

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, FEBRUARY 6, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 8

SENATE

MONDAY, February 6, 2012

The Senate met at 1 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend PHILLIP ZOOK, Pastor of Apostolic Faith Church, Chambersburg, offered the following prayer:

Let us pray.

Our merciful God, we come to You in this time-honored tradition. We come not just in simple, reverent formality but soberly and in the fear of the Lord. We are thankful for the blessings You have bestowed upon us as a nation. We are thankful for the blessings of liberty and the foundation of truth upon which we have been established as a people. As we honor Your presence in this moment, we ask for the blessings upon each Senator, upon the leadership of the Senate. I pray You bless them personally, bless them professionally, knowing, Lord, that beyond our wisdom and ability, there is a power at work on our behalf for the good of Pennsylvania. Let the power of the Holy Ghost come into this Assembly, and let Your divine providence be felt by all who are gathered in this sacred hall. We take authority over every principality and over every spirit of the enemy that seeks to destroy the souls of the people of our Commonwealth, and pray that the power of God would prevail. Let every stronghold be broken, and let freedom ring. With thanksgiving, we humbly ask this in the name of the Lord Jesus Christ, for thine is the kingdom and the power and the glory, forever. Amen.

The PRESIDENT. The Chair thanks Reverend Zook, who is the guest today of Senator Alloway.

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:

SMALL BUSINESS ADVOCATE

January 26, 2012

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 the Small Business Advocate, to serve until his successor is appointed and qualified, vice William R. Lloyd, Jr., Somerset, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

January 30, 2012

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, Marla L. Moon, O.D., F.A.A.O., 905 Walnut Spring Lane, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Optometry, 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

JUDGE, PHILADELPHIA MUNICIPAL COURT

February 2, 2012

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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Lydia Y. Kirkland, Philadelphia, resigned.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

February 3, 2012

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Robert D. Winegardner, 254 Orchid Court, New Holland 17557, Lancaster County, Thirty-sixth 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 Rommel L. Rivera, Media, resigned.

TOM CORBETT
Governor

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

February 3, 2012

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, Larry C. Skinner, 5608 Wynnefield Avenue, Philadelphia 19131, Philadelphia County, Seventh 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 Gary N. Horton, Erie, whose term expired.

TOM CORBETT
Governor

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

February 3, 2012

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 I. Wells, 6820 Mower Street, Philadelphia 19119, Philadelphia County, Fourth 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 COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

February 3, 2012

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, Donald E. Houser, Jr., 508 David Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven 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 Thomas M. Sweitzer, Swarthmore, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 6, 2012

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, Alice A. Zemba, 84 Trolley Street, PO Box 29, Black Lick 15716, Indiana County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

TOM CORBETT
Governor

RECALL COMMUNICATIONS
REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

February 1, 2012

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 November 9, 2011, for the appointment of Jeffrey Fremont, Ph.D., 1264 Wyoming Avenue, Forty-Fort 18704, Luzerne County, Twentieth Senatorial District, 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, vice Patricia Bricklin, Wayne, deceased.

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 NURSING

February 3, 2012

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 October 19, 2011, for the appointment of Bryan Troop (Public Member), 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the State Board of Nursing, to serve until May 8, 2013, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Rafaela Colon, 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
SECURITIES COMMISSION

February 3, 2012

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 for November 14, 2011, for the appointment of J. Paul McMillen, 300 Black Latch Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Steven D. Irwin, Harrisburg, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 6, 2012

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 October 20, 2011, for the appointment of Alice A. Zemba, 84 Trolley Street, PO Box 29, Black Lick 15716, Indiana County, Forty-first Senatorial District, as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

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

TOM CORBETT
Governor

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

February 1, 2012

HB 19, 21, 774, 1439, 1440, 1442 and 1857 -- Committee on Local Government.

HB 193 -- Committee on Environmental Resources and Energy.

HB 601, 1156, 1159 and 1453 -- Committee on Judiciary.

HB 1398 -- Committee on Game and Fisheries.

HB 1847 -- Committee on Transportation.

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:

January 31, 2012

Senators SCHWANK, FONTANA, BAKER, YUDICHAK, BREWSTER, FARNESE, SOLOBAY, GREENLEAF, LEACH, BOSCOLA, WILLIAMS, COSTA, HUGHES and STACK presented to the Chair **SB 1374**, entitled:

An Act amending the act of November 29, 2004 (P.L.1383, No.180), known as the Uniform Crime Reporting Act, further providing for crime statistics and security policies and procedures; and providing for Pennsylvania safe campuses.

Which was committed to the Committee on JUDICIARY, January 31, 2012.

Senators BLAKE, SOLOBAY, ORIE, FONTANA, WAUGH, BREWSTER, RAFFERTY and BOSCOLA presented to the Chair **SB 1384**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for establishment.

Which was committed to the Committee on JUDICIARY, January 31, 2012.

Senators ALLOWAY, SOLOBAY, FONTANA, MENSCH, RAFFERTY, YUDICHAK, PIPPY, EICHELBERGER, KASUNIC, BOSCOLA, BRUBAKER, WOZNIAK, BAKER and BLAKE presented to the Chair **SB 1402**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the definition of "fishing," for organization of commission, for deputy waterways conservation officers, for volunteer program, and for collection fee for uncollectible checks; providing for damage to property; further providing for control of property, for powers and duties of waterways conservation officers and deputies and for enforcement of other laws; providing for unlawful use of computer and for liability for conduct of another and for complicity; further providing for suspension of privileges pending payment of penalties, for misuse of property and waters, for littering, for possession and display of licenses, for lost fishing licenses, for institutional licenses, for exemptions from license requirements, for eel chute licenses, for net permits, for boat and net licenses for boundary lakes, for penalties, for fees, for boating education, for fees, for general boating regulations, for chemical testing to determine amount of alcohol or controlled substance, for issuing agents, for period of registration and for fees; providing for unauthorized operation of boats, for permitting violations and for duties of operators involved in boating accidents; and making editorial changes.

