

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, MARCH 2, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 15

SENATE

WEDNESDAY, March 2, 2011

The Senate met at 11 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

PRAYER

The Chaplain, Reverend ROBERT BURNS, of First Presbyterian Church of Mount Joy, offered the following prayer:

Let us pray.

Gracious and eternal God, we come to You on this beautiful day, in this beautiful place, to seek Your guidance and help for the leaders of our State, the State of Pennsylvania, for our Governor, our State Senators, Members of our House of Representatives, and those who work in our State offices. We give thanks for the freedoms that we enjoy, to freely express our opinions and ideas for the advancement of our State and our nation.

We pray for strength and courage for our State Senators, that they may lead us with honesty, integrity, and justice for all. O God, we know that our leaders are sincere men and women who want to do what is right and good, and so we pray that You would give them the courage to be guided by Your spirit and Your will to do what is best for all of us.

Forgive us for the blunders we sometimes make, and help us to be willing to correct those things that would not be so good for us. Save us from those who seek only their own selfish interests. Help us to be sensitive to the needs of the poor, those who are handicapped, those who are depressed, and those in need of special care. May we know no barriers of creed or race, that we may love all people with kindness and generosity. Help us, particularly at this time, with our finances, that we might experience prosperity in our businesses, in our schools, on our farms, and in our workplaces.

O God, we have been blessed to be a blessing to others, and we have been blessed to live in the United States in our beloved State of Pennsylvania. May we always be thankful for the wonderful things that You provide for us. This day, as the Senators of our State meet together, grant them wisdom, energy, intelligence, imagination, and love, and may there be a sense of unity among them for all the needs and concerns of everyone in our State.

O Lord, this is the day that You have made. Help us to rejoice, and let us be glad in it. And so I pray this day, with all the differing traditions of religious faith represented here in this Chamber, and in the name of my own spiritual faith through Christ, our Lord. O God, may this be a good day, and hear all our prayers. Amen.

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

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

March 2, 2011

HB 201, 270 and 495 -- Committee on Judiciary.

HB 303 -- Committee on Agriculture and Rural Affairs.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

Joint Session.

BILLS INTRODUCED AND REFERRED

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

March 2, 2011

Senators MENSCH, PICCOLA, PIPPY, BOSCOLA, BRUBAKER, ERICKSON, STACK, FONTANA, ALLOWAY, BROWNE, LEACH and BAKER presented to the Chair **SB 560**, entitled:

An Act establishing the State Military College Legislative Appointment Initiative Program.

Which was committed to the Committee on EDUCATION, March 2, 2011.

Senators YUDICHAK, GORDNER, FONTANA, ERICKSON, SOLOBAY, COSTA, BREWSTER, WASHINGTON and BROWNE presented to the Chair **SB 616**, entitled:

An Act providing for State assistance grants to municipalities for regionalizing police operations; imposing powers and duties on the Center for Local Government Services; and making an appropriation.

Which was committed to the Committee on LOCAL GOVERNMENT, March 2, 2011.

Senators SOLOBAY, BAKER, COSTA, FONTANA, BROWNE, WAUGH, ALLOWAY, BREWSTER, RAFFERTY, WASHINGTON, M. WHITE and YUDICHAK presented to the Chair **SB 709**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for funds of volunteer firefighters' relief associations.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 2, 2011.

Senators GORDNER, FOLMER, EICHELBERGER, ERICKSON, EARLL, WAUGH, WOZNIAC, FONTANA, D. WHITE, ALLOWAY, MENSCH and ORIE presented to the Chair **SB 725**, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for officers to be elected, for election of assessors, for filling vacancies in elective borough offices, for powers of assessors and for duplicate assessments.

Which was committed to the Committee on LOCAL GOVERNMENT, March 2, 2011.

Senators FOLMER, GORDNER, EICHELBERGER, EARLL, ERICKSON, WAUGH, WOZNIAC, FONTANA, D. WHITE, ALLOWAY, MENSCH and ORIE presented to the Chair **SB 726**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for elected officers enumerated, for vacancies in general, for the corporate power of first class townships being vested in the board of township commissioners, for elected officers in townships of the first class and for additions and revisions to duplicates.

Which was committed to the Committee on LOCAL GOVERNMENT, March 2, 2011.

Senators BOSCOLA, WILLIAMS, BROWNE, FERLO, COSTA, TARTAGLIONE, FONTANA, STACK, SOLOBAY, BREWSTER, WASHINGTON, FARNESE, WOZNIAC and RAFFERTY presented to the Chair **SB 727**, entitled:

An Act providing for academic excellence scholarships for persons entering a college or university within this Commonwealth and for powers and duties of the Pennsylvania Higher Education Assistance Agency.

Which was committed to the Committee on EDUCATION, March 2, 2011.

Senator EICHELBERGER presented to the Chair **SB 728**, entitled:

An Act designating a bridge on that portion of Interstate 99 in Freedom Township, Blair County, as the Cpl. Harry Raymond Harr Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, March 2, 2011.

Senators COSTA, STACK, HUGHES, SOLOBAY, KITCHEN, YUDICHAK, FONTANA, WASHINGTON and TARTAGLIONE presented to the Chair **SB 729**, entitled:

An Act making a supplemental appropriation from the General Fund to the Insurance Department for fiscal year 2010-2011.

Which was committed to the Committee on BANKING AND INSURANCE, March 2, 2011.

Senators GORDNER, EARLL, BREWSTER, WOZNIAC, M. WHITE, ROBBINS, FONTANA, ERICKSON, YUDICHAK and ORIE presented to the Chair **SB 730**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for real property and for personal property; and, in contracts, further providing for letting contracts.

Which was committed to the Committee on LOCAL GOVERNMENT, March 2, 2011.

