance with Article VI, Section 3, of the Constitution of Pennsylvania.

We will now proceed to the administration of the oath of office to the Republican Senators-elect by Justice Castille.

Will the Republican Senators-elect please present themselves in front of the rostrum. Please bring with you your Bibles, which have been placed on your desks.

Will everyone please rise.

I have the honor of presenting Justice Castille, who will now administer the oath of office to the Republican Senators-elect.

Justice CASTILLE. Thank you, Mr. President.

Senators-elect, please raise your right hand, place your left hand on the Bible and repeat after me:

I, (state your name), do solemnly swear or affirm that I will support, obey, and defend the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania, and that I will discharge the duties of my office with fidelity, so help me God.

Congratulations, Senators.

(Applause.)

The PRESIDENT. Guests can please be seated while photographs are taken.

(The Senate was at ease.)

ADMINISTRATION OF OATH OF OFFICE TO DEMOCRATIC SENATORS-ELECT

The PRESIDENT. The next order of business will be the administration of the oath of office to the Democratic Sena-

tors-elect. It is again an honor and privilege to have with us another distinguished member of the Supreme Court of Pennsylvania, The Honorable Max Baer. Justice Baer has kindly consented to be here today to administer the oath of office to our Democratic Senators-elect in accordance with Article VI, Section 3, of the Constitution of Pennsylvania.

Will all the Democratic Senators-elect present themselves in front of the rostrum, in front of the rail. Please bring with you the Bibles which have been placed on your desks.

Will everyone please rise.

I have the honor of presenting Justice Baer, who will administer the oath of office to the Democratic Senators-elect.

Justice BAER. Thank you, Mr. President. Thank you for inviting me. It is my deep honor to be here today.

Senators, please place your left hand on the Bible, raise your right hand, and repeat after me:

I, (state your name), do solemnly swear or affirm that I will support, obey, and defend the Constitution of the United States and the Constitution of Pennsylvania, and that I will discharge the duties of my office with fidelity, so help me God.

Congratulations, Senators.

(Applause.)

The PRESIDENT. Members and guests may be seated while photographs are being taken.

(The Senate was at ease.)

QUORUM PRESENT

The PRESIDENT. The Clerk will now call the roll to determine if a quorum is present. Will the Senators please answer "present" when your name is called.

The Clerk called the roll, and the following Senators were present:

First District—Lawrence M. Farnese, Jr.
 Second District—Christine Tartaglione
 Third District—Shirley M. Kitchen
 Fourth District—LeAnna Washington
 Fifth District—Mike Stack
 Sixth District—Robert Tommy Tomlinson
 Seventh District—Vincent Hughes
 Eighth District—Anthony Hardy Williams
 Ninth District—Dominic F. Pileggi
 Tenth District—Chuck McIlhinney
 Twelfth District—Stewart J. Greenleaf
 Thirteenth District—Lloyd K. Smucker
 Fourteenth District—John T. Yudichak
 Fifteenth District—Jeffrey E. Piccola
 Sixteenth District—Pat Browne
 Seventeenth District—Daylin Leach
 Eighteenth District—Lisa Boscola
 Nineteenth District—Andrew E. Dinniman
 Twentieth District—Lisa Baker
 Twenty-first District—Mary Jo White
 Twenty-second District—John Blake
 Twenty-third District—Gene Yaw
 Twenty-fourth District—Bob Mensch
 Twenty-fifth District—Joseph B. Scarnati III
 Twenty-sixth District—Edwin B. Erickson

Twenty-seventh District—John R. Gordner
 Twenty-eighth District—Mike Waugh
 Twenty-ninth District—David G. Argall
 Thirtieth District—John H. Eichelberger, Jr.
 Thirty-first District—Patricia H. Vance
 Thirty-second District—Richard A. Kasunic
 Thirty-third District—Richard L. Alloway II
 Thirty-fourth District—Jacob D. Corman III
 Thirty-fifth District—John N. Wozniak
 Thirty-sixth District—Michael W. Brubaker
 Thirty-seventh District—John Pippy
 Thirty-eighth District—Jim Ferlo
 Thirty-ninth District—Kim L. Ward
 Fortieth District—Jane Orie
 Forty-first District—Don White
 Forty-second District—Wayne Fontana
 Forty-third District—Jay Costa, Jr.
 Forty-fourth District—John C. Rafferty, Jr.
 Forty-fifth District—James R. Brewster
 Forty-sixth District—Timothy J. Solobay
 Forty-seventh District—Elder A. Vogel, Jr.
 Forty-eighth District—Mike Folmer
 Forty-ninth District—Jane M. Earll
 Fiftieth District—Bob Robbins

The PRESIDENT. Forty-nine Senators having answered to their names, a quorum is present.

The PRESIDING OFFICER (Senator Jane M. Earll) in the Chair.

STATEMENT BY THE PRESIDING OFFICER

The PRESIDING OFFICER. Before taking up the next order of business dealing with the election of the President pro tempore and the several Officers of the Senate, the Chair would like to continue the practice started a few Sessions ago, that if there is only one candidate for each of the several offices, the Chair will dispense with the calling of the roll and ask for a voice vote on the nominations. Is there any objection? The Chair hears none.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The next order of business before the Senate will be the election of the President pro tempore of the Senate for the 2011 Session. This is in accordance with Article II, Section 9, of the Constitution of the State of Pennsylvania.

The Chair now opens the floor for nominations and recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Madam President, it is my honor today to nominate Senator Joseph B. Scarnati III of Jefferson County to serve as President pro tempore of the Senate of Pennsylvania for the 2011-12 legislative Session. We already know that this Session will be filled with difficult issues; balancing the State budget is at the top of the list. However, we should not forget other pending issues, such as ongoing efforts to reform State government, the redrawing of congressional districts, and the need to address funding for our transportation infrastructure. To successfully navigate these issues and others, the Senate will need the steady, even-handed leadership that Joe has provided over the past 4 years.

I have worked closely with Joe on many complex issues. His first question is always, and very properly, the same: How does this affect hardworking Pennsylvania taxpayers? Our Commonwealth and our nation are slowly recovering from the worst recession since the Great Depression. Joe will help to insure that the Senate keeps its focus on the most important issue: how we can best position Pennsylvania to benefit most from that recovery.

Madam President, for these reasons, it is my privilege to nominate for the third time for the office of President pro tempore of the Senate of Pennsylvania, Senator Joseph B. Scarnati III of Jefferson County.

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

Senator COSTA. Madam President, when Senator Joe Scarnati was first elected President pro tempore, he remarked that the aisle that separates Democrats and Republicans was not for dividing this Chamber, but rather was an aisle for all of us to walk down and reach across to work with one another. Since that time, Senator Scarnati has reached across the aisle, oftentimes with a firm hand or a kind word or a gentle nudge, and kept us on track. He has reached out and has been open and accessible to all of the Members of this Chamber. Senator Scarnati has brought this Chamber together, not as disparate politicians representing separate parties or separate positions and principles, but as a single unit elected to serve the people of Pennsylvania.

During Senator Scarnati's tenure, we have established a refreshing spirit of cooperation here in the Senate. We are more purposeful, and we have moved large, complex pieces of legislation through this Chamber without rancor or distrust. When we have disagreed, however, we have not been disagreeable. Senator Scarnati has done his very best to help us find common ground and avoid scorched earth. He knows, as the Members of this Chamber do, that good government always makes good politics. Senator Scarnati has managed this Chamber with an even hand and has been respectful and fair, and has presided over this Chamber with great dignity. During his tenure, we have reformed this Chamber and changed how we operate. We have improved our rules, we have made our proceedings more open, and we have made our actions more accountable to Commonwealth residents. We have passed new laws guaranteeing public access, and we have adopted new ethical rules. We have changed and we have improved under his leadership.

These are tough times. Elected officials have never been more scrutinized and criticized. The economy is unstable, and folks are unhappy with the status quo. Senator Scarnati has provided the leadership that has helped us to restore the public's trust, regain the public's confidence in our ability to govern, and rebuild the bond with those whom we represent.

There are a great many challenges ahead of us. Senator Pileggi mentioned just a few of them, from budget deficits and joblessness to holes in our safety net and disputes about protecting our environment. The list goes on. Fortunately, here in the Senate, we have Members who have great depth and breadth of knowledge and information and experience, men and women who possess wide-ranging life experiences and abilities that will allow us the opportunity to solve these many problems.

Senator Scarnati has demonstrated a long record of aiding Members, regardless of the side of the aisle that one sits on. We look forward to continued cooperation as we move Pennsylvania

forward, and on behalf of my colleagues in the Senate Democratic Caucus, I am very honored and proud to proceed to second the nomination of Senator Joseph Scarnati as President pro tempore of the Pennsylvania State Senate.

Thank you, Madam President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Madam President, it is an honor and a privilege for me to second the nomination of Joseph B. Scarnati to serve as Senate President pro tempore for the 2011-12 legislative Session. Under his tenure as President pro tempore for the past two Sessions, the Senate has enacted significant reform and substantially changed the way it conducts business. Joe Scarnati was a major force in generating strong bipartisan support for sweeping changes that insure Senate operations are conducted in a manner that meets the highest standards for integrity and accountability.

