

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

MONDAY, MAY 23, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 33

## SENATE

MONDAY, May 23, 2011

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

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

## PRAYER

The Chaplain, Reverend GARY ALBERDING, Pastor of Victory Baptist Church, Homer City, offered the following prayer:

Let us pray.

Our great God and gracious heavenly Father, we thank You for Your love and Your mercy. We thank You for the liberty and the freedom that You have granted us in this great nation and in this great State of Pennsylvania.

Father God, we also thank You for these men and women who have chosen to serve in the interest of the people of this State. We thank You for this day. Lord, we ask, help us to serve You this day. Lord, we humbly ask that You would grant each one the wisdom needed to accomplish Your will in the business of our State. We ask for and trust in Your guidance this day. May we please and honor You with our decisions and our actions.

Father, we ask also for the families of these honorable men and women, that You would grant them safety and happiness according to Your grace and abundant mercy. Lord, help us to serve our fellow man today and every day that You grant us life. May it be said of us that we have made our State, our country, and our world a better place than we found it. We ask this all in faith believing and in the name of our Lord and savior. Amen.

The PRESIDENT. The Chair thanks Pastor Alberding, who is the guest today of Senator Don White.

## PLEDGE OF ALLEGIANCE

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

## COMMUNICATIONS FROM THE GOVERNOR

### NOMINATIONS REFERRED TO COMMITTEE

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

## MEMBER OF THE STATE PLANNING BOARD

May 16, 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, Melanie DePalma, 1024 N. Waterford Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Planning Board, to serve until August 19, 2013, and until her successor is appointed and qualified, vice Judith Schwank, Fleetwood, resigned.

TOM CORBETT  
Governor

## RECORDER OF DEEDS, CHESTER COUNTY

May 16, 2011

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

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

TOM CORBETT  
Governor

## MEMBER OF THE STATE BOARD OF DENTISTRY

May 18, 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, John E. DeFinnis, D.D.S., 1207 Fowler Avenue, Berwick 18603, Columbia County, Twenty-seventh Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

TOM CORBETT  
Governor

**MEMBER OF THE STATE BOARD OF DENTISTRY**

May 18, 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, Theresa A. Groody, 62 Patriot Drive, Chalfont 18914, Bucks County, Tenth Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, John A. Barbour, 301 Green Lake Drive, Mars 16046, Butler County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Laura S. Fisher, Ligonier, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Karen Dougherty Buchholz, 6262 Henry Lane, Flourtown 19031, Montgomery County, Seventh Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Flora L. Becker, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Susan Corbett, 107 Spruce Drive, Glenshaw 15116, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum

Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Kathleen A. Pavelko, Mechanicsburg, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, William V. Lewis, Jr., 141 South Highland Drive, Pittston 18640, Luzerne County, Fourteenth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Janet S. Klein, Rydal, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Andrew E. Masich, 135 Wilmar Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Michele Sellitto Bortner, D.Ed., Harrisburg, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Ann Moran, 771 Supplee Mill Road, Lewisburg 17837, Union County, Twenty-third Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Brian C. Mitchell, Ph.D., Lewisburg, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Jean Craig Pepper, 4851 Wolf Road, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Rhonda R. Cohen, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Fredrick C. Powell, 690 Moores Mountain Road, Mechanicsburg 17055, York County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Wayne S. Spilove, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HISTORICAL AND MUSEUM COMMISSION**

May 19, 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, Richard M. Sand, 8201 Fenton Road, Laverock 19038, Montgomery County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Cheryl I. McClenney-Brooker, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**RECALL COMMUNICATIONS  
REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

May 13, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated

April 15, 2011, for the appointment of Judith R. Prybick, D.O., 5422 Holiday Drive, Allentown 18104, Lehigh County, Sixteenth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Romaine J. Campenni, Pittston, whose term expired.

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

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF DENTISTRY**

May 18, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 18, 2011, for the appointment of Melanie DePalma, 1024 N. Waterford Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

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

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF DENTISTRY**

May 18, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 18, 2011, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

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

**TOM CORBETT**  
Governor

**CORRECTIONS TO NOMINATIONS  
REFERRED TO COMMITTEE**

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

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

May 13, 2011

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

Please note the nomination dated May 6, 2011, for the appointment of The *[sic]* James A. West, Jr., 108 Wynnewood Drive, Pittsburgh 15215, Allegheny County, Thirty-seventh Senatorial District, as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Caryn B. Rubinoff, Pittsburgh, whose term expired, should be corrected to read:

James A. West, Jr., 418 Chapel Harbor Drive, Pittsburgh 15238, Allegheny County, ~~Thirty-eighth~~ Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Caryn B. Rubinoff, Pittsburgh, whose term expired.

TOM CORBETT  
Governor

#### MEMBER OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

May 23, 2011

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

Please note the nomination dated May 19, 2011, for the appointment of Jean Craige Pepper, 4851 Wolf Road, Erie 16505, Erie County, Forty-ninth Senatorial District, as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Rhonda R. Cohen, Philadelphia, whose term expired, should be corrected to read:

Jean Craige Pepper, 4851 Wolf Road, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Pennsylvania Historical and Museum Commission, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice Rhonda R. Cohen, Philadelphia, resigned.

TOM CORBETT  
Governor

#### HOUSE MESSAGES

##### HOUSE BILLS FOR CONCURRENCE

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

May 16, 2011

**HB 9, 563 and 896** -- Committee on Transportation.

**HB 135** -- Committee on Judiciary.

**HB 574** -- Committee on Public Health and Welfare.

**HB 1352** -- Committee on Education.

##### 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:

May 12, 2011

Senators ALLOWAY, SOLOBAY, GREENLEAF, MENSCH, FONTANA, VOGEL, BROWNE, ERICKSON, SCARNATI, BREWSTER, WOZNIAK, FERLO and WASHINGTON presented to the Chair **SB 1064**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for sportsmen's registration plate.

Which was committed to the Committee on TRANSPORTATION, May 12, 2011.

Senators ALLOWAY, RAFFERTY, D. WHITE and FOLMER presented to the Chair **SB 1065**, 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 salary and for removal.

Which was committed to the Committee on EDUCATION, May 12, 2011.

Senators ALLOWAY, FONTANA, EICHELBERGER, SOLOBAY, WAUGH, VANCE, D. WHITE, FERLO, BREWSTER and WOZNIAK presented to the Chair **SB 1066**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of enforcement officers and for trespass on private property while hunting.

Which was committed to the Committee on GAME AND FISHERIES, May 12, 2011.

Senators ALLOWAY, SOLOBAY, KASUNIC, FONTANA, WASHINGTON and BROWNE presented to the Chair **SB 1067**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further defining "emergency vehicle."

Which was committed to the Committee on TRANSPORTATION, May 12, 2011.

Senators SMUCKER, RAFFERTY, PILEGGI, WAUGH, ERICKSON, SOLOBAY, SCHWANK, BREWSTER, BAKER, BRUBAKER, EARLL and MENSCH presented to the Chair **SB 1068**, entitled:

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, establishing Municipal Connection Funding Programs; making an appropriation; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 12, 2011.

Senators BREWSTER, SOLOBAY, RAFFERTY, FONTANA, GREENLEAF, WAUGH, McILHINNEY, BOSCOLA, SCHWANK, TARTAGLIONE, ALLOWAY, FERLO, EARLL, BRUBAKER, BROWNE and YUDICHAK presented to the Chair **SB 1071**, entitled:

An Act requiring insurers that approve claims for emergency services to directly reimburse organizations that provide such services.

Which was committed to the Committee on BANKING AND INSURANCE, May 12, 2011.