Senators ERICKSON, STACK, SOLOBAY, D. WHITE, FONTANA, RAFFERTY, BREWSTER, CORMAN, LEACH, PIPPY, TOMLINSON, ALLOWAY, M. WHITE, WOZNIAC and YAW presented to the Chair **SB 731**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions, for games of chance permitted, for prize limits, for insured games, for limited sales, for recordkeeping, for eligible organizations' use of locations for conducting small games of chance, for separate individual prize limitations and for revocation of licenses; providing for licensed establishments; further providing for enforcement, for penalties and for advertising; and providing for transfer from General Fund to State Lottery Fund.

Which was committed to the Committee on FINANCE, March 2, 2011.

Senators VANCE, SCARNATI, PILEGGI, BAKER, ERICKSON, FONTANA, KASUNIC, MENSCH, WARD, ALLOWAY, BROWNE, BREWSTER, BRUBAKER, SMUCKER, STACK, TOMLINSON, WASHINGTON, D. WHITE, WOZNIAC, YUDICHAK, DINNIMAN, EARLL, EICHELBERGER, FOLMER, GORDNER, ORIE, PIPPY, RAFFERTY and ROBBINS presented to the Chair **SB 732**, entitled:

An Act regulating certain facilities which perform abortions; imposing powers and duties on the Department of Health and the Legislative Reference Bureau; and imposing penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 2, 2011.

GENERAL COMMUNICATIONS

ADULTBASIC 2010 ANNUAL REPORT

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

March 1, 2011

The Honorable Tom Corbett
Governor, Commonwealth of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120

and

The General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: 2010 adultBasic Annual Report

Dear Governor Corbett and Members:

Pursuant to Section 1303(e)(7) of Act 2001-77, the Department is pleased to present the Annual Report of adultBasic, Pennsylvania's health insurance program for low-income adults, for the period of January 2010 through December 2010.

Should any questions arise regarding this report, please feel free to contact me, Deputy Commissioner Peter Adams or our Legislative Director, Mary-Jo Mullen at (717) 783-2005.

Sincerely,

MICHAEL F. CONSEDINE
Acting Insurance Commissioner

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

ANNUAL REPORT ON THE CHILDREN'S HEALTH INSURANCE PROGRAM (CHIP)

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

March 1, 2011

The Honorable Tom Corbett
Governor, Commonwealth of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120

and

The General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: Children's Health Insurance Program Annual Report

Dear Governor Corbett and Members:

Pursuant to Section 2311(g)(4) of The Insurance Department Act of May 17, 1921, as amended, 40 P.S. §§991.2311(g)(4), the Department is pleased to present the Annual Report of the Children's Health Insurance Program (CHIP) for the period of January 2010 through December 2010.

Should any questions arise regarding this report, please feel free to contact me, Deputy Commissioner Peter Adams or our Legislative Director, Mary-Jo Mullen at (717) 783-2005.

Sincerely,

MICHAEL F. CONSEDINE
Acting Insurance Commissioner

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

REPORT ON FLOOD INSURANCE CONSUMER EDUCATION PLAN

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

March 1, 2011

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: Insurance Department's Flood Insurance Consumer Education Plan

Dear Members:

Pursuant to Act 10 of Special Session Number 2 of 1996, the Department is pleased to present the Annual Flood Insurance Report detailing the progress being made by the Department to encourage Pennsylvania residents to purchase and maintain flood insurance.

Should any questions arise regarding this report, please feel free to contact me, Deputy Insurance Commissioner Ronald Gallagher or our Legislative Director, Mary-Jo Mullen at (717) 783-2005.

Sincerely,

MICHAEL F. CONSEDINE
Acting Insurance Commissioner

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

ANNUAL REPORT ON MEDICAL CARE AVAILABILITY AND REDUCTION OF ERROR FUND

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

March 1, 2011

To the General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

Re: Insurance Department's Office of Mcare's Annual Report of Operations for 2010

Dear Members:

Pursuant to Act 13 of 2002, 40 P.S. § 1303.743, the Department is pleased to present the Annual Report of the Medical Care Availability and Reduction of Error Act.

Should any questions arise regarding this report, please feel free to contact me, Deputy Insurance Commissioner Peter J. Adams or our Legislative Director, Mary-Jo Mullen at (717) 783-2005.

Sincerely,

MICHAEL F. CONSEDINE
Acting Insurance Commissioner

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

BILLS REPORTED FROM COMMITTEE

Senator WARD, from the Committee on Aging and Youth, reported the following bills:

SB 449 (Pr. No. 432)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for child abuse recognition and reporting training.

SB 639 (Pr. No. 657)

An Act amending the act of December 19, 1990 (P.L.1234, No.204), known as the Family Caregiver Support Act, further providing for intent, for definitions, for caregiver support program, for reimbursements and for entitlement not created.

LEGISLATIVE LEAVE

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

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

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

LEAVES OF ABSENCE

Senator PILEGGI asked and obtained leaves of absence for Senator BAKER and Senator ORIE, for today's Session, for personal reasons.

Senator COSTA asked and obtained leaves of absence for Senator TARTAGLIONE and Senator WASHINGTON, for today's Session, for personal reasons.

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of February 14, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of February 14, 2011.

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

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

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

YEA-45

Alloway	Erickson	Mensch	Vogel
Argall	Farnese	Piccola	Ward
Blake	Ferlo	Pileggi	Waugh
Boscola	Folmer	Pippy	White Donald
Brewster	Fontana	Rafferty	White Mary Jo
Browne	Gordner	Robbins	Williams
Brubaker	Greenleaf	Scarnati	Wozniak
Corman	Hughes	Smucker	Yaw
Costa	Kasunic	Solobay	Yudichak
Dinniman	Kitchen	Stack	
Earl	Leach	Tomlinson	
Eichelberger	McIlhinney	Vance	

NAY-0

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR MICHAEL BRUBAKER
PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, I have two guests, if I may, to introduce. One you have already introduced, and that is the Reverend Robert Burns, our guest Chaplain today. He is also here with his wife, Shirley, and they are from the First Presbyterian Church of Mount Joy in my district. It is an honor and a privilege to have them here, Mr. President. If we could give them a warm welcome, please.

