

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, SEPTEMBER 27, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 55

SENATE

TUESDAY, September 27, 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 MARK REISINGER, Pastor of Grace United Methodist Church, Mechanicsburg, offered the following prayer:

Let us pray.

Gracious and loving God, God of us all, today we gather in this place with a spirit of thanksgiving. We praise You and we give You thanks for the many gifts that we experience on this day. We thank You for the world around us. We thank You for family and friends who love and support us. We thank You for the very gifts and experiences that exist in this place among those persons whom You have called. We thank You, God, for the privilege of serving as leaders, but also as servants to our sisters and brothers throughout our Commonwealth.

As the work of governing is lived out today, we pray for Your blessing to be upon us. Save us from selfish ambitions or arguments that prevent us from working together for the good of all of Your people. We pray, Lord, for Your wisdom to be present today. Help us to know Your vision for our Commonwealth and where it is that You are calling us to go. Grant us a spirit of unity and cooperation. Help us to work with one another, celebrating our common humanity and shared stake in the outcomes of the decisions that are made.

We pray, God, that You grant courage to these servant leaders. Grant each Member the ability to make decisions that can be difficult, but are no less important in the work that is being done. We pray, God, for Your blessings not only to be upon those gathered here in this Chamber, but upon each and every one of our neighbors throughout this State. Guide us and direct us in all that we do, that we may be a shining witness throughout our nation and throughout the world.

We thank You, God, that You hear our prayers, and we invite Your blessing to be upon this Session today. We pray these things in the name of the One who created us, redeems us, and sustains us in the work that we have to do. Amen.

The PRESIDENT. The Chair thanks Pastor Reisinger, who is the guest today of Senator Vance.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair notes that permission has been granted for an AP photographer and a photographer from each Caucus to take still photographs during today's Session while we are honoring the Keystone Little League Baseball Team.

BILLS REPORTED FROM COMMITTEES

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

SB 397 (Pr. No. 380)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, prohibiting the imposition of the death sentence in cases of mental retardation.

SB 775 (Pr. No. 1602) (Amended)

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for State DNA Data Base, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; further providing for DNA data base exchange and for expungement; and providing for severability.

SB 1220 (Pr. No. 1496)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record.

Senator EICHELBERGER, from the Committee on Local Government, reported the following bills:

SB 961 (Pr. No. 1074)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in sheriff and coroner, further providing for official records of coroner.

HB 278 (Pr. No. 2419) (Amended)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in contracts, further providing for competitive bidding of contracts.

HB 279 (Pr. No. 2420) (Amended)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in contracts, further providing for general regulations concerning contracts, for evasion of advertising requirements and for separate specifications for branches of work.

HB 280 (Pr. No. 2421) (Amended)

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, in contracts, further regulating contracts as to purchasing and advertising requirements.

HB 281 (Pr. No. 2422) (Amended)

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, in contracts, further providing for regulation of contracts, for evasion of advertising requirements and for certain purchase contracts.

HB 282 (Pr. No. 2423) (Amended)

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for regulation of contracts; providing for annual adjustment; further providing for evasion of advertising requirements, for contracts between \$750 and \$10,000 and for separate bids for plumbing, heating, ventilating and electrical work.

HB 284 (Pr. No. 2424) (Amended)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for commissioners sole contractors for county, for contract procedures, terms and bonds and advertising for bids and for evasion of advertising requirements; and, in grounds and buildings, further providing for bids for plumbing, heating, ventilating, electrical work, elevators and moving stairs.

HB 286 (Pr. No. 2425) (Amended)

An Act amending the act of April 29, 1937 (P.L.526, No.118), referred to as the Political Subdivision Joint Purchases Law, increasing the amount of purchases that may be made subject to certain conditions.

HB 288 (Pr. No. 2426) (Amended)

An Act amending the act of July 29, 1953 (P.L.1034, No.270), known as the Public Auditorium Authorities Law, increasing the dollar amount of supplies and materials which may be purchased without advertising.

HB 289 (Pr. No. 2429) (Amended)

An Act amending the act of August 6, 1936 (Sp.Sess., P.L.95, No.38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; and to expend moneys and incur indebtedness; to assess benefits against property benefited; to issue improvement bonds imposing no municipal liability; and to acquire, take, injure or destroy property for such purposes," further providing for competitive bidding of contracts.

HB 290 (Pr. No. 2427) (Amended)

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in preliminary provisions, providing for adjustments based on Consumer Price Index relating to contracts and purchases; in contracts, further regulating contracts and purchases; in grounds, property and buildings, further providing for separate specifications and contracts for certain items; and, in sports and exhibition authority, further providing for competition in award of contracts.

HB 291 (Pr. No. 2428) (Amended)

An Act amending Titles 53 (Municipalities Generally) and 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for competitive bidding of contracts by intergovernmental units, by parking authorities, by municipal authorities and by metropolitan transportation authorities and for division of transactions.

HB 755 (Pr. No. 846)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for other meeting expenses paid by counties.

HB 1644 (Pr. No. 2060)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in contracts, further providing for sales of personal property and surplus farm products.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

SB 628 (Pr. No. 1601) (Amended)

An Act amending the act of February 14, 1986 (P.L.2, No.2), known as the Acupuncture Registration Act, further providing for medical diagnosis; and providing for liability insurance.

