

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 17, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 57

SENATE

MONDAY, October 17, 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 JEFF FACKLER, of Penn Run Church of the Brethren, Penn Run, offered the following prayer:

O most merciful God, today is Your day. You have created it for our welfare. We enjoy the way in which You have ordained Your seasons. You have blessed us with a harvest that is ready to be brought in. You have provided for all of our needs, and for that, thank You is not quite enough. So please listen to the words of our hearts.

Today, the work that is before us--and we are calling on You to give us the wisdom and the strength to carry out Your will. May this time together in this Chamber be filled with Your most Holy Spirit, so that the work that comes before us will be carried out according to Your will. Bless these women and men who sit at these desks, for they come in the name of the citizens of this Commonwealth. Bless them for the time You have ordained them to be here, and for us who have sent them. Indeed, this is Your day that You have created.

Today we can look out over a vista and see Your sculpting beauty, the touch of Your paint brush, and the wonder of Your creation. It is one of Your gifts to us, Your people. May we understand this gift and care for it as we care for our families. Indeed, this is Your day, the day that You have created.

Lord, we pray Your blessing to be on our Governor, Tom Corbett, our Lieutenant Governor, Jim Cawley, and all those who serve in our State government. We ask for Your blessing to be on our President, Barack Obama, and our Vice President, Joe Biden, and all those who serve in our nation's government. Lord, we ask that all our sons and daughters of this Commonwealth who are serving in Your fields, that You would protect them, keep Your arms around them, and that indeed they might witness to the power and glory that You are. O most merciful God, on this day that You have created for our welfare, bless us, for indeed this is Your day, the day that You have created, and it is in Your midst of mercy that we all pray. Amen.

The PRESIDENT. The Chair thanks Reverend Fackler, 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 ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

September 28, 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, Michael H. Firestine, 4520 Conrad Weiser Parkway, Womelsdorf 19567, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas B. Williams, Middletown, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

September 28, 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, Melvin C. Gehman, 6151 Valley Glen Road, Annville 17003, Lebanon County, Forty-eighth Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

September 28, 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, Thomas A. Sollenberger, 7606 Valley Camp Road, St. Thomas 17252, Franklin County, Thirty-third Senatorial District, for reappointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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, Bart Burne, Ed.D., 37 Old Mill Road, Laflin 18702, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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, Christopher J. Delozier, 1331 Sconsett Way, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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 Robert "Bo" Fean, 117 Sawkill Avenue, Milford 18337, Pike County, Twentieth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until August 12, 2012,

and until his successor is appointed and qualified, vice William J. Goldsworthy, Jr., West Pittston, resigned.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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 Walter Long, Esquire, 216 Beaver Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice John J. McGeehan, Bethlehem, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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, Hugh J. Murray, Sr., 1148 S. Ashbrooke Drive, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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, Todd Edward Naylor, 3159 Churchview Avenue, Pittsburgh 15227, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve until September 9, 2012, and until his successor is appointed and qualified, vice John R. McGrody, Philadelphia, resigned.

TOM CORBETT
Governor

SECRETARY OF DRUG AND ALCOHOL PROGRAMS

September 29, 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 Secretary of Drug and Alcohol Programs, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice new position.

TOM CORBETT
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

September 29, 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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice The Honorable John R. Evans, Edinboro, resigned.

TOM CORBETT
Governor

**MEMBER OF THE COUNCIL OF TRUSTEES OF
EDINBORO UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

September 29, 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 a member of the Council of Trustees of Edinboro University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Sister Catherine M. Manning, Erie, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

September 30, 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, Todd B. Narvol (Public Member), 300 Autumn Chase Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, to serve until September 27, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Connie A. Rodgers, Philadelphia, forfeiture of seat.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF PARDONS

October 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harris Gubernick, 1064 Jefferson Court, Warrington 18976, Bucks County, Twelfth Senatorial District, for reappointment as a member of the Board of Pardons, to serve until November 30, 2017.

TOM CORBETT
Governor

**MEMBER OF THE STATE
CIVIL SERVICE COMMISSION**

October 5, 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. Stevens, PhD, 3222 Shellers Bend #222, State College 16801, Centre County, Thirty-fourth Senatorial District, for appointment as a member of the State Civil Service Commission, to serve until April 9, 2016, or until his successor is appointed and qualified, vice Marwan Kreidie, Philadelphia, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

October 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, Gayle A. Cotchen, PharmD, MBA, 1097 Woodhill Drive, Gibsonia 15044, Allegheny County, Fortieth Senatorial District, for appointment as a member of the State Board of Pharmacy, 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 Michael Romano, Pittsburgh, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

October 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, Theresa M. Talbott, R.Ph., RR 4 Box 4169, Stroudsburg 18360, Monroe County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Pharmacy, 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 Richard Smiga, Lititz, whose term expired.

TOM CORBETT
Governor

[Data missing] COUNCIL OF TRUSTEES OF
CHEYNEY UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

October 13, 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 a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Dongkyu Bak, Media, deceased.

TOM CORBETT
Governor

MEMBER OF THE PROFESSIONAL
STANDARDS AND PRACTICES COMMISSION

October 14, 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 a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2014, and until her successor is appointed and qualified, vice Frank Vecchio, Harrisburg, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

October 14, 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, Ellen Melrose (Public Member), 1452 Beechwood Boulevard, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Steward, 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 MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

September 28, 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 August 25, 2011, for the appointment of Melanie DePalma, 1024 N. Waterford Way, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice William J. Goldsworthy, Jr., West Pittston, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE
CIVIL SERVICE COMMISSION

October 5, 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 September 21, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Civil Service Commission, to serve until April 9, 2016, or until her successor is appointed and qualified, vice Marwan Kreidie, Philadelphia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

October 11, 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 June 10, 2011, for the appointment of Bryan Troop, 224 East King Street, Apt. 204, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Marie A. Conley, Harrisburg, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
LABOR RELATIONS BOARD

October 11, 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 June 2, 2011, for the appointment of Bryan Troop, 224 E. King Street, Apt. 204, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2017, and until his successor is appointed and qualified, vice Anne E. Covey, Esquire, New Hope, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

October 11, 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 May 16, 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 Planning Board, to serve until August 19, 2013, and until her successor is appointed and qualified, vice Judith Schwank, Fleetwood, resigned.

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

TOM CORBETT
Governor

RECORDER OF DEEDS, CHESTER COUNTY

October 11, 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 May 16, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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.

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 VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

October 14, 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 June 6, 2011, for the appointment of Ellen Melrose (Public Member), 1452 Beechwood Boulevard, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Steward, Philadelphia, whose term expired.

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

TOM CORBETT
Governor

CORRECTION TO NOMINATION
REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

October 11, 2011

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

Please note the nomination dated September 21, 2011, for the appointment of William K. Ryan, 1729 Ritter Avenue, Bristol 19007, Bucks County, Sixth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2011, and until his successor is appointed and qualified, *[data missing]*, whose term expired, should be corrected to read:

William K. Ryan, 1729 Ritter Avenue, Bristol 19007, Bucks County, Sixth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2014, and until his successor is appointed and qualified, *[data missing]*, whose term expired.

