

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MAY 4, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 29

SENATE

WEDNESDAY, May 4, 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 DANIEL R. STEWART, Pastor of Great Valley Presbyterian Church, Malvern, offered the following prayer:

Great Valley Presbyterian Church is the second oldest Presbyterian congregation in Pennsylvania. We celebrated our 300th anniversary last September. It is common in our congregation, from before the Revolution, for the congregation to support the government and this republic, and so we typically pray on Sunday mornings for you as a body and for the State of Pennsylvania. So, I am privileged this morning to pray as well.

Let us bow together.

Almighty God, sovereign ruler over all the earth, who both raises up and brings down nations and governments according to Your eternal purpose, we thank You for our nation, the United States of America, and for this, our State, the Commonwealth of Pennsylvania.

Most gracious God, I pray for those whom You have ordained to positions of authority and power in our land, especially the Members of this body, the Senate of Pennsylvania. I ask You to illuminate and direct their deliberations and actions as a body with wisdom, courage, and equity for the establishment and continuation of peace, truth, justice, virtue, and piety among us, that this Commonwealth might be preserved in unity, strength, and honor according to Your sovereign purpose.

I ask You, too, O merciful God, to guide, protect, and preserve the individual Members of this body. Give them not only strength for their duties, but also a spirit of joy that will lighten even the heaviest burdens of office. Give them a spirit of magnanimity, which can affirm the contributions and concerns of others, regardless of political party. And protect them, I pray, from the spirit of pettiness and partisanship which produces rancor and animosity.

Finally, I pray You grant them a spirit of humility in their service, knowing the authority they exercise is a trust not merely from the voters of this Commonwealth, but from You, the great judge of all humankind to whom they must ultimately give an account. These and all other things necessary for them, for us,

and for the sake of Your glory, I humbly ask in the name of Jesus Christ, the blessed Lord and Savior. Amen.

The PRESIDENT. The Chair thanks Reverend Stewart, who is the guest today of Senator Dinniman.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

MEMBER OF THE MILK MARKETING BOARD

May 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Lynda J. Bowman, 96 Deer Ford Drive, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Milk Marketing Board, to serve until May 1, 2017, and until her successor is appointed and qualified, vice Barbara A. Grumbine, Myerstown, whose term expired.

TOM CORBETT
Governor

BILL INTRODUCED AND REFERRED

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

May 4, 2011

Senator SCARNATI presented to the Chair SB 1044, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, further providing for the Joint Committee on Documents.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, May 4, 2011.

BILLS REPORTED FROM COMMITTEES

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

SB 326 (Pr. No. 1176) (Amended)

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, providing for certificate of birth resulting in stillbirth.

SB 362 (Pr. No. 343)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Public Welfare and its departmental administrative and advisory boards and commissions, providing for eligibility for subsidized child day care.

SB 638 (Pr. No. 646)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for definitions; and, in public assistance, providing for mileage reimbursement for individuals receiving methadone treatment.

SB 732 (Pr. No. 1177) (Amended)

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.

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

SB 295 (Pr. No. 1174) (Amended)

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for awards of contracts, completion bond, additional bond for protection of materialmen and others.

SB 297 (Pr. No. 275)

An Act amending the act of October 30, 1996 (P.L.732, No.131), known as the Pennsylvania Innkeepers' Rights Act, providing for prospective employee background checks.

SB 923 (Pr. No. 960)

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for powers of an authority.

HB 442 (Pr. No. 1750) (Amended)

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

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

SB 52 (Pr. No. 37)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in special vehicles and pedestrians, providing for regulation and

operation of neighborhood electric vehicles; and, in inspection of vehicles, further providing for operation of vehicle without official certificate of inspection.

SB 165 (Pr. No. 155)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for issuance and content of driver's license.