May 13, 2011

Senators WOZNIAK, SOLOBAY, FONTANA, ROBBINS, WAUGH and BROWNE presented to the Chair **SB 1027**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for restricted account, for registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for fees and for records; and providing for vintage snowmobile permits.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 13, 2011.

Senators FOLMER, FONTANA, SOLOBAY, BOSCOLA, EICHELBERGER, WAUGH, ORIE, ROBBINS, KASUNIC, D. WHITE, EARLL, SCARNATI, BREWSTER, WOZNIAK, PICCOLA and MENSCH presented to the Chair **SB 1029**, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," further providing for liability for landowners to recreational users; and providing for attorney fees and court costs.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 13, 2011.

#### May 16, 2011

Senators ARGALL, RAFFERTY, M. WHITE, FONTANA, GREENLEAF, WAUGH, VOGEL, WASHINGTON, MENSCH, BOSCOLA and FARNESE presented to the Chair **SB 991**, entitled:

An Act providing for automatic renewal provisions in certain service contracts.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 16, 2011.

Senators ERICKSON, RAFFERTY, GREENLEAF, DINNIMAN, FERLO, FARNESE and PIPPY presented to the Chair **SB 1026**, entitled:

An Act amending the act of December 18, 1984 (P.L.1004, No.204), entitled "An act extending benefits to police chiefs or heads of police departments of political subdivisions of the Commonwealth who have been removed from bargaining units by the Pennsylvania Labor Relations Board," further providing for salary of nonunion police officers.

Which was committed to the Committee on LOCAL GOVERNMENT, May 16, 2011.

Senators SOLOBAY, COSTA, FONTANA, HUGHES, TARTAGLIONE, ERICKSON, BREWSTER, FARNESE, GREENLEAF, MENSCH, RAFFERTY, WASHINGTON, D. WHITE and YUDICHAK presented to the Chair **SB 1031**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for blind veteran's pension.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 16, 2011.

Senators SOLOBAY, COSTA, FONTANA, HUGHES, TARTAGLIONE, ERICKSON, BREWSTER, FARNESE, GREENLEAF, MENSCH, RAFFERTY, WASHINGTON, D.

WHITE and YUDICHAK presented to the Chair **SB 1032**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' pensions and benefits, further providing for paralyzed veteran's pension.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 16, 2011.

Senators ALLOWAY, MENSCH, EICHELBERGER, YAW, FONTANA, BROWNE and BRUBAKER presented to the Chair **SB 1033**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, May 16, 2011.

Senators WILLIAMS, RAFFERTY, FONTANA, WASHINGTON, BREWSTER, LEACH and FARNESE presented to the Chair **SB 1039**, entitled:

An Act requiring the Pennsylvania State Police to conduct criminal background checks requested by an employer.

Which was committed to the Committee on LAW AND JUSTICE, May 16, 2011.

Senators RAFFERTY, ERICKSON, WILLIAMS, WASHINGTON, FONTANA, BREWSTER, FARNESE and BROWNE presented to the Chair **SB 1045**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in sports and amusements, providing for an offense relating to helmets for certain persons engaged in winter sporting activities.

Which was committed to the Committee on JUDICIARY, May 16, 2011.

Senators McILHINNEY, FONTANA, WAUGH, GREENLEAF, SCARNATI, ARGALL, WASHINGTON, BOSCOLA and BROWNE presented to the Chair **SB 1047**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the transfer of bridges to municipalities.

Which was committed to the Committee on TRANSPORTATION, May 16, 2011.

Senators FARNESE, RAFFERTY, FONTANA, SOLOBAY, BOSCOLA, COSTA, STACK, WILLIAMS, TARTAGLIONE, WASHINGTON, KITCHEN, LEACH, SCHWANK, FERLO and BREWSTER presented to the Chair **SB 1063**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for pregnancy as a preexisting condition and for coverage for maternity care; and, in health care insurance individual accessibility, further providing for policy choice for eligible individuals.

Which was committed to the Committee on BANKING AND INSURANCE, May 16, 2011.

Senators BROWNE, PIPPY, RAFFERTY, McILHINNEY, TOMLINSON, FOLMER, BREWSTER, FARNESE, STACK and BLAKE presented to the Chair **SB 1069**, entitled:

An Act providing for the registration and regulation of professional employer organizations and for powers and duties of the Department of Labor and Industry; and imposing penalties.

Which was committed to the Committee on LABOR AND INDUSTRY, May 16, 2011.

Senators SCARNATI, WAUGH, ORIE, RAFFERTY, ALLOWAY, VANCE, M. WHITE, GREENLEAF, BRUBAKER, McILHINNEY, FOLMER, VOGEL, YAW, TOMLINSON, D. WHITE, COSTA, YUDICHAK, SOLOBAY and FARNESE presented to the Chair **SB 1070**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in procedure, providing for insurance for different forms of business; and repealing provisions on logging.

Which was committed to the Committee on LABOR AND INDUSTRY, May 16, 2011.

Senators SCARNATI, CORMAN, BROWNE, VOGEL, SMUCKER, D. WHITE, BRUBAKER, PIPPY, MENSCH and YAW presented to the Chair **SB 1100**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, imposing a natural gas impact fee and providing for a model zoning ordinance.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 16, 2011.

## RESOLUTION INTRODUCED AND REFERRED

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

May 16, 2011

Senators WOZNIAK, YAW, FONTANA, WASHINGTON, ALLOWAY, TARTAGLIONE, BREWSTER and SCARNATI presented to the Chair **SR 119**, entitled:

A Resolution urging the Commonwealth to upgrade its broadband communications network for use by the private and public sectors in the Northern Tier of this Commonwealth.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, May 16, 2011.

## GENERAL COMMUNICATION

### REPORT PURSUANT TO ACT 3 OF 2008

#### TEMPLE UNIVERSITY

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

TEMPLE UNIVERSITY  
Office of the Secretary  
3 Mezzanine, Sullivan Hall  
1330 Polett Walk  
Philadelphia, PA 19122-6087

May 16, 2011

VIA OVERNIGHT DELIVERY

Robert F. Teplitz  
Chief Counsel/Policy Director  
Open Records Officer  
Department of the Auditor General  
Commonwealth of Pennsylvania  
229 Finance Building  
Harrisburg, PA 17109-0018

## Re: Right-to-Know Law Annual Filing

Dear Mr. Teplitz:

Pursuant to Chapter 15 of the Right-to-Know Law, I enclose for filing a copy of the following:

(1) University's Form 990 of the United States Department of the Treasury, Internal Revenue Service. The Form 990 includes the salaries of all officers and trustees of Temple University.

(2) A listing of the 25 highest salaried employees who are not officers or trustees.

This information is being or has been posted on the University's website at [www.temple.edu](http://www.temple.edu).

Very truly yours,

GEORGE E. MOORE  
Senior Vice President, University  
Counsel and Secretary to the Board  
of Trustees

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

## APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Lisa M. Boscola as a member of the Advisory Committee of the Department of Health for the Primary Health Care Practitioners Program.

Senator Edwin B. Erickson as a member of the Advisory Committee of the Department of Health for the Primary Health Care Practitioners Program.

Mr. Dennis E. Cook as a Commonwealth Trustee of Lincoln University.

Mr. John H. Suplizio as a member of the Local Government Advisory Committee.

## APPOINTMENT BY THE MINORITY LEADER

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

Ms. Colleen DeFrank as a member of the Board of the Pennsylvania Housing Finance Agency.

## BILLS REPORTED FROM COMMITTEE

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

### SB 227 (Pr. No. 991) (Rereported)

An Act 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 263 (Pr. No. 240) (Rereported)**

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for criteria for review of regulations.