TOM CORBETT
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 389**, with the information the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 9**.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 200** and **SB 1151**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIII, section 6, the bills will be referred to the Committee on Rules and Executive Nominations.

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:

October 11, 2011

- HB 267, 529, 1025 and 1192** -- Committee on Judiciary.
- HB 823, 1438 and 1582** -- Committee on Local Government.
- HB 1236 and 1237**-- Committee on Game and Fisheries.
- HB 1294** -- Committee on Consumer Protection and Professional Licensure.
- HB 1610** – Committee on Education.

October 12, 2011

- HB 1349** -- Committee on State Government.

October 13, 2011

- HB 210** -- Committee on Aging and Youth.

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:

September 29, 2011

Senators YAW, KITCHEN, FONTANA, M. WHITE, BRUBAKER, D. WHITE, FERLO and BREWSTER presented to the Chair **SB 1174**, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for appointment of members of authority, for qualifications, tenure and compensation of members of authority and for organization of authority.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, September 29, 2011.

Senators EARLL, FONTANA, GREENLEAF, VOGEL, PIPPY, WAUGH, GORDNER, McILHINNEY, BOSCOLA, COSTA, FERLO, BROWNE, YUDICHAK, BLAKE and FARNESE presented to the Chair **SB 1265**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

Which was committed to the Committee on FINANCE, September 29, 2011.

September 30, 2011

Senators PILEGGI, SCARNATI, FOLMER, CORMAN, RAFFERTY, PICCOLA, ORIE, MENSCH, M. WHITE,

WARD, D. WHITE, SMUCKER and VANCE presented to the Chair **SB 1282**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for presidential electors, selection by nominees, certification and vacancies; in ballots, further providing for form of official election ballot; in electronic voting systems, further providing for requirements of electronic voting systems and for election day procedures and the process of voting; in preparation for and conduct of primaries and elections, further providing for method of marking ballots and depositing same in districts in which ballots are used, for instructions of voters and manner of voting in districts in which voting machines are used and for what ballots shall be counted, manner of counting and defective ballots; and in electoral college, further providing for election of presidential electors, for meeting of electors and duties and for filling of vacancies existing in presidential electors.

Which was committed to the Committee on STATE GOVERNMENT, September 30, 2011.

October 3, 2011

Senators FONTANA, BAKER, RAFFERTY, TARTAGLIONE, WASHINGTON, FARNESE, ERICKSON, GREENLEAF, SOLOBAY, COSTA, BROWNE, HUGHES, BLAKE, BOSCOLA, BREWSTER, DINNIMAN, FERLO, KASUNIC, KITCHEN, LEACH, STACK, WILLIAMS, WOZNIAC, YUDICHAK, WARD and MENSCH presented to the Chair **SB 1279**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for provisions relating to disabled veterans and former prisoners of war.

Which was committed to the Committee on GAME AND FISHERIES, October 3, 2011.

Senators FONTANA, TARTAGLIONE, WASHINGTON, ALLOWAY, SCHWANK, SOLOBAY, COSTA, YUDICHAK, BREWSTER and MENSCH presented to the Chair **SB 1280**, entitled:

An Act providing for a temporary moratorium of court-ordered countywide reassessments and for reforms based upon study.

Which was committed to the Committee on FINANCE, October 3, 2011.

Senators FONTANA, FERLO, SCHWANK, WASHINGTON and EARLL presented to the Chair **SB 1281**, entitled:

An Act amending the act of November 26, 1997 (P.L.508, No.55), known as the Institutions of Purely Public Charity Act, further providing for legislative findings; and providing for the definition of "governing body," for other contributions and for partial property tax exemption.

Which was committed to the Committee on FINANCE, October 3, 2011.

October 4, 2011

Senators STACK, FARNESE, WASHINGTON and FERLO presented to the Chair **SB 1210**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, further providing for distress in school districts of the first class; and providing for school board in distressed school districts.

Which was committed to the Committee on EDUCATION, October 4, 2011.

Senators GREENLEAF, STACK, FONTANA, ORIE, M. WHITE, BREWSTER, RAFFERTY, SCHWANK, MENSCH, ERICKSON, VOGEL, WAUGH, BAKER, WASHINGTON, FARNESE, BROWNE, WILLIAMS, BRUBAKER, EARLL and FERLO presented to the Chair **SB 1256**, entitled:

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, further providing for purpose, for definitions and for liability.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 4, 2011.

Senators GORDNER, BAKER, BLAKE, YAW, YUDICHAK, PILEGGI, COSTA, ARGALL, BOSCOLA, ERICKSON, FARNESE, FONTANA, GREENLEAF, PIPPY, MENSCH, RAFFERTY, SCHWANK, SMUCKER, TARTAGLIONE, WAUGH, BROWNE, VANCE, BREWSTER, DINNIMAN, FERLO, HUGHES, KASUNIC, KITCHEN, LEACH, SOLOBAY, STACK, WASHINGTON, WILLIAMS, WOZNIAK, BRUBAKER and EARLL presented to the Chair **SB 1268**, entitled:

An Act providing for the highway capital budget project itemization for flood-damaged highways to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, October 4, 2011.

Senators YAW, BAKER, GORDNER, BLAKE, YUDICHAK, PILEGGI, COSTA, ARGALL, BOSCOLA, ERICKSON, FARNESE, FONTANA, GREENLEAF, PIPPY, MENSCH, RAFFERTY, SCHWANK, TARTAGLIONE, WAUGH, BROWNE, VANCE, BREWSTER, DINNIMAN, FERLO, HUGHES, KASUNIC, KITCHEN, LEACH, SOLOBAY, STACK, WASHINGTON, WILLIAMS, WOZNIAK, BRUBAKER, SMUCKER and EARLL presented to the Chair **SB 1269**, entitled:

An Act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges and for the adoption of specific flood mitigation projects or disaster assistance projects to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, October 4, 2011.

Senators EARLL, ORIE, RAFFERTY, M. WHITE, SOLOBAY, BOSCOLA and FERLO presented to the Chair **SB 1270**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in table games, further providing for local share assessment; and, in revenues, further providing for establishment of State Gaming Fund and new slot machine revenue distribution.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, October 4, 2011.

Senators McILHINNEY, ARGALL, GREENLEAF, ERICKSON, RAFFERTY, ALLOWAY, GORDNER, FOLMER, ORIE, KASUNIC, WAUGH, DINNIMAN, BRUBAKER, BROWNE, CORMAN, STACK, WOZNIAK, BAKER, SCARNATI, WARD, ROBBINS, D. WHITE, PIPPY, YAW, TOMLINSON, WASHINGTON, M. WHITE and BOSCOLA presented to the Chair **SB 1273**, entitled:

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

Which was committed to the Committee on STATE GOVERNMENT, October 4, 2011.