HB 10 (Pr. No. 2430) (Amended)

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for title, for legislative findings, for definitions, for port authorities, for board, for eminent domain, for conveyance and for integrated operation; providing for exclusive jurisdiction and for report; and making editorial changes.

HB 816 (Pr. No. 1853)

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for qualifications for license.

HB 1054 (Pr. No. 1855)

An Act amending the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, further providing for continuing professional competency requirements.

LEAVES OF ABSENCE

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

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of June 28, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of June 28, 2011.

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

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

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

YEA-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR JOHN N. WOZNIAK AND SENATOR GENE YAW PRESENTED TO THE SENATE

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

Senator WOZNIAK. Mr. President, it is my pleasure to introduce to you some nice young men from Clinton County, Pennsylvania. They are the Keystone All-Star Little League team from Beech Creek, Clinton County. They competed, they played their hearts out in Williamsport, the hometown of Senator Yaw, in the Little League World Series.

(Applause.)

They became the Mid-Atlantic Champions. They did not reach that pinnacle of completing their journey to the top, but they came within a team or two. But it is not the winning that is the ultimate reason we are here today, it is their sportsmanlike conduct, it is what they did for the county of Clinton.

Historically, the number of people who turn out for these Little League games is well in the 20,000 to 25,000 range, but while these young men played over in Williamsport, they had record-breaking numbers. The county of Clinton has only 37,000

souls in it. Every one of those souls went to the baseball game. So you can just imagine the enthusiasm. Some of us here who remember John Glenn orbiting the planet earth and the ticker-tape parade that he had in New York City, well, maybe there was not any ticker tape, but here are our hometown heroes. These are fine young kids. We are proud of them. And I know all the fanfare is going to be over, and it is going to be back to school and life as usual, but for a short time in your lives, enjoy the notoriety, enjoy the fanfare, because you brought an entire county together, and you saw the fun that people vicariously had because of you.

I would like to announce their names. We have Manager Bill Garbrick; Coach Justin Kline, who happens to be the mayor of Beech Creek, Pennsylvania; and we have Coach Chip Miller. The players are: Landon Breon, Talon Falls, Alex Garbrick, Michael Keibler, Wyatt Koch, Tyler McCloskey, Brandon Miller, Trebor Nicodemus, Cole Reeder, Mitchell Smith, and Ethan Watkins. These are our hometown heroes. Please give them a nice applause.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, having the honor of representing Williamsport, the home of Little League baseball, I had the opportunity to see this team play many times, and it was really heartening to watch them play. I think they set a record at one of the games, they had played before 41,000 or 42,000 people. All together, at their appearances at the series this year, they played before well over 100,000 people. The attendance at the Little League World Series this year was approaching around 450,000 people.

So, I respectfully have to disagree a little bit with my colleague from Clinton County. Clinton County is proud, but I will tell you, all of Pennsylvania needs to be proud of this team. What they did for Little League baseball this year is just amazing. Thank you.

(Applause.)

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

Senator CORMAN. Mr. President, as someone who used to represent Clinton County, but currently represents Centre County, where some of these players are from, it was certainly a must-see-TV event when that came along, the playoffs and the World Series. As the father of three children who play Little League baseball, who aspire to achieve something that you did, it was inspirational for all of us.

I just wanted to offer my congratulations and thank the kids, not only for playing well, but as Senator Wozniak said, really demonstrating great sportsmanship. It was amazing to see them capture the spirit of the community. Just last Saturday at Beaver Stadium for the Penn State game, when they were announced and brought out to the field, 95,000 people leapt to their feet to give them a standing ovation. So it was not just a Centre County/Clinton County thing, it was something from all over Pennsylvania. They captured everyone's hearts and imagination.

I do not know if you will do anything for the rest of your lives that is any more fun than that; probably not. I know some of my best memories were of Little League baseball, mostly because that is where my athletic career peaked. You gave us all a couple of great weeks to watch it. So I just want to thank you, for those

of us who enjoyed so much watching you play, and hopefully you inspired kids to duplicate what you did someday. Congratulations.

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

(Applause.)

GUESTS OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE

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

Senator McILHINNEY. Mr. President, it is my pleasure to introduce some guests of mine who are actually constituents of Senator Mensch, Sandi and Brian Hughes, along with their daughters, Molly, Megan, Allison, and Sarah. They won a Day at the Capitol through the Souderton Charter School Collaborative's Annual Service Auction.

In their spare time, they like to do a lot of community activities such as volunteering, taking tours of old buildings and houses, and taking classes and programs that are offered through the Montgomery County Department of Parks and Heritage Services. Please join me in giving Sandi, Brian, and their family a warm Senate welcome.

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

(Applause.)

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, the first guest I wish to introduce is Karen Wilson of Malvern. Karen was a classmate of Senator Earll, who today will be presenting a resolution on childhood cancer. Karen's son, Jeremy, passed away at 11 1/2 years old from a rare form of liver cancer. Since his passing, Karen has devoted her life to raising awareness of the prevalence of childhood cancer and the need of funding for research and treatment.

In addition, Mr. President, today Senator Brubaker and I had a rally focusing on prostate cancer, but we tried to focus on all cancers. Senator Kasunic, who introduced a resolution with Senator Tartaglione yesterday on breast cancer, spoke at the rally. Karen Wilson joined us at that rally. Because all of us in Pennsylvania are family, when it comes to childhood cancer, all of us need to take care of our children, as any good family would do in this Commonwealth. We need to show support for the treatment and for the awareness when it comes to childhood cancer, which, you can understand, is so devastating to any parent. We are all parents, in essence, for the children of Pennsylvania.

