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WEDNESDAY, APRIL 6, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 20

SENATE

WEDNESDAY, April 6, 2011

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend GLEN BAYLY, Pastor of Mifflinburg Alliance Church, Mifflinburg, offered the following prayer:

Will you join me in prayer.

Our gracious Heavenly Father, we come before You this morning. We honor You as the Creator of all that exists. We thank You that You have made people in Your own image and desire our fellowship. We thank You that You have made us special and that You love each and every one that You have made in Your image.

So we come before You today to seek Your blessing on the work of this Chamber, to seek Your presence in our lives. We thank You for our many blessings today, the blessings of this great State and nation that we live in. Lord, as we think of the world today, we know there is great turmoil going on. We think of the nation of Japan this morning, and we ask You to bless that nation. May the people resolving the issues of the earthquake, the tsunami, and the nuclear reactors, may they have success today. May there be comfort from You in the hearts and lives of people, especially those who have lost loved ones. We pray for Libya this morning, and we ask that Your peace might come upon that nation, as well as other nations of the Middle East that are in turmoil this morning. We ask that there would be the sparing of innocent lives and that Your will might be done. And we pray, Lord, for the nation of Ivory Coast as well, also a nation in turmoil, with innocent people being killed this very day. We pray for protection over the innocent people and resolution of the political problems there.

Lord, for our own State, we pray for the people of Pennsylvania today. We ask You to bless each one. May they know Your presence and Your love in their lives. We pray especially for those who need employment today, that You might supply their needs, that businesses would have sufficient business to be able to employ each one who desires to support their lives and their families through employment.

Lord, we pray for those who have health concerns. We pray for those who have lost loved ones, that You would comfort them today. And then, we ask for the Members of this body, that

You would be with each one, that they might seek a personal relationship with You, that they might know Your forgiveness in the hope of eternal life. So, we ask You to guide this Session now, and may it be fruitful and may it be pleasing in Your sight. We pray in Your precious and holy name. Amen.

The PRESIDENT. The Chair thanks Reverend Bayly, who is the guest today of Senator Yaw.

PLEDGE OF ALLEGIANCE

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

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:

April 6, 2011

Senators FARNESE, BROWNE, FONTANA, LEACH, COSTA, WILLIAMS and TARTAGLIONE presented to the Chair **SB 910**, entitled:

An Act amending the act of October 27, 1955 (P.L. 744, No. 222), known as the Pennsylvania Human Relations Act, further providing for title of act, for findings and declaration of policy and for right to freedom from discrimination in employment, housing and public accommodation; further defining "employer" and defining "sexual orientation" and "gender identity or expression"; and further providing for unlawful discriminatory practices, for prohibition of certain real estate practices, for powers and duties of commission, for education program and for construction and exclusiveness of remedy.

Which was committed to the Committee on STATE GOVERNMENT, April 6, 2011.

Senators VOGEL, EICHELBERGER, D. WHITE, WAUGH, PIPPY, EARLL and WOZNIAK presented to the Chair **SB 924**, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, abolishing the office of Lieutenant Governor.

Which was committed to the Committee on STATE GOVERNMENT, April 6, 2011.

Senators HUGHES, TARTAGLIONE and LEACH presented to the Chair **SB 931**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for personalized firearms; and prohibiting certain sales of firearms.

Which was committed to the Committee on JUDICIARY, April 6, 2011.

Senators FOLMER, RAFFERTY, BAKER, WARD, ALLOWAY, BROWNE, WILLIAMS, BREWSTER, MENSCH, EARLL, BRUBAKER and FARNESE presented to the Chair SB 933, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for reports to Department of Education, for subsidies for services and for financial reports.

Which was committed to the Committee on EDUCATION, April 6, 2011.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Mr. J. Andrew Crompton to serve in his stead as a member of the Joint Committee on Documents.

BILLS REPORTED FROM COMMITTEES

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

SB 101 (Pr. No. 153)

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for a penalty.

SB 104 (Pr. No. 87)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for State-owned vehicle use.

SB 106 (Pr. No. 89)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for a limitation on the length of session.

SB 109 (Pr. No. 90)

An Act requiring certain notification in certain advertising.

SB 637 (Pr. No. 992) (Amended)

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

SB 717 (Pr. No. 701)

An Act designating and adopting the Piper J-3 Cub as the official airplane of the Commonwealth of Pennsylvania.

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

SB 5 (Pr. No. 989) (Amended)

An Act establishing the Community-Based Health Care (CHC) Program in the Department of Health; and providing for hospital health clinics.

SB 225 (Pr. No. 990) (Amended)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, removing references to certain boards of trustees.

SB 227 (Pr. No. 991) (Amended)

Amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for application for registration certificate, for issuance of registration certificate and for records; providing for disclosure; and further providing for emergency closure.

SB 260 (Pr. No. 237)

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, further providing for legislative intent, for consent to HIV-related tests and for counseling.

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

SB 552 (Pr. No. 619)

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, providing for industry partnerships.

SB 654 (Pr. No. 689)

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

HB 377 (Pr. No. 1441) (Amended)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for Uniform Construction Code Review and Advisory Council, for revised or successor codes and for exemptions.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Folmer and Senator McIlhinney, and a legislative leave for Senator Tomlinson.

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

Senator COSTA. Mr. President I request a temporary Capitol leave for Senator Stack, and a legislative leave for Senator Williams.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Folmer and Senator McIlhinney, and a legislative leave for Senator Tomlinson.

Senator Costa requests a temporary Capitol leave for Senator Stack, and a legislative leave for Senator Williams.

Without objection, the leaves will be granted.