SB 728 (Pr. No. 734)

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Ward and Senator Greenleaf, and a legislative leave for Senator Alloway.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Tartaglione, Senator Washington, and Senator Williams.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Ward and Senator Greenleaf, and a legislative leave for Senator Alloway.

Senator Costa requests legislative leaves for Senator Tartaglione, Senator Washington, and Senator Williams.

Without objection, the leaves will be granted.

**SPECIAL ORDER OF BUSINESS
JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of April 11, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of April 11, 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-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 Greenleaf has returned, and his temporary Capitol leave is cancelled.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, friends, and colleagues in the Senate, I wanted to make sure you knew something about our pastor, our Chaplain of the day, and the Great Valley Presbyterian Church. Way back in 1710, during the earliest days of this nation, the Welsh Presbyterians formed this church, which has been here for 300 years. This church, which is just over the hill from Valley Forge, as Pastor Stewart said, it has been a patriotic church which has prayed for this nation, a nation whose success we continue to pray for today.

So, I wanted you to understand that the Chaplain today and his presence is part of the celebration of the 300th anniversary of that church. If one goes into the Great Valley, which is now the Route 202 corridor in Chester and Montgomery Counties, one not only sees Valley Forge, but one sees the earliest patriotic churches, which included not just this Presbyterian church, but--this Sunday, I was at the Baptist Church in the Great Valley, which is also celebrating its 300th birthday. The Presbyterian church in 1710 and the Baptist church in 1711.

So, it is appropriate that Pastor Stewart came to the Senate today, so that we can share in the history of the religious basis of this Commonwealth, and we can share in the history of William Penn's vision of religious freedom and patriotism, which has gone together for 300 years. Let me also add, it was in this church--for those of you who served in the House, Representative Peter Vroon, who was a State Representative for decades--this was his church as he represented the people of Chester County.

I hope that you will give a warm welcome to Pastor Daniel Stewart and his wife, who is a librarian in the Downingtown School District. Let us welcome them right to the Senate, and let us say thank you to 300 years of patriotic service to God and to the nation that this church represents.

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

(Applause.)

GUESTS OF SENATOR JOHN EICHELBERGER PRESENTED TO THE SENATE

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

Senator EICHELBERGER. Mr. President, it is a privilege for me to have some of my family with me today in the gallery. My mother, Faye Eichelberger, is with us this morning; and two of my sisters are here, Gail and Wendy. We call them the storm

sisters back home. Their children, Olivia, Evan, and Sydney are with them.

As well, we have an intern from the Hollidaysburg area of Blair County, which is in my district. Caitlin Collins is a junior at Dickinson College studying policy management. She is in the last day of her internship in my office, and we brought her in the gallery with us today. I ask for the usual welcome for my esteemed guests today.

Thank you, Mr. President.

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

(Applause.)

GUESTS OF SENATOR RICHARD A. KASUNIC PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, I am honored to welcome two very special friends of mine who are participating in the American Cancer Society's Lobby Day today. Seated in the gallery are Shiela Shea from McClellandtown, and Lisa Rose from Uniontown.

Shiela is the Fayette County Relay For Life advocacy chair, Daffodil chair, and ACT lead for the 12th Congressional District. Lisa is the co-chair for the Fayette County Relay For Life and the recipient of the Ruby Award from the Soroptimist International of the Americas foundation, and, I am happy to report, a 5-year breast cancer survivor. Mr. President, I ask the Senate to please give them its usual warm welcome.

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

(Applause.)

GUESTS OF SENATOR JOSEPH B. SCARNATI PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, it is an honor for me to introduce some guests from Leadership Elk County here today visiting the Capitol. The group was here earlier today, and we had a picture on the floor. They are joining the House of Representatives shortly, and I just want the Senate to join in a warm welcome to the Leadership Elk County group.

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

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 104 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION,
OVER IN ORDER ON FINAL PASSAGE**

SB 224 (Pr. No. 1169) -- 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, further providing for background checks of prospective employees and for conviction of employees of certain offenses.