Senators STACK, FONTANA, ERICKSON, BOSCOLA, RAFFERTY, WAUGH, BROWNE and FARNESE presented to the Chair **SB 1277**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, providing for narcotic treatment programs.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, October 4, 2011.

Senators BROWNE, RAFFERTY, MENSCH and FERLO presented to the Chair **SB 1278**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for definitions, for interests in unincorporated entities, for additional withholding requirements and for interest in unincorporated entities.

Which was committed to the Committee on FINANCE, October 4, 2011.

Senators ARGALL, RAFFERTY, YUDICHAK, M. WHITE, FERLO and BOSCOLA presented to the Chair **SB 1283**, entitled:

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for alternative energy portfolio standards; and repealing provisions of an act relating to certain order of the Pennsylvania Public Utility Commission.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 4, 2011.

October 12, 2011

Senators FERLO, TARTAGLIONE, FONTANA, SCHWANK, WASHINGTON, HUGHES, KITCHEN and FARNESE presented to the Chair **SB 400**, entitled:

An Act providing for a Statewide comprehensive health care system; establishing the Pennsylvania Health Care Plan and providing for eligibility, services, coverages, subrogation, participating providers, cost containment, reduction of errors, tort remedies, administrative remedies and procedures, attorney fees, quality assurance, nonparticipating providers, transitional support and training; and establishing the Pennsylvania Health Care Agency, the Employer Health Services Levy, the Individual Wellness Tax, the Pennsylvania Health Care Trust Fund and the Pennsylvania Health Care Board and providing for their powers and duties.

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

Senators YUDICHAK, BAKER, BLAKE, GORDNER, YAW, PILEGGI, COSTA, ARGALL, BOSCOLA, ERICKSON, FARNESE, FONTANA, GREENLEAF, PIPPY, MENSCH, RAFFERTY, SCHWANK, SMUCKER, TARTAGLIONE, WAUGH, WASHINGTON, WILLIAMS, WOZNIAK, STACK, SOLOBAY, BROWNE, VANCE, BREWSTER, DINNIMAN, FERLO, HUGHES, KASUNIC, KITCHEN, LEACH and EARLL presented to the Chair **SB 1271**, entitled:

An Act itemizing public improvement projects for flood protection and flood damage repair to be constructed by the Department of General Services, together with their estimated financial costs; stating the estimated useful life of the projects; making an appropriation; and providing for the adoption of specific disaster mitigation or assistance projects to be financed from debt incurred under clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, October 12, 2011.

Senators BREWSTER, COSTA, HUGHES, SCHWANK, FONTANA, FARNESE and FERLO presented to the Chair **SB 1285**, entitled:

An Act providing for Marcellus Shale unconventional well job training and certification; and imposing duties on the Department of Labor and Industry.

Which was committed to the Committee on LABOR AND INDUSTRY, October 12, 2011.

Senators BREWSTER, FONTANA, FARNESE and TARTAGLIONE presented to the Chair **SB 1286**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for extraction tax and for municipal improvement tax credit.

Which was committed to the Committee on FINANCE, October 12, 2011.

Senators FERLO, TARTAGLIONE, HUGHES, COSTA, FONTANA, SOLOBAY and KASUNIC presented to the Chair **SB 1287**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for general powers of the board and for specific subjects on which board may adopt regulations; providing for employees of the board; further providing for management of Pennsylvania Liquor Stores; and repealing provisions relating to selection of personnel.

Which was committed to the Committee on LAW AND JUSTICE, October 12, 2011.

Senators BAKER, BROWNE, ERICKSON, MENSCH, SMUCKER, WAUGH, YUDICHAK, SCHWANK, BOSCOLA, COSTA, FARNESE, FONTANA, HUGHES and FERLO presented to the Chair **SB 1288**, entitled:

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further defining "line."

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 12, 2011.

October 14, 2011

Senator CORMAN presented to the Chair **SB 1291**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Centre County Industrial Development Corporation certain lands situate in Benner Township, Centre County.

Which was committed to the Committee on STATE GOVERNMENT, October 14, 2011.

Senators WILLIAMS, SCHWANK, TARTAGLIONE, STACK and FERLO presented to the Chair **SB 1294**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for distress in school districts of the first class.

Which was committed to the Committee on EDUCATION, October 14, 2011.

Senators WILLIAMS and FONTANA presented to the Chair **SB 1295**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for qualifications of electors at primaries, for primary voting and party officers and for voting procedure; and making a related repeal.

Which was committed to the Committee on STATE GOVERNMENT, October 14, 2011.

October 17, 2011

Senators WILLIAMS, RAFFERTY, COSTA, FONTANA, HUGHES, SOLOBAY, ERICKSON, BREWSTER, STACK, BROWNE, BOSCOLA, ALLOWAY, SCHWANK, TARTAGLIONE, LEACH, YUDICHAK, MENSCH and FERLO presented to the Chair **SB 1293**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for new jobs for unemployed veterans.

Which was committed to the Committee on FINANCE, October 17, 2011.

Senators PICCOLA, SCARNATI, FOLMER, ERICKSON, BAKER, BOSCOLA, ORIE, YUDICHAK, GREENLEAF, RAFFERTY, ALLOWAY, MENSCH, VOGEL, BROWNE, EARLL and FERLO presented to the Chair **SB 1296**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for manner of election or approval; providing for performance review; further providing for election of assistant district superintendents, for term and salary of assistants and for removal; and making an editorial change.

Which was committed to the Committee on EDUCATION, October 17, 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:

October 4, 2011

Senators STACK, SCARNATI, WILLIAMS, WASHINGTON, FONTANA, GREENLEAF, SCHWANK, ALLOWAY, ORIE, COSTA, BROWNE and BOSCOLA presented to the Chair **SR 201**, entitled:

A Resolution urging the Congress of the United States to reaffirm the commitment of the United States to a negotiated settlement of the Israeli-Palestinian Conflict and supporting United States Senate Resolution No. 185.

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

GENERAL COMMUNICATIONS

THE PHILADELPHIA PARKING AUTHORITY FISCAL YEAR 2011 AUDIT REPORT

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

THE PHILADELPHIA PARKING AUTHORITY
3101 Market Street
Philadelphia, PA 19104-2895

September 26, 2011

VIA HAND DELIVERY

Honorable Mark R. Corrigan
Secretary-Parliamentarian
Chief Clerk *[sic]*
The Pennsylvania Senate
Senate Box 203053
Harrisburg, PA 17120-2020

**Re: The Philadelphia Parking Authority
Fiscal Year 2011 Audit Report**

Dear Secretary-Parliamentarian Corrigan:

As you are aware, Section 6 of the Act of July 16, 2004, P.L. 758, No. 94 directs the Philadelphia Parking Authority ("Authority") to submit to a fiscal audit of its books, accounts, and records by a certified public accountant on an annual basis. Enclosed please find the Authority's Fiscal Year 2011 Audit Report, approved at the Authority's Board of Directors meeting on August 23, 2011.