Which was committed to the Committee on GAME AND FISHERIES, January 31, 2012.

Senators STACK, VOGEL, FONTANA, FARNESE, SOLOBAY, GREENLEAF, D. WHITE, RAFFERTY, WAUGH, COSTA, WASHINGTON and BOSCOLA presented to the Chair **SB 1405**, entitled:

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

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 31, 2012.

Senators FOLMER, PICCOLA, DINNIMAN, TOMLINSON, ERICKSON, McILHINNEY, BAKER, RAFFERTY, ORIE, GREENLEAF, EARLL, PIPPY, VANCE, YUDICHAK, LEACH, ALLOWAY, ARGALL, PILEGGI, YAW, BROWNE, TARTAGLIONE, BOSCOLA and STACK presented to the Chair **SB 1406**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in private colleges, universities and seminaries, further providing for certification of institutions.

Which was committed to the Committee on EDUCATION, January 31, 2012.

February 1, 2012

Senators BROWNE, SOLOBAY, FONTANA, GREENLEAF, EICHELBERGER, RAFFERTY, BAKER, MENSCH and YUDICHAK presented to the Chair **SB 1393**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of commission.

Which was committed to the Committee on LAW AND JUSTICE, February 1, 2012.

Senators BRUBAKER, RAFFERTY, FONTANA, WAUGH and FERLO presented to the Chair **SB 1407**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for sale of certain fish, reptiles and amphibians prohibited.

Which was committed to the Committee on GAME AND FISHERIES, February 1, 2012.

February 2, 2012

Senators YUDICHAK, FONTANA, ERICKSON, FARNESE, SOLOBAY, SCHWANK, WASHINGTON, KASUNIC, HUGHES, KITCHEN, FERLO, COSTA and STACK presented to the Chair **SB 1404**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for funding.

Which was committed to the Committee on FINANCE, February 2, 2012.

Senators VANCE, RAFFERTY, VOGEL, ALLOWAY, COSTA, GORDNER, SOLOBAY, WAUGH, BOSCOLA, FARNESE, M. WHITE, MENSCH and BAKER presented to the Chair **SB 1408**, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss.

Which was committed to the Committee on FINANCE, February 2, 2012.

Senators ORIE, WARD, BOSCOLA, EARLL, WAUGH and M. WHITE presented to the Chair **SB 1409**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for nondiscrimination by payers in health care benefit plans.

Which was committed to the Committee on BANKING AND INSURANCE, February 2, 2012.

Senators FERLO, COSTA, FONTANA, SOLOBAY and FARNESE presented to the Chair **SB 1410**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, reenacting and amending provisions relating to school boards and educational empowerment.

Which was committed to the Committee on EDUCATION, February 2, 2012.

February 3, 2012

Senators HUGHES, YUDICHAK, FONTANA, ERICKSON, FARNESE, SOLOBAY, SCHWANK, WASHINGTON, FERLO and COSTA presented to the Chair **SB 1401**, entitled:

An Act amending the act of July 9, 2008 (P.L.908, No.63), known as the H2O PA Act, further providing for fund distribution and for Commonwealth Financing Authority; establishing a flood control and prevention loan program; providing for prohibited activities; further providing for annual reports; and making related repeals.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 3, 2012.

Senators RAFFERTY, WILLIAMS and WOZNIAK presented to the Chair **SB 1411**, entitled:

An Act amending the act of June 12, 1931 (P.L.575, No.200), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," providing for gubernatorial veto.

Which was committed to the Committee on TRANSPORTATION, February 3, 2012.

Senators GREENLEAF, RAFFERTY, WAUGH, EICHELBERGER, BAKER, FERLO, COSTA, BRUBAKER, BROWNE, MENSCH, BOSCOLA, HUGHES and STACK presented to the Chair **SB 1412**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for arrest for violation of order.

Which was committed to the Committee on JUDICIARY, February 3, 2012.

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:

January 31, 2012

Senators WOZNIAK, VOGEL, ORIE, FONTANA, ERICKSON, PIPPY, D. WHITE, WAUGH, SCHWANK, YUDICHAK, ROBBINS, KASUNIC, SOLOBAY, EICHELBERGER, BRUBAKER, M. WHITE, BOSCOLA and MENSCH presented to the Chair **SR 246**, entitled:

A Concurrent Resolution memorializing Congress to re-evaluate the enhanced emission inspection program as required by the Federal Clean Air Act Amendments of 1990.

Which was committed to the Committee on TRANSPORTATION, January 31, 2012.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Robert B. Mensch as a member of the Children's Trust Fund Board.

Mr. Blaine A. Puller as a member of the Conservation and Natural Resources Advisory Council.

Mr. Russell P. Whelpley as a member of the Operational Committee for the Pennsylvania Community Development Bank.

GENERAL COMMUNICATION

2010-11 ANNUAL REPORT OF THE PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

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

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Protection
Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063

January 12, 2012

Mark R. Corrigan
Secretary of the Senate
Senate Box 203053
Harrisburg, PA 17120-3053

Dear Mr. Corrigan:

On behalf of the Board of Directors, I have enclosed the 2010-11 Annual Report of the Pennsylvania Energy Development Authority. This report is required by Section 5 of the Pennsylvania Energy Development Authority and Emergency Powers Act, Act of December 14, 1982, P.L. 1213, No. 280, as amended, §§ 71 P.S. 720.1 *et seq.* We are pleased at the success of our eighth solicitation, which led to \$17.6 million in grant awards for 35 clean, alternative energy projects. These projects, which are located all around the Commonwealth, involve some of the most promising alternative energy technologies, including wind, solar, biomass, energy efficiency, biofuels and fuel cells. We look forward to working with you in the coming years to bring more clean energy projects and energy manufacturing jobs to Pennsylvania and to increasing jobs and investment in this important, fast-growing sector of our economy.

If you should have any questions, please do not hesitate to contact Tom Santanna, Director of Legislative Affairs, by e-mail at tsantanna@pa.gov or phone at 717.783.8303.