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

On the question,
Shall the bill pass finally?

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

Senator COSTA. Mr. President, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

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

Senator PILEGGI. Mr. President, I ask Members of the Republican Caucus to gather at the Majority Leader's desk for a moment.

The PRESIDENT. All Members of the Republican Caucus are asked to gather at the Majority Leader's desk.

(The Senate was at ease.)

And the question recurring,
Shall the bill pass finally?

Senator PILEGGI. Mr. President, I request that Senate Bill No. 224 go over in its order on final passage.

The PRESIDENT. Without objection, Senate Bill No. 224 will go over in its order on final passage.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Ward has returned, and her temporary Capitol leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 328 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 419 (Pr. No. 405) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for grounds for disciplinary proceedings; and making a related repeal.

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.

BILLS OVER IN ORDER

SB 631 and **SB 907** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

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

SB 612 (Pr. No. 1135) -- 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, in professional employees, further providing for causes for suspension and for persons to be suspended.

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

BILLS OVER IN ORDER

SB 27, SB 29, HB 38, HB 78, SB 292 and **SB 308** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 330 (Pr. No. 980) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for installment payment of school real property taxes.

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

BILLS OVER IN ORDER

SB 367, SB 386, SB 405, SB 411, SB 448, SB 450 and SB 460 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 468 (Pr. No. 723) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special registration plates for recipients of the Silver Star, Bronze Star and Bronze Star with Valor.

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

BILLS OVER IN ORDER

SB 469, SB 473 and SB 502 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 552 (Pr. No. 619) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 564, SB 566, SB 618 and SB 626 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 637 (Pr. No. 992) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

SB 704 (Pr. No. 685) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 1947 (P.L.1046, No.447), referred to as the State Tax Equalization Board Law, further providing for board membership, for chairman's authority and duties, and for quorum and hearings.

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

SB 747 (Pr. No. 757) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of Labor and Industry; establishing fees, fines and civil penalties; creating the Plumbing Contractors Licensure Account; and making an appropriation.

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 750 and SB 791 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 815 (Pr. No. 833) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to counsel.

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

SB 816 (Pr. No. 834) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for the Office of Victim Advocate and for powers and duties of victim advocate.

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

SB 817 (Pr. No. 1042) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for the use of restraints on children during court proceedings.

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

SB 818 (Pr. No. 836) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 850 (Pr. No. 1043) -- 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 minors, providing for the offense of cyberbullying and sexting by minors; in criminal history record information, further providing for expungement and for juvenile records; and, in relation to summary offenses, further providing for short title and purpose of chapter, for the scope of the Juvenile Act, for inspection of court files and records, for conduct of hearings and for right to counsel.

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

BILL OVER IN ORDER

SB 853 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 857 (Pr. No. 882) -- 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, in reimbursements by Commonwealth and between school districts, further providing for accountability to Commonwealth taxpayers.

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

SB 858 (Pr. No. 977) -- 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, in district and assistant superintendents, further providing for eligibility; and making editorial changes.

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

SB 872 (Pr. No. 956) -- 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, further providing for definitions and for responsibilities of school entities; repealing provisions relating to concurrent enrollment committees; and further providing for concurrent enrollment agreements and for enrollment in concurrent courses.

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

BILLS OVER IN ORDER

SB 898 and SB 932 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1006 (Pr. No. 1120) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senator M. WHITE, by unanimous consent, offered **Senate Resolution No. 111**, entitled:

A Resolution recognizing the volunteers participating in Keep Pennsylvania Beautiful's "Great American Cleanup of PA," March 1 through May 31, 2011.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Mr. President, this resolution honors all of the volunteers who participate in Keep Pennsylvania Beautiful's "Great American Cleanup," which occurs March 1 through May 31, 2011. Since 2003, over 1 million people have participated in this cleanup, picking up litter and trash along our roadsides, streams, beaches, parks, forests, and neighborhoods to keep our communities beautiful. This is a wonderful community initiative, and many, many volunteers make it happen. Members of the waste industry pick up the trash for free, PennDOT participates by its roadside activities, and it is truly a wonderful annual spring cleaning event for Pennsylvania. I simply want to honor all of the volunteers across this great Commonwealth who participate in keeping Pennsylvania beautiful. 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 BROWNE, BREWSTER, DINNIMAN, KASUNIC, FERLO, EICHELBERGER, RAFFERTY, BAKER, ERICKSON, TARTAGLIONE, PILEGGI, SOLOBAY, ALLOWAY, FONTANA, COSTA, PIPPY, GREENLEAF, BOSCOLA, ROBBINS, FARNESE, WASHINGTON, EARLL, M. WHITE, STACK, HUGHES, BRUBAKER, D. WHITE and ARGALL, by unanimous consent, offered **Senate Resolution No. 112**, entitled:

A Resolution recognizing the month of May 2011 as "Melanoma and Skin Cancer Detection and Prevention Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BROWNE. Mr. President, this resolution designates May 2011 as "Melanoma and Skin Cancer Detection and Prevention Month" in the Commonwealth. As you are aware, Mr. President, melanoma is the most common form of cancer in young adults. It is estimated that 1 in 5 Americans will develop skin cancer in their lifetime, and more than 1 million new cases of skin cancer will be diagnosed in the United States this year. It is my hope that this resolution will promote the prevention and early detection of melanoma and other skin cancers in individuals in the Commonwealth. I ask for the Members' support for this resolution. Thank you very much.

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

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

Senators FONTANA and EARLL, by unanimous consent, offered **Senate Resolution No. 113**, entitled:

A Resolution recognizing the week of May 7 through 15, 2011, as "National Travel and Tourism Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, this resolution designates Saturday, May 7, through Sunday, May 15, 2011, as "National Travel and Tourism Week" in Pennsylvania. This recognition was first established in 1983 and has been celebrated each year since. I am proud to offer it along with my colleague, Senator Earll.

Mr. President, travel is a leading American industry, with more than 10 million American workers directly employed. Domestic and international travelers spend \$700 billion in the United States each year, and in Pennsylvania, tourism is the Commonwealth's second-largest industry and a major contributor to the economy of this Commonwealth.

According to the Pennsylvania Tourism Office, the Commonwealth is the fifth most-visited State in the nation, with an average of 138 million guests each year. Visitors spent \$31 billion in

2009, accounting for \$3.4 billion in State and local tax revenues. Our travel industry directly and indirectly supports more than 400,000 jobs. The industry includes partners such as museums, wineries, golf courses, hotels, restaurants, and other tourism partners largely made up of small businesses.

Mr. President, I thank my colleagues for recognizing National Travel and Tourism Week in Pennsylvania. Thank you.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Master Sergeant Benjamin Franklin Bitner by Senator Alloway.

Congratulations of the Senate were extended to Timothy Michael Unverdorben and to Jimmie Johnson by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. George L. Yatsko, David Davis, Frank Parsons, Mike Avery, Danny Bonavina, Darrell Hogan, Herb Beere, Valerie Pinkerton, Chris Davis, Josh Pfeiffer, Andy Roan, Jack Stephenson, Dorothy Coolbaugh, William J. Wentz, Joseph W. Nied, Nicholas A. Joerger, Gregory A. Genovas, Bernard Duffy Carroll, Michael Keenan Pol and to Christopher Normand by Senator Baker.

Congratulations of the Senate were extended to Dr. Harmar D. Brereton, Joseph Festa, Tyler Asay and to the Dunmore High School Girls' Basketball Team by Senator Blake.

Congratulations of the Senate were extended to Eric Hunter, Geoffrey A. Hart, Ryan Daniel Swigart and to Brad L. Kelechava by Senator Boscola.

