

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MARCH 26, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 18

**SENATE**

MONDAY, March 26, 2012

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

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

**PRAYER**

The Chaplain, Reverend TYRONE GILLIAMS, of Saint Peters Church, Chester, offered the following prayer:

Let us pray.

Eternal God, we come at this appointed hour to do the will of the people of this great Commonwealth of Pennsylvania. During this time, we shall clearly honor the created heritage of our people in this melting pot of this established society. We clearly seek You in our moments of discernment so that we may govern as honest men and women. We recognize our powers, as stated in our Constitution, as part of the elected process. We shall not disobey or work against the citizenry of this great Commonwealth in all that we do, but be concerned with the general welfare of all of the governed in a fair and equitable way. We shall not allow the prejudice of race, color, and creed ever again destroy the great working of this Commonwealth and this great democracy. We must stand up at all times for justice and equality for all of God's people, regardless of our advantages at this time. Our popularity shall not be our drumbeat, but in accordance with those who seek to run a fair and equitable government. We plan, O Lord, to trust in the teachings that have been put forth by our forefathers in the establishment of this great Commonwealth. We ask You now to trust and allow us to be the governed of those who shall be governed, in all ways respecting each man, woman, and child throughout the Commonwealth, throughout this great democracy of these United States of America. Amen.

The PRESIDENT. The Chair thanks Reverend Gilliams, who is the guest today of Senator Pileggi.

**PLEDGE OF ALLEGIANCE**

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

The PRESIDENT. Please remain standing for the singing of The Star-Spangled Banner by the Berwick Area High School Modernaires.

(Whereupon, the Nation Anthem was performed by the Berwick Area High School Modernaires.)

(Applause.)

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR JOHN R. GORDNER  
PRESENTED TO THE SENATE**

The PRESIDENT. Without objection, the Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, it is my great, great, great pride and honor to have this tremendous singing group perform on the floor. I want to thank you, Mr. President, and I want to thank Senator Scarnati for allowing this to happen. The Berwick Area High School Modernaires is a select group. Just to tell you how well they have done, last May, they traveled to Virginia Beach and they competed with 40 other choirs in an event called the Festivals of Music. Out of 40 choirs, they were named the best overall choir of those who participated at that event, a tremendous achievement.

They are led by an incredible, enthusiastic director, Mrs. Driscole, who makes it challenging, fun, and entertaining. Among this group is a whole bunch of seniors who are incredibly talented and are heading into the final stretch of their last semester, starting to tear up at events like this. I also want to indicate that I am very proud that my daughter is a senior member of this group as well. She is shy, but I am sure she will stand up and wave at this moment.

(Applause.)

Senator GORDNER. So, once again, the Berwick Area High School Modernaires, the best overall choir. Congratulations, and thanks for a wonderful rendition of the National Anthem.

(Applause.)

**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:

MAJOR GENERAL,  
PENNSYLVANIA AIR NATIONAL GUARD

March 14, 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, Brigadier General Eric G. Weller, 540 Petersburg Road, Carlisle 17015, Cumberland County, Thirty-first Sen-

atorial District, for appointment as Major General, LINE, with assignment as Deputy Commander for Mobilization and Reserve Affairs, United States Special Operations Command, Pennsylvania Air National Guard, to serve until terminated, vice new position.

TOM CORBETT  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

March 15, 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, Bruno Klaus, 100 Gymnastics Way, Stroudsburg 18360, Monroe County, Eighteenth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg 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 Trudi Q. Denlinger, Bethlehem, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

March 15, 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 Gerdes (Public Member), 472 Nursery Drive South, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paul Miller, Glen Mills, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

March 16, 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, Christopher Decker (Public Member), 165 Woodtown Road, Shohola 18458, Pike County, Twentieth 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 Marla Wasson, Lewisberry, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

March 16, 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, Lisa M. Hegedus (Public Member), 113 Daffodil Lane, Jeannette 15644, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until November 14, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Donna Cosmello, New Milford, resigned.

TOM CORBETT  
Governor

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

March 19, 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, Thomas Heck, 535 Lauers Lane, Wyomissing 19610, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown 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 Ronald H. Frey, Hamburg, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

March 19, 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, Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve until September 24, 2014, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph F. Marino, Philadelphia, resigned.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF POLK CENTER

March 19, 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, John J. Barber, 4305 Troon Avenue, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Harriet K. Daye, Polk, resigned.