Sincerely,

MICHAEL L. KRANCER
Secretary

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

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 Ward, and a legislative leave for Senator Tomlinson.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Hughes and Senator Leach.

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

Senator Costa requests temporary Capitol leaves for Senator Hughes and Senator Leach.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, February 6, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 5, 2012, 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 Senate recesses the week of March 5, 2012, it reconvene on Monday, March 12, 2012, 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 House of Representatives recesses this week, it reconvene on Monday, February 13, 2012, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses the week of February 13, it reconvene on Monday, March 12, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

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.

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

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

Senator MENSCH. Mr. President, it is my pleasure today to welcome two interns from my office. First, I would like to introduce Joseph Gatta, who hails from Philadelphia. His parents are Joseph and Lisa Gatta. He graduated from Saint Joseph's Preparatory School in 2007, and graduated from the University of Scranton in 2011, with a degree in history. He has participated in various sports throughout his youth, most notably soccer. He is an avid Phillies fan. Parenthetically, hurray. He interned with the Borough of Archbald in Lackawanna County after graduating, and now he is returning to Philadelphia to help both of his parents with their businesses. He is also interning here in Harrisburg for me when he is not too busy working for his parents' businesses. While here in Harrisburg, he looks forward to gaining an additional understanding of State government and the processes behind the creation of legislation.

I would also like to introduce Michael Bischof, who is from Bethlehem, Pennsylvania. He graduated with honors from Catasauqua High School, where he participated in sports such as wrestling, track and field, and soccer. He started his college career at Lehigh County Community College, where he worked with student government and was a senator. He then transferred to Penn State and will be graduating on May 5 of this year. He has worked with the Chamber of Commerce, as well as the commerce organization at his college. He is presently becoming a member of Penn State's Business Society, and he works in my Emmaus office in the 24th Senatorial District.

Mr. President, I would like to give a very warm Senate welcome to both Joe Gatta and Michael Bischof.

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

(Applause.)

GUEST OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, it is my privilege to introduce one of my constituents, Kevin Mann, a student at West Chester University who is now engaged in an internship here in Harrisburg with the State System of Higher Education through West Chester University. His focus, Mr. President, is going to be on education and education policy. He is a resident of West

Whiteland Township, and his dad is the chief information officer and dispatcher for the West Chester police chief.

I thank you, Mr. President, for meeting with my intern and giving him greetings in your office. You are always most cordial on that, Mr. President, and I appreciate it. So I ask that we give a warm Senate greeting to Kevin Mann as he starts his tour here in Harrisburg. Thank you.

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

(Applause.)

GUESTS OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE

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

Senator RAFFERTY. Mr. President, I have the pleasure this afternoon to share with the Senate two individuals who are heavily involved in local government and local politics in Upper Pottsgrove Township, a township of the first class in Montgomery County. Both Dennis Elliott and Herb Miller are at the forefront for open space and land preservation in Upper Pottsgrove, and also advocate for the same all throughout Montgomery County. They are here to visit the Senate and to share their opportunities and experiences with the township commissioners, who are in town for their annual meeting.

Mr. President, both Dennis and Herb are very committed to their township in advancing Upper Pottsgrove in Montgomery County. It is my pleasure to be able to introduce to the Senate of Pennsylvania Mr. Dennis Elliot and Mr. Herb Miller. Herb is a commissioner in Upper Pottsgrove Township, and a very close personal friend of Senator Erickson. So I take this opportunity to ask the Senate to give them its usual warm welcome.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Rafferty 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 Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting, Senate Democrats will meet 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 Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVE CANCELLED

The **PRESIDENT pro tempore.** Senator Tomlinson has returned, and his legislative leave is cancelled.

LEGISLATIVE LEAVES

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

Senator **PILEGGI.** Mr. President, I request temporary Capitol leaves for Senator Piccola and Senator Browne.

The **PRESIDENT pro tempore.** Senator Pileggi requests temporary Capitol leaves for Senator Piccola and Senator Browne. Without objection, the leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

BILL WHICH HOUSE HAS NONCONCURRED IN SENATE AMENDMENTS

SENATE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE HOUSE TO HB 1950

HB 1950 (Pr. No. 2837) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, consolidating the Oil and Gas Act with modifications and additions relating to definitions, well permits, well location restrictions, protection of water supplies, well reporting requirements, bonding, enforcement orders, penalties, civil penalties and local ordinances; providing for containment, for transportation regulations, for emergency response information, for notification to public drinking water systems, for corrosion control requirements, for gathering lines and for model ordinance; providing for local ordinances relating to oil and gas operations; and making a related repeal.

Senator **PILEGGI.** Mr. President, I move the Senate do insist upon its amendments nonconcurrent in by the House to House Bill No. 1950, and that a Committee of Conference on the part of the Senate be appointed.

The **PRESIDENT pro tempore.** Senator Pileggi moves that the Senate do insist on its amendments nonconcurrent in by the House of Representatives to House Bill No. 1950, and that the President pro tempore be authorized to appoint a Committee of Conference.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.
Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 117 (Pr. No. 1908) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of carrying a false identification card.

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

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-1

Ferlo

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1147 (Pr. No. 1912) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, further providing for annual hauling permits; and, in size, weight and load, further providing for conditions and security and for permit for movement during course of manufacture and providing for egg movement permits.

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 1301, SB 1302 and HB 1702 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 98, HB 149 and SB 968 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1049 (Pr. No. 1717) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in fishing licenses, further providing for form and expiration of licenses; providing for license and permit packaging options; and further providing for expiration of licenses and permits.

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

BILL OVER IN ORDER

HB 1091 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND LAID ON THE TABLE

SB 1092 (Pr. No. 1270) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in powers of attorney, further providing for general provisions, for form of power of attorney and for liability.

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 laid on the table.