Congratulations of the Senate were extended to Arthur Schisler, Kurt Landes and to First Star Bank of Bath by Senator Boscola and others.

Congratulations of the Senate were extended to Mr. and Mrs. Francis P. Tusak, Jr., Mr. and Mrs. Harold Reitz, Mr. and Mrs. James Murdy, Mr. and Mrs. William P. Armstrong, Brendon Lee Smith, Corey Anthony Smith, Marguerite Miller, Paul Krapf, Theresa Roth, Mae Bleiler Hostetter, Amelia Snyder, Ruth Schlener, Judith Morrison, Charlotte Mann and to Peters Marine Service, Inc., of Allentown, by Senator Browne.

Congratulations of the Senate were extended to Mildred Hetzer by Senators Browne and Boscola.

Congratulations of the Senate were extended to Greg L. Butz, Marlene Fowler, Barbara Diamant, Daniel Hower, Joel Mambro, Dave Ziegler, Linda Hamilton, Ross Marcus, Melissa Bosch, Bar Association of Lehigh County, Victaulic of Easton, Parkettes National Gymnastics Training Center of Allentown, Brown Daub Dealerships of Easton, TC Salon Spa of Allentown and to PPL Corporation of Allentown by Senator Browne and others.

Congratulations of the Senate were extended to Benjamin Gingrich, Matthew J. Boyer, Gerald A. Ngo and to Woodland Heights Retirement Community of Narvon by Senator Brubaker.

Congratulations of the Senate were extended to Cadet Second Lieutenant Ethan Dunlap, Cadet Second Lieutenant Samuel Krauter and to Cadet Second Lieutenant Ian Kray by Senators Brubaker and Smucker.

Congratulations of the Senate were extended to Cadet Second Lieutenant Timothy Allen by Senators Brubaker, Folmer, and Smucker.

Congratulations of the Senate were extended to Margaret Stewart by Senator Corman.

Congratulations of the Senate were extended to Stuart N. Kline, Jack Sable, Franco Harris, Mark Schwartz, Robert Alman, Nelson L. Goldberg and to Herb Goldstein by Senator Costa.

Congratulations of the Senate were extended to Kevin Skymba, William H. Humphreys III, Ralph J. Burton, James R. Wusinich, John A. Mott, James T. McVeigh, Larry Welsch, Kate Brown, William Beyer, Rachel Paster, Immaculata University, East Whiteland Township Emergency Medical Services, Outback Steakhouse of Malvern, Penn Liberty Bank of Malvern and to Main Line Chamber of Commerce of Wayne by Senator Dinniman.

Congratulations of the Senate were extended to Ada Elizabeth Dawson Cooper by Senators Dinniman and Williams.

Congratulations of the Senate were extended to Matthew Austin Brown by Senator Earll.

Congratulations of the Senate were extended to Ryan W. O'Toole and to Joseph P. Grant by Senator Erickson.

Congratulations of the Senate were extended to Frederick D. Gerhard, Arlene M. Blatt, Blake Wagner and to David S. Etter by Senator Folmer.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Yadlosky, Mr. and Mrs. Frank Ciampi, Mr. and Mrs. John L. Garrigan and to Eva Sholly by Senator Gordner.

Congratulations of the Senate were extended to Mr. and Mrs. Earl Adams by Senators Gordner and Piccola.

Congratulations of the Senate were extended to Willow Grove by Senator Greenleaf.

Congratulations of the Senate were extended to Thomas Leidy by Senators Greenleaf and Mensch.

Congratulations of the Senate were extended to Margaret T. Krepps by Senator Kasunic.

Congratulations of the Senate were extended to Leslie Edward Pridgen and to Christopher Ries by Senator Kitchen.

Congratulations of the Senate were extended to Hanif Muhammad by Senator Kitchen and others.

Congratulations of the Senate were extended to Dr. Joshua Feldstein by Senator McIlhinney.