Under the leadership of Senator Scarnati, in close partnership with Senator Pileggi and all the Members of this body, the Senate continues to expand its efforts to foster accessibility and transparency. Even as we address the Senate as an institution, we also have new standards of personal accountability as well. The new Senate Rules clearly define the personal and ethical standards expected of every Member and every staff member associated with this great institution to insure the institution operates in a manner that Commonwealth citizens expect and deserve. This renewed dedication to openness and high ethical standards in this Chamber is truly a reflection of Senator Scarnati's leadership and his personality. Above all, Joe has a sincere dedication to the people of the 25th Senatorial District and to all citizens of this great Commonwealth.

All of the assets and strengths that made Joe Scarnati a great Senate President pro tempore over the past 4 years will be needed again as we enter this new legislative Session and face the significant challenge of turning our State economy around and keeping and growing jobs. Senator Scarnati understands the challenges facing Pennsylvania's employers. He understands the obstacles and pitfalls that come with overzealous regulation and taxation - the short-term gains can result in long-term and often irreparable losses. Over the past 4 years, Joe Scarnati was a champion in the cause of promoting fiscal responsibility and restrained spending. Now, more than ever, we need to exercise that restraint. So, it is my pleasure to second the nomination of Joseph B. Scarnati III as Senate President pro tempore.

NOMINATIONS CLOSED

The PRESIDING OFFICER. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for President pro tempore closed.

The candidate for the office of President pro tempore is the Honorable Joe Scarnati from Jefferson County. All those in favor of the Honorable Joe Scarnati as President pro tempore will please signify by saying "aye"; those opposed, "no."

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

The PRESIDING OFFICER. The Chair declares Senator Scarnati unanimously elected President pro tempore of the Senate.

(Applause.)

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDING OFFICER. The Chair takes pleasure in appointing the following committee to escort the President pro tempore to the rostrum for the administration of the oath of office: the gentleman from Lancaster, Senator Brubaker (chairman); the gentleman from Bucks, Senator McIlhinney; and the gentleman from Allegheny, Senator Costa. The committee will proceed to the performance of its duty.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE-ELECT

The PRESIDING OFFICER. The oath of office will now be administered to Senator Scarnati by Chief Justice Castille.

Please rise.

Justice CASTILLE. Senator Scarnati, please place your left hand on the Bible and raise your right hand and repeat after me:

I, Joseph Scarnati, do solemnly swear that I will support, obey, and defend the Constitution of the United States of America and the Constitution of the Commonwealth of Pennsylvania, and that I will discharge the duties of my office with fidelity, so help me God.

Congratulations, Mr. President.

(Applause.)

The PRESIDING OFFICER. Please be seated. The Senate will now be at ease for photographs.

(The Senate was at ease.)

REMARKS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Senate will come to order. It is now my honor and privilege to present your President pro tempore, the Honorable Joe Scarnati of Jefferson County. Senator Scarnati.

(Applause.)

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

The PRESIDENT. Once again, I stand before you today humbled and honored by the trust my colleagues have bestowed upon me in electing me President pro tempore for this legislative Session. I thank each Member for their respect, their trust, and most importantly, their faith in me that I can lead this Chamber in the dignity that it deserves in this next Session. Without going any further, I wish to just take time to also remember and thank the family and friends of Mike O'Pake, who shared his life with us. He will be missed by all.

Today, we are joined by a special guest--many special guests, but one special guest in particular--the man who will take this rostrum over on January 18. I would like to introduce him and to have him stand and be recognized, our next Lieutenant Governor, James Cawley.

(Applause.)

We also have with us several retired Members of the Senate, and I hope I do not forget anyone. We have Doyle Corman.

(Applause.)

Charlie Lemmond.

(Applause.)

I am not so sure I see any others at this point. If there are, please--Senator Logan. He is in the back. Nice to see you.

(Applause.)

We also have with us from the Court of Common Pleas of Delaware County, Judge Jim Bradley.

(Applause.)

Ladies and gentlemen, there will certainly be a different makeup of the Senate with the retirement of a few of our Members. In this Chamber today, there are many new Members looking to offer their talents in leading Pennsylvania in a new, productive direction. As I stated before, I am proud of the way that business is conducted in the Senate. We have truly opened the doors of this Chamber, and we now operate in a much more transparent manner. We have created many reforms that have brought more respectability to this legislative body and the citizens whom we represent. In reality, we have not only opened the doors, but we have opened the windows as well. I am proud of the many Members who have served and are serving today. Through the course of our operations, our debates have been passionate, our discussions have been civil, and we have always been respectful of one another. It is with this great hope and confidence that this type of discourse will continue.

While today is an exciting day for all of us, especially the new Members, it is also the beginning of meeting the challenges facing this great Commonwealth. Unemployment continues to hinder the growth of our economy. We must find new ideas, new solutions to insure that our workers are working and our businesses are doing business right here in the Commonwealth of Pennsylvania.

I recently spoke at an event where I said, I understand our roads and bridges are failing, that we do need to do a better job of educating our children, that we do have out of control spending, and that there are many without healthcare. However, I mentioned that the solutions to these issues would be much easier to solve if more families had good, family-sustaining jobs, where they would have a few dollars in their pockets after payday to take their families out or maybe enjoy some time for entertainment. Our number-one goal must be to work diligently to put together sound, sensible policies conducive to putting people back to work in this Commonwealth. Along with furthering our job creation efforts, it is imperative that we continue to rein in spending and bring about a budget that reflects the fiscal reality of the Pennsylvania family, the Pennsylvania business, and obviously, the Pennsylvania taxpayer.

Clearly, we are living in a difficult economic environment where families are struggling to make ends meet, and the voters sent a clear message that we must cut spending to avoid additional family burdens. Therefore, it is our job to examine the absolute priorities of government, and we have to make tough decisions in this budget process. Every day, families and job creators are making complicated but necessary decisions to function in an effective and efficient manner. Our budget must mirror these significant measures and take the ultimate approach of fiscal responsibility. You see, each of us was sent here to represent the citizens of our respective district, each of us was

sent here to be the voice of our respective district, and each of us owes the citizens in our district our dedication, our consideration, and most of all, an understanding that we cannot compromise the family budget for that of the State budget.

Although we have had many new Members and new leaders, the issues remain much the same. But our resolve must be stronger in facing these solutions. We all must travel down the road to discovering a better quality of life for Pennsylvanians. Everyone is still struggling to make ends meet. Everyone struggles to insure our communities are better places to work, better places to live and to raise a family. Ladies and gentlemen, these are not Republican or Democratic issues. These are issues facing real people and real families. These are issues that need and demand our attention.

I want to congratulate the new Members. I want to let them know that I look forward to hearing their ideas on making Pennsylvania better. It is important to enjoy today with your family and friends. Feel free, as new Members, to ask questions if you have concerns. This is now your Senate family, and I welcome each and every one of you to the Senate of Pennsylvania.

Lastly, I want to thank this body for giving me the opportunity to once again lead this proud body. As in the past, I once again pledge to you that I will operate in an open, accessible, and honorable manner. I thank you all, and God bless.

(Applause.)

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Secretary of Senate.

The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, I have the pleasure today of placing before the Senate the name of the Honorable Mark Corrigan to serve as Secretary of this body. Mark began as a member of the Senate staff in 1979. He is only the 11th person to have held this position in the history of the Senate and has the distinction of being the longest-serving Secretary in the history of this body, serving in that position since 1981.

Responsibilities of the Secretary are prescribed by Article VII of the Rules of the Senate. They include assisting the Presiding Officer while the Senate is in Session. Serving as Parliamentarian, Mark is very skilled in parliamentary processes and does his very best to see that the business of the Senate is conducted in an orderly, bipartisan, and civil manner. The less visible but equally important duties of the Secretary include certifying documents, preparing and publishing the Calendar, numbering and printing bills, keeping a record of all Senate action on bills that come out of committee, and transmitting them to the House of Representatives. The Secretary also supervises the Sergeant-at-Arms, the Senate Library, the Senate Bill Room, the Senate Print Shop, and the Official Reporter's Office, as well as the Page service. The Senate has a very smooth running operation under his direction. He is a member of the bar, a graduate of Dickinson Law School, and he performs his duties very well here with the utmost professionalism and impartiality. Mr. President, I am very pleased and proud to submit his name to the body for election as Secretary today.

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

Senator WILLIAMS. Mr. President, before I make my formal comments, obviously, many of us have already made mention of a friend, Senator Mike O'Pake. It would be his responsibility today to second the nomination, and it is by his absence that I fill that role. I want to say publicly how much I respected Mike. He was a friend of mine. I love him, I miss him, and I want to tell him that publicly on this day.

It is my privilege to second the nomination of Mark Corrigan as Secretary and Parliamentarian of this body. Secretary Corrigan embarks on his 30th year as our Secretary and Parliamentarian this year. He is only the 11th person in the history of the Senate to hold this position. He is also the longest-serving Secretary. He is an important part of the legislative process, and his decades of experience are valued and appreciated.