**SB 366 (Pr. No. 351) (Rereported)**

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions, for licensure and for State Board of Vehicle Manufacturers, Dealers and Salespersons.

**SB 815 (Pr. No. 833) (Rereported)**

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

**SB 816 (Pr. No. 834) (Rereported)**

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.

**SB 817 (Pr. No. 1042) (Rereported)**

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.

**SB 818 (Pr. No. 836) (Rereported)**

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

**SB 1030 (Pr. No. 1239) (Amended) (Rereported)**

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for relief from charges and for establishment and maintenance of employer's reserve accounts; providing for automatic relief from charges; further providing for qualifications required to secure compensation, for rate and amount of compensation, for definitions and for rules of procedure; and providing for shared-work program and for applicability.

**SB 1054 (Pr. No. 1190)**

An Act providing for the capital budget for the fiscal year 2011-2012.

**SB 1055 (Pr. No. 1191)**

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

**SB 1056 (Pr. No. 1192)**

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Em-

ployees' Retirement Board for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

**SB 1057 (Pr. No. 1193)**

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

**SB 1058 (Pr. No. 1194)**

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

**SB 1059 (Pr. No. 1195)**

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission; and providing for the additional appropriation of Federal funds from the General Fund to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2011, to June 30, 2012.

**SB 1060 (Pr. No. 1196)**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

**SB 1061 (Pr. No. 1197)**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

**SB 1062 (Pr. No. 1198)**

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2011.

**LEGISLATIVE LEAVES**

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

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

The PRESIDENT. Senator Costa requests a legislative leave for Senator Williams, and a temporary Capitol leave for Senator Leach. Without objection, the leaves will be granted.

**SENATE CONCURRENT RESOLUTION****WEEKLY RECESS**

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, May 23, 2011

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the Senate recesses this week, it reconvene on Monday, June 6, 2011, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Regular Session of the House of Representatives recesses this week, it reconvene on Monday, June 6, 2011, unless sooner recalled by the Speaker of the House of Representatives.

On the question,  
Will the Senate adopt the resolution?

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.

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

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

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

Senator BRUBAKER. Mr. President, it is my privilege today to introduce to you and my colleagues some constituents from my district, Karen and James Kendig, who are here with their son, Timothy, and their pastor, Father Sullivan.

The Kendig family traveled from Lancaster to join me today. Father Sullivan is a former pastor at Saint Leo the Great in Lancaster, and most recently, a retired pastor serving at Saint Joseph Parish in Mechanicsburg. Mr. President, I ask that the Senate give them its usual warm welcome.

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

(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, at the conclusion, we will have a Senate Democratic caucus at the rear of the Chamber.

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held immediately in their respective caucus rooms, 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****SB 448 CALLED UP OUT OF ORDER**

SB 448 (Pr. No. 431) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator PILEGGI, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION**  
**AND FINAL PASSAGE**

SB 448 (Pr. No. 431) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in provisions relating to minors, further providing for the offense of purchase, consumption, possession or transportation of liquor or malt or brewed beverages.

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.

### LEGISLATIVE LEAVE CANCELLED

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

Senator COSTA. Mr. President, I would like to recognize Senator Leach was here for the vote and voted in the affirmative.

The PRESIDENT. The Chair does, in fact, recognize that Senator Leach has returned, and his temporary Capitol leave is cancelled.

### PERMISSION TO ADDRESS

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

Senator RAFFERTY. Mr. President, I want to thank my colleagues for their affirmative vote on Senate Bill No. 448. This is a bill designed for good samaritans to save lives in a much-needed cause. I thank them for their support, and I ask my colleagues in the House to act just as quickly on the bill.

Thank you, Mr. President.

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

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

Senator DINNIMAN. Mr. President, my guest today is our Page, and his name is Alex Piasecki. I got that right. There is a Pialecki in our district, too.

Every year, Conestoga High School, instead of having its seniors go to school the last 5 weeks, they go out and work somewhere in the community. Each year, we have taken at least two Conestoga students to work in our office. Alex will be going to the University of North Carolina next year to study both international studies and public policy. I ask you to join me in welcoming our Page for the day, Alex Piasecki.

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

(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 meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately.

The PRESIDENT. Senator Pileggi requests a recess of the Senate for the purpose of a meeting of the Committee on Rules and Executive Nominations. Without objection, the Senate stands in recess.

### AFTER RECESS

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

### COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

#### MEMBER OF THE STATE BOARD OF DENTISTRY

May 18, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 18, 2011, for the appointment of Melanie DePalma, 1024 N. Waterford Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

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

TOM CORBETT  
Governor

#### MEMBER OF THE STATE BOARD OF DENTISTRY

May 18, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 18, 2011, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Dentistry, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice new position.

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

TOM CORBETT  
Governor

#### MEMBER OF THE STATE BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

May 13, 2011

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 15, 2011, for the appointment of Judith R. Prybick, D.O., 5422 Holiday Drive, Allentown 18104, Lehigh County, Sixteenth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Romaine J. Campenni, Pittston, whose term expired.

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

**TOM CORBETT**  
Governor

### **NOMINATIONS RETURNED TO THE GOVERNOR**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

### **REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

#### **MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, Stephen J. Harmelin, Esquire, Two Independence Place, 233 South 6th Street, Unit 1709, Philadelphia 19106, Philadelphia County, First Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2013, and until his successor is appointed and qualified, vice Diane Dalto, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

#### **MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, Justin Laing, 2351 Wylie Avenue, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Myron Tomb, Indiana, whose term expired.

**TOM CORBETT**  
Governor

#### **MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, James A. West, Jr., 418 Chapel Harbor Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Caryn B. Rubinoff, Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

### **ATTORNEY GENERAL OF PENNSYLVANIA**

February 11, 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, Linda L. Kelly, Esquire, 307 Maple Avenue, Edgewood 15218, Allegheny County, Forty-third Senatorial District, for appointment as Attorney General of Pennsylvania, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice The Honorable Tom Corbett, Pittsburgh, resigned.

**TOM CORBETT**  
Governor

### **CONTROLLER, NORTHUMBERLAND COUNTY**

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Tony L. Phillips, 271 Campbell Road, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment as Controller, in and for the County of Northumberland, to serve until the first Monday of January 2012, vice The Honorable Charles Erdman, Jr., resigned.

**TOM CORBETT**  
Governor

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

March 1, 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, Ronald G. Henry, 711 Pennstone Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Paul S. Dlugolecki, Mechanicsburg, whose term expired.

**TOM CORBETT**  
Governor

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

March 1, 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, Robert S. Taylor, Esquire, 760 Tower View Circle, New Hope 18938, Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Thomas M. Sweitzer, Swarthmore, whose term expired.

**TOM CORBETT**  
Governor

**PROTHONOTARY AND CLERK OF COURTS,  
VENANGO COUNTY**

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Paula M. Palmer, 121 Park Avenue, Franklin 16323, Venango County, Twenty-first Senatorial District, for appointment as Prothonotary and Clerk of Courts, in and for the County of Venango, to serve until the first Monday of January 2012, vice The Honorable Peggy L. Miller, resigned.

**TOM CORBETT**  
Governor

**RECORDER OF DEEDS, BUCKS COUNTY**

April 12, 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, Joseph Szafran, 6257 Edge Avenue, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as Recorder of Deeds, in and for the County of Bucks, to serve until the first Monday of January 2014, vice The Honorable Edward R. Gudknecht, deceased.