The PRESIDENT. Would the guests of Senator Brubaker please rise so the Senate may give you its usual warm welcome. (Applause.)

Senator BRUBAKER. Mr. President, I would like to introduce, in the gallery, a young man named Alex Marker. He is here with his mother, Nancy, and a friend, Katie. Alex is a very special young man. He has a real clear vision on how we can improve our Commonwealth and our society environmentally. Mr. President, thank you very much for personally spending time with him this morning.

The PRESIDENT. Would the guests of Senator Brubaker please rise so the Senate may give you its usual warm welcome. (Applause.)

**GUESTS OF SENATOR JOHN R. GORDNER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, earlier today the Senate Committee on Labor and Industry held a hearing on workforce development. As part of that hearing, we had a group of local county commissioners here, and I am pleased to say that some of them have stuck around and are in the gallery. I would like to recognize the full board of the Snyder County Commissioners. They are Chairman Joe Kantz, Commissioner Malcolm Derk, and Commissioner Peggy Chamberlin Roup. I ask the Senate to give those commissioners a warm welcome.

The PRESIDENT. It is always a pleasure to recognize county commissioners. Would the guests of Senator Gordner please rise so the Senate may give you its usual warm welcome. (Applause.)

CALENDAR**THIRD CONSIDERATION CALENDAR****BILLS OVER IN ORDER**

SB 79 and SB 159 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 199 (Pr. No. 170) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of Interstate 78 in Berks County as the CMSgt. Richard L. Etchberger Memorial Highway.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-45

Alloway	Erickson	Mensch	Vogel
Argall	Farnese	Piccola	Ward
Blake	Ferlo	Pileggi	Waugh
Boscola	Folmer	Pippy	White Donald
Brewster	Fontana	Rafferty	White Mary Jo
Browne	Gordner	Robbins	Williams
Brubaker	Greenleaf	Scarnati	Wozniak
Corman	Hughes	Smucker	Yaw
Costa	Kasunic	Solobay	Yudichak
Dinniman	Kitchen	Stack	
Earll	Leach	Tomlinson	
Eichelberger	McIlhinney	Vance	

NAY-0

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

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

BILL OVER IN ORDER

SB 242 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 265 (Pr. No. 242) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 1984 (P.L.1069, No.214), known as the Coal and Gas Resource Coordination Act, further providing for definitions, for permits, for permit application, for minimum distance between gas wells, for well class designation and for coordination of gas well drilling through active coal mines; providing for a pillar support study; and further providing for plugging gas wells penetrating workable coal seams, for penalties and for validity of other laws.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-45

Alloway	Erickson	Mensch	Vogel
Argall	Farnese	Piccola	Ward
Blake	Ferlo	Pileggi	Waugh
Boscola	Folmer	Pippy	White Donald

Brewster	Fontana	Rafferty	White Mary Jo
Browne	Gordner	Robbins	Williams
Brubaker	Greenleaf	Scarnati	Wozniak
Corman	Hughes	Smucker	Yaw
Costa	Kasunic	Solobay	Yudichak
Dinniman	Kitchen	Stack	
Earll	Leach	Tomlinson	
Eichelberger	McIlhinney	Vance	

NAY-0

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

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

SB 353 (Pr. No. 447) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-45

Alloway	Erickson	Mensch	Vogel
Argall	Farnese	Piccola	Ward
Blake	Ferlo	Pileggi	Waugh
Boscola	Folmer	Pippy	White Donald
Brewster	Fontana	Rafferty	White Mary Jo
Browne	Gordner	Robbins	Williams
Brubaker	Greenleaf	Scarnati	Wozniak
Corman	Hughes	Smucker	Yaw
Costa	Kasunic	Solobay	Yudichak
Dinniman	Kitchen	Stack	
Earll	Leach	Tomlinson	
Eichelberger	McIlhinney	Vance	

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

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

SB 325 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

SB 1, SB 71, SB 157, SB 203, SB 224, SB 237, SB 244 and SB 251 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 273 (Pr. No. 271) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in general principles of justification, further providing for definitions, for use of force in self-protection, for use of force for the protection of other persons, for grading of theft offenses and for licenses to carry firearms; and providing for civil immunity for use of force.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 274, SB 281, SB 282, SB 283, SB 284, SB 285, SB 286, SB 287, SB 288, SB 289, SB 290, SB 291, SB 328, SB 342, SB 343, SB 344, SB 357, SB 358, SB 359 and SB 360 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 369 (Pr. No. 392) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic highways, providing for the designation of a portion of U.S. 219, S.R. 969, S.R. 879, S.R. 153, S.R. 453, S.R. 1001, Bilger's Rocks Road and the Greenville Pike in Clearfield County as scenic byways.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 468, SB 508 and SB 566 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 606 (Pr. No. 610) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, providing for the designation of the Crawford Lakelands Byway as a scenic byway.

Considered the second time and agreed to,

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

SENATE RESOLUTION No. 25, ADOPTED

Senator PILEGGI, without objection, called up from page 7 of the Calendar, **Senate Resolution No. 25**, entitled:

A Resolution designating the month of March 2011 as "Problem Gambling Awareness Month" in Pennsylvania and observing the week of March 6 through 12, 2011, as "National Problem Gambling Awareness Week."