If you have any questions or concerns, please do not hesitate to contact me.

Respectfully yours,
The Philadelphia Parking Authority

DENNIS G. WELDON, Jr.
General Counsel

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

2012-13 BUDGET REQUEST OF THE CONSUMER ADVOCATE

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

OFFICE OF THE CONSUMER ADVOCATE
Commonwealth of Pennsylvania
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

October 5, 2011

Hon. Thomas W. Corbett, Jr.
Governor of Pennsylvania
Commonwealth of Pennsylvania
Room 225, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Joseph B. Scarnati III
President Pro Tempore
Senate of Pennsylvania
Room 292, Main Capitol Bldg.
Harrisburg, PA 17120

Hon. Samuel H. Smith
Speaker
House of Representatives
Room 139, Main Capitol Bldg.
Harrisburg, PA 17120

Dear Gentlemen:

Enclosed with this letter is the Budget Request of the Office of Consumer Advocate (OCA) for Fiscal Year 2012-2013.

The present budget request is submitted pursuant to Act No. 25 of July 20, 1983. *The OCA budget is not derived from the General Fund*, but is funded through a direct assessment on the companies that are under the jurisdiction of the Pennsylvania Public Utility Commission (PUC).

Please contact me if you have any questions about the OCA's budget request or about the Office of Consumer Advocate.

Sincerely,

IRWIN A. POPOWSKY
Consumer Advocate

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 Jane C. Orié as a member of the Pennsylvania Athletic Oversight Committee.

Senator Joseph B. Scarnati III as a member of the Pennsylvania Athletic Oversight Committee.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

SB 389 and HB 9.

BILLS REPORTED FROM COMMITTEE

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

SB 595 (Pr. No. 1663) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for display of registration plate and for automated red light enforcement systems in first class cities; and providing for automated red light enforcement in certain cities.

SB 747 (Pr. No. 757) (Rereported)

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

SB 1095 (Pr. No. 1664) (Amended) (Rereported)

An Act establishing an independent informal dispute resolution process for long-term care nursing facilities to dispute Department of Health survey deficiencies; and providing for the powers and duties of the Department of Health.

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

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) (Rereported)

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 284 (Pr. No. 2424) (Rereported)

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 288 (Pr. No. 2426) (Rereported)

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) (Rereported)

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. 2551) (Amended) (Rereported)

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 sheriff and coroner, further providing for chief deputy, for deputies and clerks, for public list of applicants for deputy sheriff and for sheriff's employees and counties of the second

class; 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) (Rereported)

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.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Corman, and legislative leaves for Senator Baker, Senator Tomlinson, and Senator Ward.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Corman, and legislative leaves for Senator Baker, Senator Tomlinson, and Senator Ward.

Senator Costa requests a temporary Capitol leave for Senator Hughes, and legislative leaves for Senator Brewster and Senator Stack.

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, October 17, 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, October 24, 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, October 24, 2011, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

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
Earll	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.

PERMISSION TO ADDRESS

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

Senator WASHINGTON. Mr. President, I stand today to say thank you to all of my colleagues and staff in the Senate, because you all were there for me during my bereavement over the loss of my mother. Every day I received something from one of you, from Senate Security on down, and I just want to tell you how much I really appreciate that, and how much it meant to me. So again, God bless you, and thank you so very much.

(Applause.)

SPECIAL ORDER OF BUSINESS

**GUEST OF SENATOR PATRICIA H. VANCE
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, I am very pleased to introduce a very special guest, Nikanor Melinkov, who is visiting the U.S. as a Future Leaders Exchange (FLEX) Program as an exchange student from his hometown in Russia. He is attending Cumberland Valley High School as a senior. Nikanor has studied English since he was 5 years old, and living in the United States has helped his fluency as he is learning the American culture. The FLEX program is sponsored by the Department of State. He is the son of Timofei and Oksana Melinkov, his host parents are Eileen Pauletta and Dan Fisher, and his host siblings are Dakota Fisher and Anna Pauletta.

In Russia, Nikanor plays the sport canoe polo. Actually, I had to check this out to see what it was. It is a water ball sport with five players on each team, and team members are seated in kayaks. I am sure this is quite a challenge. He plans to enter a university and possibly become an engineer and return to the United States. It has been delightful to meet him, and I ask for a warm welcome for Nik.

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

**GUESTS OF SENATOR LLOYD K. SMUCKER
AND SENATOR MICHAEL L. WAUGH
PRESENTED TO THE SENATE**

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

Senator SMUCKER. Mr. President, I have guests from York County. Some reside in my district and some in Senator Waugh's district, so I would like to recognize them on behalf of both of us. They are a group from York County ACTION, who are here today to tour the Capitol and over lunch discuss some of the issues we are dealing with. In the gallery we have Ron Cohen, Jay McKiernan, Pastor Ken Gibson, Nancy Woodcock, Pastor Thaddeus Godwin, and his wife, Eloise Godwin, Steve Johnson, and Alan and Brenda Bonsell. Please welcome our guests today.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Smucker and Senator Waugh 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 purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Finance also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room, following the conclusion of the meeting of the Committee on Finance.

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

Senator COSTA. Mr. President, before we go into the meeting of the Committee on Rules and Executive Nominations, I ask that our Senate Democratic colleagues join me around the podium for a very brief discussion about what is to take place in the meeting of the Committee on Rules and Executive Nominations. At the conclusion of the meetings, I ask that Senate Democrats caucus in our caucus room at the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Finance, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Baker has returned, and her legislative leave is cancelled.

LEGISLATIVE LEAVE

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

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

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

CALENDAR**THIRD CONSIDERATION CALENDAR****BILL AMENDED**

SB 100 (Pr. No. 1329) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in Pennsylvania Commission on sentencing, further providing for powers and duties and for publication of guidelines; in sentences, further providing for sentences for second and subsequent offenses, for sentencing generally and for sentence of county intermediate punishment; providing for court-imposed sanctions for offenders violating probation; further providing for county intermediate punishment programs; in visitation, further providing for general provisions; in inmate prerelease plans, providing for time eligibility for prerelease; in motivational boot camp, further providing for definitions and for selection of inmate participants; in State intermediate punishment, further providing for definitions and for referral to State intermediate punishment program; in recidivism risk reduction incentive, further providing for definitions; establishing the Safe Community Reentry Program; and providing for the powers and duties of the Pennsylvania Board of Probation and Parole and the Department of Corrections.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GREENLEAF offered the following amendment No. A5494:

Amend Bill, page 1, line 1, by inserting after "Titles":
18 (Crimes and Offenses),

Amend Bill, page 1, line 3, by inserting after "Statutes,":
in burglary and other criminal intrusion, further providing for the offense of burglary;

Amend Bill, page 1, lines 24 through 26, by striking out all of said lines and inserting:

Section 1. Section 3502 of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 3502. Burglary.