**TOM CORBETT**  
Governor

**TREASURER, NORTHUMBERLAND COUNTY**

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Kevin P. Gilroy, 1343 Mountain Road, Paxinos 17860, Northumberland County, Twenty-seventh Senatorial District, for appointment as Treasurer, in and for the County of Northumberland, to serve until the first Monday of January 2012, vice The Honorable Ronald L. Chamberlain, resigned.

**TOM CORBETT**  
Governor

***NOMINATIONS LAID ON THE TABLE***

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS**

***EXECUTIVE SESSION***

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

***NOMINATIONS TAKEN FROM THE TABLE***

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, Stephen J. Harmelin, Esquire, Two Independence Place, 233 South 6th Street, Unit 1709, Philadelphia 19106, Philadelphia County, First Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2013, and until his successor is appointed and qualified, vice Diane Dalto, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, Justin Laing, 2351 Wylie Avenue, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Myron Tomb, Indiana, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

May 6, 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, James A. West, Jr., 418 Chapel Harbor Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Commonwealth of

Pennsylvania Council on the Arts, to serve until July 1, 2012, and until his successor is appointed and qualified, vice Caryn B. Rubinoff, Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

#### CONTROLLER, NORTHUMBERLAND COUNTY

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Tony L. Phillips, 271 Campbell Road, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment as Controller, in and for the County of Northumberland, to serve until the first Monday of January 2012, vice The Honorable Charles Erdman, Jr., resigned.

**TOM CORBETT**  
Governor

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

March 1, 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, Ronald G. Henry, 711 Pennstone Road, Bryn Mawr 19010, Delaware County, Seventeenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Paul S. Dlugolecki, Mechanicsburg, whose term expired.

**TOM CORBETT**  
Governor

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

March 1, 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, Robert S. Taylor, Esquire, 760 Tower View Circle, New Hope 18938, Bucks County, Tenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Thomas M. Sweitzer, Swarthmore, whose term expired.

**TOM CORBETT**  
Governor

#### PROTHONOTARY AND CLERK OF COURTS, VENANGO COUNTY

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Paula M. Palmer, 121 Park Avenue, Franklin 16323, Venango County, Twenty-first Senatorial District, for appointment as Prothonotary and Clerk of Courts, in and for the County of Venango, to serve until the first Monday of January 2012, vice The Honorable Peggy L. Miller, resigned.

**TOM CORBETT**  
Governor

#### RECORDER OF DEEDS, BUCKS COUNTY

April 12, 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, Joseph Szafran, 6257 Edge Avenue, Bensalem 19020, Bucks County, Sixth Senatorial District, for appointment as Recorder of Deeds, in and for the County of Bucks, to serve until the first Monday of January 2014, vice The Honorable Edward R. Gudknecht, deceased.

**TOM CORBETT**  
Governor

#### TREASURER, NORTHUMBERLAND COUNTY

April 12, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Kevin P. Gilroy, 1343 Mountain Road, Paxinos 17860, Northumberland County, Twenty-seventh Senatorial District, for appointment as Treasurer, in and for the County of Northumberland, to serve until the first Monday of January 2012, vice The Honorable Ronald L. Chamberlain, resigned.

**TOM CORBETT**  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

The yeas and nays were required by Senator ROBBINS 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
Earll	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 Governor be informed accordingly.

**NOMINATION TAKEN FROM THE TABLE**

Senator ROBBINS. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

**ATTORNEY GENERAL OF PENNSYLVANIA**

February 11, 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, Linda L. Kelly, Esquire, 307 Maple Avenue, Edgewood 15218, Allegheny County, Forty-third Senatorial District, for appointment as Attorney General of Pennsylvania, to serve until the third Tuesday of January 2013, and until her successor is appointed and qualified, vice The Honorable Tom Corbett, Pittsburgh, resigned.

**TOM CORBETT**  
Governor

On the question,  
Will the Senate advise and consent to the nomination?

The yeas and nays were required by Senator ROBBINS 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 two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative.  
Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**CONSIDERATION OF CALENDAR RESUMED****THIRD CONSIDERATION CALENDAR RESUMED****BILL OVER IN ORDER**

**SB 3** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL AMENDED**

**SB 9 (Pr. No. 152)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring identification of lawful presence in the United States as a prerequisite to the receipt of public benefits.

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

**SCARNATI AMENDMENT A2350**

Senator SCARNATI offered the following amendment No. A2350:

Amend Bill, page 3, by inserting between lines 13 and 14:

(vii) Protective services provided under the act of November 6, 1987 (P.L.381, No.79), known as the Older Adults Protective Services Act, and the act of October 7, 2010 (P.L.484, No.70), known as the Adult Protective Services Act.

Amend Bill, page 4, by inserting between lines 21 and 22:

(5) A person whose citizenship has been verified pursuant to section 1902(ee) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1396a(ee)).

Amend Bill, page 5, line 10, by striking out "This" and inserting:

(a) General rule.--Except as otherwise provided in subsection (b), this

Amend Bill, page 5, by inserting between lines 12 and 13:

(b) Federal funding and law.--This act shall not apply to applications for public benefits and renewal of public benefits filed directly with an agency if compliance with this act would lead to loss of Federal funding or be in conflict with any Federal law.

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

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

**FERLO AMENDMENT A2020**

Senator FERLO offered the following amendment No. A2020:

Amend Bill, page 4, line 5, by inserting after "1997)":

or a subsequent version of that Attorney General's document

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

**WASHINGTON AMENDMENT A2399**

Senator WASHINGTON offered the following amendment No A2399:

Amend Bill, page 4, by inserting between lines 21 and 22:

(5) A person who declares by affidavit that, because of domestic violence, she does not currently possess any of the identification documents listed in subsection (a)(1). The domestic violence shall be verified using state standards developed under section 402(a)(7) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193, 42 U.S.C. § 602(a)(7)).

On the question,

Will the Senate agree to the amendment?

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

Senator WASHINGTON. Mr. President, I submit my remarks for the record.

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

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

Mr. President, my amendment would make an exception for any individual who is a victim of domestic violence who may not have the proper identification documents. As a longtime advocate of domestic violence victims, I know how important it is to protect victims. I believe that this amendment is a worthwhile and solid amendment and will help victims of domestic violence. This amendment protects individuals. It protects their identity and ensures the safety of those individuals who are or have been victims of domestic violence. I ask for an affirmative vote on this amendment. Thank you.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

#### KITCHEN AMENDMENT A2032

Senator KITCHEN offered the following amendment No. A2032:

Amend Bill, page 3, lines 11 through 13, by striking out all of said lines and inserting:

(vi) Nutrition programs enumerated in section 742(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193, 8 U.S.C. § 1615(b)(2)).

(vii) Programs providing assistance in the form of food or food vouchers, including, but not limited to, the Special Supplemental Nutrition Program for Women, Infants and Children.

On the question,

Will the Senate agree to the amendment?

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

Senator KITCHEN. Mr. President, I offer my remarks for the record.

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

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

Mr. President, this amendment would exempt nutrition programs and programs like food vouchers and the Special Supplemental Nutrition Program for Women, Infants, and Children. This is a solid amendment that ensures that our most vulnerable citizens are protected under this bill. As you know, I have worked long and hard on nutrition issues and to protect the needs of those who utilize the WIC program. I believe this is a worthwhile amendment and an important amendment that is needed to improve the legislation. I urge my colleagues to support this amendment. Thank you.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

#### LEACH AMENDMENT A2394

Senator LEACH offered the following amendment No. A2394:

Amend Bill, page 3, by inserting between lines 13 and 14:

(vii) Services provided to a victim of a severe form of trafficking in persons as defined under 22 U.S.C. § 7105(b)(1)(C) (relating to protection and assistance for victims of trafficking).

On the question,

Will the Senate agree to the amendment?