SPECIAL ORDER OF BUSINESS JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of March 2, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of March 2, 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?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,
Will the Senate agree to the motion?

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

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

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

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

Senator CORMAN. Mr. President, today I am honored to introduce a constituent to the Senate and to allow her to make a presentation. Emily Zheng is a State College Area High School

student, and she was named Centre County's and Pennsylvania's Outstanding Young Woman of the Year. Emily is the daughter of Dr. and Mrs. Zheng. She hopes to study constitutional law or business management. She told me today that she has been accepted to Schreyer Honors College at Penn State University, a very prestigious school.

For the performing arts part of her presentation, she performed Chopin's Opus 10, No. 12, on the piano. For her outstanding performance in being named Miss Outstanding Young Woman, she has received a \$5,000 scholarship. For those of you who are not familiar, Pennsylvania's Outstanding Young Woman Program is a nonprofit corporation led by volunteers throughout Pennsylvania who represent all sectors of the community, including business, civic, leadership, and education. Together with its local and regional programs across the State, Pennsylvania's Outstanding Young Woman Program seeks to recognize the accomplishments and commitment of our young women and to assist them as they chart their futures. Each year, the outstanding high school senior women are selected for very special recognition.

In presenting the various scholarship awards to the best all-around senior women, Pennsylvania's Outstanding Young Woman Program seeks to focus attention on the constructive accomplishments of all young people, to encourage excellence, and to promote the sense of commitment to the future.

Emily is joined here, as I said, by her parents and by her three brothers, as well as representatives from Pennsylvania's Outstanding Young Woman Program. I ask the Senate to welcome Emily and allow her to make a little presentation for us.

The PRESIDENT. Please join me in welcoming Senator Corman's guests to the Senate here today with our usual warm welcome.

(Applause.)

The PRESIDENT. Emily, the microphone is yours.

Miss ZHENG. Children rarely hesitate in front of something they like, because they know if they were to lose it, their tears would burst. But what happens if the thing they like is a piece of technology that they become forever attached to, the keyboard that never leaves their fingertips, the cell phone that never leaves their hands, or perhaps even the iPod earphones that never leave their ears?

There is something to be said for technology, of course, for the ease and speed it lends to our ever-increasingly exotic as well as chaotic lives. It lets us do more with the time that what we have so that we squeeze even more into the time we have left over. We live in such a world and society where now, even second-graders at my local elementary school are receiving iPads from the district to help with their numbers and letters. But at what cost? We are teaching children to live faster, but they are also aging faster. I remember when playtime meant, let us go outside, not let us sit by the computer. Just last week, I was competing with my 8-year-old brother for bandwidth.

Every day, we hear about the obesity epidemic and how it plagues our nation's children. But, I would argue that the technology epidemic is just as prevalent. With faster, more user-friendly technology, students can use Google to find all the answers, ideas, and even opinions they could ever want, and so are forging the harder, but arguably more rewarding, challenge of exploring the world they live in for themselves.

Technology, such as cell phones, is allowing the youth to communicate faster over longer distances, but they are not necessarily doing it better. And the iPod earphones that are providing them with the hippest of sounds of right now are also drowning out the wisdom and the words of the generations before us.

Technology developed as a tool to help the adult as he or she carved his or her place and legacy out of this world, but increasingly, technology is becoming the legacy itself. We have always said that children are our future, and that is because the stage of childhood possesses a quality of innocence, creativity, and innate curiosity that is unparalleled, unmatched by any other part of the human life, as it is unshackled by the impossibilities of reality. I strongly believe that we should protect childhood to the best of our abilities.

Thank you so much. My name is Emily Zheng, and I am Pennsylvania's Outstanding Young Woman for 2011.

(Applause.)

The PRESIDENT. Thank you, Emily.

GUEST OF SENATOR JANE M. EARLL PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Erie, Senator Earll.

Senator EARLL. Mr. President, today it is my distinct pleasure to introduce a visitor here who is going to be spending about a month in my office. Her name is Nino Panjikidze, and she is visiting from Tbilisi, Georgia. This young woman is very accomplished in her early life so far. She speaks four languages - Georgian, Russian, English, and French. She has a master's degree in international studies with a specialization in law from the Graduate Institute of International and Development Studies in Geneva. She currently is protocol advisor to the administration, Ministry of Justice, in Tbilisi, and she is responsible for preparing and holding high-level meetings of state and governmental delegations, organizing official and working visits of the minister, deputy ministers, heads and representatives of international organizations to Georgia, and visits of Georgian delegations. She also manages projects operated by the Administration Department of the Ministry of Justice.

She is very interested in comparative politics and law, and she would like to use this experience to learn about the development of a more open and responsive government. She is also interested in learning about issues of juvenile justice here in the United States and in Pennsylvania specifically. I would very much appreciate if we would all give her the Senate's usual warm welcome, and, please, everyone take the time to meet her over the course of the next month while she is here.

The PRESIDENT. Would the guest of Senator Earll please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR STEWART GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, I am pleased to introduce some guests who are here today involved in the Center for Organ Recovery & Education. They are individuals who have been advocating for and educating people in the Commonwealth

of Pennsylvania about the need for organ and tissue donation. In fact, one individual could save the lives of five, six, seven, or eight people by their donation.

So they are here today. Along with Senator Farnese, we are hosting them, and we would like to introduce them. First is Jan Weinstock, who is involved with the Gift of Life Donor Program; John Green, who is also involved in the same program; Louis Torres, who is a liver recipient; Misty Enos, from the Center for Organ Recovery & Education; and Helen Bollinger, from the Center for Organ Recovery & Education.