So I hope it is all right that I have Ms. Wilson down here on the floor, and I ask that we join in an ovation, not only in recognition of what she and other parents have gone through, but in her spirit of hope, the hope that we will yet live as a family in Pennsylvania to see the end of cancer, especially the end of the devastating forms of cancer that affect the children of this Commonwealth.

Thank you, Mr. President.

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

(Applause.)

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators EARLL, DINNIMAN, STACK, MENSCH, BROWNE, ORIE, FONTANA, WOZNIAK, KASUNIC, BREWSTER, BOSCOLA, COSTA, PIPPY, BAKER, WARD, TOMLINSON, TARTAGLIONE, GREENLEAF, FARNESE, ERICKSON, WASHINGTON, YAW, PILEGGI, SOLOBAY, RAFFERTY, KITCHEN, HUGHES, SCHWANK, ALLOWAY, VOGEL, FERLO, WAUGH and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 188**, entitled:

A Resolution designating the month of September 2011 as "Childhood Cancer Awareness Month" in Pennsylvania, honoring those young people who have lost their lives to childhood cancer, expressing gratitude to the doctors and nurses who provide special care to patients and families affected by childhood cancer, and encouraging all citizens to join the fight against childhood cancer in this Commonwealth.

On the question,

Will the Senate adopt the resolution?

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

Senator EARLL. Mr. President, I rise, and Senator Dinniman joins me, in sponsoring this resolution that designates the month of September 2011 as "Childhood Cancer Awareness Month" in Pennsylvania. Childhood cancer is the number-one disease killer of children in the United States. While some types of cancer treatment have actually been called the modern miracle because the 5-year relative survival rate has improved to approximately 80 percent over the past 30 years--and that is specifically with regard to childhood leukemia--there is still significant progress that must be made with regard to childhood cancer treatment. The American Cancer Society estimates that 11,210 children under age 15 will be diagnosed with cancer just this year. Pennsylvania is a leader in the fight against, and the treatment of, childhood cancer, with six Children's Oncology Group hospitals.

Today, the purpose of offering this resolution is to honor those young people who have lost their lives to this horrible disease. It expresses the gratitude that we all share for the doctors and nurses who have provided care to not only the patients, but also their families. And it encourages all citizens to join the fight against childhood cancer here in Pennsylvania. Lastly, it prays that all of the parents who have experienced such devastating loss be given the strength to deal with it and to take comfort from the warm memories that they share of their children.

So with that, Mr. President, thank you.

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

Senator DINNIMAN. Mr. President, let me say that whether it comes to this cancer or any other cancer, we as a legislature can do something in this moment of time. There is the growing possibility and potential that the Committee on Pharmacy and Therapeutics for Medicare patients is considering restricting oncology drugs. I know Senator Pippy has taken the lead on this,

and both he and I, as co-chair of the Bioscience Caucus are urging Members to sign a letter with us to the PNT telling them that oncology drugs were always off limits in terms of limiting their usage.

Cancer is very specific, and we should not be limiting those types of drugs. We never have in the Commonwealth, and we need to make sure that this does not happen. If you are interested in joining with Senator Pippy and I in that effort and signing that letter, please let us know, because one of the ways we can do things is right here in the Senate.

I thank Senator Earll for her leadership on this issue. What she said is right. We need to protect the young children of this Commonwealth and come up with solutions for this dreaded disease and the diseases that affect our kids. We are all parents, and you can imagine what you would feel like if this was your own child. You know, when a young person dies, it is so unnatural. We are used to mourning a parent's death, but when it is a child, it really becomes a double tragedy. We need to stand with those parents of Pennsylvania and protect our children.

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.

RECESS

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

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

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

Senator COSTA. Mr. President, the Senate Democratic Caucus will meet in the rear of the Chamber upon recess.

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

AFTER RECESS

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 281 (Pr. No. 1583) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for commissioners sole contractors for county, for contract procedures, terms and bonds and advertising for bids and for evasion of advertising requirements.

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-48

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

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 282 (Pr. No. 1584) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further regulating contracts as to purchasing and advertising requirements.

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-48

Alloway	Eichelberger	McIlhinney	Tartaglione
Argall	Erickson	Mensch	Tomlinson
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Dinniman	Kitchen	Solobay	Yaw
Earll	Leach	Stack	Yudichak

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 283 (Pr. No. 1585) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for competitive bidding of contracts.

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-48

Alloway	Eichelberger	McIlhinney	Tartaglione
Argall	Erickson	Mensch	Tomlinson
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Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earll	Leach	Stack	Yudichak

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 284 (Pr. No. 1586) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for contracts and acquisition of property and for general regulations concerning contracts.

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-48

Alloway	Eichelberger	McIlhinney	Tartaglione
Argall	Erickson	Mensch	Tomlinson
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Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earll	Leach	Stack	Yudichak

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 285 (Pr. No. 1587) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for regulation of contracts, for evasion of advertising requirements and for certain purchase contracts.

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-48

Alloway	Eichelberger	McIlhinney	Tartaglione
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Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earll	Leach	Stack	Yudichak

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 286 (Pr. No. 1588) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated

towns and providing penalties," further providing for regulation of contracts; providing for adjustment; further providing for evasion of advertising requirements, for contracts between \$750 and \$10,000 and for separate bids for plumbing, heating, ventilating and electrical work.