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

Senator LEACH. Mr. President, I would like to submit my remarks for the record.

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

*(The following prepared remarks were made part of the record at the request of the gentleman from Montgomery, Senator LEACH:)*

Mr. President, as you know, I have been involved in the issue of human trafficking for years. I know that victims of human trafficking are abused daily, threatened, and beaten. We have to do all that we can to stop this process. While I understand the rationality set forth in Senate Bill No. 9 as it pertains to providing proof of citizenship prior to receiving state benefits, I believe that victims of human trafficking deserve an exemption for the dehumanizing that they have sadly experienced. We need to stand up for victims' rights and lend a helping hand to those in need. I ask for an affirmative vote on amendment No. 2394.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

## STACK AMENDMENT A2028

Senator COSTA, on behalf of Senator STACK, offered the following amendment No. A2028:

Amend Bill, page 1, by inserting between lines 11 and 12:  
"Affidavit." An unsworn statement that is made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

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

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

Senator COSTA. Mr. President, I offer the following remarks for the record on behalf of Senator Stack.

The PRESIDENT. Without objection, 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 STACK:)*

Mr. President, this amendment would add the definition of "affidavit" to clarify that the affidavit that a person is required to submit may be unsworn subject to the penalties for perjury. As a lawyer, I understand the rationale for this approach. As a legislator, I understand the need to improve this bill through this amendment. This is a good amendment that is consistent with current agency practice. I urge my colleagues to support this amendment. Thank you.

And the question recurring,  
Will the Senate agree to the amendment?  
It was agreed to.

And the question recurring,  
Will the Senate agree to the bill on third consideration, as amended?

## SOLOBAY AMENDMENT A2030

Senator SOLOBAY offered the following amendment No. A2030:

Amend Bill, page 3, lines 27 and 28, by striking out "a valid Armed Forces of the United States " in line 27 and "identification card" in line 28 and inserting:

a document from an agency of the United States or a State national guard establishing that the person is a current member of or a veteran of the United States Armed Forces or National Guard

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

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

Senator SOLOBAY. Mr. President, I would like to submit written comments for the record.

The PRESIDENT. Without objection, 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 Washington, Senator SOLOBAY:)*

Mr. President, this amendment allows members and veterans of the Armed Forces to use military identification to satisfy the requirements of the bill. Service members are often required to move frequently across the United States and across the world. Maintaining state or locally established identification could be difficult and even impossible. Helping the members of our Armed Forces make a smooth transition to life back at home is among the prime responsibilities of government and this amendment will make sure that no one who has served is denied fundamental rights because of bureaucracy. I ask for the Senate's support of this important amendment. Thank you.

And the question recurring,  
Will the Senate agree to the amendment?  
It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

## BILL AMENDED AND LAID ON THE TABLE

**SB 27 (Pr. No. 1041)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for dog purchaser protection.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator GREENLEAF offered the following amendment No. A2233:

Amend Bill, page 2, line 7, by inserting a bracket before "A"  
Amend Bill, page 2, line 7, by inserting after "A":  
] Except as provided under subsection (b.2)(3) of this section.

a

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill, as amended, was laid on the table.

## SB 27 TAKEN FROM TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 27, Printer's No. 1241, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.  
The PRESIDENT. The bill will be placed on the Calendar.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 104 (Pr. No. 1214)** -- The Senate proceeded to consideration of the bill, entitled:

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 and for reporting of vehicle use.

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

On the question,  
Shall the bill pass finally?

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

## YEA-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 151 (Pr. No. 125)** -- 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 disposition of fees, fines and civil penalties.

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 326 (Pr. No. 1176)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

On the question,  
Shall the bill pass finally?

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

## YEA-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 328 and SB 450** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL AMENDED

**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.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator WARD offered following amendment No. A2363:

Amend Bill, page 2, line 11, by inserting after "individual":  
hired by a public works contractor after the effective date of this subchapter

Amend Bill, page 2, lines 19 and 20, by striking out all of said lines  
Amend Bill, page 3, line 17, by striking out "Commonwealth"



agency" and inserting:

public body

Amend Bill, page 3, line 19, by inserting after "following":  
subject to and consistent with Federal immigration law

Amend Bill, page 3, lines 20 through 24, by striking out all of lines 20 through 23 and "(2)" in line 24 and: inserting

(1)

Amend Bill, page 3, line 29, by striking out "(3)" and inserting:

(2)

Amend Bill, page 3, line 30, by striking out "Commonwealth agency" and inserting:

public body

Amend Bill, page 4, line 5, by striking out "(4)" and inserting:

(3)

Amend Bill, page 5, line 11, by striking out "NVS or"

Amend Bill, page 6, lines 4 through 7, by striking out "utilize NVS and EVP to verify the employment eligibility" in line 4, all of lines 5 and 6 and "governing the use of NVS and EVP" in line 7 and inserting:  
evaluate the process utilized by the public works contractors and subcontractors in complying with the requirements of this subchapter

Amend Bill, page 7, lines 3 and 4, by striking out all of line 3 and "1324a) or" in line 4

Amend Bill, page 7, line 28, by striking out "Commonwealth agency" and inserting:

public body

Amend Bill, page 8, line 1, by striking out "Commonwealth agency" and inserting:

public body

Amend Bill, page 8, line 2, by striking out "Commonwealth agency" and inserting:

public body

Amend Bill, page 8, line 3, by striking out "Commonwealth agency" and inserting:

public body

Amend Bill, page 9, line 19, by striking out "NVS and"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

#### BILL OVER IN ORDER

**SB 732 --** Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILL AMENDED

**SB 907 (Pr. No. 943) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, reviving and further providing for investments.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BROWNE offered the following amendment No. A2304:

Amend Bill, page 2, line 21, by inserting a bracket before "20%"

Amend Bill, page 2, line 21, by inserting after "20%":

] 15%

Amend Bill, page 2, line 24, by inserting a bracket before "in"

Amend Bill, page 2, line 29, by inserting after "1965":

] notwithstanding the statutory surplus, the State Workers' Insurance

Fund is authorized to invest up to 7 1/2% of the book value of its assets in equities

Amend Bill, page 3, line 1, by inserting a bracket before "man"

Amend Bill, page 3, line 2, by inserting after "1965":

] investor rule as provided for under 20 Pa.C.S. § 7203 (relating to prudent investor rule)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

#### SECOND CONSIDERATION CALENDAR

##### BILL OVER IN ORDER

**SB 165 --** Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

##### BILL ON SECOND CONSIDERATION

**HB 218 (Pr. No. 168) --** The Senate proceeded to consideration of the bill, entitled:

An Act designating State Route 462 from its intersection with U.S. Route 30 in West Manchester Township, York County, to the point where it meets State Route 24 in Springettsbury Township, York County, as the Korean War Veterans Memorial Highway.

Considered the second time and agreed to,

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

##### BILLS REREFERRED

**SB 292 (Pr. No. 266) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 7, 1936 (1st Sp.Sess., P.L.106, No.46), referred to as the Flood Control Law, further providing for contracts and acquisition of property; and providing for adjustment and for evasion of advertising requirements.

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

**SB 295 (Pr. No. 1174) --** The Senate proceeded to consideration of the bill, entitled:

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.

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

**SB 297 (Pr. No. 275) --** The Senate proceeded to consideration of the bill, entitled:

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.

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 299, SB 306, SB 308, SB 314, SB 362, SB 367, HB 373, HB 374, SB 389, SB 411 and HB 442** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### BILL ON SECOND CONSIDERATION

**SB 460 (Pr. No. 1163)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production; and making editorial changes.

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, SB 502 and SB 560** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### BILL ON SECOND CONSIDERATION

**SB 566 (Pr. No. 1032)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Donora-Monessen Bridge in Washington and Westmoreland Counties as the "Stan the Man" Musial Bridge.