TOM CORBETT  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 22, 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, The Honorable Jill E. Rangos, 533 Allegheny Courthouse, 436 Grant Street, Pittsburgh 15219, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice The Honorable Linda K.M. Ludgate, Reading, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 22, 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, The Honorable Bob Thomas, 171 Lincoln Road, Chambersburg 17201, Franklin County, Thirty-third Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice The Honorable Larry O. Maggi, Washington, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

March 23, 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, Miriam Merry Woods (Public Member), 860 Bell Lane, Maple Glen 19002, Montgomery County, Twelfth Senatorial District, for appointment 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, vice Anita Cassel, Palmyra, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF  
PHYSICAL THERAPY

March 23, 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, David Kozich, DPT, 42 Sassafras

Court, Mountain Top 18707, Luzerne County, Twentieth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2014, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Cynthia Potter, Wexford, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE  
TRANSPORTATION COMMISSION

March 23, 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, Edward J. Cernic, Sr., 606 Cooper Avenue, Johnstown 15906, Cambria County, Thirty-fifth Senatorial District, for reappointment as a member of the State Transportation Commission, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

March 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, Edward P. Abraham, 229 Evergreen Hollow Road, PO Box 640, Effort 18330, Monroe County, Sixteenth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg 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 Eli Berman, Stroudsburg, 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 COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

March 15, 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

March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Council of Trustees of East Stroudsburg 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 Trudi Q. Denlinger, Bethlehem, 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 PHARMACY

March 15, 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 March 12, 2012, for the appointment of Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board 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 Paul Miller, Glen Mills, 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 COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

March 26, 2012

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

Please note the nomination dated March 15, 2012, for the appointment of Bruno Klaus, 100 Gymnastics Way, Stroudsburg 18360, Monroe County, Eighteenth Senatorial District, as a member of the Council of Trustees of East Stroudsburg 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 Trudi Q. Denlinger, Bethlehem, resigned, should be corrected to read:

Bruno Klaus, 100 Gymnastics Way, Stroudsburg 18360, Monroe County, Twenty-ninth Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg 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 Trudi Q. Denlinger, Bethlehem, resigned.

TOM CORBETT  
Governor

**HOUSE MESSAGES**

**HOUSE BILLS FOR CONCURRENCE**

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

March 16, 2012

**HB 1106, 1405, 1841, 1842 and 2125** -- Committee on Judiciary.

**HB 1852** -- Committee on Labor and Industry.

**HB 1873 and 2027** -- 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:

March 16, 2012

Senators SCHWANK, COSTA, HUGHES, FERLO, FONTANA, STACK, KASUNIC, LEACH, SOLOBAY and BROWNE presented to the Chair **SB 1430**, 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 Priority Assistance Grant for Education Program.

Which was committed to the Committee on EDUCATION, March 16, 2012.

Senators ALLOWAY, ROBBINS, KASUNIC, RAFFERTY, ORIE, WAUGH, D. WHITE, BRUBAKER, PICCOLA, YAW, WARD, FOLMER, SOLOBAY, SCARNATI, BROWNE, MENSCH, WOZNIAK, BREWSTER, BOSCOLA and VOGEL presented to the Chair **SB 1438**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for limitation on the regulation of firearms and ammunition and for limitation on municipal powers; and providing for applicability.

Which was committed to the Committee on JUDICIARY, March 16, 2012.

Senator PIPPY presented to the Chair **SB 1439**, entitled:

An Act providing for property reassessment audits.

Which was committed to the Committee on FINANCE, March 16, 2012.

Senators M. WHITE, BAKER, PIPPY, GREENLEAF, FONTANA, STACK, ARGALL, SOLOBAY, ERICKSON, WAUGH, MENSCH, BRUBAKER and EARLL presented to the Chair **SB 1442**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, repealing and adding sections related to military justice; and establishing the State Military Justice Fund.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 16, 2012.

Senators HUGHES, TARTAGLIONE, BREWSTER, FONTANA, SOLOBAY, FERLO, LEACH, COSTA and BLAKE presented to the Chair **SB 1444**, entitled:

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, establishing the Pennsylvania Investment Bank Fund.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 16, 2012.