The PRESIDENT. Would the guests of Senator Greenleaf please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, today I have the pleasure of introducing Sarah Micsky and Haley Bates, who are serving as guest Pages in the Senate. Both Sarah and Haley are currently eighth-graders attending St. Michael School in Greenville. Sarah is the student council president of the eighth-grade class at St. Michael. Haley is an honor student and class president. She is also on the St. Michael cheerleading squad. Sarah and Haley are both on the varsity basketball team and are altar servers at St. Michael Church. They are both active in the Pennsylvania Junior Achievement of Science, National History Day, and the Youngstown English Festival.

Sarah and Haley are accompanied here today by their teacher, Mrs. Nancy Kremm, who is seated in the Senate gallery. Mr. President and fellow Members, please join me in welcoming my special guests to the Senate of Pennsylvania.

The PRESIDENT. Would the guests of Senator Robbins please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR JOHN P. BLAKE PRESENTED TO THE SENATE

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

Senator BLAKE. Mr. President, I proudly rise to welcome some guests here to the Senate Chamber. As the only MSW from the entire General Assembly, I have the distinct pleasure to welcome some students from Marywood College Graduate School of Social Work located in Scranton, Pennsylvania. These students - Diane Eidson, Stacey Bennett, Gabriel Watts, Amanda Fisher, Megan Hubbard, Aimee Halpin, Brooke Warner-McDonnell, and Yumi Hoshitsuki - are all students at the graduate school from where I proudly graduated in 1987. These students will move on to provide great care to our citizens around the Commonwealth. They are here today proudly representing their profession, and I graciously ask for a warm welcome for these students from the Graduate School of Social Work at Marywood.

The PRESIDENT. Would the guests of Senator Blake please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR JEFFREY E. PICCOLA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I would like to introduce a very special guest today from my district. She is Ms. Pennsylvania Senior America for 2010, Marie Tennant. Marie is a native of Pennsylvania, and she is the mother of four grown children. Since the age of 15, she has been the organist at many churches, first in Tamaqua, Pennsylvania, her hometown, and later as an organist in the Middletown, Highspire, and Hershey areas. After raising her children, Marie returned to college to complete her education. She has accepted and hosted college students in her home and served as a Big Sister to those in her church, where she is still active and involved in Bible studies.

The Ms. Pennsylvania Senior America Pageant is the world's first and foremost pageant to emphasize and give honor to women who have reached the age of excellence. And I found out from Marie that her talent that she displayed to put her over the top and win the pageant was her playing of the piano.

She is accompanied today by her court, who are all former pageant winners, and I would like to introduce them at this time. Dr. W. Silva, the 2009 winner, is a resident of Chester County and a constituent of Senator Dinniman; Barbara Ann DeLeon, the 2005 winner, is a resident of York County and a constituent of Senator Waugh; Doris Ulrich, the 2007 winner, is a resident of Lebanon County and a constituent of Senator Folmer; and Shirley Karinch, the 2001 winner, is a resident of Lebanon County and a constituent of Senator Folmer. Please join me in extending a warm welcome to Marie Tennant, the reigning Ms. Pennsylvania Senior America, and her court.

The PRESIDENT. Would the guests of Senator Piccola please rise so the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR SHIRLEY M. KITCHEN PRESENTED TO THE SENATE

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

Senator KITCHEN. Mr. President, it is my great pleasure to welcome a group of third- and fourth-grade students from the Pennsylvania School for the Deaf, who are visiting the Capitol today. The school was founded in 1820 and is the third-oldest school for the deaf in the United States, and I am proud to say that it is located in my district. The school offers a comprehensive education for more than 225 students ages 3 to 21. These students come from Philadelphia as well as the surrounding suburban counties. In fact, 42 of the students are from my district alone.

So it is my great pleasure to welcome these students: Arbab Samuel, Trinity Rios, Joel Rios, Shakiyah Williams, Kevin Nguyen, Cierra Gadson, Jacob Cross, Mecca Scott, Yanieliz Olivio, and Aquil Roane, who lives in my district. I also want to welcome the staff, who are with us here today also: Christina Stokes, Kelly Corrigan, D'Angelo Brown, Ruth Cella, and Dr. Larry Taub. And I want to say to them all, thank you.

The PRESIDENT. Would the guests of Senator Kitchen please rise so the Senate may give you its usual warm welcome.

(Applause.)

Senator KITCHEN. Mr. President, we can join in, too, by giving a hand back. Thank you, Mr. President.

(Deaf applause.)

RECESS

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

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

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

Senator COSTA. Mr. President, the Senate Democrats will be meeting in our caucus room for a brief caucus immediately.

The PRESIDENT. For purposes of Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 304 (Pr. No. 281) — The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for public review of State implementation plans.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

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 325 (Pr. No. 981) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for gas and hazardous liquids pipelines and for powers and duties of the Pennsylvania Public Utility Commission; and imposing civil penalties.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, this legislation reflects a lot of responsible planning, negotiating, and refining on the part of legislators, regulators, companies, and experts in utility law. The process is driven by a real sense of urgency in communities across much of our Commonwealth. What was a good bill was made even better by an amendment that brought Class 1 pipelines under the registration requirement and provided needed protection in many rural communities.

An important element of proper oversight is monitoring the growing network of gas pipelines. Transporting the gas requires extensive infrastructure. Federal regulations set standards for siting, construction, and maintenance, but some public entity has to oversee and enforce those standards. As things now stand, a significant portion of this network is outside the jurisdiction of the State Public Utility Commission. That leaves a serious hole. The Federal government has conceded that they lack the manpower to properly oversee the lines within our State. This legislation gives the Public Utility Commission authority to conduct safety inspections and investigations, respond to complaints, assess fines and penalties, and address service quality issues. Operators will be charged a registration and renewal fee so taxpayers are not forced to cover the cost of providing the increased inspections and enforcement.