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:

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Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earl	Leach	Stack	Yudichak

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 287 (Pr. No. 1589) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 53 (Municipalities Generally) and 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for competitive bidding of contracts by intergovernmental units, by parking authorities, by municipal authorities and by metropolitan transportation authorities.

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-48

Alloway	Eichelberger	McIlhinney	Tartaglione
Argall	Erickson	Mensch	Tomlinson
Baker	Farnese	Piccola	Vance
Blake	Ferlo	Pileggi	Vogel
Boscola	Folmer	Pippy	Ward
Brewster	Fontana	Rafferty	Waugh
Browne	Gordner	Robbins	White Donald
Brubaker	Greenleaf	Scarnati	White Mary Jo

Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earl	Leach	Stack	Yudichak

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 288 (Pr. No. 1590) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further regulating contracts and purchases.

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-48

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

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 289 (Pr. No. 1591) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 6, 1936 (Sp.Sess., P.L.95, No.38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; and to expend moneys and incur indebtedness; to assess benefits against property benefited; to issue improvement bonds imposing no municipal liability; and to acquire, take, injure or destroy property for such purposes," further providing for competitive bidding of contracts.

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-48

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

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 290 (Pr. No. 1592) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 29, 1937 (P.L.526, No.118), referred to as the Political Subdivision Joint Purchases Law, increasing the amount of purchases that may be made subject to certain conditions.

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-48

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

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 291 (Pr. No. 1593) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 29, 1953 (P.L.1034, No.270), known as the Public Auditorium Authorities Law, increasing the dollar amount of supplies and materials which may be purchased without advertising.

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-48

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

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 292 (Pr. No. 1594) -- 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 adjustments.

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

SB 293 (Pr. No. 1595) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 5, 1947 (P.L.1217, No.498), known as the State Public School Building Authority Act, further providing for competitive bidding of contracts.

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-48

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

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 295 (Pr. No. 1596) -- 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.

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-48

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

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 296 (Pr. No. 1597) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for adjustments based on Consumer Price Index; and further providing for work to be done under contract let on bids and exception, for purchase of supplies, for contracts for construction, repair, renovation or maintenance, for project contracts and for powers and duties of institution presidents.

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-48

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

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 361 (Pr. No. 1598) -- 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, further providing for disclosure of records.

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-48

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

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

HB 389, SB 405, SB 957 and SB 967 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 1167 (Pr. No. 1399) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 23 (Domestic Relations) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for modification of existing orders and for child custody proceeding during military deployment; and providing for assignment of custody rights during military deployment and expedited or electronic hearing.

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

Senator BAKER offered the following amendment No. A5243:

Amend Bill, page 2, lines 24 and 25, by striking out "biological" in line 24 and "relatives" in line 25 and: inserting family members as defined in 23 Pa.C.S. § 6303 (relating to definitions)

Amend Bill, page 2, line 28, by striking out "relatives" and inserting:

family members

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

BILLS ON SECOND CONSIDERATION

SB 354 (Pr. No. 1354) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to compliance with the Federal REAL ID Act of 2005.

Considered the second time and agreed to,

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

SB 367 (Pr. No. 1581) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for indigenous mineral resource development; and imposing powers and duties on the Department of General Services and the State System of Higher Education.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 444, SB 449, SB 560, SB 733, SB 743, SB 834, SB 850 and SB 883 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

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

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

Senator DINNIMAN. Mr. President, our Page for the day is an intern from West Chester University, a resident of Ridley Township, Delaware County. It is my pleasure to introduce Will Ferrell to you. He is a junior at West Chester University studying political science, and he graduated from Ridley High School. Please give him a warm welcome.

The PRESIDENT pro tempore. Would the guest of Senator Dinniman please rise to be welcomed by the Senate.
(Applause.)

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senator FONTANA, by unanimous consent, offered **Senate Resolution No. 189**, entitled:

A Resolution congratulating the REALTORS Association of Metropolitan Pittsburgh (RAMP) on the 100th anniversary of its founding.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, on Thursday, May 11, 1911, a group of 30 members created the Pittsburgh Real Estate Board, with a purpose: "to create a closer bond and to improve conditions of the real estate business by united action directed to the common goal." The founders sought to "guide members in an ever-improving ethical conduct of business and advance the dignity and calling of the profession."

The organization was a pioneer from the beginning. Founded just 3 years after the National Association of Realtors, the Realtors Association of Metropolitan Pittsburgh, also known as RAMP, preceded the institution of real estate licensing in Pennsylvania by more than a decade. For 100 years, the Realtors Association of Metropolitan Pittsburgh has served real estate professionals and the community as western Pennsylvania's most effective voice for private property rights and industry professionalism.

RAMP enables its members to transact business to the advantage and protection of the public and members, and promotes and maintains high standards of ethics and conduct. Its membership of over 2,000 residential and commercial realtors, who are each dedicated professionals who advance civil development and economic growth in southwestern Pennsylvania, protect private property rights, work for economy and efficiency in government, and volunteer their time to a variety of charitable organizations.