Senators FARNESE, HUGHES, STACK, COSTA, FONTANA and BOSCOLA presented to the Chair **SB 1446**, entitled:

An Act transferring funds from the Oil and Gas Lease Fund to the Ben Franklin Technology Development Authority Fund for investments in Pennsylvania-related companies that promote the development of next-generation infrastructure technologies or technology related investments to support development of life science, information technology or green energy industries.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 16, 2012.

Senators ROBBINS, BAKER, SOLOBAY, ALLOWAY, BREWSTER, COSTA, ERICKSON, FONTANA, MENSCH, ORIE, PIPPY, RAFFERTY, TARTAGLIONE, WAUGH, D. WHITE, YUDICHAK and BOSCOLA presented to the Chair **SB 1448**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for retention incentives for medical resident physicians of the Pennsylvania National Guard; conferring powers and duties on the Adjutant General and Department of Military and Veterans Affairs; and making editorial changes.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 16, 2012.

Senators PICCOLA, PILEGGI, BROWNE, SMUCKER, MENSCH, WAUGH, ERICKSON, VANCE, RAFFERTY, EARLL, D. WHITE and EICHELBERGER presented to the Chair **SB 1450**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, further providing for elementary schools; in school finances, further providing for when district distressed; repealing provisions relating to special board of control, petition and appointments, to when no appointment is made, and to compensation of special board of control; further providing for powers of special board of control; repealing provisions relating to additional tax and to school directors to remain in office and elections; and adding provisions relating to certain school district financial recovery.

Which was committed to the Committee on EDUCATION, March 16, 2012.

Senators WOZNIAK, FONTANA, M. WHITE, McILHINNEY, BOSCOLA, TARTAGLIONE, WAUGH, FERLO, BROWNE and EARLL presented to the Chair **SB 1451**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for requirement for periodic inspection of vehicles.

Which was committed to the Committee on TRANSPORTATION, March 16, 2012.

Senators BOSCOLA, HUGHES, FERLO, MENSCH and ALLOWAY presented to the Chair **SB 1452**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for retirement of justices, judges and justices of the peace.

Which was committed to the Committee on JUDICIARY, March 16, 2012.

Senators DINNIMAN, ERICKSON, BOSCOLA, COSTA, FERLO, FOLMER, PILEGGI, RAFFERTY, SOLOBAY, WAUGH and M. WHITE presented to the Chair **SB 1453**, entitled:

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

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 16, 2012.

#### March 20, 2012

Senators CORMAN, TOMLINSON, BROWNE, D. WHITE, RAFFERTY, ERICKSON, ALLOWAY, SOLOBAY, BAKER, TARTAGLIONE, FERLO, MENSCH and LEACH presented to the Chair **SB 1449**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

Which was committed to the Committee on JUDICIARY, March 20, 2012.

#### March 23, 2012

Senators GREENLEAF, SCHWANK, BAKER, ERICKSON, HUGHES, LEACH, ALLOWAY, COSTA, FERLO, ARGALL, TARTAGLIONE, WASHINGTON and STACK presented to the Chair **SB 1455**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in facilities and supplies, further providing for surcharge; and, in access to justice, repealing provisions relating to expiration of chapter.

Which was committed to the Committee on JUDICIARY, March 23, 2012.

Senators FOLMER, ORIE, SCARNATI, SCHWANK, WOZNIAK, PIPPY, RAFFERTY, TARTAGLIONE, D. WHITE, BRUBAKER and WARD presented to the Chair **SB 1456**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in teacher certification, further providing for qualifying certificates and kinds of certificates.

Which was committed to the Committee on EDUCATION, March 23, 2012.

Senators BLAKE, TARTAGLIONE, COSTA, FARNESE, FONTANA, HUGHES, BOSCOLA, SOLOBAY, SCHWANK, YUDICHAK, FERLO and LEACH presented to the Chair **SB 1457**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in corporate net income tax, further

providing for definitions, for imposition, for reports and payment and for consolidated reports; providing for mandatory combined reporting; and, in general provisions, further providing for underpayment of estimated tax.