On the question,

Will the Senate adopt the resolution?

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

UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED

Senators VOGEL, KITCHEN, BRUBAKER, BOSCOLA, ORIE, SCARNATI, ROBBINS, YAW, FERLO, EARLL, DINNIMAN, ARGALL, MENSCH, BAKER, D. WHITE, ERICKSON, BLAKE, PIPPY, RAFFERTY, ALLOWAY, COSTA, WARD, FOLMER, PILEGGI, WASHINGTON, KASUNIC, SOLOBAY, GREENLEAF, WAUGH and BROWNE, by unanimous consent, offered **Senate Resolution No. 49**, entitled:

A Resolution recognizing March 24, 2011 as "National Teach Ag Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise today to offer a resolution recognizing March 24, 2011, as "National Teach Ag Day" in Pennsylvania. Mr. President, Pennsylvania has 225 dedicated agriculture educators teaching in nearly 175 public middle schools, high schools, and post-secondary programs in Pennsylvania. Agricultural educators contribute to a strong and effective education in our schools. They positively impact our young people's educational growth, and because of their dedication to agriculture, they help those students consider a career in an agricultural related field.

Mr. President, I ask the Members to join me in thanking agriculture educators by supporting this resolution. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators VOGEL, YAW, EICHELBERGER, KASUNIC, TOMLINSON, SCARNATI, KITCHEN, ORIE, WARD, SOLOBAY, FONTANA, FERLO, GORDNER, RAFFERTY, DINNIMAN, ROBBINS, BAKER, D. WHITE, ERICKSON, FOLMER, GREENLEAF, WASHINGTON, PILEGGI, PIPPY, MENSCH, EARLL, ARGALL, WAUGH, ALLOWAY and McILHINNEY, by unanimous consent, offered **Senate Resolution No. 50**, entitled:

A Resolution designating March 29, 2011, as "Pennsylvania Farm Bureau Day" and congratulating Pennsylvania Farm Bureau members for their contribution to this Commonwealth and to this Commonwealth's agricultural industry.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise today to offer a resolution designating March 29, 2011, as "Pennsylvania Farm Bureau Day." Mr. President, we all know agriculture is our number-one industry in Pennsylvania. I believe it is important to recognize the Pennsylvania Farm Bureau and its outstanding membership, which now exceeds 50,000 members, for its contributions to this Commonwealth and to the Commonwealth's agriculture industry.

Mr. President, this resolution is a small gesture of gratitude and a way of saying thanks to all of our Farm Bureau members on behalf of the farming community and for the citizens of Pennsylvania. Please join me in supporting this resolution today. Thank you.

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

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

Senator TOMLINSON, by unanimous consent, offered **Senate Resolution No. 51**, entitled:

A Resolution designating the week of February 27 through March 5, 2011, as "Weights and Measures Week" in Pennsylvania and commending the outstanding service of inspectors of county and city weights and measures offices and the Weights and Measures Division of the Department of Agriculture in the protection of our citizens by ensuring accuracy, equity and confidence in commercial and retail measurements.

On the question,
Will the Senate adopt the resolution?

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

Senator TOMLINSON. Mr. President, I rise to ask for unanimous consent to consider the resolution commending the great works of our weights and measures inspectors of the Commonwealth by designating the week of February 27 through March 5, 2011, as "Weights and Measures Week" in Pennsylvania.

Mr. President, you, as a former Bucks County commissioner, know the great works in Bucks County. While inspectors are in every county of the Commonwealth, my home of Bucks has a distinction of serving our Consumer Protection/Weights and Measures office, run by Mr. Michael Bannon. Their office receives over 8,000 consumer calls a year and serves our residents and the businesses of Bucks County well. I would like to offer this resolution to recognize those great works, not only in Bucks County, but of all weights and measures inspectors in the Commonwealth of 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.

Senators BAKER, WARD, ALLOWAY, ARGALL, BOSCOLA, BREWSTER, BROWNE, COSTA, DINNIMAN, EARLL, ERICKSON, FERLO, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, KITCHEN, MENSCH, ORIE, PILEGGI, PIPPY, RAFFERTY, SCARNATI, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, VANCE, VOGEL, WASHINGTON, WAUGH, D. WHITE, WOZNIAK and YAW, by unanimous consent, offered **Senate Resolution No. 52**, entitled:

A Resolution designating March 2011 as "American Red Cross Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator WARD. Mr. President, I offer this resolution designating March 2011 as "American Red Cross Month" in Pennsylvania. Since its founding in 1881 by Clara Barton, the American Red Cross has been the nation's premier emergency response organization. The Red Cross offers humanitarian care to the victims of war and to the victims of devastating natural disasters. Over the years, the organization has expanded its services with the aim of preventing and relieving suffering.

Today, the American Red Cross provides community services that help the needy; supports and comforts military members and their families; collects, processes, and distributes life-saving blood and blood products; provides educational programs to promote health and safety; and assists people around the world to contend with disasters, humanitarian emergencies, and life-threatening health conditions. The American Red Cross is always prepared to help us to be ready in times of need. Thank you all for your support of this worthy organization by designating March as American Red Cross Month in Pennsylvania.

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

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

Senators GREENLEAF, DINNIMAN, STACK, BAKER, ORIE, RAFFERTY, SOLOBAY, COSTA, WARD, D. WHITE, KASUNIC, PIPPY, MENSCH, WAUGH, ALLOWAY, EARLL and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 53**, entitled:

A Resolution designating the month of March 2011 as "Brain Injury Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator GREENLEAF. Mr. President, the resolution I offer designates March 2011 as "Brain Injury Awareness Month" in Pennsylvania. Traumatic brain injury is the leading cause of disability and death from birth to age 40. Brain injury due to trauma may be caused by a direct blow to the head, being shaken violently, or by falls, motor vehicle crashes, bicycle accidents, sports and recreational injuries, shaken baby syndrome, gunshot wounds, and assaults.