Congratulations of the Senate were extended to Daniel Cooper White, Matthew Charles Brown and to A D Computer of Center Valley by Senator Mensch.

Congratulations of the Senate were extended to Reverend Paul Zywan, Sister M. Ricarda Amelia Husava, Colby Schindel and to Saint Alexis Parish of Wexford by Senator Orie.

Congratulations of the Senate were extended to Reverend Danny Conyers, Richard Coleman and to Steelton-Highspire Junior-Senior High School Girls' Basketball Team by Senator Piccola.

Congratulations of the Senate were extended to Elliott Stephen Ferrence by Senator Pippy.

Congratulations of the Senate were extended to Rita Kramer by Senators Pippy and Fontana.

Congratulations of the Senate were extended to Dr. Steady H. Moono and to Terrell Donte Chestnut by Senator Rafferty.

Congratulations of the Senate were extended to Jacob Paul Campbell, Mason Beckman, Matthew John Tony and to JFS Wealth Advisors, LLC, of Hermitage, by Senator Robbins.

Congratulations of the Senate were extended to Eric Wehler by Senator Scarnati.

Congratulations of the Senate were extended to Reverend Monsignor Felix A. Losito, Reverend Bruce G. Osterhout, Dr. Jeffrey F. Zackon, Joshua M. Wiley, Dustin J. Daniels, Andrew C. Beane, Julee G. Carns, DeLight E. Breidegam, Jr., Brian C. Filby and to Parrish Stauffer by Senator Schwank.

Congratulations of the Senate were extended to Sergeant Joseph Tomaselli and to Melissa Grisafi by Senators Schwank and Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Fred Burris, Sharon Baillie, Corinne Humphreys, Betty Bellicini, Jackie Zeni and to Suzie Kline by Senator Solobay.

Congratulations of the Senate were extended to Cami Haneman, Walter Greerken and to Florence Connor by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Clair Bonanni, Mr. and Mrs. Dennis Kreiss, Robert A. Edmiston, Eric K. Lindstrom, Donn L. Polson, David J. Voyack, Stephen R. Wirth, Mitchell Owen Greiner and to the Upper Allen Women's Club by Senator Vance.

Congratulations of the Senate were extended to Florence Webb Wallis by Senator Washington.

Congratulations of the Senate were extended to Theodore Nathan Banks and to Quaker City Paper Company of York by Senator Waugh.

Congratulations of the Senate were extended to Jeremy Speicher by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. James P. Blum by Senator M.J. White.

Congratulations of the Senate were extended to Gail Michele Harewood Grant by Senator Williams.

Congratulations of the Senate were extended to Carol Cabbage Davis by Senators Williams and Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Francis Fedorko by Senator Yaw.

Congratulations of the Senate were extended to Dr. Mark A. Brown, Charmaine Kuzminski, CTC Manufacturing, Inc., of Beaver Meadows, InterMetro Industries Corporation of Wilkes-Barre and to Borton-Lawson of Wilkes-Barre by Senator Yudichak.

Congratulations of the Senate were extended to Daniel Vnuk by Senators Yudichak and Baker.

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 Robert L. Wright, Sr., by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Joann Robinson by Senator Williams.

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 Sheri Metz was extended to the family by Senator Browne.

BILLS ON FIRST CONSIDERATION

Senator BROWNE. 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 52, SB 165, SB 295, SB 297, SB 326, SB 362, SB 638, SB 728, SB 732, SB 923 and HB 442.

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

BILLS REREFERRED

Upon motion of Senator BROWNE, and agreed to by voice vote, the following bills just considered were rereferred to the Committee on Appropriations:

SB 326 and SB 732.