Mark Corrigan handles his numerous and challenging responsibilities with efficiency. It is not easy, but he takes his role seriously and does a tremendous job to insure that our Senate Session runs smoothly. And of course, this year he will break a record because he will start ruling on behalf of the Democrats on some of the parliamentary procedures. You can laugh on that side, because it really is a joke. It is not going to happen. We know that.

Mr. President, today is an important day. We open a new Session of the Senate, swear in Members, welcome new Senators, say hello to old friends, and recognize Mr. Mark Corrigan and the other Officers of this body for the work they do. I am proud to stand and second his nomination as Secretary of the Senate, and I ask for an affirmative vote. Go Eagles. Thank you. (Applause.)

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for Secretary of the Senate closed.

The candidate for the office of Secretary of the Senate is Mark R. Corrigan of Dauphin County. All those in favor of Mark R. Corrigan for the office of Secretary will please say "aye"; those opposed, "no."

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

The PRESIDENT. The Chair declares Mark R. Corrigan unanimously elected Secretary of the Senate. (Applause.)

ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Chief Clerk of the Senate.

The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, as we strive to make the Senate more open and more accountable, the Chief Clerk, our chief fiscal officer, is a key player. By holding this position of high trust and considerable responsibility for 24 years, Russ Faber has proved durable, loyal, and effective. He has the requisite financial and managerial abilities and uses them

skillfully. Perhaps the best compliment is that this office is widely recognized as a professional operation, not a political one.

During a time when rising public expectations and stronger ethical standards are demanding more of us, we depend on Russ' experience, expertise, and advice. During a time when cutting costs is imperative everywhere in State government, the purchasing function of the Chief Clerk becomes even more crucial. He has assembled a strong team of professionals who work well on our behalf, serving our citizens honestly and capably. By supporting Russ, we are acknowledging the tremendous work he has done over 20 years and his valuable contributions, but we are also expressing faith in all that he will do moving forward. So it is indeed my honor to nominate W. Russell Faber to serve a new term as the Chief Clerk of the Senate of Pennsylvania.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I am honored to second the nomination of W. Russell Faber, a gentleman of high standards and recognized integrity, to the post of Chief Clerk of the Senate of Pennsylvania. His experience and dedication in serving the people of Pennsylvania have led to positive and progressive changes in transparency and accountability. Mr. Faber's rare combination of serious professionalism and good natured customer service make him an irreplaceable asset to the Members of the Senate and the people they serve. I am confident that I speak for all my colleagues, staff, and associates in seconding the nomination of W. Russell Faber for Chief Clerk.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? If not, the Chair will now declare the nominations for Chief Clerk of the Senate closed.

The candidate for the office of Chief Clerk of the Senate is W. Russell Faber of Dauphin County. All those in favor of W. Russell Faber for the office of Chief Clerk, please say "aye"; those opposed, "no."

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

The PRESIDENT. The Chair declares W. Russell Faber unanimously elected Chief Clerk of the Senate. (Applause.)

OATH OF OFFICE ADMINISTERED TO THE SECRETARY-ELECT AND THE CHIEF CLERK-ELECT

The PRESIDENT. The Secretary-elect and Chief Clerk-elect will approach the bar of the Senate in order that the oath of office may be administered.

Once again, I will call upon Justice Castille to administer the oath of office to our newly elected Officers.

Please rise.

Justice CASTILLE. Mr. Corrigan and Mr. Faber, please place your left hand on the Bible, raise your right hand and repeat after me:

I, (Mark R. Corrigan and W. Russell Faber), do solemnly swear that I will support, obey, and defend the Constitution of

the United States of America and the Constitution of the Commonwealth of Pennsylvania, and that I will discharge the duties of my office with fidelity, so help me God.

Congratulations.
(Applause.)

SPECIAL ORDER OF BUSINESS SENATE RESOLUTIONS ADOPTED

Senators PILEGGI and COSTA, by unanimous consent, offered **Senate Resolution No. 1**, which was read, considered and adopted by voice vote:

A Resolution providing for broadcasting of Senate floor activity.

Senators PILEGGI and COSTA, by unanimous consent, offered **Senate Resolution No. 2**, which was read, considered and adopted by voice vote:

A Resolution providing for the adoption of Financial Operating Rules of the Senate.

Senators PILEGGI and COSTA, by unanimous consent, offered **Senate Resolution No. 3**, which was read, considered and adopted by voice vote:

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

RESOLVED, That Ethical Conduct Rules of the Senate be adopted for the government of the 195th and 196th Regular Session until amended, repealed or otherwise altered or changed.

(2011-2012)

ETHICAL CONDUCT RULES OF THE SENATE

I. PRELIMINARY PROVISIONS

1. As used in these rules, the following words and phrases shall have the meanings given to them in this rule unless the context clearly indicates otherwise:

"Campaign activity." An activity on behalf of a political party, candidate, political committee or campaign, which is intended to advance the interests of a specific party, candidate, political committee or campaign for elective office, including any of the following:

(1) Organizing a campaign meeting, campaign rally or other campaign event, including a fund-raiser where campaign contributions are solicited or received.

(2) Preparing or completing responses to candidate questionnaires that are intended solely for campaign use.

(3) Preparing a campaign finance report.

(4) Conducting background research on a candidate.

(5) Preparing or conducting a campaign poll.

(6) Preparing, circulating or filing a candidate nominating petition or papers.

(7) Participating in, preparing, reviewing or filing a legal challenge to a nominating petition.

(8) Preparing, distributing or mailing any campaign literature, campaign signs or other campaign material, including television and radio ads, website construction, e-mails, facsimiles and robocalls, on behalf of any candidate for elective office.

(9) Managing a campaign for elective office.

(10) Participating in, preparing, reviewing or filing any documents in any recount, challenge or contest of any election.

(11) Posting campaign-related information on a website, including social media websites such as Facebook and Twitter.

"Campaign contribution." A monetary or in-kind contribution made to an electoral candidate campaign.

"De minimis." An economic consequence which has an insignifi-

cant effect.

"Newsletter." A printed document more than one page in length that addresses more than one subject and is printed in quantities of 25,000 copies or more.

"Official mailing lists." Any list containing individuals, companies or vendors, including names, addresses, telephone numbers or e-mail addresses that are procured, compiled, maintained or produced with Senate funds.

"Own time." A Senate employee's time that is distinct from Senate work time and includes all leave.

"Senate employee." A person employed by the Senate, including the Chief Clerk and the Secretary of the Senate.

"Senate employee in a supervisory position." A Senate employee who has a general supervisory role within: a caucus; an individual Senator's office; or a Senate services office.

"Senate office." All Senate offices and Senate conference or meeting rooms located in the Capitol complex or any similar space contained within a district office.

"Senate resources." Senate-owned or Senate-leased equipment including telephones, computer hardware or software, copiers, scanners, fax machines, file cabinets or other office furniture, cell phones, personal digital assistants or similar electronic devices, and office supplies.

"Senate work time." Publicly paid work time consisting in the aggregate of 75 hours every two weeks for full-time employees and a lesser amount of publicly paid hours every two weeks for part-time employees.

"Senator." A person elected to serve in the Pennsylvania Senate from each of the fifty Senatorial districts.

II. PRACTICE

1. No campaign activity may be conducted by a Senate employee on Senate work time. The following shall apply:

(a) Senate employees are permitted to engage in campaign activities on their own time, as volunteers or for pay.

(b) Senate employees may work irregular hours often depending upon the time the Senate is in session. As a result, a staffer's own time can occur during what may be considered "normal" business hours.

(c) Sick leave, family and medical leave, work-related disability leave, parental leave, short-term disability leave, civil leave or military leave cannot be requested by a Senate employee to perform campaign activities.

(d) No Senate employee may be allowed any amount of Senate work time for time spent doing campaign activities.

(e) Senate employees, with the permission of their employing Senator, may reduce their Senate hours with a commensurate reduction in pay (and benefits, as required) to perform campaign activities. These arrangements must be memorialized in writing and filed with the Chief Clerk.

(f) Any Senate employee who has reduced his or her Senate hours to perform campaign activities shall keep a daily written log outlining Senate hours and related work responsibilities.

2. No campaign activity may be conducted by a Senator or a Senate employee in a Senate office or with Senate resources.

(a) De minimis campaign activities may be unavoidable for a Senator or Senate employee in the course of their official duties. Examples include the following:

(1) In responding to inquiries from the public, a Senator or a Senate employee may need to address questions that relate to a Senator's or other person's campaign for elective office or a related legislative record.

(2) Scheduling assistance and information from the Senator or a Senate employee may be requested by campaign staff to ensure that no conflict occurs among the Senator's campaign schedule, official schedule and personal schedule.

(3) Engaging in political conversation in the natural course of personal communication.

(b) Unsolicited campaign-related communication on a personally owned cell phone, personal digital assistant or similar electronic device may occur on a de minimis basis in a Senate office but may not interfere with Senate work time.

(c) A Senator's official State website shall not contain a link to his or her campaign website. A Senator's principal campaign website shall not contain a link to his or her official State website. A Senate em-

ployee who is on Senate work time and using Senate resources may post legislative materials, media advisories, news releases and announcements on social media websites such as Facebook and Twitter even if campaign-related information also exists on such a website. A Senate employee who is on his or her own time and using personal resources may post material involving or referring to campaign activity on a social media website.