(a) Offense defined.--A person is guilty of burglary if he enters a building or occupied structure, or separately secured or occupied portion thereof, with intent to commit a crime therein, unless the premises are at the time open to the public or the actor is licensed or privileged to enter.

(b) Defense.--It is a defense to prosecution for burglary that the building or structure was abandoned.]

(a) Offense defined.--A person commits the offense of burglary if, with the intent to commit a crime therein, the person:

(1) enters a building or occupied structure, or separately secured or occupied portion thereof that is adapted for overnight ac-

commodations in which at the time of the offense any person is present;

(2) enters a building or occupied structure, or separately secured or occupied portion thereof that is adapted for overnight accommodations in which at the time of the offense no person is present;

(3) enters a building or occupied structure, or separately secured or occupied portion thereof that is not adapted for overnight accommodations in which at the time of the offense any person is present; or

(4) enters a building or occupied structure, or separately secured or occupied portion thereof that is not adapted for overnight accommodations in which at the time of the offense no person is present.

(b) Defense.--It is a defense to prosecution for burglary if any of the following exists at the time of the commission of the offense:

(1) The building or structure was abandoned.

(2) The premises are open to the public.

(3) The actor is licensed or privileged to enter.

(c) Grading.--

(1) Except as provided in paragraph (2), burglary is a felony of the first degree.

(2) [If the building, structure or portion entered is not adapted for overnight accommodation and if no individual is present at the time of entry, burglary is a felony of the second degree.] An offense under subsection (a)(4) is a felony of the second degree.

(d) Multiple convictions.--A person may not be [convicted] sentenced both for burglary and for the offense which it was his intent to commit after the burglarious entry or for an attempt to commit that offense, unless the additional offense constitutes a felony of the first or second degree.

Section 1.1. Sections 2153(a)(14) and (15), 2155, 9714(g) and 9721(a.1) of Title 42 are amended to read:

Amend Bill, page 5, line 22, by inserting a bracket before "of"

Amend Bill, page 5, line 24, by inserting after "present":

] as defined in 18 Pa.C.S. § 3502(a)(1) (relating to burglary)

Amend Bill, page 10, lines 9 and 10, by striking out all of line 9 and "administration of this program. The" in line 10 and inserting:

(i) Local rules.--

(1) The court may adopt local rules for the administration of this program. Except as provided for under paragraph (2), the

Amend Bill, page 10, by inserting between lines 12 and 13:

(2) The court may adopt local rules that are inconsistent with subsection (g) regarding the terms of imprisonment or other sanctions or conditions provided for under subsection (g).

Amend Bill, page 14, lines 9 through 27, by striking out "satisfy the additional condition, as applicable, in" in line 9 and all of lines 10 through 27 and inserting:

have continuously served for a total of at least nine months in a county jail or in a State correctional institution for that sentence.

(b) Exception.--Notwithstanding the provisions of subsection (a), no inmate shall be eligible for

Amend Bill, page 19, line 23, by striking out "4104(a)" and inserting:

4104(a)(1)

Amend Bill, page 19, line 23, by inserting after "AMENDED":

and the subsection is amended by

Amend Bill, page 21, line 7, by striking out all of said line and inserting:

(1) Prior to imposing a sentence, the court may[, upon motion of the Commonwealth and agreement of the defendant,] commit a defendant to the custody of the department for the purpose of evaluating whether the defendant would benefit from a drug offender treatment program and whether placement in the drug offender treatment program is appropriate.

Amend Bill, page 22, line 16, by striking out the bracket before "personal"

Amend Bill, page 22, lines 18 through 20, by striking out "[crime of violence as defined in 42" in line 18, all of line 19 and "subsequent offenses]" in line 20 and inserting:

except for an offense under 18 Pa.C.S. § 2701 (relating to simple assault) when the offense is a misdemeanor of the third degree

Amend Bill, page 32, line 6, by striking out "IN 60 DAYS." and inserting:

as follows:

- (1) The addition of 61 Pa.C.S. § 3705 shall take effect in one year.
- (2) This section shall take effect immediately.
- (3) The remainder of this act shall take effect in 60 days.

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 ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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?

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Tomlinson returned, and his legislative leave is cancelled.

And the question recurring,
 Shall the bill pass finally?

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

YEA-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.

BILL OVER IN ORDER TEMPORARILY

SB 367 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 389 (Pr. No. 353) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Mill Creek Bridge on the new Route 202 Parkway in Warrington Township, Bucks County, as the George W. Niblock Bridge.

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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 405 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

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 743 (Pr. No. 756) -- 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 terms and courses of study, further providing for teaching safe driving of motor vehicles.

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.

BILL AMENDED

SB 834 (Pr. No. 852) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 16 (Counties) of the Pennsylvania Consolidated Statutes, adding provisions for required fiscal security through bonding, blanket bonding and insuring of elected and appointed county officers and employees; providing for determining the form, amount and payment of premiums for and the filing and recording of the required security and for the subsequent issuance of official commissions; and making related repeals.

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

Senator EICHELBERGER offered the following amendment No. A2586:

Amend Bill, page 4, lines 4 through 8, by striking out all of lines 4 through 7 and "and larceny" in line 8 and inserting:
at a minimum for the loss of money or property through robbery, burglary and larceny committed by parties other than officers or employees required to receive or hold money

Amend Bill, page 5, line 12, by striking out "held or required to be accounted for" and inserting:
or held

Amend Bill, page 7, line 15, by inserting after "subchapter":
the county shall obtain

Amend Bill, page 7, line 16, by inserting after "indemnifying":
it

Amend Bill, page 7, lines 17 through 20, by striking out "shall be provided for" in line 17, all of lines 18 and 19 and "the officer's or employee's office or employment" in line 20 and inserting:
by parties other than those required to obtain security in accordance with this chapter

Amend Bill, page 8, line 13, by striking out "on behalf" and inserting:

that protects the county from losses caused by acts

Amend Bill, page 10, lines 10 and 11, by striking out "required to be" in line 10 and "received, accounted for or" in line 11 and inserting:

received

Amend Bill, page 10, line 26, by striking out "interested persons" and inserting:

listed obligees or insureds, as the case may be.

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

HB 10 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 397 (Pr. No. 380) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

**BILL ON SECOND CONSIDERATION
AND REREFERRED**

SB 444 (Pr. No. 625) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions and for prize limits; providing for insured games of chance; further providing for sales limited, for regulations of department, for licensing of eligible organizations to conduct games of chance, for revocation of licenses, for advertising and for penalties; and making editorial changes.

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

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

BILL ON SECOND CONSIDERATION

SB 560 (Pr. No. 728) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 628, HB 639, SB 733, HB 755, SB 775 and HB 816 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 850 (Pr. No. 1582) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of cyberbullying by minors; in criminal history record information, further providing for expungement and for juvenile records; and, in relation to summary offenses, further providing for short title and purpose of chapter, for the scope of the Juvenile Act, for inspection of court files and records, for conduct of hearings and for right to counsel.