Mr. President, I have been a proud member of RAMP for more than 30 years and can speak of its influence on my career and my industry in the Pittsburgh region. I am also proud to be part of the Realtors Association of Metropolitan Pittsburgh's centennial celebration, which will be held this Friday, September 30, and Saturday, October 1, to celebrate its past, present, and future.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, COSTA, BREWSTER, SOLOBAY, ORIE, STACK, BOSCOLA, FONTANA, BROWNE, DINNIMAN, ERICKSON, BAKER, GORDNER, LEACH, HUGHES, KITCHEN, RAFFERTY, ALLOWAY,

FERLO, WASHINGTON, TOMLINSON, PILEGGI, EARLL, FARNESE, GREENLEAF and PIPPY, by unanimous consent, offered **Senate Resolution No. 190**, entitled:

A Resolution designating October 2011 as "National Physical Therapy Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, physical therapists touch the lives of many people at various points in their lives. They are experts in restoring and improving the motion that is so crucial to a patient's well-being. Physical therapists improve mobility and quality of life for people, in many cases without surgery or prescription drugs. They apply their intensive education and clinical expertise to restore free range of motion. Most importantly, they teach patients how to manage their health condition so they can achieve an improved quality of life.

Mr. President, I ask all of my colleagues for an affirmative vote on this resolution to acknowledge the good and often underappreciated work done by physical therapists by recognizing October as "National Physical Therapy Month" in Pennsylvania.

Mr. President, I know the importance of a physical therapist. For the last 8 years, three times a week, I have gone to a physical therapist. When I first had my accident in 2003, the doctors told me I would never move. It was the physical therapist who, day by day, helped me grow stronger, helped me deal with my condition, and ultimately, I was able to get up out of this chair and walk. They are very, very special people. For this and the other reasons I stated, I ask my colleagues for an affirmative vote on this resolution.

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

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

Senator CORMAN, by unanimous consent, offered **Senate Resolution No. 191**, entitled:

A Resolution designating the month of September 2011 as "College Savings Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator CORMAN. Mr. President, as you know, a college education is a great opportunity for individuals to invest in their future. There are many students who have shown the career and financial benefits gained by graduating from a college or university. You may also know that a college investment is difficult for many people, and proper planning can help relieve the burden of financial debt that approximately two-thirds of our students incur. The Commonwealth has acknowledged this reality by operating a 529 college saving plan that offers both Federal and State

tax advantages. As we designate September as "College Savings Month," I encourage families to seek out more information on the Commonwealth's 529 plan, as well as review other options for college savings.

Thank you, Mr. President.

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

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

Senators PIPPY, KASUNIC, WARD, SCARNATI, RAFFERTY, ARGALL, ALLOWAY, YAW, WOZNIAC, FONTANA, ERICKSON, FERLO, WAUGH, DINNIMAN, GREENLEAF, FARNESE, EARLL, BROWNE, SOLOBAY, PILEGGI and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 192**, entitled:

A Resolution designating October 15, 2011, as "Pennsylvania Wine Day."

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

Senators ORIE, PILEGGI, WARD, ALLOWAY, ARGALL, BAKER, BOSCOLA, BROWNE, DINNIMAN, ERICKSON, FONTANA, GREENLEAF, KASUNIC, KITCHEN, MENSCH, PIPPY, RAFFERTY, SCHWANK, STACK, VANCE, VOGEL, D. WHITE, M. WHITE, YAW, YUDICHAK, FERLO, WASHINGTON, FARNESE, EARLL, TARTAGLIONE, SOLOBAY, BREWSTER, BRUBAKER and GORDNER, by unanimous consent, offered **Senate Resolution No. 193**, entitled:

A Resolution designating the month of October 2011 as "Domestic Violence Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator WARD. Mr. President, today, 1 in every 4 women and 1 in every 9 men will experience domestic violence in his or her lifetime. Approximately 2.3 million people each year in the United States are physically or sexually assaulted by a current or former spouse, boyfriend, or girlfriend. According to the Pennsylvania Coalition Against Domestic Violence, at least 1,532 women, men, and children died in domestic violence-related incidents between 2001 and 2010. I ask my colleagues to please join me, on behalf of Senator Orie, in recognizing October as "Domestic Violence Awareness Month" in Pennsylvania, highlighting the need for the prevention of domestic violence and sexual assault to the Commonwealth's families. 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 STACK, FERLO, ORIE, FONTANA, FARNESE, BOSCOLA, SCHWANK, BROWNE, GREENLEAF, DINNIMAN, TARTAGLIONE, D. WHITE, ERICKSON, BREWSTER, COSTA, PIPPY, BRUBAKER, M. WHITE, YUDICHAK, EARLL, WASHINGTON, PILEGGI, ALLOWAY, VOGEL and ARGALL, by unanimous consent, offered **Senate Resolution No. 194**, entitled:

A Resolution designating the month of October 2011 as "Polish American Heritage Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, I am being heckled somewhat by my friend and colleague, Senator Rafferty. But I do want to thank him for all the great things he does for the Pennsylvania Senate.

Mr. President, this resolution designates October 2011 as "Polish American Heritage Month" in Pennsylvania. As you know, Mr. President, Pennsylvania has one of the largest concentrations of Polish Americans in the whole nation. The Poles were some of the earliest settlers in the New World, and their customs and contributions resonate in our society to this day. This year, Polish Americans will mark the 30th anniversary of the founding of Polish American Heritage Month, an event that began in Philadelphia and has become, really, a national celebration.