One of the pressing public concerns arising from the results of Marcellus Shale drilling is oversight of all aspects of operations. We have moved to upgrade and expand laws, regulations, inspections, every piece of the apparatus necessary to protect communities and the environment. Yet, if someone asks how much pipeline will be laid as a result of the Marcellus development, the honest and indefensible answer is that no one knows. This legislation is necessary because someone must know. Local officials need to know, emergency response units certainly need to know, and environmental protection agencies need to know. The unfortunate explosions of old underground gas lines in urban areas have served notice of just how important matters of gas pipeline safety are. This bill provides the framework and the authority for the level of safety our citizens demand and deserve.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-1

Eichelberger

A constitutional majority of all the Senators having vote "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.

BILLS OVER IN ORDER

SB 328, SB 456 and SB 723 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

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

SB 105 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

SB 202, SB 224 and SB 237 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 264 (Pr. No. 241) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 293, SB 296, SB 329, SB 330, 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 REREFERRED

SB 449 (Pr. No. 432) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 537, SB 566, SB 612, SB 623 and SB 631 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 639 (Pr. No. 657) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 745 (Pr. No. 744) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 5, 1984 (P.L.587, No.119), known as the Rail Freight Preservation and Improvement Act, further providing for contracts, procurement and sale of property and competition in award of contracts.

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

BILLS OVER IN ORDER

SB 802, SB 803, SB 814, SB 844, SB 857, SB 858, SB 869, SB 870, SB 871, SB 872, SB 873, SB 907 and SB 911 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senator WOZNIAK, by unanimous consent, offered **Senate Resolution No. 68**, entitled:

A Resolution recognizing the month of May 2011 as "Sleep Apnea Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator WOZNIAK. Mr. President, there are many people out there who think there are epidemics in this country - heart disease, lung cancer, the heartbreak of psoriasis - but the real epidemic is sleep apnea. It is a silent killer. It causes strokes, it causes heart disease, and it causes diabetes. I know, because I had sleep apnea. I was one of the fortunate ones who was able to have an operation that lifted that curse off of me. Folks, it is an obstruction of your nightly sleep in which you do not get enough oxygen. It makes you weary in the morning, it makes you weary while you drive, it takes away your functioning in life, and it just wears you out. A lot of people think that it is just big, overweight, heavy people who have sleep apnea. Well, I might be a couple of pounds overweight, but nowhere near what that perception is.

It affects all people, all ages. There are cures, and there is chronic treatment. There are machines called CPAP machines that blow strong air into your nostrils while you are sleeping. Folks, if your significant other is telling you that you are snoring, if you know that you are not resting as well as you should, go to a sleep clinic and get yourself tested. I can guarantee you that if you are diagnosed with sleep apnea and you take the proper treatment, you will e-mail me and you will call me and you will say, thank you so very much for making us aware of this disease.

May is "Sleep Apnea Awareness Month." It is a serious, serious disease that often goes misdiagnosed. Please, if you are tired in the morning, if your significant other tells you that you are snoring a lot or you are stopping breathing, get yourself tested, get the machinery. It will make all the difference in the world.

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.

Senators TARTAGLIONE, BRUBAKER, STACK, RAFFERTY, DINNIMAN, FONTANA, ERICKSON, EARLL, HUGHES, ALLOWAY, GREENLEAF, D. WHITE, COSTA, BREWSTER, PILEGGI, FERLO and PIPPY, by unanimous consent, offered **Senate Resolution No. 69**, entitled:

A Resolution recognizing April 6, 2011, as "National Start! Walking Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, in an effort to continue our support of the important work of the American Heart Association, Senator Brubaker and I are today requesting consideration of a resolution recognizing their "Start! Walking At Work" program.

Mr. President, each year, 1.25 million Americans suffer a new or recurring coronary attack. Cardiovascular disease is one of the nation's leading causes of death, with direct and indirect costs estimated to be \$503.2 billion in 2010. More physical activity can help improve these statistics. In addition to increased life expectancy, regular walking has many proven benefits for an

individual's overall health. Walking can lower both your bad cholesterol and your high blood pressure. You can reduce the risk of stroke.

Mr. President, the purpose behind "National Start! Walking Day" is to encourage Americans to become more physically active by walking. By increasing awareness of the importance of physical activity to reduce the risk for cardiovascular disease, we have saved thousands of lives each year.

Mr. President, I ask my colleagues to join Senator Brubaker and me in proclaiming April 6, 2011, as "Start! Walking At Work Day" in Pennsylvania. I know, Mr. President, if I were able to get out of this chair and walk, I would be walking.

Thank you, Mr. President.

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

Senator BRUBAKER. Mr. President, it is indeed an honor and privilege for me to join Senator Tartaglione in the "Start! Walking At Work Day" on April 6. Anyone who knows her, knows that she is truly an inspiration. She is a tremendous person to get to know, and when you do get to know her, you have nothing but respect for her, personally and professionally.

So it is all about her vision about walking at work, and it is something that most, if not all of us, can indeed do. We can step up our ability to get a little bit more physical exercise in the course of our day. And, you know, if you do that day after day, in the end, it certainly does make a difference in your overall health. Let us face it, our health is directly related to our productivity and to our very, very important relationships that we have in our life. So I would like to say thank you to Senator Tartaglione for her vision and her constant focus on this issue.

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.

Senator D. WHITE, by unanimous consent, offered **Senate Resolution No. 70**, entitled:

A Resolution designating the week of April 4 through 8, 2011, as "Community Banking Week" in Pennsylvania.