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

BILLS OVER IN ORDER

SB 883, SB 887, SB 920, SB 961, HB 1054 and SB 1220 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 1644 (Pr. No. 2060) -- 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, in contracts, further providing for sales of personal property and surplus farm products.

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

THIRD CONSIDERATION CALENDAR RESUMED

SB 367 CALLED UP

SB 367 (Pr. No. 1581) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator D. WHITE offered the following amendment No. A5515:

Amend Bill, page 4, line 17, by striking out "The" and inserting:
the

Amend Bill, page 4, line 19, by striking out the period after "administration" and inserting:

; and

Amend Bill, page 4, line 20, by striking out "The" and inserting:
the

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.

**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 COUNCIL OF TRUSTEES OF
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION**

October 11, 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 June 10, 2011, for the appointment of Bryan Troop, 224 East King Street, Apt. 204, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, as a member of the Council of Trustees of Bloomsburg University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Marie A. Conley, Harrisburg, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE STATE
CIVIL SERVICE COMMISSION**

October 5, 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 September 21, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Civil Service Commission, to serve until April 9, 2016, or until her successor is appointed and qualified, vice Marwan Kreidie, Philadelphia, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
LABOR RELATIONS BOARD**

October 11, 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 June 2, 2011, for the appointment of Bryan Troop, 224 E. King Street, Apt. 204, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, as a member of the Pennsylvania Labor Relations Board, to serve until June 2, 2017, and until his successor is appointed and qualified, vice Anne E. Covey, Esquire, New Hope, resigned.

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

TOM CORBETT
Governor

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION**

September 28, 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 August 25, 2011, for the appointment of Melanie DePalma, 1024 N. Waterford Way, Mechanicsburg 17050, Cumberland County, Thirty-

first Senatorial District, as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until her successor is appointed and qualified, vice William J. Goldsworthy, Jr., West Pittston, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

October 11, 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 May 16, 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 Planning Board, to serve until August 19, 2013, and until her successor is appointed and qualified, vice Judith Schwank, Fleetwood, resigned.

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

TOM CORBETT
Governor

RECORDER OF DEEDS, CHESTER COUNTY

October 11, 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 May 16, 2011, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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.

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 VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

October 14, 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 June 6, 2011, for the appointment of Ellen Melrose (Public Member), 1452 Beechwood Boulevard, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Steward, Philadelphia, 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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 9, 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, David J. Allard, CHP (Alternate Member), 285 Dogwood Drive, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for reappointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph T. Grice, D.C., 207 Huch Farm Lane, Mars 16046, Butler County, Fortieth Senatorial District, for reappointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kathleen G. McConnell, D.C., 334 Castlegate Road, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State

Board of Chiropractic, 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.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Jonathan W. McCullough, 282 Holland Road, Holland 18966, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael A. Phillips, D.C., Sunbury, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD**

July 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, Joseph E. Brion, Esquire, 922 Sconnelltown Road, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2015, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice The Honorable Thomas Goldsmith, Easton, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

September 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, Mark H. Dambly, 354 Darlington Road, Media 19063, Delaware County, Ninth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2014, and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

September 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, Peter A. Khoury, 5156 Cassidy Drive, Schnecksville 18078, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2014, and until his successor is appointed and qualified, vice Rodney P. Hughes, Mayfield, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

June 24, 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 L. French, Ed.D., 544 Kemmerer Road, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

SHERIFF, LANCASTER COUNTY

June 22, 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 Mark S. Reese, 3955 Birchwood Lane, Columbia 17512, Lancaster County, Thirty-sixth Senatorial District, for appointment as Sheriff, in and for the County of Lancaster, to serve until the first Monday of January 2012, vice The Honorable Terry A. Bergman, resigned.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, Debra Gentzler, 58 South Schoolhouse Road, Thomasville 17364, York County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, S. Eugene Herritt, 206 Walnut Dale Road, Shippensburg 17257, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Douglas P. Harbach, Chambersburg, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, B. Michael Schaul, 840 Allenvue Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

June 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, Glenn Martin, 6272 Withers Court, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James E. Kelly, Telford, whose term expired.

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 APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

June 9, 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, David J. Allard, CHP (Alternate Member), 285 Dogwood Drive, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for reappointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph T. Grice, D.C., 207 Huch Farm Lane, Mars 16046, Butler County, Fortieth Senatorial District, for reappointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Kathleen G. McConnell, D.C., 334 Castlegate Road, Pittsburgh 15221, Allegheny County, Forty-third Senatorial District, for reappointment as a member of the State Board of Chiropractic, 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.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 3, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Jonathan W. McCullough, 282 Holland Road, Holland 18966, Bucks County, Sixth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael A. Phillips, D.C., Sunbury, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

September 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, Mark H. Dambly, 354 Darlington Road, Media 19063, Delaware County, Ninth Senatorial District, for reappointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2014, and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF
THE PENNSYLVANIA STATE UNIVERSITY**

September 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, Peter A. Khoury, 5156 Cassidy Drive, Schnecksville 18078, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2014, and until his successor is appointed and qualified, vice Rodney P. Hughes, Mayfield, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

June 24, 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 L. French, Ed.D., 544 Kemmerer Road, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

SHERIFF, LANCASTER COUNTY

June 22, 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 Mark S. Reese, 3955 Birchwood Lane, Columbia 17512, Lancaster County, Thirty-sixth Senatorial District, for appointment as Sheriff, in and for the County of Lancaster, to serve until the first Monday of January 2012, vice The Honorable Terry A. Bergman, resigned.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, Debra Gentzler, 58 South Schoolhouse Road, Thomasville 17364, York County, Thirty-third Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, S. Eugene Herritt, 206 Walnut Dale Road, Shippensburg 17257, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Douglas P. Harbach, Chambersburg, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

September 7, 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, B. Michael Schaul, 840 Allenview Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Council of Trustees of Shippensburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

June 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, Glenn Martin, 6272 Withers Court, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James E. Kelly, Telford, whose term expired.

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
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 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.

BILLS REPORTED FROM COMMITTEES

Senator BRUBAKER, from the Committee on Finance, reported the following bill:

SB 1237 (Pr. No. 1666) (Amended)

An Act amending the act of October 6, 1998 (P.L.705, No.92), known as the Keystone Opportunity Zone, Keystone Opportunity Expansion Zone and Keystone Opportunity Improvement Zone Act, in keystone opportunity zones, further providing for additional expansion zones; and providing for extension for new job creation.

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following bill:

SB 1151 (Pr. No. 1665) (Amended) (Rereported) (Concurrence)

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for purpose and legislative intent; providing for fiscal emergencies in third class cities and for receivership for third class cities; and making editorial changes.