One of the most famous Polish Americans, and I have talked about him on this Senate floor, is Casimir Pulaski. I will also introduce a resolution today to designate October 2, 2011, as "Pulaski Memorial Day" in Pennsylvania. This year marks the 78th anniversary of the Philadelphia Pulaski Day Parade, where citizens celebrate their Polish American heritage and the great contributions and leadership of General Pulaski. He was born in Poland in 1745 and was committed to the idea of the defense of freedom and the sovereignty of all nations. His service, skills, and bravery during our Revolutionary War earned him the title of the "Father of the American Cavalry." By presidential proclamation, General Pulaski Memorial Day is recognized every year on October 11 to commemorate his death on the battlefield and to memorialize his life.

Mr. President, Polish Americans have made great contributions to our nation and, of course, to Pennsylvania. So I ask my colleagues, including Senator Rafferty, to join me in honoring Casimir Pulaski and other great Polish Americans by designating October as Polish American Heritage Month 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.

Senators BOSCOLA, BROWNE, STACK, FONTANA, ERICKSON, FERLO, EARLL, TARTAGLIONE, ALLOWAY and PILEGGI, by unanimous consent, offered **Senate Resolution No. 195**, entitled:

A Resolution commending the Chiropractic Fellowship of Pennsylvania for its educational efforts, and recognizing the month of September 2011, as "Vertebral Subluxation Awareness Month" in Pennsylvania.

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

Senators STACK, FERLO, ORIE, FONTANA, FARNESE, BOSCOLA, BROWNE, GREENLEAF, DINNIMAN, TARTAGLIONE, D. WHITE, ERICKSON, BREWSTER, COSTA, BRUBAKER, M. WHITE, EARLL, WASHINGTON, RAFFERTY, VOGEL and ARGALL, by unanimous consent, offered **Senate Resolution No. 196**, entitled:

A Resolution designating October 2, 2011, as "Pulaski Memorial Day" in Pennsylvania commemorating the 232nd anniversary of his death in 1779.

On the question,
Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, my previous remarks will suffice. 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. John A. Fobes by Senator Baker.

Congratulations of the Senate were extended to Charles Patterson, Jeremy Morse and to Pattiann Rohrbach by Senator Boscola.

Congratulations of the Senate were extended to Barry Farias by Senator Costa.

Congratulations of the Senate were extended to John Tarka by Senators Costa and Pippy.

Congratulations of the Senate were extended to Joseph Michael DiGiorgio and to Gene R. Williams by Senator Erickson.

Congratulations of the Senate were extended to Mary K. Paini by Senator Mensch.

Congratulations of the Senate were extended to Kevin Hwang, Matthew Hwang, Arnold Mann and to Jared Valentine by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Holland, Mr. and Mrs. Paul Gasper, Washington County Local Education and Resource Network Team and to the Monessen Meals on Wheels Program by Senator Solobay.

Congratulations of the Senate were extended to the Honorable A. Carville Foster, Jr., Andrew J. Pritchard, Derik S. Rodgers and to Matthew T. Goldrick by Senator Waugh.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 397, SB 628, SB 775, SB 961, SB 1220, HB 10, HB 278, HB 279, HB 280, HB 281, HB 282, HB 284, HB 286, HB 288, HB 289, HB 290, HB 291, HB 755, HB 816, HB 1054 and HB 1644.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, SEPTEMBER 27, 2011

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 898 and 911)	Rules Cmte. Conf. Rm.
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WEDNESDAY, SEPTEMBER 28, 2011

9:00 A.M.	PUBLIC HEALTH AND WELFARE (for a review of the past payment practices of the Office of Developmental Programs)	Senate Maj. Caucus Rm.
9:00 A.M.	TRANSPORTATION (joint hearing with the House Transportation Committee on Transportation Funding Advisory Commission Report)	Hrg. Rm. 1 North Off.
9:30 A.M.	PUBLIC HEALTH AND WELFARE (public hearing concerning navigating possible changes in the western PA health care delivery system) P O S T P O N E D	Senate Maj. Caucus Rm.
9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bills No. 887 and 920; Senate Resolution No. 165; and House Bill No. 639)	Room 461 Main Capitol
1:30 P.M.	FINANCE (public hearing on the current status of Pennsylvania's public pension funds)	Hrg. Rm. 1 North Off.

TUESDAY, OCTOBER 4, 2011

9:30 A.M.	URBAN AFFAIRS AND HOUSING (public hearing to discuss the impact on housing in Lycoming County as a result of Marcellus Shale drilling and severe flooding caused by Tropical Storm Lee and Hurricane Irene)	Mtn. Laurel Room Prof. Dev. Center PA Colg. of Technology Campus 1 Colg. Ave. Williamsport, PA
11:00 A.M.	STATE GOVERNMENT (public hearing on the issue of Electoral College reform)	Hrg. Rm. 1 North Off.