The signs and symptoms of traumatic brain injury can be subtle and may not appear for days or even weeks after the injury or may even be missed. Mild traumatic brain injury is often underdiagnosed and misdiagnosed, with symptoms not always immediately apparent. It is estimated that there are between 50,000 to 125,000 mild traumatic brain injuries, commonly referred to as concussions, resulting from sports and recreational accidents in Pennsylvania every year. Nationally, children and youth 5 to 18 years of age account for 2.4 million sports-related emergency visits for traumatic brain injuries annually. Over 130,000 Pennsylvanians are living with a long-term disability resulting from traumatic brain injury. Also, more than 50,000 Pennsylvanians are treated and released from emergency rooms for traumatic brain injuries annually. The cost of treating, rehabilitating, and caring for the victims of traumatic brain injuries in the United States is approximately \$30 billion each year.

This Commonwealth has a number of leading research centers for brain injuries, including the Penn Center for Brain Injury and Repair at the University of Pennsylvania, the Moss Rehabilitation Research Institute, the Brain Trauma Research Center at the University of Pittsburgh, and the Center for Injury Research and Prevention at the Children's Hospital of Philadelphia. In addition, the State has three organizations specifically devoted to brain injury, including the Brain Injury Association of Pennsylvania, Inc., the Acquired Brain Injury Network of Pennsylvania, the Pennsylvania Brain Injury Coalition, as well as two organizations with a strong focus on brain injury, including the Disability Rights Network of Pennsylvania and the Pennsylvania Association of Rehabilitation Facilities. That being said, I ask for your support and adoption of this important resolution.

Thank you very much, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Robert Beers, Keith William Hosie, Sean Carroll and to the Schuylkill Historical Fire Society by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Walter Ostrander, Mr. and Mrs. Raymond Scull, Mr. and Mrs. Joseph C. Martin, Katherine M. Shelly and to the Hawley Public Library by Senator Baker.

Congratulations of the Senate were extended to Calvary Baptist Church of Easton and to the Greek-American community of the City of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Nicholas T. Stankiewicz, Garrett N. Holmes, Brandon Vesely, Colin P. McGrail and to Bruce Thomas Snyir by Senator Brewster.

Congratulations of the Senate were extended to Delia A. Kreiling by Senators Brewster and Costa.

Congratulations of the Senate were extended to Ed Baldrige, Georgia Baldrige, Millie Carr, Betty Duffy, Blanche Hodge, Beth Landau, Eleanor Matyus and to Betty Minor by Senator Browne.

Congratulations of the Senate were extended to Joshua Stephen Fogerty by Senators Browne and Mensch.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Horst, Mr. and Mrs. Charles Yeager, Mr. and Mrs. David Weidner, Mr. and Mrs. Richard Kauffman, Mr. and Mrs. John Showalter, Mr. and Mrs. LeRoy Heisey, Mr. and Mrs. Edwin Wise, Anders Oberg, Georgette Hackman, Cocalico Valley Veterans of Foreign Wars Post 3376 of Ephrata and to the Northern Lancaster County Game and Fish Protective Association by Senator Brubaker.

Congratulations of the Senate were extended to Robert L. Haines, George A. Berrier, Lucinda A. Rohm, Faye R. Reisinger, Donna Lou Shearer, Bonnie M. McAlister, Carolyn S. Heisley, Katie Osborne, Zachary T. Stewart, Stephen J. Zimmerer, Betty J. Douty, Joann E. Gabel, Edwin S. Delancey, Leo G. Hummel and to Darlene A. Adams by Senator Corman.

Congratulations of the Senate were extended to Dr. Robert Young, John DeFelice, Claire Werkiser and to Joyce Chester by Senator Dinniman.

Congratulations of the Senate were extended to Marlene L. Olshan by Senators Dinniman and Farnese.

Congratulations of the Senate were extended to Mary Woodmansee Green by Senators Dinniman and Washington.

Congratulations of the Senate were extended to Devon Elementary School by Senators Erickson and Dinniman.

Congratulations of the Senate were extended to Leoda Aten by Senator Gordner.

Congratulations of the Senate were extended to Joann Ryan, William E. Stark, Kevin T. Bazzel and to the Settlement Music School of Philadelphia by Senator Greenleaf.

Congratulations of the Senate were extended to Kappa Omega Zeta Chapter of the Zeta Phi Beta Sorority by Senator Hughes.

Congratulations of the Senate were extended to Jewel McLendon and to Trinity Church Oxford of Philadelphia by Senator Kitchen.

Congratulations of the Senate were extended to Charles R. Kostecki by Senator Mensch.

Congratulations of the Senate were extended to Our Lady of Guadalupe Roman Catholic Church of Doylestown by Senator McIlhinney.

Congratulations of the Senate were extended to Kevin Bunce, Dominic A. Baker, Justin D. McGee and to Benjamin T. Allman by Senator Orie.

Congratulations of the Senate were extended to Jason Gong by Senator Pileggi.

Congratulations of the Senate were extended to Mr. and Mrs. Elmer Boyer and to Mr. and Mrs. William Hallowell by Senator Scarnati.

Congratulations of the Senate were extended to Sister Sandra Smithson, Jim Bampfield, Andy Conaway, William Gaskill, Michael Sonnie, Shaun Peranteau, George Rowe, Daniel

Gilmartin, Chester Pogonowski and to Duane Smith by Senator Tomlinson.

Congratulations of the Senate were extended to David Amatangelo and to Conor Dugan by Senator Ward.