3. The solicitation or receipt of campaign contributions on Senate work time or with Senate resources is prohibited.

(a) Solicitation or receipt of campaign contributions in a Senate office or with Senate resources is prohibited at any and all times.

(b) If an unsolicited contribution is sent to a Senate office through the mail or in an unidentifiable form, the employee who receives it shall turn it over to the campaign and notify the donor that campaign contributions should not be received at a Senate office within no more than seven days.

(c) No Senate employee may serve as an officer on a campaign committee or a campaign finance committee on behalf of any Senator, Senate candidate or Senate caucus.

(d) A Senate employee may help plan and may provide assistance at a campaign event on his or her own time.

4. No Senate employee may be required to perform any campaign activity or make any campaign contribution.

(a) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform any campaign activity on Senate work time or on the employee's own time as a condition of employment.

(b) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require any Senate employee to make a campaign contribution as a condition of employment.

(c) A Senate employee who agrees or offers to participate in any campaign activity on his or her own time or who makes a campaign contribution may not do so in consideration of receiving any additional Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other similar benefit.

(d) A Senate employee who declines to participate in a campaign activity or to make a campaign contribution shall not be sanctioned for that refusal.

5. No Senate-funded newsletter may be printed or distributed within 60 days of the primary or general election for any Senate member running for the office of Senate or any other elective office.

(a) This rule shall apply to newsletters printed by the Senate or by an outside vendor paid for with public funds.

(b) The Chief Clerk of the Senate may not authorize the reimbursement or payment of any moneys expended for print, distribution or postage incurred after the 60-day deadline.

(c) Senators running for the office of the Senate or any other elective office shall submit to the Secretary of the Senate a final proof copy of any newsletters no less than 90 days prior to a primary or general election.

6. Official Senate mailing lists shall be used solely for legislative purposes.

(a) Official Senate mailing lists shall not be provided to any candidate, political party, political committee, campaign or campaign committee or used for any campaign purpose.

(b) Senate computers shall not be used to create, store or maintain any mailing list that identifies the listed individuals as campaign volunteers or contributors to any candidate, political party, political committee, campaign or campaign committee.

(c) No list may be developed by a Senator or a Senate employee for the purpose of monitoring or tracking campaign activity or campaign contributions of any Senate employee.

(d) Mailing lists may be purchased at fair market value from a private source with Senate funds if the lists are used solely for legislative purposes. A mailing list that is so acquired may not be used or redirected in the same or a modified form for campaign purposes.

7. No Senate employee may be required to perform any nonwork-related task.

(a) No Senator, no Senate employee acting on the Senator's behalf and no Senate employee in a supervisory position may require a Senate employee to perform tasks unrelated to their official duties as a condition of employment.

(b) An employee who agrees or offers to perform a task unrelated to that person's official duties on his or her own time may not do so in consideration of receiving any additional State Senate compensation or employee benefit in the form of a salary adjustment, bonus, compensatory time off, continued employment or any other public benefit.

(c) An employee who refuses to perform a task unrelated to that person's official duties cannot be sanctioned for that refusal.

III. ENFORCEMENT

1. There shall be a standardized process for reporting any alleged violation of these rules.

(a) A Senator or an employee who becomes aware of a violation of these rules should report the violation to any of the following:

(1) A Senator.

(2) The President Pro Tempore, or an appropriate designee.

(3) The Majority Leader of the Senate, or an appropriate designee.

(4) The Minority Leader of the Senate, or an appropriate designee.

(5) The employee's supervisor.

(6) The Secretary of the Senate.

(b) A verbal report by an employee is acceptable but must be followed up with a written statement that includes the date, time and place, names of possible witnesses and the nature of the ethical conduct violation. The written statement must be signed by the employee.

(c) Upon receipt of the written statement pursuant to subsection (b), the person to whom the violation is reported as provided in subsection (a) shall forward a copy of the written statement within five business days to the Secretary of the Senate or the Chief Clerk if the alleged violation involves the Secretary of the Senate or a person in the Secretary of the Senate's Office.

(d) A report of a possible violation of these rules must be filed within one year of the alleged conduct.

2. An inquiry and review of all properly submitted reports regarding an alleged violation of these rules shall be conducted.

(a) The Secretary of the Senate shall conduct a preliminary inquiry of any written statement forwarded under section 1(c). The subject of the report shall be notified within five business days by the Secretary of the Senate that a written statement has been forwarded to his office under section 1(c). The Secretary of the Senate shall also notify the President Pro Tempore, the Majority Leader and the Minority Leader within five business days that a written statement has been forwarded to his office under section 1(c). The Secretary of the Senate shall have 14 business days from the date of those notifications to complete a preliminary inquiry and determine whether there is more than a de minimis violation of these rules and whether there is a satisfactory basis for the initiation of a formal investigation and shall report that recommendation to the President Pro Tempore, the Majority Leader and the Minority Leader. If the Secretary of the Senate or a person in the Secretary of the Senate's office is the subject of an alleged violation, the responsibilities under this paragraph shall be performed by the Chief Clerk of the Senate.

(b) After receiving a recommendation from the Secretary of the Senate under subsection (a) that a formal investigation is warranted, if the subject is a Senator, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to refer the report to the Senate Committee on Ethics for an investigation by that committee in accordance with Rule XXXV of the Rules of the Senate of Pennsylvania. The provisions of Rule XXXV of the Rules of the Senate of Pennsylvania shall exclusively govern and apply in their entirety to any further proceeding involving a Senator under this rule.

(c) After receiving a recommendation from the Secretary of the Senate that a formal investigation is warranted, if the subject is a Senate employee, the President Pro Tempore, the Majority Leader and the Minority Leader shall proceed to obtain the services of an independent third party to conduct a formal investigation. Upon completion of the investigation, a report shall be prepared containing findings of fact and a conclusion as to whether a violation of these has occurred.

(d) After reviewing the findings of fact and the conclusion contained in the report prepared pursuant to subsection (c) regarding a Senate employee, the President Pro Tempore, the Majority Leader

and the Minority Leader shall issue a final determination by unanimous vote regarding all of the following:

(1) Whether a violation of these rules by a Senate employee has occurred.

(2) Whether a sanction regarding that violation by a Senate employee is warranted.

(3) If a sanction is deemed warranted, the type of sanction that should be imposed.

(4) When and how the sanction should be imposed.

(e) During the course of an investigation of a Senate employee by the independent third party designated pursuant to subsection (c), the subject shall have the opportunity to be heard, to present evidence, to cross-examine witnesses and to be represented by counsel.

(f) Prior to the issuance of a final determination under subsection (d), the subject shall have an opportunity to submit a written presentation prepared by either the subject or the subject's counsel.

(g) All proceedings under this rule shall be confidential unless otherwise waived in writing by the subject of the proceeding.

(h) If the President Pro Tempore, the Majority Leader or the Minority Leader is the subject of a report, is a witness or, if for any reason is unavailable, the duties of the member shall be performed by the Senate Whip of the respective caucus.

(i) Retaliation against any Senate employee who files a written statement in good faith under section 1(c) or who testifies in good faith regarding an alleged violation of these rules is prohibited.

3. A violation of these rules may subject a Senate employee to disciplinary action that may include any of the following depending on the circumstances of the violation:

(a) A warning.

(b) A written reprimand.

(c) A permanent disciplinary action noted in the personnel record.

(d) Restitution for damages.

(e) Suspension of employment.

(f) Termination of employment.

4. A violation of these rules may subject a Senator to sanction by the full Senate and may include any of the following depending on the circumstances of the violation:

(a) A warning.

(b) A written reprimand.

(c) Restitution for damages.

(d) Any other sanction provided for under the Rules of the Senate of Pennsylvania or the Constitution of Pennsylvania.

IV. FILING OF FINANCIAL INTEREST STATEMENT

1. Compliance with the financial interest statement requirements and all other requirements under the Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure), shall be mandatory for all Senators and Senate employees who meet the criteria set forth in subsection (c) or (d).

(a) Financial interest statements covering the previous calendar year must be filed by May 1 of each year for every Senator and those Senate employees who make purchasing decisions or other official decisions or provide input that can influence a purchase or official decision.

(b) Senators must file their financial interest statements with the Secretary of the Senate, the Ethics Commission and any governmental agency, authority, board or commission on which they serve. Affected Senate employees must file their financial interest statements with the Secretary of the Senate.

(c) Filing a financial interest statement shall be required for employees who are responsible for taking or recommending official nonministerial action concerning any of the following:

(1) Contracting or procurement.

(2) Administering or monitoring grants or subsidies.

(3) Planning or zoning.

(4) Inspecting, licensing, regulating or auditing any person.

(5) Any other activity where the official or recommended official action has an economic impact of more than a de minimis nature on the interests of any person. For most employees on a Senator's staff or in a caucus office, this category would be most applicable, since recommending "official action" to a Senator as part of job responsibilities triggers the duty to file a financial interest

statement. Official action would relate to a Senator's lawmaking duties especially as that relates to legislation and confirmations.

(d) A financial interest statement must be filed if a Senate employee's responsibility includes making a recommendation to a Senator as to any of the following:

(1) Advice regarding how to vote on the Floor or in Committee.