FRIDAY, OCTOBER 7, 2011

10:00 A.M.	GAME AND FISHERIES (public hearing regarding the PA Game Commission's Wild Pheasant Recovery Areas (WPRA), the implementation and administration of the Wild Pheasant Conservation Enhancement Program (CREP) and an overview of the Commission's Quail Management Program)	Whitetail Ski Resort 13805 Blairs Valley Rd. Upper Mezzanine Mercersburg, PA
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WEDNESDAY, OCTOBER 12, 2011

1:00 P.M.	APPROPRIATIONS (public hearing on impact of FY 2011-12 General Appropriations Act and other various topics)	Temple Univ. Sullivan Hall - Feinstone Lounge 1330 W. Polett Walk Phila., PA
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THURSDAY, OCTOBER 13, 2011

10:30 A.M.	EDUCATION (public hearing on legislation affecting the Pennsylvania State System of Higher Education)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (public hearing on impact of FY 2011-12 General Appropriations Act and other various topics)	Lincoln Univ. Int'l Ctrl. Ctr., 1570 Baltimore Pike, Lincoln Univ., PA

TUESDAY, OCTOBER 18, 2011

10:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint hearing on storm related issues concerning utility services)	Hrg. Rm. 1 North Off.
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WEDNESDAY, OCTOBER 19, 2011

10:30 A.M.	EDUCATION (public hearing to receive testimony from Secretary of Education Ronald Tomalis on results of PDE investigation and analysis of 2009 PSSA testing anomalies)	Hrg. Rm. 1 North Off.
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TUESDAY, OCTOBER 25, 2011

12:00 P.M.	GAME AND FISHERIES (to consider Senate Bills No. 1037, 1049 and 1066; and House Bills No. 735 and 860)	Room 8E-A East Wing
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WEDNESDAY, OCTOBER 26, 2011

9:30 A.M.	PUBLIC HEALTH AND WELFARE (public hearing concerning navigating possible changes in the western Pennsylvania health care delivery system)	Hrg. Rm. 1 North Off.
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PETITIONS AND REMONSTRANCES

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

Senator BLAKE. Mr. President, 500,000 people in Pennsylvania are unemployed. That does not include the tens of thousands more who are underemployed, either because they cannot use

their skill set in this market or because they are not getting the hours that they need to earn pay to support their families.

Mr. President, there was an article in this morning's Times-Tribune paper written by David Falchek. I am holding it here. It says that the unemployment rate in "...the Scranton/Wilkes-Barre/Hazleton area had the highest unemployment of state's 14 metro areas," and the highest since 1992, Mr. President.

The Senate Democratic Caucus has twice now in the past 9 months stepped up to articulate our concerns that the priority needs to be job creation. What are we doing here, Mr. President, if we are not dealing with the fact that there are 500,000 people unemployed in the State right now, and too many others underemployed? We have an obligation as legislators to advance public policy that will guarantee an improved quality of life for our citizens. Nine months ago, the Pennsylvania Senate Democratic Caucus announced PA Works, a multifaceted plan to put people back to work. Well, here we are 9 months later, and the Senate Democratic Caucus has to stand up again to announce PA Works Now, in order to again draw attention to the opportunities that we have here in Harrisburg to mobilize investment in a manner that puts people back to work.

Mr. President, there are 500,000 people unemployed in Pennsylvania. The PA Works plan that we put forth will guarantee investment of existing resources that are currently underutilized, not meeting investment opportunities throughout the State. And we can move quickly right now to create jobs, and we have an obligation to use scarce State resources to do just that. PA Works Now can tap unused funds available to us from the Commonwealth Financing Authority and PENNVEST to invest in rebuilding water and sewer systems and to finish other important public works projects throughout the State.

Mr. President, when I was at DCED, the Department of Community and Economic Development, and we would announce the availability of funding--let us say the availability of funding was \$60 million, and the deadline for the application was October 1. October 1 would come, and we would have over a billion and a half dollars' worth of requests. Over a billion and a half dollars' worth of grant or loan requests for much-needed public works projects, far in excess of the amount of money that we were able to provide, evidence of needs that we are not meeting, and evidence of job opportunities that we are not cultivating.

We can fund significant job programs without new broad-based taxes or putting strain on our General Fund. In addition to creating a billion-dollar Pennsylvania Investment Bank that would expand investment not only in transportation but also into public works, we can make other critical investments. We can direct \$30 million in Federal job training funds to put people on the job. We can dedicate \$100 million for new business development, so that dollars are available for Pennsylvania businesses to grow. We can invest \$75 million in new technology so that our competitive positions are state of the art.

My colleague, Senator Dinniman, has a package of bills right now that will retool the pharmaceutical industry in Pennsylvania. A restructuring of that industry requires us to deal with the skill set of people who normally worked in that industry, but are now on the outside looking in. They have enormous skills that could be cultivated and redeployed in that newly-restructured industry in Pennsylvania.

Mr. President, as you well know, housing is one of the weakest elements of our regional economies throughout the State. We can promote homeownership by using aggressive programs offered by the State Treasurer, and we can invest in housing in a manner that puts small business contractors, carpenters, electricians, plumbers, and masons to work. Material suppliers could see more knocks on their door and greater sales if we would simply use the resources at our disposal to put people back to work.

Mr. President, I am very proud of the Senate Democratic Caucus for understanding that jobs must be priority one. Mr. President, there are 500,000 people unemployed in Pennsylvania, and there are several thousand more underemployed. We have an obligation to step up to use the tools at our disposal without imposing additional new taxes, without imposing a burden on the General Fund, and using the resources and the tools at our disposal to put people back to work. That is why we have announced PA Works Now.

I appreciate your attention, Mr. President. Let us get Pennsylvania back to work.

The PRESIDING OFFICER (Senator John C. Rafferty) in the Chair.