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

Senators LEACH, DINNIMAN, BOSCOLA, RAFFERTY, FONTANA, YUDICHAK, TARTAGLIONE, GREENLEAF, ERICKSON, COSTA, BREWSTER, HUGHES, FERLO, EARLL, PILEGGI and PIPPY, by unanimous consent, offered **Senate Resolution No. 71**, entitled:

A Resolution recognizing the month of April 2011 as "Multiple Birth Awareness Month" in Pennsylvania.

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

Senators FARNESE, STACK, MENSCH, RAFFERTY, DINNIMAN, GREENLEAF, ALLOWAY, FONTANA, SOLOBAY, WAUGH, ERICKSON, KASUNIC, EARLL, HUGHES, TARTAGLIONE, PIPPY, PILEGGI, COSTA,

BROWNE, WILLIAMS, BREWSTER, WOZNIAK and FERLO, by unanimous consent, offered **Senate Resolution No. 72**, entitled:

A Resolution designating the day of April 6, 2011, as "Pennsylvania Organ and Tissue Donor Awareness Day."

On the question,

Will the Senate adopt the resolution?

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

Senator COSTA. Mr. President, I offer remarks on behalf of Senator Farnese and ask that they be included in 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 gentleman from Allegheny, Senator COSTA, on behalf of the gentleman from Philadelphia, Senator FARNESE:)

Mr. President, I stand today to bring additional public awareness to the importance of organ and tissue donation by introducing a resolution designating April 6, 2011, as "Pennsylvania Organ and Tissue Donor Awareness Day." There are approximately 8,000 Pennsylvanians in need of lifesaving organ donations, with 110,000 in need of transplants nationwide. For every person who donates organs and tissue, a potential 50 lives can be saved or enhanced and 8 people can be taken off the organ transplant waiting list.

We were recently reminded of the courage of families to help those in need through the story of Christina Green, the granddaughter of former Philadelphia Phillies Manager Dallas Green. Christina, only nine years old, was the youngest victim of the Tucson shootings. Some of Christina's organs were donated to a young girl in Boston. Christina's father, John Green, said that Christina's legacy will endure through helping another child.

For most of us, it is hard to think about losing a precious daughter or granddaughter, let alone making this kind of decision at a time of such overwhelming sorrow. Christina's courageous family said that they hoped their daughter's gift really helped the other family. They also said that knowing they were helping another family really lifted their spirits.

This is one of countless inspiring stories of courage where the gift of organ donation lives on in one or more people and gives them a chance at life. I encourage everyone to take inspiration from Christina and other courageous families and sign up to become an organ donor.

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 BAKER, ALLOWAY, ARGALL, BREWSTER, COSTA, DINNIMAN, EARLL, ERICKSON, FERLO, FONTANA, GREENLEAF, HUGHES, KASUNIC, RAFFERTY, SCARNATI, SOLOBAY, STACK, TARTAGLIONE and D. WHITE, by unanimous consent, offered **Senate Resolution No. 73**, entitled:

A Resolution designating the week of April 10 through 16, 2011, as the "Week of the Young Child" in Pennsylvania.

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

Senators VANCE, ERICKSON, YAW, COSTA, ARGALL, BAKER, BOSCOLA, DINNIMAN, FARNESE, FERLO, FONTANA, GREENLEAF, PILEGGI, PIPPY, RAFFERTY, SCHWANK, STACK, TARTAGLIONE and ALLOWAY, by unanimous consent, offered **Senate Resolution No. 74**, entitled:

A Resolution honoring Bayada Nurses on 36 years of providing in-home care.

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

Senators BOSCOLA, ALLOWAY, BREWSTER, COSTA, DINNIMAN, EARLL, ERICKSON, FONTANA, GREENLEAF, PILEGGI, PIPPY, RAFFERTY, SCHWANK, STACK, TARTAGLIONE and D. WHITE, by unanimous consent, offered **Senate Resolution No. 75**, entitled:

A Resolution designating the month of April 2011 as "Parkinson's Disease Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola, and for the record wishes her a happy birthday.

Senator BOSCOLA. That is so sweet. Thank you so much. I did not know that you were that kind.

The PRESIDENT. Most Republicans are, Senator.

Senator BOSCOLA. As are most Democrats. Thank you, Mr. President.

Mr. President, each year, April is designated as "Parkinson's Disease Awareness Month." As everyone here knows, Parkinson's is a devastating disease that affects approximately 1 million people nationwide. Nearly 60,000 people across the country are diagnosed each year with Parkinson's, and about 40 percent of those individuals are less than 60 years old. Parkinson's is a degenerative disorder of the central nervous system that impairs motor skills and speech. It has been described as the opposite of Alzheimer's disease. Alzheimer's destroys the mind, leaving the body intact and functioning. Parkinson's keeps the mind strong, but takes hold of a person's body.

Many of us in this Chamber may know someone personally or may have heard of someone famous, like Michael J. Fox, Muhammad Ali, and Janet Reno, who are suffering from Parkinson's. We need to educate the public and raise awareness, especially since the exact cause of Parkinson's is still unknown. Medical progress has been made throughout the years to combat it, but more research and more testing is still needed in order to pinpoint the disease's cause and find its cure.

Medication is available, but it only disguises the symptoms. However, these medications are effective for a limited number of years. So I wish to commend those experts who have studied the disease, dedicating their lives to finding a cure. It is important that the efforts continue and that we support our medical community that is working to rid the population of this disease.