Which was committed to the Committee on FINANCE, March 23, 2012.

Senators ORIE, RAFFERTY, PICCOLA, WASHINGTON, MENSCH and GREENLEAF presented to the Chair **SB 1458**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for legislative intent and for definitions; transferring certain powers and duties of the Department of Revenue and the Bureau of Investigations and Enforcement of the Pennsylvania Gaming Control Board to the Division of Gaming Enforcement of the Office of Attorney General; in Pennsylvania Gaming Control Board, further providing for establishment of board, for general and specific powers and for reports of board; in licensees, further providing for licensing of principals; in administration and enforcement, further providing for investigations and enforcement and for prohibited acts and penalties; and providing for audit by Auditor General.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 23, 2012.

Senators BRUBAKER, ERICKSON, ALLOWAY, GREENLEAF, HUGHES, YUDICHAK, SOLOBAY, WAUGH, COSTA, FERLO, KASUNIC, BROWNE, TARTAGLIONE, LEACH, MENSCH, FARNESE, BOSCOLA, BLAKE and DINNIMAN presented to the Chair **SB 1460**, 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 industry partnership tax credits.

Which was committed to the Committee on FINANCE, March 23, 2012.

### RESOLUTIONS INTRODUCED AND REFERRED

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

March 15, 2012

Senators BRUBAKER, SCARNATI, PILEGGI, ERICKSON, TARTAGLIONE, STACK, FONTANA, WOZNIAC, D. WHITE, PIPPY, WARD and ALLOWAY presented to the Chair **SR 265**, entitled:

A Resolution urging the Congress of the United States to support continued and increased importation of Canadian oil.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 15, 2012.

March 16, 2012

Senators FERLO, BREWSTER, BOSCOLA, FARNESE, FONTANA, TARTAGLIONE, HUGHES and WASHINGTON presented to the Chair **SR 264**, entitled:

A Resolution opposing the majority opinion of the United States Supreme Court in *Citizens United v. Federal Election Commission* and supporting the "Saving American Democracy Amendment" to the Constitution of the United States.

Which was committed to the Committee on STATE GOVERNMENT, March 16, 2012.

Senators PIPPY, LEACH, RAFFERTY, HUGHES, TARTAGLIONE, BREWSTER, STACK, SCARNATI, FONTANA, ARGALL, DINNIMAN, SCHWANK, COSTA, FERLO and WARD presented to the Chair **SR 268**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the museums in this Commonwealth and research and evaluate how funding and resources are allocated for this Commonwealth's museums.

Which was committed to the Committee on STATE GOVERNMENT, March 16, 2012.

### LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator McIlhinney and Senator Piccola, and legislative leaves for Senator Tomlinson and Senator Ward.

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 Williams, and legislative leaves for Senator Kasunic, Senator Stack, and Senator Washington.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator McIlhinney and Senator Piccola, and legislative leaves for Senator Tomlinson and Senator Ward.

Senator Costa requests temporary Capitol leaves for Senator Hughes and Senator Williams, and legislative leaves for Senator Kasunic, Senator Stack, and Senator Washington.

Without objection, the leaves will be granted.

### LEAVES OF ABSENCE

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

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

### LEGISLATIVE LEAVE CANCELLED

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

### SENATE CONCURRENT RESOLUTION

#### WEEKLY RECESS

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

In the Senate, March 26, 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, April 2, 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, April 2, 2012, 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-48

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS  
GUEST OF SENATOR JUDY SCHWANK  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I am delighted to introduce to my colleagues today a student from my district, Miss Alexis Ibach, who is here with her mother, Lisa Ibach. Alexis is currently a junior and straight-A student at Governor Mifflin High School, and she is my shadow today. Alexis plays varsity lacrosse, water polo, and is on the varsity swim team. She also participates in Olympic training for all of her sports. Outside of sports, Alexis is also involved in student council, Meals on Wheels, Salvation Army, Naval Sea Cadet Corps program, color guard, Key Club, Leo Club, Students Against Drunk Driving, as well as blood drives and drives to support overseas troops. Alexis is also very active in her church, where she is a student teacher for catechism classes.