Congratulations of the Senate were extended to Mr. and Mrs. Michael Rashid, Mr. and Mrs. Seth Williams, Mr. and Mrs. Lloyd Ayers, Mr. and Mrs. Ali Salahuddin, Honorable Vanessa Lowery Brown, Honorable Kenyatta Johnson, Honorable Cherelle L. Parker, Honorable Alan L. Butkovitz, Honorable Ronald R. Donatucci, Dr. Arlene C. Ackerman, Bill Green, Curtis Jones, Jr., Frank DiCicco, Derrick Alexander Kershaw and to Maria D. Quiones-Snchez by Senator Washington.

Congratulations of the Senate were extended to William H. Buser II and to James O. Schroyer by Senator Waugh.

Congratulations of the Senate were extended to Thomas R. Evans by Senator D. White.

Congratulations of the Senate were extended to Emily Hetzler Milford, Butler County Farm Bureau and to the North East High School LifeSmarts Team by Senator M.J. White.

Congratulations of the Senate were extended to Lae Dane Crawley by Senator Williams.

Congratulations of the Senate were extended to Mildred Slingerland and to Shirley Jackson by Senator Yaw.

Congratulations of the Senate were extended to Matthew Dellario by Senator Yudichak.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Sergeant Robert C. Sisson, Jr., by Senator Vogel.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 449 and SB 639.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

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

Senator COSTA. Mr. President, I rise today to talk about a new initiative which Senate Democrats launched last week called Pennsylvania Works. If you have not already had an opportunity to review it, Mr. President, I believe that our plan is worth taking a look at because we believe it has the potential to spur the creation of tens of thousands of jobs here in Pennsylvania. Furthermore, Pennsylvania Works will reduce State spending by \$150 million, while giving businesses across this Commonwealth the incentives they need to make community investments.

Over the past several months, Senate Democrats have stressed the need to work aggressively to bring more jobs to Pennsylvania.

While aware of the trying budget process which awaits us in the legislature here over the next couple of weeks, all Members of the Senate Democratic Caucus agree that jobs must remain the number-one priority here in Harrisburg. Throughout this Session, we must bear in mind how imperative it is that we continue to look at the big picture and make wise investments in our future to speed up economic recovery here in Pennsylvania.

Our Pennsylvania Works plan focuses on six key areas: small businesses, workforce training, critical State investments, clean and green energy, infrastructure investment, and tax fairness.

Mr. President, there are a number of things that we can do as a Commonwealth to become a better friend to small businesses. The Small Business First program is a very popular and very successful DCED program. By increasing the maximum loan amounts and repayment periods and decreasing maximum interest rates for all Small Business First loans, we believe we can generate more small business investment. Refocusing programs like the Second Stage Loan Guarantee Program and lessening the restrictions in place to limit the program is another part of our plan to help free up capital and make sure that the funding originally allocated to this particular program is not lying stagnant. A reconstituted \$50-million small business investment guarantee program will provide a needed catalyst to spur our private banks and our other commercial lenders to provide access to capital for our small businesses.

Mr. President, workforce training is the second key component. A recent Department of Education report found that only 20 percent of our current workforce holds the necessary skills that 60 percent of our 21st century economy will require. If we want to compete in the national and global economy, a well-trained workforce is essential.

We can accomplish that by consolidating several of our current programs. Pennsylvania needs a one-stop workforce investment in education service. By consolidating all job training programs under the Department of Labor and Industry, we believe we can focus training and education programs to align skills training with industry employment needs. Consolidation would include programs like the Vocational Education Programs, Youth Development Institutions, Corrections Education and Training, and New Directions for public assistance recipients. The restructuring would allow Pennsylvania to fully leverage Federal subsidies through the Workforce Investment Act, the Vocational Rehabilitation Act, the Perkins Act, TANF welfare-to-work programs, and Social Service Block Grant subsidies to directly invest in employer-directed training programs.

We can also look at successful models in other States. By creating a Train-to-Work PA program, we can have an individual employer-driven program coordinated through workforce investment boards and the Department of Labor and Industry. This would be modeled after the very successful Georgia Works program, which Senate Democrats have talked about before. Priority for training and Train-to-Work programs in Pennsylvania will help those applicants who are currently receiving unemployment compensation benefits. We can invest Federal dislocated worker funds to partially subsidize wages for on-the-job training opportunities leading to full-time permanent employment. The department already has waivers in place from the Federal Department of Labor to use dislocated worker funds for this particular purpose.

Mr. President, our third point is making critical investments to create jobs. Pennsylvania has funded a number of very successful programs to create jobs and grow our economy. Many of these investments have been critical in transforming our economy into what it is today, a regional leader emerging from the deep economic recession in much better shape than most other States.

Now, we must take a new and careful look at the entire investment portfolio we have. We need to identify what works and fix what does not work. One thing that our plan does to address this is to recapitalize Business in Our Sites. The Commonwealth Financing Authority's infrastructure investment program is designed to create shovel-ready sites for new development. Our plan proposes a fresh \$75 million recapitalization of this successful program by reallocating previously authorized CFA funds from underutilized program accounts.

Clean and Green Energy is another important component of our six-point plan. Pennsylvania is primed to become a world leader in clean and green energy. Our prior investments, coupled with the efforts of our world-class educational institutions, have positioned Pennsylvania at the forefront of many emerging energy sectors. Industry leaders include Plextronics for solar research, Gamesa in wind energy development, Westinghouse in nuclear research and development, and the Marcellus Shale industry, which has untold potential to create new jobs and new commerce in this Commonwealth.

The Clean and Green Energy component of Pennsylvania Works is a package of initiatives designed to encourage the construction of green buildings and to seize Pennsylvania's opportunity to become a world energy leader. The exploding Marcellus Shale industry has generated thousands of good-paying, family-sustaining jobs. Senate Democrats want to continue to promote this industry while at the same time protecting and reinvesting in our local infrastructure and making certain that the resources that belong to all of us are protected and that the environment is protected as well.