(2) The potential consideration of bills, resolutions or nominations in Committee.

(3) The drafting and preparation of legislation or resolutions, and any amendments to bills or resolutions, including advice on decisions regarding bill or resolution sponsorships.

(e) The requirement to file a financial interest statement shall apply to executive directors, counsels or any Senate employee responsible for a Committee and to Senate chiefs of staff. Executive, administrative and legislative assistants may be subject to the filing requirements depending on the nature and scope of the individual's employment responsibilities.

(f) A Senate employee who does nothing more than occasionally share a personal point of view with a Senator is not required to file a financial interest statement. In most cases, a Senate employee with job responsibilities not directly related to the actual lawmaking process, such as correspondence or scheduling, does not need to file a financial interest statement.

(g) A Senate employee assigned to a district office shall be subject to the same filing requirements as a Harrisburg-based Senate employee depending on the nature of that individual's employment responsibilities.

V. TRAINING

1. To assure compliance with these rules and other laws related to ethical behavior by Senators and Senate employees, appropriate training measures shall be implemented by the Senate. Training shall be provided annually for all Senators and Senate employees on various topics, which shall include, but are not limited to, all of the following:

(a) These rules.

(b) The Public Official and Employee Ethics Act, 65 Pa.C.S. Ch. 11 (relating to ethics standards and financial disclosure).

(c) 65 Pa.C.S. Ch. 13A (relating to lobbying disclosure).

Senators PILEGGI and COSTA, by unanimous consent, offered **Senate Resolution No. 4**, which was read, considered and adopted by voice vote:

A Resolution providing for the Rules of the Senate for the 195th and 196th Regular Session.

ANNOUNCEMENT OF MAJORITY AND MINORITY LEADERSHIP

The PRESIDENT. The Chair has been informed by the Majority Caucus that they have elected as Majority Leader, Senator Pileggi of Delaware County; as Whip, Senator Browne of Lehigh County; as Caucus Chairman, Senator Waugh of York County; as Caucus Secretary, Senator Robbins of Mercer County; as Appropriations Chairman, Senator Corman of Centre County; as Caucus Administrator, Senator Gordner of Columbia County; as Policy Committee Chairman, Senator Erickson of Delaware County.

The Chair has also been informed by the Minority Caucus that they have elected the following: as Minority Leader, Senator Costa of Allegheny County; as Caucus Chairman, Senator Williams of Philadelphia County; as Caucus Secretary, Senator Tartaglione of Philadelphia County; as Appropriations Chairman, Senator Hughes of Philadelphia County; as Caucus Administrator, Senator Boscola of Northampton County; as Policy Committee Chairman, Senator Kasunic of Fayette County.

STATEMENT BY THE PRESIDENT

The PRESIDENT. We are now ready to notify the House that the Senate is organized.

SENATE RESOLUTION**NOTIFICATION TO THE HOUSE**

Senator MENSCH, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That a committee of three Senators be appointed to inform the House of Representatives that the Senate is organized in Regular Session and ready to proceed to business.

**APPOINTMENT OF COMMITTEE
TO NOTIFY THE HOUSE**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the House that the Senate is organized: the gentlewoman from Cumberland, Senator Vance, as chairman; the gentleman from Allegheny, Senator Pippy; and the gentleman from Washington, Senator Solobay.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTION**NOTIFICATION TO HIS EXCELLENCY,
THE GOVERNOR**

Senator EICHELBERGER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That a committee of three Senators be appointed to inform His Excellency, the Governor of the Commonwealth of Pennsylvania, that the Senate is convened and organized in Regular Session and ready to receive any communications he may be pleased to make.

**APPOINTMENT OF COMMITTEE
TO NOTIFY THE GOVERNOR**

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the following committee to notify the Governor that the Senate is organized: the gentleman from Bucks, Senator McIlhinney, as chairman; the gentlewoman from Westmoreland, Senator Ward; and the gentleman from Lackawanna, Senator Blake.

The committee will leave immediately to discharge its duties.

SENATE RESOLUTIONS ADOPTED**THANKS OF SENATE TENDERED TO THE
REVEREND SHARON M. PRICE
FOR HER PRAYER**

Senator COSTA, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That the thanks of the Senate is hereby tendered to the Reverend Sharon Price of the New Life Church of God, Pittsburgh, Pennsylvania, for offering the opening prayer today for the convening of the Senate.

**THANKS OF SENATE TENDERED TO THE
HONORABLE RONALD D. CASTILLE FOR
ADMINISTERING THE OATH OF OFFICE TO
THE PRESIDENT PRO TEMPORE AND
OFFICERS OF THE SENATE**

Senator GREENLEAF, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Ronald D. Castille, Chief Justice of the Supreme Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Republican Senators and Officers.

**THANKS OF THE SENATE TENDERED TO
THE HONORABLE MAX BAER FOR
ADMINISTERING THE OATH OF OFFICE TO
NEWLY-ELECTED DEMOCRATIC SENATORS**

Senator BREWSTER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That the thanks of the Senate is hereby tendered to The Honorable Max Baer, Justice of the Supreme Court of Pennsylvania, for his services in qualifying the newly-elected and re-elected Democratic Senators.

The PRESIDENT. Will the Senate please join in thanking our two distinguished guests.

(Applause.)

SENATE CONCURRENT RESOLUTIONS**WEEKLY RECESS**

Senator PILEGGI offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Tuesday, January 18, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses the week of January 18th, it reconvene on Monday, January 24, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Tuesday, January

18, 2011, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of January 18th, it reconvene on Monday, January 24, 2011, unless sooner recalled by the Speaker of the House of Representatives.

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

JOINT SESSION

Senator SMUCKER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, January 4, 2011, in the Hall of the House of Representatives for the purpose of witnessing the opening, counting and computing of the official returns of the election for Governor and Lieutenant Governor, held on Tuesday, November 2, 2010, in the several counties of the Commonwealth and to elect a Director of the Legislative Reference Bureau.

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

SENATE RESOLUTION

TELLER TO COMPUTE AND COUNT VOTES FOR GOVERNOR AND LIEUTENANT GOVERNOR

Senator FOLMER, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

RESOLVED, That the gentleman from Indiana County, Senator Don White, be appointed Teller on the part of the Senate, for the purpose of witnessing the opening, computing, and counting of the votes for Governor and Lieutenant Governor.

SENATE CONCURRENT RESOLUTION

INAUGURAL COMMITTEE

Senator ALLOWAY, by unanimous consent, offered the following resolution, **Senate Resolution No. 7**, which was read, considered, and adopted by voice vote:

In the Senate, January 4, 2011

A Concurrent Resolution authorizing the appointment of committees to make arrangements for the inauguration of the Governor-elect.

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

SENATE RESOLUTION ADOPTED

Senators KITCHEN, DINNIMAN, TARTAGLIONE, PICCOLA, FERLO, BRUBAKER, YAW, FONTANA, ERICKSON, RAFFERTY, ORIE, WASHINGTON, D. WHITE,

FARNESE, VOGEL, GREENLEAF, PILEGGI, PIPPY, BOSCOLA, ALLOWAY, LEACH, WILLIAMS, WAUGH and YUDICHAK, by unanimous consent, presented to the Chair **Senate Resolution No. 5**, entitled:

A Resolution designating the week of January 17 through 23, 2011, as "Martin Luther King, Jr., Holiday Week."

On the question,
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, I request that my remarks be submitted for the record.

The PRESIDENT. The remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator KITCHEN:)

Mr. President, born on January 15, 1929, Dr. King followed in his father's and grandfather's footsteps by becoming a Baptist minister. He also earned a doctorate degree from Boston University.

Dr. King recognized that everyone deserved equal rights and used the power of the pulpit and his knowledge as a scholar to become a leading force in the Civil Rights movement.

At the age of just 26, as the young pastor of Dexter Avenue Baptist Church in Montgomery, Alabama, he led a city-wide boycott of the city's segregated bus system. This action led to a United States Supreme Court decision forcing desegregation of buses. Throughout the 1950s and 1960s, he worked tirelessly to end segregation and encourage racial harmony. He was threatened, beaten, arrested, and jailed. Yet, he insisted on the use of nonviolent passive resistance and civil disobedience.

He is most remembered for his historic "I Have a Dream" speech on the steps on the Lincoln Memorial following his march on Washington, D.C., in 1963. His efforts resulted in the enactment of the Federal Civil Rights Act of 1964. That same year, he received the Nobel Peace Prize.

Tragically, Dr. King was assassinated in 1968, but his legacy and his life's work continue to this day. Surely, he has sealed his place in American history. If we ever doubt that one person can make a difference, we only need to look to Dr. Martin Luther King, Jr., to affirm the power of the human spirit.

Dr. King is one of our nation's most celebrated figures. That is why I urge my colleagues to support this resolution honoring the week of January 17 to 23, 2011, as "Martin Luther King, Jr., Holiday Week" in Pennsylvania.

Thank you, Mr. President.

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

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. For the information of the guests and Members, will the Members please remain in the Chamber. The guests may be dismissed if they so choose. We will be waiting for communications from the House of Representatives on the Senate joining them for a Joint Session. Thank you.

HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House of Representatives.

The PRESIDENT. Will you bring the committee forward, please.