BILLS OVER IN ORDER

SB 1141, SB 1254, SB 1372, SB 1382, HB 1827 and HB 1886 -- Without objection, the bills were passed over in their 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 STATE BOARD OF NURSING

February 3, 2012

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 October 19, 2011, for the appointment of Bryan Troop (Public Member), 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the State Board of Nursing, to serve until May 8, 2013, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Rafaela Colon, Philadelphia, 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 PSYCHOLOGY

February 1, 2012

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 November 9, 2011, for the appointment of Jeffrey Fremont, Ph.D., 1264 Wyoming Avenue, Forty-Fort 18704, Luzerne County, Twentieth Senatorial District, 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, vice Patricia Bricklin, Wayne, deceased.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
SECURITIES COMMISSION

February 3, 2012

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 for November 14, 2011, for the appointment of J. Paul McMillen, 300 Black Latch Lane, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, as a member of the Pennsylvania Securities Commission, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Steven D. Irwin, Harrisburg, 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 pro tempore. 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 STATE BOARD
OF BARBER EXAMINERS

November 16, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John C. Christopher, 1690 Wood Road, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice L. Anthony Spossey, Washington, whose term expired.

TOM CORBETT
Governor

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

January 12, 2012

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 J. Mowad, 17 Frosty Hills Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Bloomsburg 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 COUNCIL OF TRUSTEES OF
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 12, 2012

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, Charles E. Schlegel, Jr., 1280 Market Street, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment 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, [data missing], resigned.

TOM CORBETT
Governor

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

January 12, 2012

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, Kenneth E. Stolarick, 108 Pine Ridge Drive, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment 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 2015, and until his successor is appointed and qualified, vice Steven B. Barth, Lewisburg, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

October 20, 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, Charlene R. Shank, 235 Mosshaven Way, Ligonier 15658, Westmoreland County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

TOM CORBETT
Governor

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

November 10, 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, Barbara C. Chaffee, 4045 Colonial Avenue, Erie 16506, Erie County, Forty-ninth 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 her successor is appointed and qualified, vice Sister Catherine M. Manning, Erie, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 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, The Honorable Maureen Lally-Green, 207 Greenbriar Drive, Cranberry Township 16066, Butler County, Forieth *[sic]* Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2017, or until her successor is appointed and qualified, vice Daniel W. Fogarty, Fleetwood, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 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, Larry A. Wittig, 709 Orchard Road, Andreas 18211, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2017, or until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

November 4, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William George Harris, 502 Cherry Lane, Johnstown 15904, Cambria County, Thirty-five *[sic]* Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Bennett Goldstein, Elkins Park, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

November 4, 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, Donald J. Murphy (Public Member), 348 North 24th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

[Data missing] BOARD OF TRUSTEES OF TEMPLE
UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

November 16, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward Rudolph, 1637 Oakwood Drive, Unit 222, Penn Valley 19072, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2015, and until his successor is appointed and qualified, vice Michael Williams, Philadelphia, whose term expired.

TOM CORBETT
Governor

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

December 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, James Minor (Public Member), 970 Mapletown Road, Greensboro 15338, Greene County, Forty-sixth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until May 25, 2014, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John P. Bane, Harrisburg, resigned.

TOM CORBETT
Governor

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

October 25, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William M. Mohler, 1205 Fieldcrest Drive, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for reappointment 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.

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 pro tempore. 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 STATE BOARD
OF BARBER EXAMINERS

November 16, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John C. Christopher, 1690 Wood Road, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice L. Anthony Spossey, Washington, whose term expired.

TOM CORBETT
Governor

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

January 12, 2012

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 J. Mowad, 17 Frosty Hills Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for reappointment as a member of the Council of Trustees of Bloomsburg 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 COUNCIL OF TRUSTEES OF
BLOOMSBURG UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

January 12, 2012

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, Charles E. Schlegel, Jr., 1280 Market Street, Sunbury 17801, Northumberland County, Twenty-seventh Senatorial District, for appointment 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, [data missing], resigned.

TOM CORBETT
Governor

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

January 12, 2012

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, Kenneth E. Stolarick, 108 Pine Ridge Drive, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment 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 2015, and until his successor is appointed and qualified, vice Steven B. Barth, Lewisburg, resigned.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

October 20, 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, Charlene R. Shank, 235 Mosshaven Way, Ligonier 15658, Westmoreland County, Forty-first Senatorial District, for reappointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified.

TOM CORBETT
Governor

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

November 10, 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, Barbara C. Chaffee, 4045 Colonial Avenue, Erie 16506, Erie County, Forty-ninth 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 her successor is appointed and qualified, vice Sister Catherine M. Manning, Erie, resigned.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 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, The Honorable Maureen Lally-Green, 207 Greenbriar Drive, Cranberry Township 16066, Butler County, Forieth [sic] Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2017, or until her successor is appointed and qualified, vice Daniel W. Fogarty, Fleetwood, whose term expired.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF EDUCATION

November 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, Larry A. Wittig, 709 Orchard Road, Andreas 18211, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2017, or until his successor is appointed and qualified.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

November 4, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William George Harris, 502 Cherry Lane, Johnstown 15904, Cambria County, Thirty-five [sic] Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is

appointed and qualified, but not longer than six months beyond that period, vice Bennett Goldstein, Elkins Park, whose term expired.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

November 4, 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, Donald J. Murphy (Public Member), 348 North 24th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT Governor

[Data missing] BOARD OF TRUSTEES OF TEMPLE UNIVERSITY OF THE COMMONWEALTH SYSTEM OF HIGHER EDUCATION

November 16, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward Rudolph, 1637 Oakwood Drive, Unit 222, Penn Valley 19072, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Trustees of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2015, and until his successor is appointed and qualified, vice Michael Williams, Philadelphia, whose term expired.

TOM CORBETT Governor

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

December 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, James Minor (Public Member), 970 Mapletown Road, Greensboro 15338, Greene County, Forty-sixth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve until May 25, 2014, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John P. Bane, Harrisburg, resigned.

TOM CORBETT Governor

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

October 25, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William M. Mohler, 1205 Fieldcrest Drive, Latrobe 15650, Westmoreland County, Thirty-ninth Senatorial District, for reappointment 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.