The PRESIDING OFFICER. The Chair recognizes, with the Chair, a number-one Philadelphia Phillies fan, wishing them well in the playoffs, the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, I have been a Phillies fan all my life, which includes 1964. Phillies fans know exactly what that year means.

Mr. President, I rise, once again, to follow the remarks that my colleague, Senator Blake, has made with respect to placing jobs as the number-one priority here in the Commonwealth of Pennsylvania. Yesterday, the entire Senate Democratic Caucus made its voice heard about a new plan that we have offered to the citizens of the Commonwealth and the leadership of this State. That plan would put 80,000 Pennsylvania citizens back to work and begin the process of rebuilding the crumbling infrastructure, schools, roads, highways, bridges, communications, technology infrastructure, and would aggressively create programs that help small businesses and other entities gain benefits to put them in a better position for hiring Pennsylvania's people.

We need to be clear, Mr. President. We need to watch the numbers, and the numbers are glaring in their presentation of the specific problems that exist for most families across the Commonwealth of Pennsylvania. In May of this year, the unemployment rate was 7.4 percent. At the end of August, the unemployment rate increased to 8.2 percent. That happened in a few short months - May, June, July, August - 4 months, almost a 4-percent increase in unemployment.

While that is going on, Mr. President, there is a lack of activity happening at the senior level in this Commonwealth with respect to creating jobs and an employment program to put Pennsylvania citizens back to work. The crisis and the pressure that exists for Pennsylvania's families is dramatic. The financial pressures that exist for Pennsylvania families is pressing them down into very difficult economic situations.

Not too long ago, we stood in the Rotunda with working people and homeowners from all across the Commonwealth of Penn-

sylvania, Mr. President. We stood with them and talked about the need to refund the HEMAP program and get funding back on track for Pennsylvania's families to make sure folks do not go into foreclosure.

We talked about that and about protecting the health security of women across the Commonwealth of Pennsylvania, also in the Rotunda earlier today. Mr. President, then we also appeared with Senator Brubaker, Senator Kasunic, and Senator Dinniman in a conversation about trying to promote the issue of preventing prostate cancer here in the Commonwealth, especially making sure we raise the level of attention and focus with the men across the State to deal with that very, very difficult cancer, that very difficult disease.

But, I think all of this is in the context of the issue of jobs and putting Pennsylvania citizens back to work. And we come across another statistic on the Internet that disappeared which talks about research that was done by the Henry J. Kaiser Family Foundation, in partnership with the Health Research and Educational Trust, which conducts an annual survey on employer benefits, and specifically talks about the rising cost of premiums for health insurance for working people all across the country. The study indicates that just in 2010 alone, there was a 9-percent increase in insurance premiums. The problem with that is worker's wages only went up 2.1 percent in 2010.

So, insurance premiums go up 9 percent, worker's wages only go up 2.1 percent. General inflation, Mr. President, increased this past year by 3.2 percent. What does all that mean? It means that working people, working families, are losing ground. They are not gaining ground. They are not even holding their own. They are losing ground.

So, there is an increase in insurance premiums of 9 percent, an increase in inflation of 3.2 percent, increase of unemployment to 8.2 percent, and only a 2.1-percent increase in worker's wages. On top of that, Mr. President, the cost of deductibles for those who have health insurance has now skyrocketed to over \$2,000. So, if an individual gets sick and needs to use their health insurance, they have to pay for the first \$2,000 of that care. It is outpacing the economic security of working people in Pennsylvania. In addition to that, Mr. President, fewer and fewer people across this State and this nation are finding work.

We have to stand up for the working people in Pennsylvania and for those individuals who want to work. We have to be in the business of creating jobs for Pennsylvania's people and be aggressive, focused, and forward-thinking about what we can do to put Pennsylvania's people back to work. I will not get into the discussion of the President's American Jobs Act because that is for a discussion at the level of Washington, D.C., except for the fact that the program needs to be supported, needs to be promoted, needs to be engaged, and needs to be activated now.

Would it not be great if we could have a program at the Federal level, and then have another program at the State level to complement the two, to aggressively get people back to work. In light of all of that, our program, PA Works Now, calls for no tax increases. We can put 80,000 people back to work using the economic capacity that the State already has and drive that out across all regions of the Commonwealth and get people back to work to stimulate and enliven the State's economy.

So, we are here once again, Mr. President, just to remind those who are paying attention, those who are listening, that the number-one issue is job creation. It is not the number-two issue,

it is not the number-three issue, it is not the number-four, five, six, or seven issue. It is the number-one issue that every citizen in Pennsylvania is thinking about, worrying about, and concerned about. Where are the jobs, and what are we doing to put Pennsylvania's people back to work?

So we stand here once again, Mr. President, and we will continue to raise our voices to make sure that Pennsylvania's number-one job is putting people back to work and creating jobs, so that everyone has a chance to realize what we know to be the American dream.

Thank you, Mr. President.

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

The PRESIDING OFFICER 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 REAL ESTATE COMMISSION

September 27, 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, Jeffrey J. Johnson, 1221 Tower Lane, Erie 16505, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the State Real Estate Commission, to serve for a term of five years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

September 27, 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, Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Tioga, Magisterial District 04-3-02, to serve until the first Monday of January 2012, vice The Honorable Phillip L. Sweet, resigned.

TOM CORBETT
Governor

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Wednesday, September 28, 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 recess at 3:55 p.m., Eastern Daylight Saving Time.