The Chair recognizes the gentleman from York, Representative Miller.

Representative MILLER. Mr. President, we have been appointed as a committee of the House to advise the Senate that the House has reorganized and is ready for business.

The PRESIDENT. The Chair thanks the gentleman and the committee from the House of Representatives.

(Applause.)

RECESS

The PRESIDENT. Will Members please line up in the center aisle. The time has come in the order of business to assemble in the House of Representatives for a Joint Session. The Chair requests that guests remain seated until the Members of the Senate leave for the House. The Chair thanks the guests. The Members of the Senate will please form a line in the center aisle behind the Sergeant-at-Arms in order to proceed to the Joint Session.

The Chair now declares a recess of the Senate for one-half hour.

AFTER RECESS

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Penn Hall at Menno Haven of Chambersburg by Senator Alloway.

Congratulations of the Senate were extended to Joseph R. Russo, Abel F. Boyer and to Michael Joseph Lella by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Wesner M. Sharbaugh, Dr. Susan F. Sordoni, Marcus Jonathan Wagner, James J. Bower, Jr., Alice Davis and to Brandon J. Zalenski by Senator Baker.

Congratulations of the Senate were extended to the Wyoming Seminary Field Hockey Team by Senators Baker, Yudichak, and Blake.

Congratulations of the Senate were extended to Dr. Jack Henges, Ian Michael Lewis, Kathleen Curran Sharkey, Frank Gervasi and to Lillian Coccodrilli by Senator Blake.

Congratulations of the Senate were extended to Jonathan Yu, Donald Laubach and to Matthew Szilagyi by Senator Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Smith by Senator Browne.

Congratulations of the Senate were extended to Helen Carroll by Senator Browne and others.

Congratulations of the Senate were extended to Dr. and Mrs. Al Heyen, Mr. and Mrs. Warren Witmer, Mr. and Mrs. Leroy Martin, Mr. and Mrs. Donald Pirkey, Mr. and Mrs. Wilmer Burkhart, Mr. and Mrs. Robert Weir, James Richey, Bonita Walton, Hempfield High School Boys' Varsity Soccer Team and to the Hempfield High School Girls' Varsity Volleyball Team by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Price, Olive Salome Ackard and to Lane Bennett by Senator Corman.

Congratulations of the Senate were extended to Jack M. Hines, Jr., Mary Lou Enoches, Carol Klauss, Alexander J. Kasznel, David D. Piskal, John P. Forgione, Kevin J. Tatarowicz, Kevin J. Costello, Patrick Thomas Wittick, Timothy M. Sexton, Ernest Borgnine, United Sports, West Chester University, West Chester Police Department and to the Tredyffrin Easttown Historical Society by Senator Dinniman.

Congratulations of the Senate were extended to Philadelphia Chinatown Development Corporation and to Jokers NYA by Senator Farnese.

Congratulations of the Senate were extended to Mr. and Mrs. Vernel Creveling, Benjamin Michael Gibson and to Letha Harman by Senator Gordner.

Congratulations of the Senate were extended to Ralph McClung Kinnamon, Alan A. Kober and to Language Services Associates of Horsham by Senator Greenleaf.

Congratulations of the Senate were extended to Trooper First Class James B. Custer, Sergeant James D. Caccimelio and to Brandon Hughes by Senator Kasunic.

Congratulations of the Senate were extended to Reverend Dr. Gregory E. Boykin and to the National Association of Blacks in Criminal Justice, Pennsylvania Chapter, by Senator Kitchen.

Congratulations of the Senate were extended to Walter Fisher, Evelyn Warner, Michael Joseph Sanders, Domenico Conicella, Main Line Health and Fitness and to the Upper Merion Township Parks and Recreation Department by Senator Leach.

Congratulations of the Senate were extended to Souderton-Telford Rotary Club and to the Indian Valley Chamber of Commerce by Senator McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph A. Wenzel by Senator Mensch.

Congratulations of the Senate were extended to the Emmaus High School Field Hockey Team by Senators Mensch and Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Hardt and to Chief Len Keller by Senator Orie.

Congratulations of the Senate were extended to Rodney Prystash by Senators Orie and Solobay.

Congratulations of the Senate were extended to Reverend and Dr. Curtis Hopkins, Mr. and Mrs. George Irwin, William A. Gannon, Stanley Lawson, Gloria J. Thompson, Samuel T. Cooper II and to Sheldon N. Murray by Senator Piccola.

Congratulations of the Senate were extended to Harper Handshaw by Senators Piccola and Vance.

Congratulations of the Senate were extended to James William Alexander by Senator Pileggi.

Congratulations of the Senate were extended to Benjamin S. Robb, John Paul Lednak, Sr., Patricia C. Jennette, Joseph Henkels, Eric Charles Rothermel, Sean Patrick Horoho, Gabriel

Christopher Pritz, Luke E. Robinson, Zachary Michael Podolinsky and to Garrett Lucas by Senator Pippy.

Congratulations of the Senate were extended to Corporal James Heins, Brian K. Burkhardt, Kevin J. Betz, Paul J. Callaghan, Allen Koederitz, Alphonso Gambone, Jonathan Raymond Smoyer, Nathan George Moison, Allen D. Biehler, Yanni P. Sitsis, Alan J. Ebersole III, West Norriton Township Chapter of American Business Clubs, Limerick Generating Station, Exelon Corporation, and to the Audubon-Oaks Lions Club by Senator Rafferty.

Congratulations of the Senate were extended to the Pierce family of Meadville by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. James H. Wayland, Chief Ralph T. August, Claire Belleau, Joe Baka, Marge Winterbottom, Joel A. Smith and to News Talk Radio WCED of DuBois by Senator Scarnati.

Congratulations of the Senate were extended to Connie King, Robert Rose and to Calvary Fellowship Homes of Lancaster by Senator Smucker.

Congratulations of the Senate were extended to Lynn Genetti, Peter V. Marks, Sr., and to William Burgess by Senator Stack.

Congratulations of the Senate were extended to Reverend Harry Moore, Sr., Reverend Dr. E. Louise McCrary-Sanders, Reverend Bonnie Camarda, Reverend Terrence D. Griffith and to William W. Savin by Senator Tartaglione.

Congratulations of the Senate were extended to the Honorable Anthony J. Melio, Lance Corporal Kevin J. McCarthy, Jr., Michael Holland, Renee Feliciano, Gregg Darnley, Helen Miller, Ruth Bedwell, Christine Schmidt, Gloria McNulty, John Carroll, Walter A. Prickett III, Joseph J. Chrobak, Jr., Joseph J. Chrobak, Sr., Gary Dunbar, Martin Liczbinski, Ralph Liuzzi, John V. Labor, Joseph Miller, Todd Buch, Jerry Bond, Jerry Hathaway, William McCormick, Brian Walsh, William O'Neill and to St. Charles Borromeo Catholic School of Bensalem by Senator Tomlinson.

Congratulations of the Senate were extended to Irma Backhouse by Senators Tomlinson and Greenleaf.

Congratulations of the Senate were extended to Joseph Kurtz, Jr., and to Sharon K. Browne by Senator Vance.

Congratulations of the Senate were extended to Lucas Wesley Aland and to Joshua Dorfman by Senator Ward.

Congratulations of the Senate were extended to Terry R. Gingerich, Barry L. Kerchner, Paul E. Shaffer, Jr., Alan C. Boyle, Lynn C. Strayer, Dan Shenberger, Bruce B. Rebert, Chris Watkins, Nathan T. Rost, Richard A. Staub, Sharon D. Shearer, Richard Rutledge, Cory R. G. Springman, Dale Flinchbaugh, Ben Grove, Melissa Ness, Walt Winemiller, Scott Henry, Jr., and to the Pennsylvania State Fair Queen Program by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Dennis Miller, Mr. and Mrs. Kenneth Schall and to Mary Rupp by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Jack C. Smith, Richard D. Hillis and to Conor N. Frampton by Senator M.J. White.

Congratulations of the Senate were extended to Cassie Stuart Scott by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Douglas Cober, Mr. and Mrs. Eugene R. Crawford, Mr. and Mrs.

Earl McVicker, Mr. and Mrs. Charles Kohut and to Lieutenant Colonel Robert Humenay by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Cecil Paulhamus, Mr. and Mrs. Dennis Gruver, Mr. and Mrs. Earl Poust, Mr. and Mrs. Robert Ermisch and to the Honorable Malcolm Muir by Senator Yaw.

Congratulations of the Senate were extended to Susquehanna County Farm Bureau by Senators Yaw and Baker.

Congratulations of the Senate were extended to Jacquelyn Palko, Brian Gist, Robert T. Calavano and to the Knights of Lithuania, Chapter 143, Pittston, by Senator Yudichak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Margaret A. McBreen by Senator Argall.

Condolences of the Senate were extended to the family of the late Daniel W. Major, to the family of the late Rudolph Wassmer, to the family of the late Donna Charlene Grieten Cottle, to the family of the late Elizabeth McLaughlin, to the family of the late Elaine Garabrant Stulb and to the family of the late Andrew Kasko by Senator Baker.

Condolences of the Senate were extended to the family of the late Evan A. Price by Senators Baker and Yaw.