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-49

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

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.

**UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED**

Senators ERICKSON and PILEGGI, by unanimous consent, offered **Senate Resolution No. 252**, entitled:

A Resolution recognizing March 13, 2012, as "K9 Veterans Awareness Day" 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 Jonathan Shaffer, Preston Charlesworth and to Littlestown Veterinary Hospital by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence Nolt, Mr. and Mrs. Eli Stauffer, Mr. and Mrs. Dale High, Technical Sergeant David A. Pierre, Joe Gable, Cora Rodkey and to Joshua Robert Grasser by Senator Brubaker.

Congratulations of the Senate were extended to Witold J. Walczak by Senator Costa.

Congratulations of the Senate were extended to Colonel Joel Fredric Pannebaker and to Matthew Elijah McCobin by Senator Corman.

Congratulations of the Senate were extended to Edward G. Meakim, Jr., by Senator Dinniman.

Congratulations of the Senate were extended to Jonathan Michael Zentis by Senator Earll.

Congratulations of the Senate were extended to Andrew S. Heise by Senator Eichelberger.

Congratulations of the Senate were extended to Jeffrey Balog, Fred Ottaviani and to Mark Cassoni by Senator Ferlo.

Congratulations of the Senate were extended to Master Sergeant Joseph Lynch, Steven Joseph Burke, Jeffrey Peter Hauck, Joshua M. P. Masich and to Nicholas A. Hornberger by Senator Gordner.

Congratulations of the Senate were extended to the Honorable Edward G. Rendell by Senator Leach.

Congratulations of the Senate were extended to Pennsylvania Black Conference on Higher Education by Senator Piccola.

Congratulations of the Senate were extended to Mary Ann Hill Norris by Senator Pileggi.

Congratulations of the Senate were extended to Matthew R. Handwerk by Senator Rafferty.

Congratulations of the Senate were extended to Daniel William Janczewski by Senator Ward.

Congratulations of the Senate were extended to Anne Marquess Garrott by Senator Williams.

Congratulations of the Senate were extended to Charles Thamarus 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 Brandon L. Little by Senator Alloway.

Condolences of the Senate were extended to the family of the late Dr. Joseph Mattioli by Senator Baker and others.

Condolences of the Senate were extended to the family of the late Helen Grace Barrickman and to the family of the late James Allan Baldo by Senator Orie.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 7, 2012

9:30 A.M.

ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 1324, 1386 and 1398; and House Bill No. 1813)

Rm. 8E-B
East Wing

Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1237; and certain executive nominations)	Rules Cmte. Conf. Rm.	<u>WEDNESDAY, FEBRUARY 22, 2012</u>	
			9:30 A.M.	APPROPRIATIONS (budget hearing - Department of Environmental Protection) Hrg. Rm. 1 North Off.
	<u>WEDNESDAY, FEBRUARY 8, 2012</u>		1:00 P.M.	APPROPRIATIONS (budget hearing - Department of Transportation) Hrg. Rm. 1 North Off.
9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 1261; and House Bill No. 823)	Rm. 461 Main Capitol	3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Banking) Hrg. Rm. 1 North Off.
10:00 A.M.	EDUCATION (public hearing on Senate Bill No. 1381)	Hrg. Rm. 1 North Off.	<u>THURSDAY, FEBRUARY 23, 2012</u>	
	<u>MONDAY, FEBRUARY 13, 2012</u>		9:30 A.M.	APPROPRIATIONS (budget hearing - SERS/PSERS) Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (budget hearing - Governor's Budget Office/Executive Offices/Office of the Governor)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (budget hearing - Judiciary) Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (budget hearing - Independent Fiscal Office -- Economic Outlook and Revenue Overview)	Hrg. Rm. 1 North Off.	CANCELLED	
3:00 P.M.	APPROPRIATIONS (budget hearing - Treasury Department)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (budget hearing - Department of Labor & Industry) Hrg. Rm. 1 North Off.
	<u>TUESDAY, FEBRUARY 14, 2012</u>		<u>MONDAY, FEBRUARY 27, 2012</u>	
9:30 A.M.	APPROPRIATIONS (budget hearing - Department of General Services)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (budget hearing - Department of Education) Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (budget hearing - Public Utility Commission)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (budget hearing - Department of Corrections/Office of Probation and Parole) Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Insurance)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Community & Economic Development/PA Housing Finance Agency) Hrg. Rm. 1 North Off.
	<u>WEDNESDAY, FEBRUARY 15, 2012</u>		<u>TUESDAY, FEBRUARY 28, 2012</u>	
9:30 A.M.	APPROPRIATIONS (budget hearing - Office of the Auditor General)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (budget hearing - Department of Public Welfare) Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (budget hearing - Office of Attorney General)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (budget hearing - Department of Agriculture) Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Military & Veterans Affairs)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (budget hearing - Gaming Control Board) Hrg. Rm. 1 North Off.
	<u>THURSDAY, FEBRUARY 16, 2012</u>		<u>WEDNESDAY, FEBRUARY 29, 2012</u>	
9:30 A.M.	APPROPRIATIONS (budget hearing - Liquor Control Board)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (budget hearing - PEMA) Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (budget hearing - State Police/Homeland Security)	Hrg. Rm. 1 North Off.	11:00 A.M.	APPROPRIATIONS (budget hearing - Department of State) Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Conservation & Natural Resources)	Hrg. Rm. 1 North Off.	<u>TUESDAY, MARCH 13, 2012</u>	
	<u>TUESDAY, FEBRUARY 21, 2012</u>		10:00 A.M.	JUDICIARY (public hearing to receive testimony on possible changes to the Wiretapping and Electronic Surveillance Control Act) Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (budget hearing - Department of Revenue)	Hrg. Rm. 1 North Off.	<u>FRIDAY, MARCH 30, 2012</u>	
1:00 P.M.	APPROPRIATIONS (budget hearing - Department of Health)	Hrg. Rm. 1 North Off.	10:00 A.M.	JUDICIARY (public hearing to receive testimony on Senate Bill No. 1153 the Post Conviction Relief Act amendments) Phila. Bar Assn. 1101 Market St. 11th Floor Conf. Ctr. Phila., PA
3:00 P.M.	APPROPRIATIONS (budget hearing - Department of Aging)	Hrg. Rm. 1 North Off.		