I hope my colleagues will join me in recognizing the month of April as Parkinson's Disease Awareness Month 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 EICHELBERGER, BLAKE, SCARNATI, TOMLINSON, YAW, D. WHITE, ORIE, FONTANA, BAKER, DINNIMAN, SOLOBAY, STACK, FARNESE, RAFFERTY, ROBBINS, ERICKSON, GORDNER, ALLOWAY, SCHWANK and PILEGGI, by unanimous consent, offered **Senate Resolution No. 76**, entitled:

A Resolution congratulating the Pennsylvania State Association of Boroughs on the 100th anniversary of its founding.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, today I offer this resolution recognizing the 100th anniversary of the Pennsylvania Association of Boroughs. Today, boroughs are one of the more common forms of government in Pennsylvania, representing 37.5 percent of all municipal governments in the Commonwealth. The association has been indispensable to these communities. It represents 960 governing bodies, over 9,100 elected or appointed local officials, and 2.67 million residents spanning 66 counties.

The primary objectives of the association are to provide legislative and regulatory representation at both the State and Federal levels, promote cooperative relationships among boroughs and other levels of government, and to deliver training and technical assistance to borough officials and employees. The Pennsylvania State Association of Boroughs provides accessible, affordable, and practical educational workshops, seminars, and information to municipal officials and employees. It has partnered with national organizations as well as private sector businesses to provide the most current and up-to-date training.

Over the last decade, PSAB trained over 15,000 municipal employees and has held 1,000 courses across the Commonwealth. The association also issues several publications designed to help elected and appointed borough officials stay abreast of the law and operate their boroughs at peak efficiency. Examples include publications on how to put a budget together—we could use that here in Harrisburg, perhaps—a Sunshine Act and open records guide, as well as a host of other programs and many other services.

Mr. President, I ask that the resolution remain open at the desk for Members to add their cosponsorship, and I ask for an affirmative vote.

Thank you very much, Mr. President.

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

Senator BLAKE. Mr. President, I am proud to join my colleague, Senator Eichelberger, in advancing support for this resolution which acknowledges the Pennsylvania State Association of Boroughs.

On February 14, 1911, less than 100 borough officials gathered to establish this distinguished organization to guarantee a voice for the boroughs at all levels, as has been articulated by

Senator Eichelberger. As Democratic Chair of the Committee on Local Government, I am proud to join Senator Eichelberger in acknowledging the great work of the association, its board of directors, its management, and its staff for years of service to the boroughs. The great legacy of local government support that this association has provided and its advocacy deserves our highest esteem.

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.

LEGISLATIVE LEAVE CANCELLED

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

SENATE RESOLUTION ADOPTED

Senator ARGALL, by unanimous consent, offered **Senate Resolution No. 77**, entitled:

A Resolution designating April 6, 2011, as "Penn State Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ARGALL. Mr. President, April 1 marked the 148th anniversary of Penn State receiving its land grant status back in 1863. It now has been serving the people of this State for more than 156 years. It has 291,000 alumni and 70,000 current students from Pennsylvania. It has proven to be not only a vital educational resource, but also a driving economic force. So with all of this in mind, I ask, as the resolution notes, that today, April 6, be designated as "Penn State Day."

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 Thinh Quach and to Andrew Blinn by Senator Alloway.

Congratulations of the Senate were extended to Thomas W. Piaskowski by Senator Argall.

Congratulations of the Senate were extended to Paul Demciak and to William Gabe by Senator Baker.

Congratulations of the Senate were extended to the Dunmore United Methodist Church by Senator Blake.

Congratulations of the Senate were extended to Dr. Lisa Veitch, Nick Dialoiso and to Margaret M. Evans by Senator Brewster.

Congratulations of the Senate were extended to Shoshanna Goldin by Senator Browne.

Congratulations of the Senate were extended to PPL Corporation of Allentown by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. William Hake, Mr. and Mrs. C. Donald Grason, Mr. and Mrs. Norman Greenwald, Mr. and Mrs. Earls Tolin, Christopher Michael Nixdorf, Warfel Construction Company of East Petersburg and to Witmer Fire Protective Association by Senator Brubaker.

Congratulations of the Senate were extended to Reverend Pierre Sodini, Joe Rossi, John Brown, Spencer Caravaggio, Virgil Palumbo, John Rosato, Dan Marino, Dan Marino, Sr., Chelsi Figley, Anthony Elias and to the Pittsburgh Chapter of the National Italian American Sports Hall of Fame by Senator Costa and others.

Congratulations of the Senate were extended to Matthew Hollen and to Leonard L. Ferguson by Senator Eichelberger.

Congratulations of the Senate were extended to Reverend Charles Warren Quann by Senator Greenleaf.

Congratulations of the Senate were extended to Jim Reed by Senator Hughes.

Congratulations of the Senate were extended to the citizens of the Borough of Ohiopyle and to the Frazier Middle School Eighth Grade Mathematics Class of Perryopolis by Senator Kasunic.

Congratulations of the Senate were extended to J. Bracken Burns, Sr., by Senators Kasunic, Pippy, and Solobay.

Congratulations of the Senate were extended to Andre Mears and to the Frator Heru Institute by Senator Kitchen.

Congratulations of the Senate were extended to Jessica Hickman Schneider by Senator Mensch.

Congratulations of the Senate were extended to Susan C. Yee, Beverly A. Bradley, Mary Ellyn Voden, Kathleen Matthews and to Ilene Hochberg Wood by Senator Mensch and others.

Congratulations of the Senate were extended to Rabbi Peter Kessler by Senator Piccola.

Congratulations of the Senate were extended to Sean H. Daniels and to Richard A. Fischler by Senator Pippy.

Congratulations of the Senate were extended to Gary Steen, Rocco John-Daniello and to Gage Gladysz by Senator Robbins.