Condolences of the Senate were extended to the family of the late James T. Atherton by Senator Yudichak.

Condolences of the Senate were extended to the family of the late H. Paul Fitzpatrick, Jr., by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Max Israel by Senator Ferlo.

Condolences of the Senate were extended to the family of the late Jesse W. Fife, Jr., by Senators Ferlo, Fontana, and Costa.

Condolences of the Senate were extended to the family of the late William E. Wilson by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Charles L. Gilmore, to the family of the late George C. Casey, to the family of the late Nancy S. Keenan, to the family of the late Charles E. Nicholas, to the family of the late Margaret D. Schutt, to the family of the late James L. Yost, Sr., to the family of the late Walter Trycieki and to the family of the late Kathryn W. Soder by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Honorable Edward Louis Howard by Senator McIlhinney and others.

Condolences of the Senate were extended to the family of the late Sister M. Bertille Janech, to the family of the late Sister M. Helen Seidel, to the family of the late Sister Theresa Podlucky, to the family of the late Sister M. Ernest Budzinski, to the family of the late Sister Patricia Roche, to the family of the late Joseph LaQuatra, to the family of the late Jean A. Hardt Glass, to the family of the late John R. Weinert, to the family of the late Nancy Lusk Whalen, to the family of the late Austin R. Anderson, to the family of the late Harold P. Sarver, to the family of the late Scott M. Lang and to the family of the late Ann L. Lane Shuckrow by Senator Orie.

Condolences of the Senate were extended to the family of the late Steven W. Russo by Senators Orie and M.J. White.

Condolences of the Senate were extended to the family of the late Forrest Lee Mills by Senator Piccola.

Condolences of the Senate were extended to the family of the late Honorable M. Bruce McCullough by Senators Pippy and Orie.

Condolences of the Senate were extended to the family of the late Jesse W. Fife, Jr., by Senator Scarnati.

Condolences of the Senate were extended to the family of the late Corporal Eric M. Torbert, Jr., by Senator Smucker.

Condolences of the Senate were extended to the family of the late Honorable Charles Robert Alexander by Senator M.J. White.

Condolences of the Senate were extended to the family of the late Bergen Augustus Harrell, Sr., by Senator Williams.

Condolences of the Senate were extended to the family of the late Gordon Eugene Farr by Senator Yaw.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Phillips D.C., Sunbury, whose term expired.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

EDWARD G. RENDELL
Governor

JUDGE, COURT OF COMMON PLEAS, LUZERNE COUNTY

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Luzerne County, to serve until the first Monday of January 2012, vice The Honorable Joseph M. Augello, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Jennifer Schneider, Oil City, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Gary R. Hutchison, Franklin, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Amy K. Kokos (Public Member), 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Weiss, Philadelphia, whose term expired.

EDWARD G. RENDELL
Governor

SECRETARY OF GENERAL SERVICES

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Secretary of General Services, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice The Honorable James P. Creedon, Bethlehem, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF HEALTH

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Secretary of Health, to serve until the third Tuesday of January 2011, and until her successor is appointed and qualified, vice The Honorable Everette James, West Chester, resigned.

EDWARD G. RENDELL
Governor

SECRETARY OF PUBLIC WELFARE

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, B.J. Clark, 611 East Darby Road, Havertown 19083, Delaware County, Seventeenth Senatorial District, for appointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2011, and until his successor is appointed and qualified, vice The Honorable Harriet Dichter, Philadelphia, resigned.

EDWARD G. RENDELL
Governor

TREASURER, CRAWFORD COUNTY

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Treasurer, in and for the County of Crawford, to serve until the first Monday of January 2012, vice The Honorable Frederic Wagner, deceased.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF WARREN STATE HOSPITAL

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nina Tinari, 6401 Church Road, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

EDWARD G. RENDELL
Governor

MAGISTERIAL DISTRICT JUDGE

December 2, 2010

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Amy K. Kokos, 22 Woodview Drive, Mount Holly Springs 17065, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Schuylkill, Magisterial District 21-2-01, to serve until the first Monday of January 2012, vice The Honorable Bernadette J. Nahas, resigned.

EDWARD G. RENDELL
Governor

SHERIFF, PHILADELPHIA COUNTY

January 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Barbara Deeley, 100 South Broad Street, 5th Floor, Philadelphia 19110, Philadelphia County, First Senatorial District, for appointment as Sheriff, in and for the County of Philadelphia, to serve until the first Monday of January 2012, vice The Honorable John D. Green, resigned.

EDWARD G. RENDELL
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
WERNERSVILLE STATE HOSPITAL

January 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Board of Trustees of Wernersville State Hospital, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice Edward D. Ottinger, Jr., Conestoga, resigned.

EDWARD G. RENDELL
Governor

GENERAL COMMUNICATIONS**SMALL BUSINESS ENVIRONMENTAL ASSISTANCE ANNUAL REPORT**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

December 6, 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 Small Business Environmental Assistance Annual Report for FY 2009-2010. This report summarizes the accomplishments of the program in assisting the small business community throughout the Commonwealth of Pennsylvania. The documented interactions on a variety of outreach and financial assistance programs demonstrate the strong desire of the small business community to see these programs continued and expanded.

If you should have any questions, please do not hesitate to contact Brian Schimmel, Office of Legislative Affairs, by e-mail at brschimmel@state.pa.us or by telephone at 717.783.8303.

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and strong business climate for all Pennsylvania businesses.

Sincerely,

JOHN HANGER
Secretary

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

ANNUAL REPORT ON THE WIRETAPPING AND ELECTRONIC SURVEILLANCE CONTROL ACT

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

Supreme Court of Pennsylvania
1818 Market Street, 37th Floor
Philadelphia, PA 19103

December 9, 2010

Mr. Mark R. Corrigan
Secretary/Parliamentarian of the Senate
Commonwealth of Pennsylvania
462 Main Capitol
Harrisburg, PA 17120

Dear Mr. Corrigan:

In accordance with Section 5723(d) of the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. § 5723(d), I forward herewith the required annual report.

Very truly yours,

RONALD D. CASTILLE
Chief Justice

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

ANNUAL REPORT ON AUTO INSURANCE STATISTICS

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

COMMONWEALTH OF PENNSYLVANIA
Insurance Department
1326 Strawberry Square
Harrisburg, PA 17120

December 21, 2010

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: Section 1723 of Title 75 Report (Motor Vehicle Financial Responsibility Law)
2009 Statistics of Automobile Insureds

Dear Members:

Pursuant to Section 1723 of Title 75 (Motor Vehicle Financial Responsibility Law), the Department is pleased to present the annual report of various automobile insurance statistics for 2009 of the Insurance Department of the Commonwealth of Pennsylvania.

Should any questions arise regarding these statistics, members should feel free to contact me, Deputy Commissioner Randy Rohrbaugh or our Legislative Director, Mary-Jo Mullen at (717) 783-2005.

Sincerely,

ROBERT L. PRATTER
Acting Insurance Commissioner

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

AUDITOR GENERAL'S CERTIFICATE

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

COMMONWEALTH OF PENNSYLVANIA
Office of the Auditor General
229 Finance Building
Harrisburg, PA 17120-0018

December 21, 2010

The Honorable Joseph B. Scarnati III
Lieutenant Governor
PENNSYLVANIA SENATE
292 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Governor Scarnati:

In accordance with the provisions of Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), I am providing you with the accompanying certification in connection with the general obligation bond sale of December 15, 2010.

A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

JACK WAGNER
Auditor General

AUDITOR GENERAL'S CERTIFICATE

Pursuant to
ARTICLE VIII, Section 7(a)(4)
of the
CONSTITUTION OF PENNSYLVANIA
and
Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

I, Jack Wagner, Auditor General of the Commonwealth of Pennsylvania, pursuant to Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended) certify as follows:

The amount of outstanding net debt
as of December 23, 2010 \$8,438,290,979

The difference between the limitation
upon all net debt outstanding as provided
in Article VIII, Section 7(a)(4) of the
Constitution of the Commonwealth
of Pennsylvania and the amount of
outstanding net debt as of
December 23, 2010 \$48,620,426,637

IN TESTIMONY WHEREOF, I have hereto set my hand and
affixed the seal of the Auditor General, this 21st day of December 2010.

JACK WAGNER
Auditor General
Commonwealth of Pennsylvania

**FIVE YEAR REPORT ON THE EFFECTS
OF SUBSIDENCE RESULTING FROM
UNDERGROUND BITUMINOUS COAL MINING**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Rachel Carson State Office Building
P. O. Box 2063
Harrisburg, PA 17105-2063

December 21, 2010

The Honorable Mark R. Corrigan
Secretary - Parliamentarian
Senate of Pennsylvania
Senate Post Office Box 203053
Harrisburg, PA 17120-3053

Dear Senator [sic] Corrigan:

I am pleased to present you with one paper copy and one compact disk (CD) of a report titled, *The Effects of Subsidence Resulting from Underground Bituminous Coal Mining on Surface Structures and Features and on Water Resources: Third Act 54 Five-Year Report, December 14, 2010*. This report, which is required by Section 18.1 of the Bituminous Mine Subsidence and Land Conservation Act (BMSLCA), was prepared by the University of Pittsburgh on our behalf.