PETITIONS AND REMONSTRANCES

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

Senator BAKER. Mr. President, it is a privilege for me to offer some remarks in tribute to the late Dr. Joseph Mattioli of Pocono Raceway. There are many legendary names in NASCAR - Petty, Allison, Earnhardt, and France - but we will never forget our own Pocono legend, 'Doc' Joseph Mattioli. He was a pioneer, a visionary, and an exceptionally community-minded individual.

Before Doc took his final lap around the tricky triangle of Pocono, the words of Frank Sinatra rang out in St. Peter the Fisherman Church in Lake Harmony, "I did it my way." Yes, Doc Mattioli certainly did it his way, and his way built Pocono Raceway from the fields of a spinach patch to a premier world-class facility. When successful family-owned businesses are a rarity, Pocono remains the only family-owned and operated track on the Sprint Cup series. Doc had a big heart, a big voice, and a powerful presence. He was a hard-nosed businessman and respected for his countless acts of quiet generosity throughout the Poconos, the Commonwealth, and our nation. Together with his wife, Dr. Rose, he built a life rooted in family, faith, and community. Their 63 years of marriage were based on a solid foundation of love, friendship, and mutual respect. His adoration for Dr. Rose was always evident, and their hands were linked as one.

They passed on their values of hard work, commitment, and excellence to their children, daughters Looie and Michele, and son, Joseph III; to their grandchildren, Brandon, Nicholas, Ashley, Chase, Joseph IV, Michael, and Elizabeth; and to his great-grandchildren, Madison, Mackenzie, and Payton.

The dedicated staff and longtime employees of Pocono Raceway were also integral to his success and part of his family. I was very proud to call Dr. Joe my friend. My family and I knew him to be a man of character, conviction, and contribution. A NASCAR Web site in tribute to Doc Mattioli quoted Ernest Hemingway, who said, quote, "Every man's life ends the same way. It is only the details of how he lived and how he died that distinguish one man from another." Doc Mattioli did it his way, and he died loved, respected, and admired.

Please join me in a moment of silence for the late Dr. Joseph Mattioli of Pocono Raceway.

The PRESIDENT pro tempore. Would the Members please rise for a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of DR. JOSEPH MATTIOLI.)

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

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

Senator ARGALL. Mr. President, following up on Senator Baker's kind words, I really think that if we were to do some kind of an in-depth study on the best known, most well-liked individuals in the district that I am privileged to represent, from Pine Grove to the racetrack that she spoke of, Dr. Mattioli's name would be right at the top. Northeastern Pennsylvania is a much different and better place because of the life and work of Dr. Joe Mattioli.

According to some of the textbooks that I have used over the years, there are two kinds of leaders - transactional and

transformational. Transactional would be the more common kind of leader, this-for-that, very slow, very incremental, but transformational are those leaders who see a problem, and within a small amount of time, literally change everything for the better. Dr. Mattioli has brought a very, very positive change to north-eastern Pennsylvania, and he will certainly be missed.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, in case it was lost on the general public, earlier today there was a little bit of mention about some notion of a conference committee. I just want to be clear to all those listening that this conference committee will meet late at night, presumably. This has to do with the passage of the so-called Marcellus Shale legislation. I will not continue the debate and dialogue today. Unfortunately, it is not permissible tomorrow, when this bill comes back from the conference committee, for any opportunity to have any lengthy debate, discussion, or even, more importantly, any amendments.

So I would like to alert my constituents that this bill will be moving on the fast track. Once again, I think we violated our responsibilities, not only in terms of open records, but open dialogue and the ability of the public to weigh in in a timely fashion, to have a conference committee to meet late at night this evening. I want to thank our colleague from our side of the aisle, who will probably spend quite a few hours this evening reworking this bill. The fact of the matter is, it is being done in haste, and it is being done totally violative of substantial amendments that we have offered involving further protections of our environment, our water, our air, and our communities. It is being done without the proper safeguards of environmental protections, it is being done with a laughable amount of revenue that is projected, and this assumes that any revenue will even be collected, given the fact that it is going to be relegated down to the auspices of the elected county commissioners, and I think it is totally outrageous that we do not have a Department of Revenue which is responsible for the collection of fees and taxation. Somehow, this is going to be some decision made at the local level by county commissioners. It just does not make any sense to me at all.

The fact that this industry bill has been waylaid to protect the interests of the Marcellus Shale--all of a sudden, safeguards that we would presume to have with various State departments will be shifted over to the Public Utility Commission, even ostensibly major considerations involving local zoning powers under the State Planning Act. It is outrageous. It is an affront of our constitutional provisions, our Declaration of Rights. It is an affront and violative of local elected officials who have been elected to serve and make decisions about local zoning and land use policy.

I guess what I am most upset about is that none of the three considerations and three key principle issues that we have raised on this side of the aisle - environmental protections, the fee, and how much money is going to be raised, as well as local zoning, have been corrected. In fact, this bill is actually worse than what we had a week ago, and it was clear that you guys and gals on the other side of the aisle have the votes. We were not able to offer any amendments that were approved, and now you are going to meet in the middle of the night, behind closed doors, and tomorrow morning when this bill comes back, there will be no ability for those of us in the Chamber, primarily on this side of the aisle, to offer any constructive amendments, and more impor-

tantly, a bill that would run roughshod--all because our illustrious Governor wants to be able to have something to show for his Budget Address tomorrow in the Chamber opposite. It is outrageous. The process is not fair, the process is outrageous, and the process runs roughshod over the needs, views, and concerns of constituents across our Commonwealth.