Congratulations of the Senate were extended to Ryan M. Sprague and to Eric Zavinski by Senator Scarnati.

Congratulations of the Senate were extended to K. Ray Stauffer, Reading Police Beneficial Association and to the members of the Berks County Cemetery Association by Senator Schwank.

Congratulations of the Senate were extended to Lauren O'Grady by Senator Smucker.

Congratulations of the Senate were extended to Mr. and Mrs. Ralph Berquist, John Hupp, Flenniken Public Library and to Southwestern Pennsylvania Area Agency on Aging, Inc., by Senator Solobay.

Congratulations of the Senate were extended to Dr. Mehmet Oz and to Joshua S. Marcu by Senator Stack.

Congratulations of the Senate were extended to Christine Badey, William Doderer and to Victoria Smithkors by Senator Tomlinson.

Congratulations of the Senate were extended to Kenneth Myers, James Bassett, Krystal Dobbs, Logan Wise, Michael Sherk, Justina Lynn Pepper, Adam Sheaffer, Cory Allen Brockman, Janet A. Holt, Rachel Mumma, Carl Tritt, Veterans of Foreign Wars Post No. 6704 of Mechanicsburg, Cumberland Valley

High School Varsity Cheerleading Squad and to the Cumberland Valley Youth Cheerleading Association Junior Red Squad by Senator Vance.

Congratulations of the Senate were extended to Michael E. Jerasa, Jr., and to New Castle City Rescue Mission by Senator Vogel.

Congratulations of the Senate were extended to Comcast of Greensburg by Senator Ward.

Congratulations of the Senate were extended to Reverend Dr. Maurice M. Hughes, Sr., Liz Kerr and to Robin A. Beall by Senator Washington.

Congratulations of the Senate were extended to Elspeth Heiss-Moses by Senator Waugh.

Congratulations of the Senate were extended to Bree Fyanne Bumbarger and to Joel A. Foister by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. William Dolby by Senator M.J. White.

Congratulations of the Senate were extended to Connor Jordan Mayes, Dawn Zimmerman, Erin Welsh, Lynn Gray, Kitty Oechler, Rebecca Sellers, Dave Winkelman, Jr., Dave Shawley, Robert Moore, Jr., Kira Banfill, Shannon Tyson, Becky Proctor and to Robert J. Eyer by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Fred C. Collister, Jonathan D. Malriat and to Marguerite C. Zulker by Senator Yaw.

CONDOLENCE RESOLUTIONS

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 A. Martin Marburger by Senator Orie.

Condolences of the Senate were extended to the family of Barbara E. Wilkinson Ohanesian by Senator Rafferty.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Honorable Paul R. Zavarella was extended to the family by Senator Brewster.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 5, SB 101, SB 104, SB 106, SB 109, SB 225, SB 227, SB 260, SB 552, SB 637, SB 654, SB 717 and HB 377.

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, over the course of the last couple of weeks, there has been a lot of conversation and a lot of rhetoric about Pennsylvania and where we stand relative to job growth that has taken place over the past several years, and most appropriately, the last couple of years in particular. And there seems to be some great disparity between the numbers that have been espoused by different folks. I thought it would be important for Senate Democrats to weigh in and talk a little bit about where we see the job situation in this Commonwealth, where we think we are headed, why we think we are there, and things we have done to allow us to get there.

Mr. President, it was a short decade ago that Pennsylvania stood 47th in terms of job growth in the country. Today I am very proud to report by those same measures and those same standards, we now rank 7th, up from last month when we were 11th from year-to-year, and then in December of 2010 when we ranked 12th. Mr. President, as we look around some of our surrounding States, and I know folks have indicated that they want to model some of our surrounding States, I think it is important that we look to see how those surrounding States have been doing as it relates to job growth.

If I could share with you, Mr. President, at the end of December--and these numbers have not changed that much relative to these States--West Virginia ranked 14th, Maryland ranked 19th, New York ranked 34th, Delaware ranked 41st, Ohio ranked 42, and New Jersey ranked 49th. That is where we used to be, and as I said, today we stand 7th, which, I think, is a significant tribute to the work that has been done by this General Assembly working with our administrations over the last 8 to 10 years, which allowed that to take place.

Mr. President, I also think it is important that we recognize where Pennsylvania stands vis-a-vis the national unemployment rate. Historically, for the past year and a half or so, Pennsylvania has always been about 1 percent--it varies, sometimes 1.2, sometimes .8, sometimes .9--below the national average. We think that is significant. We think that trend will continue, and it has been continuing.

But let me state at the outset, clearly, an 8-percent unemployment rate in this Commonwealth is much higher than we want it to be. And all of our efforts, both sides of this Chamber, I believe, and this General Assembly and the administration, are being moved forward and advanced with an eye toward trying to grow jobs and create jobs. I know the Senate Democrats put into place our plan, referred to as the Pennsylvania Works program, which incorporates a number of aspects of some of the things that we will be talking about over the course of the next several weeks.

But I think it is important that folks recognize why it is that we are 7th now and how we have made this growth. It has to do with investments. In our opinion, it has to do with investments that we have made together over the course of the past several years. It also had to do with things that we have done over the past several years that have allowed businesses to want to come here into Pennsylvania and open up shop, tax changes that we have done over the past several years, the phasing out of the capital stock and franchise tax over a period of time. Granted, we froze it for the last 2 years, but nevertheless, it has been a movement that has resulted in that legislation that began the phase-out. Together with changes to the net operating loss carryforward

provisions, and a whole host of other things that we have done that has generated in excess of \$7 billion of business savings in this Commonwealth.