The report describes the effects of underground mining during the period August 21, 2003, to August 20, 2008. This is the third report prepared pursuant to Section 18.1, which was added to the BMSLCA by statutory amendment in 1994. Section 18.1 requires the Department of Environmental Protection (DEP) to compile information from permit applications, monitoring reports, enforcement actions and other appropriate sources and to analyze this information, utilizing the

services of recognized experts, for the purpose of determining, to the extent possible, the effects of underground mining on surface structures and features and on water resources, including sources of public and private water supplies. Section 18.1 further provides that an analysis of this information and any relevant findings be presented in the form of a report to the Governor, the General Assembly and Citizens Advisory Council (of the DEP) at five-year intervals commencing in 1993.

The reporting requirement in Section 18.1 was added in conjunction with other statutory amendments that effectively changed the focus of Pennsylvania's subsidence regulatory program in 1994. These amendments imposed new provisions requiring mine operators to repair or compensate for subsidence damage to many different types of structures and to replace water supplies affected by their underground mining operations. The amendments also repealed former provisions that afforded absolute protection to dwellings in place on April 27, 1966, and gave property owners the right to purchase coal support for their structures. The reporting requirement in Section 18.1 was included to allow the Governor, General Assembly and Citizens Advisory Council to evaluate the effects of the 1994 amendments.

The University of Pittsburgh has done a commendable job of analyzing the information contained in DEP files and databases and gathering supplemental information needed to assess the effects of underground mining. The University was selected to perform these services because it employs faculty and research staff with the expertise in biology, geology, hydrology and other fields germane to these analyses. The use of University researchers also presented an opportunity to have these analyses performed in a truly independent manner.

I trust that you will find the report informative. Copies of this report will be made available to the general public through the DEP Web site and on CDs.

Sincerely,

JOHN HANGER
Secretary

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

**ANNUAL REPORT OF THE
PENNSYLVANIA CONSERVATION CORPS**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Labor and Industry
651 Boas Street, Room 1700
Harrisburg, PA 17121

December 29, 2010

Mark R. Corrigan
Secretary-Parliamentarian of the Senate
Room 462 Capitol Building
Harrisburg, PA 17120

Anthony Frank Barbush
Chief Clerk of the House of Representatives
Room 129 Capitol Building
Harrisburg, PA 17120

Gentlemen:

I am pleased to submit the Pennsylvania Conservation Corps (PCC) annual report for fiscal year 2009-10, the Corps' 26th year of operation.

Last year, 266 young men and women were given the opportunity to gain self-confidence and improve their employability as members of the PCC. More than 170 corpsmembers completed courses at vocational-technical schools and technical training centers, 14 took at least one college class and 17 earned GEDs. Despite the sluggish economy, well over a third of all corpsmembers moved directly into jobs upon leaving the Corps.

During the fiscal year, the PCC completed 47 projects in 34 counties. Corpsmembers constructed or renovated 21 playgrounds, 24

pavilions and 51 support buildings, improved or developed 216 miles of trails and 159 acres of wildlife habitat, helped preserve 12 historic buildings and 9,300 historical artifacts, and planted nearly 30,000 seedlings and trees – to name just a few of their accomplishments.

In summary, FY 2009-10 reflected a tradition of challenges, opportunities and accomplishments, all of which are documented in the pages that follow.

Sincerely,

SANDI VITO
Secretary

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

**2009-10 ANNUAL REPORT
OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

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

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

Received January 4, 2010

The Honorable Edward G. Rendell
Governor of Pennsylvania

The Honorable Joseph B. Scarnati III
President Pro Tempore

Members of the General Assembly

We are pleased to submit the 2009-10 Annual Report for the Pennsylvania Public Utility Commission. As required by Section 321 of the Public Utility Code, 66 Pa.C.S. § 321, this report highlights the accomplishments and challenges faced in fulfillment of our traditional mission as regulators and protectors of the public interest, and the new roles demanded by the changing utility marketplace. In the 21st century we are utility regulators, but also market monitors, consumer protectors, advocates, educators and promoters of new technology and economic development.

This fiscal year began one of the biggest tests during the electric restructuring transition. Another 25 percent of the state's electric customers joined the already 15 percent of customers whose rate caps expired and are now paying market-based rates. We continue to work with the administration and legislature to mitigate the impact of the increases in electricity prices while striving to educate consumers. We continue to promote the importance of retail choice; energy efficiency and conservation; and programs to help consumers pay their bills. The Commission continued wide-reaching efforts to work with consumers to create an understanding of the energy environment in Pennsylvania and to empower them to take responsibility for their energy usage. PAPowerSwitch.com was created by the Commission to ensure that consumers have the necessary tools at their fingertips to make informed decisions about choosing an electric supplier.

The enactment of Act 129 of 2008, requiring the state's seven largest electric distribution companies to develop energy efficiency and conservation plans, smart meter plans, as well as encouraging consumers to adopt other methods of reducing their electric consumption, mandates that the Commission implement and enforce its provisions. We continue to meet or exceed all of the accelerated deadlines for implementation of Act 129 and will continue to work diligently to ensure the timely implementation of the remaining elements of the plans, while monitoring compliance with the law.

The Commission also moved forward with an action plan designed to enhance competition in Pennsylvania's retail natural gas services

market. That action plan, being implemented in two phases, will be completed within two years, and will be subject to five-year milestone reviews to evaluate its progress. Another area of activity in natural gas includes Marcellus Shale development, which creates numerous issues and unanswered questions, many of which impact the Commission's core functions. We have begun a dialogue to examine these questions sooner, rather than later, so that the Commission can fully protect the public while not stifling economic growth. In addition, the Commission continues its efforts to promote gas safety within the Commonwealth.

Our Information Management Access Project-InfoMAP- significantly improved our electronic workflow capability and provided more efficient access to Commission information by consumers, utilities and practitioners through implementation of electronic filing and other e-commerce initiatives.

In Fiscal Year 2009-10, we continued to refine the application of three comprehensive laws that represented sweeping changes to the way energy and water utilities terminate customers; electric utilities and their consumers employ the use of alternative energy sources for generation; and telephone companies are regulated and deploy high-speed Internet services across Pennsylvania.

Also, the federal government, through the Federal Energy Regulatory Commission and the Federal Communications Commission, is playing an increasingly active role in the delivery of energy and telephone service in Pennsylvania. We have, therefore, augmented our intervention, monitoring and activism related to these issues to protect the interests of Pennsylvania consumers.

With the development of the water audit pilot program, the Commission continues to aid water utilities in monitoring levels of unaccounted-for water, providing an efficient and uniform structure to help those companies calculate loss volumes, assign cost impacts to the losses, help to advance infrastructure reliability, preserve water resources, lessen water leakage, and increase customer service.

As required by Act 183 of 2004, the Commission continues to oversee the implementation of an alternative form of regulation for telecommunications service providers within Pennsylvania. The Commission also exercises its oversight and enforcement responsibilities over the regulated intrastate telecommunications services market under applicable state and federal law. The state's aggressive broadband deployment initiatives, requiring every Pennsylvanian to have access to broadband services in even the most rural areas, also continues.

By speaking to groups about paratransit services statewide, while enhancing supervision of the motor coach, taxi and limo industries, we stress the importance of safety in transportation through public outreach. We increased our motor carrier enforcement presence in the five-county area of northeastern Pennsylvania connected to the Marcellus Shale geologic formation. The PUC also worked to complete railroad safety efforts in the Commonwealth, including safety inspections and investigation of railroad facilities, equipment and records.

We continue with our mission to balance the needs of consumers and utilities to ensure safe and reliable utility service at reasonable rates; protect the public interest; educate consumers to make independent and informed utility choices; further economic development; and foster new technologies and competitive markets in an environmentally sound manner. We stand ready to meet the challenges in the coming year.

Sincerely,

JAMES H. CAWLEY
Chairman

TYRONE J. CHRISTY
Vice Chairman

JOHN F. COLEMAN, JR.
Commissioner

WAYNE E. GARDNER
Commissioner

ROBERT F. POWELSON
Commissioner

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

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Michael W. Brubaker as a member of the Chesapeake Bay Commission.

Senator Jane M. Earll as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Edwin B. Erickson as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Wayne D. Fontana as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Vincent J. Hughes as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Jeffrey E. Piccola as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Robert M. Tomlinson as a member of the Pennsylvania Higher Education Assistance Agency.

Senator LeAnna M. Washington as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Michael L. Waugh as a member of the Chesapeake Bay Commission.

Senator Mary Jo White as a member of Environmental Quality Board.

Senator John N. Wozniak as a member of the Pennsylvania Higher Education Assistance Agency.

Mrs. Michelle A. Brown as Majority Staff Administrator.

Mr. G. Warren Elliott as a member of the Chesapeake Bay Commission.

Mr. Joel B. McNeil as a member of the State Transportation Advisory Committee.

Mr. John J. Verbanac as a Trustee of the University of Pittsburgh.

APPOINTMENT BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointment:

Mr. Anthony Lepore as Staff Administrator to the Senate Democratic Caucus.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, January 18, 2011, at 10 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 2:10 p.m., Eastern Standard Time.