I just wanted to state for the record, I hope our community leaders, locally elected leaders, constituents, many of whom, probably in the thousands, have e-mailed and weighed in last week about what they do not like about this bill. They have all been completely stiff-armed by the Majority Republican Party here in the State, first and foremost by the Governor, the dictator, Mr. Corbett, on how this bill will be handled. I resent it. I think other people resent it. If you think this fight is over with an affirmative passage by the Majority Republican Senators here in the Chamber tomorrow, you have another thing coming. This will be a battle royale that will be continued. I hope and pray that some folks will come to their senses on what we are shoving down people's throats.

We have the ability to engage in a reasonable construction of a new industry over a period of time. There is no evidence that any healthcare or scientific data will be collected. We have a DEP Secretary who is totally up the you-know-what of the industry. It is a joke. It is laughable. We have an industry that is able to dictate to the Department of Environmental Protection. We have a Department of Environmental Protection that does not even know where hundreds of wells exist. We have a Public Utility Commission that everybody knows has nothing to do with the public and everything to do with utilities.

The fact of the matter is, people are going to get something shoved down their throats tomorrow, and I hope they remember that it is Governor Corbett and the Republican Majority in this Senate who are violating people's rights on clean air and water, abusing the environmental safeguards that are protected in our State Constitution, being nonsensical in terms of the amount of money--it is a laughable amount of money, less than 2 percent that the industry will pay--and mostly I resent the fact that it is going to be a corrupting influence. The industry is going to go around the State to the counties like this, throwing dollar bills, and they are going to talk to commissioners, talk to other zoning administrators, and they are going to get what they want. That is the way it is going to be done. For all the purists on the other side who talked about the corrupting industry in terms of gaming and all of the safeguards and protections that it needed, to push this bill down people's throats tomorrow is wrong. Thank you.

I am going to collect my money now, because I worked hard for it.

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, this year's redistricting process proved to be a disgrace and a debacle. If you want proof, just look at the majority opinion issued by the Supreme Court that said, a normal citizen, using her own home computer, was able to draw better legislative boundaries than the Legislative Reapportionment Commission did with all of its experts, support staff, advocates, and legal advisors. One good woman--it usually does take a woman, by the way--but one good woman, one concerned citizen named Amanda Holt, also from the Lehigh Valley, succeeded where the commission failed because she was more interested in being fair and logical than constructing weirdly-

shaped political fiefdoms. She cared about the people. Guided by constitutional dictates and common sense, she drew a map in a sensible way that ignored the many pitfalls that have corrupted the redistricting process for years. Now, Amanda did not have State and congressional incumbents wheeling and dealing in back rooms, carving up communities and regions just to suit a political end. Amanda did not have to worry about drawing squiggly lines to pack more Democrats or Republicans into some incumbent's district. She did not have to contort her maps to district-out potential rivals. To Amanda, looking out for number one was looking out for the ordinary citizen, who deserves the best possible representation in Harrisburg and Washington.

Mr. President, I also want to publicly commend the majority Supreme Court members who largely said, enough is enough. They were tired of the gerrymandering, the game playing, the wheeling and dealing, the jaded reasoning, and blatant disregard for what our Constitution demands. Mr. President, if this sorry chapter in Pennsylvania history proves anything, it proves that the less politicians have to do with drawing these maps, the better off those maps will be. This is why I hope my Senate colleagues on both sides of the aisle are finally poised to get this embarrassing chapter behind us and consider a more equitable, independent, and rational means of redrawing legislative districts.

For nearly a decade, I have promoted a bipartisan resolution that prevents politicians from controlling redistricting. Instead, my bill would allow an independent body of citizens to draw the maps in a more fair and rational way. Mr. President, Senate Bill No. 650 is patterned off a proven system used in Iowa. Under my proposal, the State Legislative and Congressional Reapportionment Bureau would be established and comprised of members who do not hold political or party offices, are not related to those who hold office, or do not work for those who hold office. This structure would help take partisanship and politics out of the redistricting process.

Let me warn you, if we are not prepared to reform this process now, we will be right back here 10 years from now, red-faced over how political insiders with secretive ambitions and axes to grind were able to misuse the process, once again, leaving communities and regions such as the Lehigh Valley needlessly split and mutilated to suit their political ends.

Mr. President, the Supreme Court did do the right thing, and it is time for this body to follow suit, because the people deserve much better.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I rise to talk about several issues, one in particular. I want to commend the Governor for turning around on his position of SNAP, or the food stamp program, and I think that was the right thing to do. Senator Kitchen, from Philadelphia, led many of us on that issue and demonstrated how wrongheaded DPW's plan of a means test, specifically a \$2,000 means test, was. So, I commend the Governor for being flexible on this issue, and I think he should not be afraid to when he is correct. I thought that Mr. Patterson, the Deputy Secretary, mischaracterized the Governor, saying he buckled under special interest pressures. I think he was strong enough of a leader to change his mind when he could see that the facts supported a different position. I would really like him to do this on a number

of other issues, and I intend to see him do that as the next days and weeks pass, and I intend to see it right now, Mr. President.

One of the other areas in which I would like him to change his position is cuts in public education. Once again, we are hearing that tomorrow, there will be even more dramatic cuts to public education across Pennsylvania. What we need to know is the plan in lieu of funding public education. I have been one of these legislators, particularly from Philadelphia, who has stood up against massive amounts of economic aid without accountability. I believe every successful entity has to have strict accountability, and I have fought for accountability in the School District of Philadelphia. But the problem here now with the funding situation, without other progressive action, is that a failing public education system in Philadelphia is looming.

We have seen, from a bipartisan standpoint, much consternation from what has happened in one particular school district, Chester-Upland, which is essentially a public education system that is going under, Mr. President. Now, the legislature is trying to figure out what we are going to do there. Is that just the beginning of what will happen in the public education system here in our Commonwealth? A Governor has to provide a path for us to follow, not just simply say, our path is hands-off, if you cannot survive, you will fail. These are live human beings, these are children, this is our future, and I think to let the schools fail is simply irresponsible.