SENATE RESOLUTIONS ADOPTED

Senators VOGEL, FARNESE, D. WHITE, PIPPY, MENSCH, BROWNE, SCARNATI, BAKER, FONTANA, GREENLEAF, ERICKSON, ORIE, KASUNIC, BLAKE, TARTAGLIONE, TOMLINSON, RAFFERTY, PILEGGI, EARLL, FERLO, YAW, KITCHEN, COSTA, SCHWANK, SOLOBAY, BREWSTER, BRUBAKER, WAUGH, ALLOWAY, WASHINGTON and EICHELBERGER, by unanimous consent, offered **Senate Resolution No. 203**, entitled:

A Resolution designating the month of November 2011 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, the resolution I offer today designates the month of November 2011, as "Pancreatic Cancer Awareness Month" in Pennsylvania. Each year in the United States, 36,000 individuals die from pancreatic cancer. Seventy-five percent of pancreatic cancer patients die within the first year of diagnosis, and 94 percent within the first 5 years.

Most of the time, when symptoms present themselves, it is usually too late to provide an optimistic prognosis. We must encourage healthy lifestyles and increase awareness about pancreatic cancer. We must also work hard to insure that the research dollars being allocated in Washington, D.C., help support the development of the effective early detection and treatment of pancreatic cancer, and work toward a cure.

I ask you to join me in supporting this resolution, designating November 2011 as Pancreatic Cancer Month in Pennsylvania.

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

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

Senators TARTAGLIONE, KITCHEN, RAFFERTY, COSTA, ORIE, FONTANA, FARNESE, BAKER, SCARNATI, ERICKSON, HUGHES, SOLOBAY, PILEGGI, KASUNIC, PIPPY, BREWSTER, GORDNER, WILLIAMS, McILHINNEY, D. WHITE, TOMLINSON, VANCE,

BROWNE, FERLO, BOSCOLA, SCHWANK, ALLOWAY and EARLL, by unanimous consent, offered **Senate Resolution No. 204**, entitled:

A Resolution designating the month of October 2011 as "National Disability Employment Awareness Month" in Pennsylvania.

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

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

Senator TARTAGLIONE. Mr. President, employment is the economic engine of our nation, our communities, and our families. It provides families with security, insurance, and the opportunity to prosper. For people with disabilities, employment also promotes greater independence and the ability to have productive, fulfilling lives. According to the U.S. Department of Labor, the unemployment rate among disabled Americans who are ready and looking for work is nearly 15 percent. There are millions more who would be ready to work with a small investment in technology, training, or employer flexibility.

We have come a long way in making our workplace accessible, but now we need to make the job accessible for these millions of Americans living with disabilities each day. Many more will become disabled at some point in their lives. With the high number of Pennsylvanians being or becoming unemployed, it has never been more important to acknowledge those with additional challenges who have overcome barriers to support their families and contribute to their communities and to the Commonwealth.

My resolution declares the month of October 2011 as "National Disability Employment Awareness Month" in Pennsylvania. This will enable all Pennsylvanians the opportunity to recognize the contributions of people with disabilities, and encourage all citizens to insure equal opportunities in the workforce.

Mr. President, I ask for a unanimous vote. Thank you.

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

LEGISLATIVE LEAVE CANCELLED

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

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

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

Senators VANCE, PILEGGI, BROWNE, EARLL, GREENLEAF, RAFFERTY, YAW, STACK, SOLOBAY, WASHINGTON, ERICKSON, PIPPY, WARD, BOSCOLA, DINNIMAN, FERLO, FONTANA, SCHWANK and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 205**, entitled:

A Resolution recognizing the week of October 16 through 22, 2011, as "Credit Union Week" in Pennsylvania.

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

Senators BROWNE, DINNIMAN, STACK, WARD, BAKER, FONTANA, ALLOWAY, PILEGGI, BOSCOLA, SCHWANK, KASUNIC, PIPPY, MENSCH, YUDICHAK, FERLO, EARLL, FARNESE, WASHINGTON and ERICKSON and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 206**, entitled:

A Resolution designating the month of October 2011 as "Pennsylvania's Promise for Children Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BROWNE. Mr. President, I appreciate the Senate's consideration of this important resolution. Quality early learning and child development play a major role in a child's future success in school, as Members of the Senate are aware. Children learn best when they have proper health and nutrition, a safe and stable family and home life, and activities that stimulate creativity, curiosity, and all the skills they will need to succeed in school and later in life.

Choosing quality early learning programs like Keystone STARS, Pre-K Counts, Head Start, Early Intervention, Nurse-Family Partnership, and Parent-Child Home Program will partner with families and provide children with good teachers and learning activities that are key to the success of these children. That is why I am introducing this resolution to recognize that every child in Pennsylvania deserves access to quality early learning opportunities, this being our civic responsibility to help our children in Pennsylvania to reach their promise.

I ask for unanimous adoption of 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 ARGALL, PILEGGI, BROWNE, ALLOWAY, GREENLEAF, FONTANA, DINNIMAN, RAFFERTY, M. WHITE, PICCOLA, ORIE, PIPPY, KASUNIC, BOSCOLA, BAKER, SCHWANK, YUDICHAK, ERICKSON, FERLO, EARLL, WASHINGTON, SOLOBAY, TARTAGLIONE, WARD, COSTA, STACK and FARNESE, by unanimous consent, offered **Senate Resolution No. 207**, entitled:

A Resolution designating October 20, 2011, as "Lights on Afterschool! Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ARGALL. Mr. President, many of us are fortunate to be served by some very quality afterschool programs which make our communities even stronger by involving parents, business leaders, and especially our students and adult volunteers. This resolution would seek to note that "Lights on Afterschool!" is a national celebration of afterschool programs and promotes the critical importance of quality afterschool programs in the lives of our children, their families, and their communities.

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 FONTANA, ALLOWAY, BROWNE, DINNIMAN, EARLL, ERICKSON, GREENLEAF, KASUNIC, ORIE, RAFFERTY, SOLOBAY, STACK, WASHINGTON, BAKER, COSTA, PILEGGI, SCHWANK, TARTAGLIONE, YAW, ROBBINS, HUGHES, PIPPY, D. WHITE, FERLO and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 208**, entitled:

A Resolution designating the month of October 2011 as "REALTORS Reach Out Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, this resolution recognizes the month of October as "REALTORS Reach Out Month" and acknowledges all of those individuals who take time out of their busy schedules to make a positive impact in the lives of others by volunteering.

During the month of October, realtor organizations across the State are, once again, participating in REALTORS Reach Out. The campaign began in 2008 and is designed to showcase realtor involvement in the community. Over the last 3 years, thousands of realtors have coordinated dozens of events in their communities by offering their support and assistance to charitable causes. Even though realtors have taken the extra step to organize and participate in REALTORS Reach Out, we wish that others would imitate their actions in their own communities. As we celebrate REALTORS Reach Out Month and thank those realtors who give of themselves and their time, let it also be an opportunity to call upon others to open themselves up to new experiences through volunteerism.