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

#### BILLS OVER IN ORDER

**SB 595, SB 618, SB 626, SB 635, SB 638, SB 730, SB 743, SB 750, SB 813, SB 853, SB 894 and SB 898** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### BILLS REREFERRED

**SB 923 (Pr. No. 960)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**SB 933 (Pr. No. 1201)** -- 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 intermediate units, further providing for subsidies for services and for financial reports.

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 977, SB 978, SB 979, SB 980, SB 981, SB 982, SB 983, SB 984, SB 985, SB 986, HB 986 and SB 1000** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators ROBBINS, PILEGGI, COSTA, ALLOWAY, BOSCOLA, BREWSTER, BRUBAKER, DINNIMAN, EARLL, ERICKSON, FARNESE, FERLO, GREENLEAF, HUGHES, KASUNIC, ORIE, RAFFERTY, SOLOBAY, TARTAGLIONE, WASHINGTON, WAUGH, D. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 123**, entitled:

A Resolution recognizing the week of June 1 through 7, 2011, as "National CPR and AED Awareness Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator ROBBINS. Mr. President, I offer a resolution designating June 1 through 7 as "National CPR and AED Awareness Week" in Pennsylvania, which encourages all Pennsylvanians to become properly trained in administering these lifesaving skills. The facts speak for themselves. These procedures save lives every day, and they do not require major medical training. All of us can learn cardiopulmonary resuscitation, CPR, and we can also learn how to use the automated external defibrillator, AED. All it takes is a short training session.

Time is of the essence when someone suffers a heart attack. The odds of survival quickly go down as the minutes pass, and in many cases, there simply is just not enough time to sit back and wait for paramedics to respond. However, all it takes is one person who knows how to administer CPR and use an AED to change those odds. These lifesaving measures can give a heart attack victim the extra minutes needed to survive the time between a 911 call and the arrival of an ambulance crew.

Mr. President, during the week of June 1 through June 7, the American Heart Association, the American Red Cross, and the National Safety Council will be working to raise public awareness and will also be promoting training programs on CPR and the use of AEDs. I urge all Pennsylvanians to take part in these efforts. I ask for an affirmative vote on this resolution. Thank you.

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

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

Senators ALLOWAY and KASUNIC, by unanimous consent, offered **Senate Resolution No. 124**, entitled:

A Resolution recognizing the week of May 21 through 27, 2011, as "National Safe Boating Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, I rise, along with my Democratic colleague, Senator Kasunic, to offer this resolution in recognition of "National Safe Boating Week." Boating has become the Commonwealth's premier recreational activity as people discover the Keystone State's wonderful waterways, from wilderness canoeing on the Clarion River to deep water boating on the Delaware River to exhilarating whitewater rafting on the Youghiogheny River. Safe boating practices and boating safety education insure boater safety and an enjoyable boating season.

This year's theme of National Safe Boating Week is "Wear it Pennsylvania!" It is designed to raise public awareness of the importance of life jackets and the comfort of inflatable life jackets. Life jackets are more comfortable, more attractive, and more wearable than ever before, and Pennsylvania law requires that a wearable life jacket be carried for each person onboard a boat. Life jackets are the most important piece of equipment on a boat, and approximately 80 percent of individuals involved in boating fatalities were not wearing a life jacket at the time of the incident. Please join me and Senator Kasunic in supporting the goals of "Wear it Pennsylvania!" and recognizing the week of May 21 through May 27, 2011, as National Safe Boating Week in Pennsylvania.

Thank you, Mr. President.

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

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Gerald Derrick by Senator Baker.

Congratulations of the Senate were extended to the Pennsylvania Landscape and Nursery Association of Harrisburg by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Marvin R. Emlet and to the Honorable Wilda Fisher by Senator Corman.

Congratulations of the Senate were extended to The Pennsylvania State University Rifle Club by Senator Corman and others.

Congratulations of the Senate were extended to Linzi Biesinger, John T. Horell and to Renee Staines by Senator Eichelberger.

Congratulations of the Senate were extended to Mr. and Mrs. Fred Styer and to Mr. and Mrs. William Benscoter by Senator Gordner.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald S. Makarun and to Arthur N. DiLoreto by Senator Kasunic.

Congratulations of the Senate were extended to Timothy Kellenberger by Senator McIlhinney.

Congratulations of the Senate were extended to the Lower Lehigh Lions Club by Senators Mensch and Browne.

Congratulations of the Senate were extended to Chief Theodore D. Kohuth by Senator Mensch and others.

Congratulations of the Senate were extended to George Llewellyn Jones, Jr., and to the First Presbyterian Church of Bakerstown by Senator Orie.

Congratulations of the Senate were extended to Lauren Tucker by Senator Pileggi.

Congratulations of the Senate were extended to Henry Thomas Payseure by Senator Pippy.

Congratulations of the Senate were extended to Henry Karl by Senator Smucker.

Congratulations of the Senate were extended to Mr. and Mrs. John Miller and to Edward Strawn by Senator Solobay.

Congratulations of the Senate were extended to Nathaniel I. Livingston by Senator Tomlinson.

Congratulations of the Senate were extended to Larry Larese by Senator Ward.

Congratulations of the Senate were extended to Mr. and Mrs. William Schall and to Mr. and Mrs. Richard Reedy and to Thomas Adam Byrne by Senator D. White.

Congratulations of the Senate were extended to Floyd H. Pelham by Senator Williams.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Raymond James Daring and to the family of the late Margaret M. Reino by Senator Baker.

Condolences of the Senate were extended to the family of the late Robert Lance Shaeffer by Senator Orie.

Condolences of the Senate were extended to the family of the late Lester E. Leach by Senator Piccola.

Condolences of the Senate were extended to the family of the late Helen Pansino by Senator Solobay.

### POSTHUMOUS CITATIONS

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

Posthumous citations honoring the late Daniel Meehan and the late Stella Donahue were extended to the families by Senator Tartaglione.

### BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 1054, SB 1055, SB 1056, SB 1057, SB 1058, SB 1059, SB 1060, SB 1061 and SB 1062.**

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 gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Mr. President, as we await the House Republican budget bill, I am already concerned about the cuts that they want to enact. I did not think the budget proposal could get worse, yet it has. The Governor wants to slash education and social programs and has shown no interest in restoring funding for the low-cost adultBasic health insurance program for low-income workers.

Funding for uncompensated care has been really decreased. The line items may show a \$31.5 million increase compared to last year, but that is only because of the tobacco settlement funds, funds that would have gone to uncompensated care separately from the budget but now are put in the line item as part of the General Fund. It is really a trick, but at least uncompensated care receives State funding and matching Federal dollars. The House Republican plan, however, would decimate uncompensated care. By eliminating the \$31.5 million, the State would also senselessly lose \$38.6 million in Federal matching dollars. That means uncompensated care gets nothing, not one cent. In my district, Temple University Health System would lose \$36 million in crucial State and Federal funding, and North Philadelphia Health System would lose \$7.5 million in State and Federal funding. This is absolutely outrageous.

At this time, in this economy, when people are still out of work and without health coverage, this plan would have terrible consequences. Hospitals do not turn anyone away. If a person cannot pay, they still receive treatment. But instead of uncompensated care covering many of the costs for uninsured individuals, the burden will ultimately shift to the hospitals and the taxpayers. Hospitals are already stretched thin. They rely on uncompensated care to help ease the pain for taking care of the uninsured and the poor. We are going to pay, and we are going to pay more if trends in uncompensated care continue, because more and more people are being treated in hospitals and cannot afford to pay their bill.