When you also talk about the hope for our future, our greatest resource here in Pennsylvania for the future, for coming out of tough economic times, is our young people in our education system. Now we are hearing that, once again, higher education is going to be slashed more than 30 percent tomorrow. Combine that with 50 percent a year ago, you are talking about an 80-percent cut in our greatest resource, Mr. President. These are the young people who we hope will compete in the world, and now, already, when they are in crisis, to be able to support themselves and pay for their education, we are going to exacerbate the problem even more by handing this problem to their parents and grandparents who are already struggling and worried about their own jobs here in our State. It is no way to deal with a recession. I think it is irresponsible, I think it is wrongheaded, and as I have said, I want the Governor to change his mind on this issue because, quite frankly, he is wrong on this policy.

Another area, and it is one I have talked, Mr. President, over a year about, and that is the adultBasic program. We continue to see more folks who were thrown off the adultBasic program, a really successful program here in Pennsylvania that provided low-cost health insurance for working folks who are trying to be middle class. Those folks have not, for the most part, found substitute insurance, and the problem that we had over a decade ago with our emergency rooms being overwhelmed by sick people is happening again, Mr. President. So on that issue, I want the Governor to do an about-face, change his mind, and restart either the adultBasic program or some kind of other affordable health insurance program so that we can deal with what is once again becoming a terrible health crisis and insurance availability crisis here in Pennsylvania. That particularly, in light of the fact that the billionaires--as my friend and colleague, Senator Ferlo, pointed out--are skating by here in Pennsylvania with the Marcellus Shale, while middle-class taxpayers and working folks continue to struggle to survive. I just think that is an ill-advised policy, and I want him to change his mind.

So, last but not least, I want to talk about the issue of--and many folks have talked about this--and that is our transportation crisis, Mr. President. Right now, every citizen across this Commonwealth is seeing the effects of our transportation and infrastructure crisis. The transportation system is falling apart right under our tracks. We are home to the nation's third-greatest number of bridges here in the Commonwealth, and we also, Mr. President, have the distinction of the largest percentage of structurally deficient bridges. Do you know what structurally deficient means? It is another way of saying unsafe. In fact, in the City of Brotherly Love, 5.5 million trips are made on Philadelphia's 85 structurally deficient bridges every day.

Public transportation is no better, Mr. President. SEPTA owns and maintains over 300 bridges on the regional rail portion. The average age is in excess of 80 years. Many are 30 years past their life expectancy of 50 years of service. Think about that. Think about that at home, folks. That is dangerous. These bridges were intended to have a shelf life of 50 years, and here we are 80 years later and we have no plans to replace them. It is amazing and scary. So the Governor has yet to share his opinion on the report. I guess some people like that style. I, on my part, think we need answers. We cannot wait any longer. We need action.

With the Governor's Budget Address tomorrow, I am sure we are going to hear a lot about tough economic times and belt tightening. But I want to hear this word, and that word is "investment," real investment in our Commonwealth, because that is what we need right now, investment in our transportation infrastructure. We need investment in our roads, our bridges, and our public transportation. And do you know when we need it, Mr. President? We need it now, before it is too late.

Eight-hundred and sixteen people use SEPTA every day to get to work, school, doctor's appointments, to visit tourist attractions, and more. We want to insure that they are getting to their destination safely. In Philadelphia, we are operating a transit system in the nation's fifth-largest city. I understand we are in tough economic times, we all understand that. But if we invest in our infrastructure, we are investing in our future. In other words, we can steer this ship into smoother waters, we can steer this Commonwealth into promising economic times. For every \$100 we invest in our highways and bridges, \$350 are pumped back into our economy. A \$1 billion investment in infrastructure improvements translates into roughly 30,000 jobs, and I think that is on a more pessimistic estimate. I have heard many experts say 40,000 jobs, and these are jobs with living wages so workers can provide for their families. Imagine putting 30,000 or 40,000 Pennsylvanians to work.

Pennsylvania's Secretary of Transportation, Barry Schoch, has recommended, among other things--and these recommendations have been out there for a while--uncapping the oil company franchise tax over 5 years, capping and/or removing the State Police costs to the General Fund, restructuring Act 44, the legislation that called for the tolling of I-80, creating a funding stream from statewide sales taxes for transit, and increasing car registration and licensing fees by the rate of inflation. All of these or some of these have to be considered as part of a comprehensive transportation funding solution. The key is that we cannot delay the solution any further. The need is real. The need is growing, and if we fail to act, we may have tragic consequences, Mr. President. Governor Corbett has to get on board with us and make transportation funding a priority in his Budget Address. I look forward to

it tomorrow, Mr. President, and if he does not, I think I am going to be back here tomorrow talking about how the Governor needs to change his position.

Thank you, Mr. President.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENT

The Clerk of the House of Representatives returned to the Senate **SB 1237**, with the information the House has passed the same with amendment in which the concurrence of the Senate is requested.

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

HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO HB 1950, AND APPOINTS COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **HB 1950**, and has appointed Messrs. ELLIS, REED, and HANNA as a Committee of Conference to confer with a similar committee of the Senate, if the Senate shall appoint such committee, to consider the differences existing between the two Houses in relation to said bill.

COMMITTEE OF CONFERENCE APPOINTED ON HB 1950

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators SCARNATI, M.J. WHITE, and YUDICHAK as a Committee of Conference on the part of the Senate to confer with a similar committee of the House, already appointed, to consider the differences existing between the two Houses in relation to House Bill No. 1950.

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

RECESS

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

Senator WAUGH. Mr. President, I move that the Senate do now recess to the call of the President pro tempore.

The PRESIDENT. Without objection, the Senate stands in recess to the call of the President pro tempore.

AFTER RECESS

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

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

REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator SCARNATI submitted the Report of the Committee of Conference on **HB 1950**, which was placed on the Calendar.

RECESS

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

Senator M.J. WHITE. Mr. President, I move that the Senate do now recess until Tuesday, February 7, 2012, at 10 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 8:20 p.m., Eastern Standard Time.