But we have made investments as well, so it is not only the business tax climate that is a significant reason for that, it is investments that, I think, and our Caucus believes, we have made over the course of these past 7 or 8 years together that have allowed us to position our businesses and provided some of the start-up and investment necessary to stimulate the economic activity. I would like to cite a couple of those, Mr. President.

Since 2004, in excess of \$2 billion has been made available through stimulus resources, part of which was created through the Commonwealth Financing Authority. That included \$300 million in shovel-ready sites for development, allowing resources back to our local communities to begin to prepare sites. Particularly in the Allegheny County region, we were very, very successful in garnering a number of those resources to be able to prepare sites in and around our airport in Allegheny County, which is flourishing very, very well right now. We took those old sites and made them shovel-ready and brought companies there.

One hundred and fifty million dollars in first investment infrastructure for tourism as well. Two hundred million dollars in billed Pennsylvania commercial development targeted, Mr. President, I think, uniquely, to third-class cities. We also provided for an additional \$310 million in venture capital investments, which, again, spur the move of companies from one State to the next to be able to get them to the market.

In addition to that, we have done an additional \$1.8 billion of RCAP investment, which turns around and brings back an additional \$1.8-plus billion, if not far greater than that. We have also done the Alternative Energy Investment Fund program, \$625 million. On the H₂O PA front, we all know that we have a significant problem with respect to water and sewer lines all through this Commonwealth. We put together, through the gaming and economic development funds, \$800 million in the H₂O PA program, and we expanded that even further to bring \$400 million more into that program to provide resources specifically for water and sewer programs to allow for the development of areas that may not have that infrastructure, to be able to create jobs.

These are some of the things that we have done. And as I said earlier, Mr. President, these are the types of things that have allowed Pennsylvania to continually move up the list with respect to the job growth that we have had in this Commonwealth. We believe, as we go forward over the next several weeks and we begin to bring closure to a budget process, that it is imperative that we take the time to recognize the investments that we have made and continue to make those investments in some fashion to allow for continued growth in this Commonwealth.

We want to continue to do two things. We want to continue to bring our unemployment rate down, which we have been doing, and which we will continue to do. We also want to continue to create a greater disparity between where Pennsylvania is situated in terms of job growth and some of our other areas across this region--and when I say the region, I mean the mid-Atlantic region. We want to continue to have job growth so that we move up to 6th and 5th and 4th, to number 1. We can see where other States are not making the same progress, and some of the reasons why they are not making that progress is because they are not making investments along those lines, which Pennsylvania has

done in a partnership with this General Assembly and the administration over years past.

That is the type of cooperative approach we need to maintain to continue to move forward. I am very happy that we are able to be in this position, and I look forward to working with my colleagues and the administration to continue to make investments and advance what needs to be done in this Commonwealth in order to continue that positive growth.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, less than 2 years ago, the Senate voted unanimously in favor of a bill, Senate Bill No. 369, making sure that any emergency responder in Pennsylvania who dies in the line of duty will be eligible for a death benefit. Members on this floor and the House floor were very generous in the comments they made during the support of that bill. One of the things I heard expressed during support of that bill was that there is nothing we can do to bring back a fallen firefighter, police officer, or emergency service worker, and that is very true. But there are things that we can do to make sure that does not happen in the first place, and if we fail to do those reasonable things, if we fail to do the things that are recommended by the experts, and if we fail to do the things that the firefighters are asking us to do, then the words of praise that we give them are very hollow, and the money that we send to their surviving spouses is but a weak substitute.

Another comment that was made which was very striking from its passage is that voting for the bill was a way of saying we will never forget them. And that is true, we never will forget them, but the question will rise very soon on this floor, we may not forget them, but are we going to ignore them?

Let us face it, there are two sides on the debate of the sprinklers. There is the one dealing with the home builders, and I understand the issue of the economy and how their situation has been, but it has not been because of sprinklers, because with only 2 States presently asking for that to be part of the building code, the other 48 States are having the same tough economic times in the building industry that they are in Pennsylvania. So we need to face the facts first: sprinklers are not causing the problem here in Pennsylvania.

Normally, in times of bad economy, boom years follow which help to secure the building industry. Thirty-five years ago, the value of a home built was four times less than what it is right now. In that same amount of time, things have changed for the firefighters. Not only have they lost membership, but they have also gotten older, because as the membership has left or moved on, new ones have not come forward. A study that was done by the Institute of Standards and Technology showed that with new building and furniture materials, the time it takes for a fire to grow into severe intensity that will be harmful and dangerous for the firefighters and those folks who live in those homes went from 17 minutes down to 3 minutes. Last Sunday, a fire chief from a community near Harrisburg said he is now considering not allowing his firefighters to enter a building if they know for a fact that the roof construction and the truss construction for the floors is of the new lightweight materials.

Mr. President, as smoke detectors have been helpful to reduce the number of civilian deaths in the past 20 years, firefighter deaths have been the same and are unfortunately increasing in

incidence as they occur. So, Mr. President, again, I ask, are the firefighters concerned? Sure they are concerned, and they are very worried. We said we would never forget them, and maybe the vote to provide for the benefit was an easy one for all of us, but maybe this next one will be and should be harder. Maybe it will be harder this time to remember, day in and day out, what the brave men and women who wear the uniform in this State do, laying themselves on the line to not only protect property and lives, but to also be concerned whether or not their families will know whether those same individuals will be able to return home after that emergency.

Thank you, Mr. President.

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. I remind the Members that on Monday at 1 p.m., the official picture of the Senate will be taken.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Monday, April 11, 2011, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 1:17 p.m., Eastern Daylight Saving Time.