The Hospital and Health Association of Pennsylvania says uncompensated care provided by Pennsylvania hospitals has increased an astounding 48 percent over the last 5 years. The Pennsylvania Health Care Cost Containment Council noted that uncompensated care grew 8 percent last year alone. These cuts will only hurt Pennsylvania taxpayers, who must foot the bill when individuals cannot pay. You can make all the cuts you want, but patients will still come to the hospital for care, even if they do not have insurance and cannot pay their medical bills. It is not going to stop.

Let us not forget the adultBasic program that ended on February 28. Many of the 41,000 recipients and the half-million on the waiting list are still without health coverage. Where are they going to go when they get sick? The hospital. The numbers are just going to continue to grow, and the hospitals will not turn

them away. The only thing these budget cuts will do is place a heavier burden on hospitals and on us. When the House budget comes to us, I urge my colleagues on both sides of the aisle to work together to insure that we provide adequate funds to the uncompensated care line item, or else we will all pay the price.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, thank you for this opportunity to spend a brief few moments kind of reflecting on where we are at this particular point as we close in on the Memorial Day holiday and prepare to move, hopefully, toward a final conclusion on the negotiation of the State budget.

As my good friend and colleague, Senator Kitchen, mentioned a few moments ago in her previous remarks, it is clear that the healthcare and hospital communities are not taken seriously in this budget process, at least in the proposal coming from the Governor's Office and the proposal being discussed in the House of Representatives. We are coming to a close, Mr. President, and it seems unfortunate that too many folks do not realize the importance of that industry and the importance of our healthcare industry, with respect to not just southeastern Pennsylvania, but the entire Commonwealth of Pennsylvania.

Our education and medical communities are really the driving forces in this Commonwealth. They drive the future in terms of technology, they drive the future in terms of the intellectual capacity of this Commonwealth, they drive the future with respect to the healthcare services of this Commonwealth, and they are huge economic drivers for the State of Pennsylvania. We must not forget the importance of those institutions, the importance of education and economic development, as we come to the closure of trying to put a budget together that really will send a message, Mr. President, about the future of this State.

We have a track record of successful policies that have been undertaken in the Commonwealth, a track record of academic success in our basic education community. We remain the only State in the nation where test scores have gone up at every grade level and in every subject matter. The only State in the nation—we are recognized by our peers nationally, we are recognized by folks in Washington, D.C., because of the tremendous successes that we have achieved in basic education.

Are we where we want to be? No. Is there much more work that has to be done? Absolutely. But, in terms of proven policies that actually make a difference, we have set the mark, we have set the standard, and we must continue to push forward on that front.

One of the key ways to do that is to continue important investments in the academic success, in the academic achievement of our young people. The same holds true for those students who right now, Mr. President, are coming home after taking their final exams. They are returning from college campuses all across the State, they are returning back to their local communities, and quite frankly, Mr. President, they are looking at potential threats of 20- to 25- to 30- to 35-percent tuition increases. That is untenable. I do not know how we expect them, our college students, the future of this Commonwealth, to manage that kind of increase when they were already struggling to make ends meet with respect to their current tuition.

The same holds true for our healthcare system. As I said, it is a huge economic force in this Commonwealth, but this proposal

from the Governor, which is being supported in dramatic ways by the Majority in the House of Representatives, continues to neglect the important and appropriate investments in our healthcare system. It is a matter of a continued policy.

You know, Mr. President, back on February 28, the administration allowed the adultBasic program to come to an end. Forty-two thousand hardworking adults in this Commonwealth, most of them women, most of them taking care of families, all of them working, for the most part, were left holding the bag as the health insurance that they depended upon was allowed to fritter away. Now, we are in a situation, Mr. President, with a budget surplus, an operating surplus of over \$506 million, there is no intention or no incentive to try to put money back into that program, or put money back into our medical program and our hospital program, which would then draw more Federal dollars into the Commonwealth, making things easier for all of Pennsylvania's people.

How can we ignore them, ignore our students in higher education, ignore our students in kindergarten through 12th grade? I do not understand. But we also ignore, Mr. President—or at least the Governor's budget proposal and the proposal offered by the Republican Majority in the House—we also ignore individuals who want to work. The job creation and economic development programs that have been the lifeblood of moving Pennsylvania forward over the last decade, which have put Pennsylvania at the high end of all 50 States in this nation in terms of new job creation, the programs that invested in our infrastructure, the programs that have allowed us to be at least 1 percentage point lower than the national unemployment rate, those programs are about to be decimated, almost eliminated in their entirety, by the Governor's budget proposal and the House proposal, which will more than likely be voted on in the House of Representatives before this week is over.

All of that said, Mr. President, cuts in basic education, cuts in higher education, cuts in job creation, cuts in healthcare services, cuts in arts and culture and tourism, which are the economic drivers of the Commonwealth, are being made while we sit on a \$506 million budget surplus, while we sit and operate in a reality that there are other options that could be utilized to take care of this budget crisis.

We have to put Pennsylvania's people first, Mr. President. We have to make their consideration paramount. We cannot allow \$506 million to sit and not be utilized. We cannot provide over \$300 million in tax breaks to the largest corporations in the Commonwealth with no guarantee for job creation as a result of those breaks, and at the same time, cut basic education, cut higher education, cut economic development, cut healthcare services, all of this added in the context that, in the end, the Marcellus Shale drilling industry is once again let go scot-free. No tax, no assessment, no dollars from this multi-billion dollar industry which will be here forever and ever, as Pennsylvania has the largest deposit of shale in the world. These companies are not going anywhere. They are staying right here in the Commonwealth of Pennsylvania. They are not leaving, they are not going to forego or forestall their drilling efforts. They understand that they will be here, and we understand that they will be here for a long time.

In fact, we view them as a potential valuable resource for the Commonwealth of Pennsylvania, with the capacity to reduce our energy costs dramatically, because natural gas is much cheaper. We view ourselves as wanting to have a positive partnership with

that industry, but they have to contribute. They cannot be allowed to go scot-free, while at the same time we cut funds to our children, who are just trying to make it through our education system.

So, Mr. President, we are strongly urging, at this moment, to have some commonsense reality in this budget process, that we come to grips seriously with the real issues that are facing Pennsylvania's people, that we put Pennsylvania's people first and draw everyone in to help all of Pennsylvania's people get through this very difficult circumstance.

We have a track record, and we are beating the national economy in terms of how we get through this. We cannot stop the progress that has been made. We have to make sure that the shared sacrifice is, in fact, a shared sacrifice by everyone across the board in the Commonwealth. The budget cannot be balanced on the backs of working families and children. We must invest in Pennsylvania's people, and everyone has to contribute to that end.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, it is always difficult to follow my colleague from Philadelphia, but I am going to do my very best. You know, Mr. President, my parents used to tell me when I was younger that one of the smartest things that someone could do is admit when they are wrong. For some reason, that lesson—the lesson that I and probably many, many, many people across the Commonwealth learned at a very young age—apparently has yet to be learned by this administration and this Governor.

For some reason, this Governor still has not admitted that he was wrong to cut over 40,000 people off of adultBasic healthcare coverage; that it was wrong to let college students, those wanting to go to college, look at almost a 50-percent tuition increase; that it was wrong not to impose a tax, a modest tax, a reasonable tax, on the Marcellus Shale industry, like my colleague from Philadelphia said, an industry that has no intention of ever leaving here because of what Pennsylvania has. It has the fourth-largest shale depository in the entire world - not just the country, but the world. They will not leave because they know what many people in this Chamber and this building know, Republicans and Democrats, that the Marcellus Shale industry is a way, not the only way, but one of the many ways that we can balance this budget without doing it on the backs of working men and women across the Commonwealth.