Mr. President, as a realtor myself, I am very proud to stand here and offer this resolution, and recognize the positive ways in which realtors are invested in their communities. 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 WASHINGTON, BREWSTER, COSTA, DINNIMAN, FERLO, FONTANA, KITCHEN, SOLOBAY, WARD, BROWNE, PILEGGI, BOSCOLA, RAFFERTY, SCHWANK and ALLOWAY, YUDICHAK, PIPPY, BRUBAKER, HUGHES and EARLL, by unanimous consent, offered **Senate Resolution No. 209**, entitled:

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

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

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 Hank Abell by Senator Alloway.

Congratulations of the Senate were extended to American Hose Company No. 2 of Mahanoy Plane and to Mountaineer Hose Company No. 1 of Minersville by Senator Argall.

Congratulations of the Senate were extended to Ryan Leckey by Senator Blake.

Congratulations of the Senate were extended to the Honorable Ronald E. Vican by Senators Blake and Boscola.

Congratulations of the Senate were extended to the Sacred Heart of Jesus Roman Catholic Church of Bethlehem by Senator Boscola.

Congratulations of the Senate were extended to Diane A. Wiersch by Senator Browne.

Congratulations of the Senate were extended to Matthew R. Sorrentino by Senator Browne and others.

Congratulations of the Senate were extended to Susan Connolly Eckert by Senators Brubaker, Smucker, and Folmer.

Congratulations of the Senate were extended to Glenn E. Keller by Senator Corman.

Congratulations of the Senate were extended to Eva Schloss by Senator Costa.

Congratulations of the Senate were extended to the Kurt Kondrich, Carlow University and to the Pittsburgh Pirates Baseball Organization by Senator Costa and others.

Congratulations of the Senate were extended to Kimberly Wodzanowski, Charlotte Triebel, Catherine Silvernail, Anthony James Morgan, Christine DiPierro, Margaret Zelin, Emily Kraeck and to Emily Nowalinski by Senator McIlhinney.

Congratulations of the Senate were extended to Emmaus Ambulance Corps, North Montco Technical Career Center of Lansdale and to the Frederick Mennonite Community by Senator Mensch.

Congratulations of the Senate were extended to Matthew Edward Dieffenbach by Senator Piccola.

Congratulations of the Senate were extended to Lutheran Social Services of South Central Pennsylvania by Senator Piccola and others.

Congratulations of the Senate were extended to Mr. and Mrs. Emile Molle and to Sammy Vasquez by Senator Solobay.

Congratulations of the Senate were extended to Alex J. Van Pelt by Senator Waugh.

Congratulations of the Senate were extended to Evelyn H. Borger and to the citizens of the Borough of Export by Senator D. White.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Eck, Mr. and Mrs. Leonard L. Alansky and to the Sullivan County Conservation District by Senator Yaw.

Congratulations of the Senate were extended to Anthony Perrone by Senator Yudichak.

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 Jessie L. Vassor, Jr., by Senator Hughes.

Condolences of the Senate were extended to the family of the late Raymond L. Howard, Jr., and to the family of the late Beverly A. Carr-Bryan by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Francis C. George by Senator Wozniak.

BILL ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bill was as follows:

SB 1237.

And said bill 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

MONDAY, OCTOBER 17, 2011

12:30 P.M.	APPROPRIATIONS (to consider Senate Bills No. 595, 747 and 1095; and House Bills No. 278, 279, 284, 288, 289, 290 and 291)	Room 461 Main Capitol
Off the Floor	FINANCE (to consider Senate Bill No. 1237)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1151; and certain executive nominations)	Rules Cmte. Conf. Rm.

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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10:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 86, 390, 539, 799, 954, 1147, 1179 and 1184; and House Bills No. 170, 563, 864, 869, 1203 and 1458)	Room 8E-B East Wing
Off the Floor	EDUCATION (to consider the nomination of Michael A.P.G. Magnotto to the State Charter School Appeal Board)	Rules Cmte. Conf. Rm.
Off the Floor	LABOR AND INDUSTRY (to consider Senate Bills No. 338, 1069 and 1099)	Rules Cmte. Conf. Rm.
<u>WEDNESDAY, OCTOBER 19, 2011</u>		
9:00 A.M.	PUBLIC HEALTH AND WELFARE (follow-up public hearing on the past payment practices of the Office of Developmental Programs)	Maj. Caucus Room 156
9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on the Commonwealth's Justice Network, JNET)	Room 8E-A East Wing
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) CANCELLED	Hrg. Rm. 1 North Off.
<u>THURSDAY, OCTOBER 20, 2011</u>		
9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT and LOCAL GOVERNMENT (joint hearing with the House Local Government and House Urban Affairs Committees for an overview of Act 47 of 1987 and to begin discussion regarding possible enhancements to Act 47 and to discuss the challenges municipalities are facing as they relate to Act 47)	Room 140 House Maj. Caucus Rm.
<u>TUESDAY, OCTOBER 25, 2011</u>		
9:00 A.M.	MAJORITY POLICY COMMITTEE (public hearing on the uninsured and healthcare clinics)	Senate Maj. Caucus Rm.
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
<u>WEDNESDAY, OCTOBER 26, 2011</u>		
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.
<u>TUESDAY, NOVEMBER 1, 2011</u>		
9:00 A.M.	EDUCATION (public hearing on Special Education Funding and Accountability)	Hrg. Rm. 1 North Off.
9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on eHealth Collaborative)	Room 8E-A East Wing

TUESDAY, NOVEMBER 15, 2011

10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY and CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (joint public hearing on Act 183)	Hrg. Rm. 1 North Off.
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THURSDAY, NOVEMBER 17, 2011

9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT and LOCAL GOVERNMENT (joint hearing with the House Local Government and House Urban Affairs Committees to continue discussion on Act 47 and the impact on local government, businesses, communities and labor)	Room 140 House Maj. Caucus Rm.
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WEDNESDAY, DECEMBER 7, 2011

9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing to review the OIT Strategic Plan)	Room 8E-A East Wing
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**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 PENNSYLVANIA
COUNCIL ON AGING**

October 17, 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, Dene Liott, 11 Reynolds Avenue, Pottstown 19464, Montgomery County, Forty-fourth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2014, and until her successor is appointed and qualified, vice John F. Vogel, Reading, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING**

October 17, 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, Jen Martchek, 2630 Lansdale Drive, Wexford 15090, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2014, and until her successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING**

October 17, 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, Stuart A. Wesbury, Jr., 950 Willow Valley Lakes Drive, H-312, Willow Street 17584, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2014, and until his successor is appointed and qualified, vice Robert K. Wargo, Huntingdon, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE ARCHITECTS
LICENSURE BOARD**

October 17, 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, Darryl R. Hamm (Public Member), 7023 Kendale Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve until April 12, 2014, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Troy M. Cassel, Philadelphia, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

October 17, 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 T. Hawley, O.D., 3512 Margo Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, October 18, 2011, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:50 p.m., Eastern Daylight Saving Time.