Mr. President, we cannot overlook the infrastructure investments as we move forward. It is critical to creating jobs and stimulating the economy. For Pennsylvania to move forward, we must invest. Our roads must be up to par to protect Commonwealth residents and commerce. Our water and sewer systems are old and outdated; our gas utility lines are failing; and we need to upgrade our communications technology. Some of these issues can be addressed immediately. We should explore public-private partnerships, tolling, and bonding as short-term solutions to our transportation funding woes. And the Commonwealth Financing Authority should act in April to release the remaining \$172 million of H₂O funding for water and sewer projects.

Finally, Mr. President, we believe that we must do something to bring tax fairness to Pennsylvania. How do we do this? We do this by reducing the corporate net income tax to 7.5 percent by closing the Delaware loophole, which allows companies to take unfair advantage of the tax structure here in Pennsylvania. We also believe that we can increase the single sales factor, a method for dividing business income amongst States for the purpose of taxation. We propose increasing the single sales factor to 100 percent to give home-based Pennsylvania corporations more favorable tax treatment in their Pennsylvania sales. We also believe that increasing the net operating loss ceiling is an important tool for new- and early-stage businesses that may have suffered

losses in their early years of development. We believe that we can increase this amount from \$3 million to \$5 million and from 20 to 25 percent of taxable income. Reducing corporate tax rates and implementing principles of tax fairness will make Pennsylvania more business-friendly in a competitive State. The tax fairness components of the Pennsylvania Works package is a package of common-sense reforms to our Tax Code that we believe will stimulate economic growth and business development.

Mr. President, a great deal of time, thought, and planning went into this Pennsylvania Works project. Pennsylvania Works uses innovative ideas that will spur job creation, promote a business-friendly environment, and expand business opportunities. Senate Democrats believe that every issue and every decision made in the coming months should be gauged by the importance of job creation and retention. Pennsylvania Works was crafted to avoid new spending, as I said earlier, where possible, and to increase efficiencies and eliminate redundancy in State government. By being a better friend to small businesses, creating a tax climate to make businesses want to stay here in Pennsylvania and allowing them to create new jobs here, and by making sure that our workforce training targets the areas where it is needed most, we stand to help tens of thousands of people find meaningful work in this Commonwealth.

Mr. President, right now, I and my Senate Democratic colleagues see this as the first and highest priority. We hope that all of our colleagues will take a look at our plan and join us as we go forward in this worthy endeavor. Mr. President, thank you very much.

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

Senator STACK. Mr. President, next week, Governor Corbett will address us in a Joint Session for the first time to lay out his agenda and to deal with the very crucial issue of our huge budget deficit. I like a number of the things that I have heard from Governor Corbett and his proposed cabinet Secretaries so far. I feel very optimistic and hopeful that he brings the right kind of focus, the right kind of background, and the right kind of determination to the job. So I am hopeful that Democrats and Republicans can work together in a common way to solve the problems with which our State is dealing.

One of the issues that I have talked about and the Governor has commented on is the issue of adultBasic coverage, which we have had here in Pennsylvania. The adultBasic coverage, as you know from hearing me talk about this issue a number of times, was originally started by Governor Ridge and has been very successful at providing low-cost health insurance for hardworking Pennsylvanians who otherwise would not be able to afford health insurance. As of yesterday, the program has expired, and it has essentially gone out without so much as a whimper. It has been a disheartening process to watch that program fall by the wayside.

Nonetheless, I have not given up on continuing to advance one idea, which is Senate Bill No. 420, of which I am the prime sponsor. I have 11 cosponsors. That bill, as you know, advocates spending a portion of the \$190 million that the legislature currently has in reserves toward funding the adultBasic insurance program until we can come up with a more permanent solution.

I have also been one of the individuals who have said the adultBasic program, although it is a great program, is like many other government programs - it needs better accountability, it

needs to be run more efficiently, and at the end of the day, the dollars that are expended through that program and many other government programs need to be guarded and protected as though they are the last nickel in each and every one of our pockets.

So we can run that program better, we can run it more efficiently, and using the legislative reserve is but one option. I have heard a couple of other options. Representative DeLuca has an idea to fund the program through proceeds from the auto CAT Fund. This is a good idea. I have heard other folks, albeit not present legislation on it, talk about using money that may be in the surplus this year. That is an idea to which I am open. Others have said that the problem they have with the ABC funding mechanism is that they think that the Blues, who have previously funded the program to the tune of over \$500 million, should continue to fund the program. Philosophically, I am not sure if that is what I think private industry or corporate interests should be involved in. Nonetheless, I have not seen any legislation promoting that type of issue, and we cannot consider anything until we have a bill on it.

The bottom line is we have 41,000 people right now who have no health insurance. This is an old argument that we have made, that when folks do not have insurance, usually their first entry into the health system is through the emergency room doors. And thank God, under Pennsylvania law, when a person comes through the emergency room doors and they are sick, our healthcare providers have a duty to take care of those people. But ultimately, the cost of doing that is passed on to all of us, the taxpayers. So it is a "you can pay me now, or you can pay me later" situation. The bottom line is providing affordable health insurance is still a big problem, and we cannot let these 41,000 people slip through the cracks.

So I look forward to continuing to work with my colleagues, with Governor Corbett, on that issue. And then, just one last piece, too. You know, when we talk about the budget, we are really talking about corrections, welfare, and education. That is 73 percent of the budget, those three items, and all three of those items need major reforming.