PETITIONS AND REMONSTRANCES

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

Senator COSTA. Mr. President, I want to rise briefly to talk about an issue that I think is very important as part of this Commonwealth's General Fund budget. As you know, for the past couple of months, our Senate Democratic colleagues have openly tried to point out on the Senate floor some of what we believe are misplaced priorities as it relates to the Governor's proposed budget. Anywhere from slashing education funding, severely reducing higher education dollars, and reducing key lines in health and economic development, we have tried to point out that these cuts will harm future generations of Pennsylvanians. Programs that have proven to be successful, such as the early childhood investments we have made through the Accountability Block Grant program and the kindergarten and tutoring programs, will be severely impacted by the proposed budget and are things that we are very much concerned about. We believe these are bad choices, and they will have consequences.

Mr. President, today I want to discuss another item in the Governor's proposal that eliminates funding for a very successful program in Pennsylvania, the Homeowners' Emergency Mortgage Assistance Program, also commonly known as the HEMAP program. As we all know, the HEMAP program has been very successful in Pennsylvania and is specifically designed to help homeowners get through tough economic stretches and allows them to keep their homes during particularly tough economic times, times like we are facing today. Mr. President, it is important that our colleagues know--and I believe they do know--that the HEMAP program is not a giveaway but a hand up, with a promise by the homeowners to pay back that loan.

This program was created in the early 1980s when we were dealing with the aftermath of the significant recession of the 1980s. The HEMAP program offers fiscal help and counseling so that homeowners can restructure their payments and their lives

while they maintain a roof over their heads. For generations, this program has been a key tool in Pennsylvania's recession-fighting toolbox and has helped families and rebuilt communities.

Last year, while Pennsylvania was fighting economic despair, we had an unemployment rate of 8.7 percent, ranking us 26th in the country; we had a foreclosure rate of .93 percent, the 37th highest ranking in the country. Over the course of the last 30 years since its inception, the HEMAP program has helped 45,000 families keep their homes. It has distributed more than \$476 million and has been a key factor in keeping our neighborhoods stable.

Mr. President, the program is effective and efficient. It has performed well against all reasonable standards at which we can look. Quite frankly, it is a model for this country. It is a program against which other mortgage programs are oftentimes compared and modeled. In fact, the New York Fed recently released a study in which our HEMAP program scored exceptionally well. The New York Fed study revealed that Pennsylvania's HEMAP program far outpaced even the Federal mortgage assistance program. Our program is far cheaper and can help far more homeowners, operating at about one-eighth of the cost of the Federal program, with nearly 80 percent of the HEMAP loan recipients maintaining and retaining their homes.

Given these statistics, the national recognition, and extreme economic pain that we would experience, one would think that Pennsylvania officials would want to be adding cash to this program and looking for ways to expand its reach. That is what Senate Democrats want to do, and that is what we will be working toward in this budget negotiation.

But, Mr. President, there is another aspect of loss of funding for the HEMAP program. What is worse is that if we do not put any State dollars into this program--as of this point in time, there are zero dollars in the HEMAP program in the budget proposal--if we do not put any money into that program, the Federal funding stream dries up on September 30, and then we have a real crisis. Because under Act 91, the lack of State support allows lenders to begin foreclosure actions immediately, and it allows them to disregard the 4-month reprieve that homeowners are currently able to receive.

So what happens in those situations, Mr. President, is when we do not provide the necessary resources into the HEMAP program this year, it triggers aspects of Act 91 that require that we no longer have to worry about the 4-month period of time when they have an opportunity to provide for the stay of that foreclosure procedure. We think that is a very, very important part of what needs to be done along those lines, maintaining the opportunity for folks to participate in this program. We believe that we need to add some resources to that program, and we hope that our Senate colleagues on the other side of the aisle, as well as the administration, join us in our request to put resources in the HEMAP program to preserve that all-important 120-day window period when there is a stay of the foreclosure proceedings.

Thank you very much, 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, May 9, 2011, at 1 p.m., Eastern Day-

light Saving Time, unless sooner recalled by President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12 m., Eastern Daylight Saving Time.