For some reason, this administration continues to go down a road that seems to advocate for promises that were made on the campaign trail and neglect the reality of what it takes to lead and govern. That is the disconnect I have been talking about, Mr. President, since March, when this Governor announced his budget and it became clear that there was a significant disconnect between what it takes to get elected and, more importantly, what it takes to lead. And that is where we are today.

Instead of balancing this budget on the backs of hardworking men and women, students are coming home right now realizing that the summer jobs that they had already planned are not going to be sufficient to carry them into the next school year because the increases, what they are looking at as potential increases, their summer jobs are not going to cut it. They found that out in March. Hopefully, some of them are able to get new jobs to

make up for that 50-percent increase, if that is the way this budget goes, if that is what this administration gets. We do not want that. Many people in this Chamber do not want that. People in this building do not want that. This administration wants that because they will not admit that they are wrong.

Well, there are other ways to balance this budget. Senate Democrats have been talking about alternatives, Department of Public Welfare alternatives, since February. Our plan, Mr. President, a plan that has been articulated over and over again, that has been offered for discussion and for negotiation, would provide more than \$700 million in new budget savings with sensible alternatives to what this administration has set forth, which really amounts to nothing more than a slash-and-burn approach to the budget process.

One of the key alternatives in making significant upgrades to the Department of Public Welfare is the potential to leverage over \$533 million in savings for the Commonwealth of Pennsylvania. That is what is articulated and set forth in the Senate Democrats' plan, a plan that for some reason this administration simply is not even willing to take a look at. Our proposal includes expansion of the Medical Assistance capitation programs throughout the State. That is a very important aspect of the plan because it really is looking to save Pennsylvania more than \$2.7 billion during the first 5 years. Let me just tell you, Mr. President, some of the additional statistics of this managed care provider plan. In addition to the \$2.7 billion in savings, nearly 1 million of the more than 2.2 million Medical Assistance recipients continue to receive assistance through a fee-for-service plan managed by the Department of Public Welfare.

So, what I am saying, in reality, is that our plan helps more people, while the slash-and-burn economics that this administration seems to put forth puts people out of work, leaves people without healthcare insurance, at a time when they just do not need it. We also believe that by expanding the MCO system throughout the Commonwealth of Pennsylvania, we can save the State an additional \$150 million.

There are also several new efficiencies that could be made to Pennsylvania's long-term care systems to reduce costs, such as shifting care from institutions to home and community-based care, new managed care options, and other initiatives that leverage Federal resources. Senate Democrats estimate an additional savings of over \$200 million if this alternative is simply adopted. Apparently, Pennsylvania purchases pharmaceuticals through 17 different programs administered through nine different State agencies, costing the Commonwealth \$2 billion annually. By consolidating the pharmacy purchase program, Pennsylvania could save an additional \$25 million. And these savings go on and on and on.

Now, we are not naive, Mr. President. We do not believe that every single one of these programs has to be adopted and that these are the only ways to get out of this budget. But the fact is that the Senate Democrats are putting alternatives on the table that are not hurting folks at a time when they cannot afford to give anything more. I think it is an approach that understands that when people are suffering through the kinds of economic difficulties that they are dealing with right now, you do not cut them off of healthcare coverage, you do not tell them there is going to be a 50-percent increase for their kids to go to college. Because, basically, what you are saying is, unless you come up

with the money, there is no dream for you; there is no college education for you.

Lots of folks are going to leave this building in a couple of days and say, have a great Memorial Day holiday. I know 40,000 people for whom it is not going to be a great Memorial Day holiday. I know that those college students who came home realizing that the job that they have is just not going to cut it, they are not going to be able to make their tuition next year, their parents are scrambling right now. Many, if they can even afford to go on a family vacation, are going to have to take those dollars and put them toward next year's tuition. That is the reality. That is not the campaign trail. That is the reality of the world in which we need to govern right here. Until this administration understands, until they address this disconnect between reality and the campaign trail, Pennsylvania is not going to be able to move forward, and we are not going to be able to move forward, and we are not going to be doing the work and the job that the people of Pennsylvania sent us here to do.

So, let me go back to what I started with, a simple lesson that I was taught at a very young age, a lesson, Mr. President, that has saved me many, many, many times, because I have been wrong many, many times in my life. But I have learned when I am wrong, the smartest thing that I can do is to accept it, say I was wrong, address it, and make it right. Hopefully, this administration will learn that lesson. They have not learned it yet, and the calendar is reading a few days before Memorial Day, the day that we were supposed to have a budget in the Commonwealth of Pennsylvania. That day will come and go. Hopefully, sooner rather than later, this administration will come to realize that the time to lead is now, the time to govern is now, and the campaign is in the past.

Thank you, Mr. President.

## ANNOUNCEMENTS BY THE SECRETARY

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

### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### MONDAY, MAY 23, 2011

12:30 P.M.	APPROPRIATIONS (to consider Senate Bills No. 227, 263, 366, 815, 816, 817, 818, 1030, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061 and 1062)	Room 461 Main Capitol
12:30 P.M.	STATE GOVERNMENT (public hearing to consider the 2011 Real Property Disposition Plan)	Sen. Maj. Caucus Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Cmte. Conf. Rm.

#### TUESDAY, MAY 24, 2011

9:15 A.M.	AGING AND YOUTH (to consider Senate Bill No. 549)	Senate Maj. Caucus Rm.
9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing for the purpose of discussing the Partnerships for Regional	Hrg. Rm. 1 North Off.

Economic Performance with Secretary Walker of the Department of Community and Economic Development)

10:00 A.M. AGRICULTURE AND RURAL AFFAIRS Room 8E-B  
(to consider Senate Bill No. 301; and East Wing  
House Bills No. 143 and 144)

10:30 A.M. CONSUMER PROTECTION AND Senate Maj.  
PROFESSIONAL LICENSURE (to Caucus Rm.  
consider Senate Bills No. 321, 341, 957  
and 967)

10:30 A.M. VETERANS AFFAIRS AND Room 8E-A  
EMERGENCY PREPAREDNESS (to East Wing  
consider Senate Bills No. 707, 709, 776,  
777 and 995; and House Bill No. 385)

WEDNESDAY, MAY 25, 2011

11:00 A.M. INTERGOVERNMENTAL Hrg. Rm. 1  
OPERATIONS (public hearing on Senate North Off.  
Bill No. 1080)

THURSDAY, JUNE 2, 2011

10:00 A.M. LOCAL GOVERNMENT (public hearing Paul Peck  
to consider administration and Alumni Ctr.  
enforcement of local health laws) Drexel Univ.  
Phila., PA

THURSDAY, JUNE 9, 2011

11:00 A.M. STATE GOVERNMENT (joint hearing Cranberry  
with the House State Government Twp.  
Committee to consider Congressional Municipal  
Redistricting) Bldg., 2525  
Rochester  
Road  
Cranberry  
Twp., PA

TUESDAY, JUNE 14, 2011

9:00 A.M. STATE GOVERNMENT (joint hearing Hrg. Rm. 1  
with the House State Government North Off.  
Committee to consider Congressional  
Redistricting)

WEDNESDAY, JUNE 15, 2011

9:30 A.M. COMMUNICATIONS AND Room 8E-A  
TECHNOLOGY (to consider Senate Bills East Wing  
No. 162, 354, 355 and 356)

**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 Tuesday, May 24, 2011, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:43 p.m., Eastern Daylight Saving Time.