A hot-button issue that is going to be discussed in this Chamber and throughout the legislature is the idea of educational reform, some people call it vouchers, some people call it school choice. A big part of that is the fact that there is EITC money which helps kids go to the schools to which they want to go. It helps their parents or parent afford to send them to the schools they want. That is one of the more attractive things I see in educational reform, the increased EITC money.

Nonetheless, in this Caucus here on this side of the aisle, we had a hearing yesterday in which Democrats attacked Democrats in a type of rhetoric which, in my opinion, does not set a good example for the people out there who count on us to solve these problems and not become acrimonious. We can have great and strong opinions, but we should always try to be agreeable, even when we disagree. That is something of which I think we should all be mindful, that our tone and our rhetoric should never take such a strong tone that it cancels out what our good intentions are and the people we are trying to stand up for, which is ultimately our greatest resource, and that is our young people for whom we are hoping to get the best possible education. So I look forward to working with you, Mr. President, and all the Members of this great Chamber and with the Governor to solve the problems of

Pennsylvania. We look forward to doing that, and I think that we can accomplish great things.

Thank you, Mr. President.

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

Senator KITCHEN. Mr. President, yesterday I talked about adultBasic healthcare insurance, and I also introduced Senate Resolution No. 43. I just am sincerely asking that it be considered to be brought up for a vote and that we approve it. I have to keep talking about this because it is so important to so many people, working people in my district and across the State who do not have healthcare. I think it would be irresponsible of me to let this issue pass, to let the insurance expire and say nothing. It is not right treatment to the taxpayers of Pennsylvania, and I do not think it is unreasonable to do a 90-day study of this program.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I just want to rise very briefly and lend my support to Senator Kitchen's very realistic and reasonable request that we entertain the resolution to which she made reference. Without question, the adultBasic issue is very, very important in this Commonwealth, and unfortunately, in our opinion has not gotten the attention that it deserves. I do not think folks recognize the significant impact it is going to have on a number of industries in this Commonwealth, particularly the healthcare delivery system.

Mr. President, when we met with a number of the organizations that have the program, of the 40,000 individuals who are responsible on the adultBasic program, a collective number of them indicated that less than 10 percent last week had transferred over from the adultBasic to the Special Care program. If they got up to 25 percent, which would represent about 10,000-plus individuals, it still leaves about 30,000 people, possibly—I will even give you 20,000 people—who do not have insurance as we stand here today.

At the end of the day, what does that mean? You have families who are not able to get the healthcare that they want and need and pay for. They are ready, willing, and able to pay additional amounts, but at the end of the day, those folks will end up in our hospitals and our emergency rooms at an accelerated amount of money, an increased amount that it will cost to treat conditions that are getting worse because they have not been able to get to the doctor's office. We need to take a look at the impact of the loss of adultBasic in this Commonwealth, and it is important that we take the opportunity to look at the study that was developed by the resolution developed by Senator Kitchen. I stand behind her in that request and hope that we can move forward along those lines.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, along those same lines that Senator Costa referred to, which has also been a collective voice by many Members of our Caucus, not just now, but over the years, this has been an issue of finding health insurance for those individuals who are in the adultBasic program. And so that we are exactly clear on that, these are individuals who cannot afford to purchase health insurance on their own but are working individuals who, unfortunately, do not make enough money to pur-

chase on their own but make more money than would be in the State's Medical Assistance program. So they are caught in a very difficult circumstance. They are caught in a very difficult situation. And, you know, when we take them off of the rolls of adultBasic, then they wind up getting care somewhere else. Someone has to treat them in some fashion, and usually what happens in these circumstances is these individuals wind up in our emergency rooms. They wait because they cannot afford the alternatives that are available to them. They make too much money to get into the State's Medical Assistance program and not enough money to afford some very expensive insurance that exists out there, so they wind up in a high-cost alternative that currently is available. But when you talk about a high-cost alternative, you are talking about a program that now rises from a monthly premium of \$36 a month to a monthly premium of almost \$150 a month. And then that also puts them in a circumstance where, if I understand the information correctly, they only get four hospital visits during the course of the year. That is not a viable option, especially in an economy, Mr. President, where the need for services like this is increasing.

We have an 8.5 percent unemployment rate. Folks are struggling to make it on a daily basis, and adultBasic was designed for those individuals who fit into that category. As I said, they are working individuals, trying to make it on a daily basis. There are probably about half a million people or so who are on the waiting list to get into the program, and probably hundreds of thousands more who thought this would be a good idea to get into at some point but never got the muster up to even apply to get on the waiting list.

We have worked over the years--and Senator Costa did a really good job in terms of pulling everybody together about two Mondays ago to try to get everybody in the room. The Blues were there. All the representatives from all the Blues across the Commonwealth were there. Other insurance carriers were there. The Blues indicated they have been putting up money and have spent exorbitant amounts of money over the years as their contribution to this program, and I think that needs to be noted. They have put up money, and it really is, in this circumstance--we were not able to bring everybody together. We still need to come back to the table, considering Senator Kitchen's resolution, come back to the table, considering all the other conversation that occurred, come back to the table to try to get this thing worked out. To leave these folks hanging without any care or, in fact, not just without any care but what seems to be any hope for some care sometime in the near future, I think, really does not represent the best in us as a State. In many respects, it represents the worst in us.

So I hope that we can figure out a way to get everybody back to the table, get all of the insurers, not just the Blues, but all of the insurers, to figure out a way that they can kick in to come close to matching what the Blues have put in; figure out a way to get some State support, maybe do some creative financing and try to get the Federal government to step up in some fashion; to do something creative so that we do not leave these folks hanging, because right now, they have been hung out to dry and we need to figure out a way to get them taken care of.

Thank you, Mr. President.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Monday, March 7, 2011, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:03 p.m., Eastern Standard Time.