Alexis has represented her school at the Berks Annual Leadership Conference, which was hosted by West Point Academy. During the conference, she was awarded The Simon Center for the Professional Military Ethic Award. Recently, she was invited to attend the LeadAmerica 2012 Medicine and Healthcare Conference at Johns Hopkins, as well as the National Young Leaders Conference in Washington, D.C.

After graduation, Alexis is hoping to be accepted into the Navy, Coast Guard, Merchant Marine, or West Point Academy to begin her career in serving her country. Join me, Mr. President, and my colleagues, in welcoming this outstanding young woman. Thank you.

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

(Applause.)

**GUESTS OF SENATOR ANDREW E. DINNIMAN  
PRESENTED TO THE SENATE**

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

Senator DINNIMAN. Mr. President, I have two sets of guests I would like to introduce. The first is the Bauer family from the Phoenixville area, Sharon and Michael Bauer, and their in-laws, Elaine and Gerard Bauer, who are visiting from St. Louis. Now, Mr. President, I learned something today about this Capitol from Gerard Bauer, who worked for Western Union for a number of years. When you go into the Rules room, and you see that little thing where we could call Western Union, I never realized, but in the old days, there was a competition between two cable companies, and when you pushed it, they both had to race to get here, and whoever got here first would get the telegram. So, every day that you learn is a good day, no, Mr. President? Every day we learn something.

So one is the Bauer family, and if you would ask them to stand, then I will do my next introduction.

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

(Applause.)

Senator DINNIMAN. Mr. President, I also would like to introduce another family here visiting from the West Chester area, John and Linda O'Connell, along with Melissa Nejbauer-Rudolf and Chris Nejbauer. By the way, John is very much involved in his company and providing off-campus housing for students at West Chester University, and we appreciate his good work.

Both of these families won me, and won a tour of the Capitol in an auction for our nonprofit community. We are very grateful to all of the people who make donations to the nonprofit community in Chester County and take tours of the Capitol. Thank you, Mr. President, and please ask the O'Connell family to stand.

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

(Applause.)

**RECESS**

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for 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 of the Committee on Rules and Executive Nominations, Senate Democrats will meet in 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. The time of recess having expired, the Senate will come to order.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT. Senator McIlhinney and Senator Hughes have returned, and their temporary Capitol leaves are canceled.

Senator Tomlinson and Senator Stack have returned, and their legislative leaves are canceled.

**LEGISLATIVE LEAVES**

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

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

The PRESIDENT. Senator Pileggi requests temporary leaves for Senator Piccola and Senator Brubaker. Without objection, the leaves will be granted.

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**SB 86, SB 790 and SB 932** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**LEGISLATIVE LEAVE**

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Boscola.

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

**LEGISLATIVE LEAVE CANCELLED**

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1036 (Pr. No. 1301)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

**YEA-48**

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

**NAY-0**

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

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

**BILL OVER IN ORDER**

**HB 1054** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL AMENDED**

**SB 1200 (Pr. No. 2009)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for sole source procurement and for emergency procurement.

On the question,

Will the Senate agree to the bill on third consideration?

Senator FOLMER offered the following amendment No. A9332:

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

determination

Amend Bill, page 2, line 29, by striking out "JUSTIFICATION" and inserting:

a determination

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.

**BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1261 (Pr. No. 1625)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.



Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

**SB 1298 (Pr. No. 1864)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for definitions and for appeals.

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

NAY-0

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

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

BILL OVER IN ORDER

**SB 1329** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

**SB 210, SB 345 and SB 819** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

**SB 968 (Pr. No. 1901)** -- 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 cruelty to animals.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was laid on the table.

SB 968 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 968, Printer's No. 1901, be taken from the table and placed on the Calendar.

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

BILLS OVER IN ORDER

**HB 1026, SB 1080, SB 1223 and SB 1351** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

**SB 1382 (Pr. No. 1891)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating an interchange at the intersection of Routes 136 and I-70, Washington County, as the Officer John David Dryer Memorial Interchange.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill was laid on the table.

SB 1382 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1382, Printer's No. 1891, be taken from the table and placed on the Calendar.

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

## BILLS OVER IN ORDER

**SB 1395** and **HB 1400** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILL ON SECOND CONSIDERATION

**SB 1429 (Pr. No. 1968)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying State Route 114 over Interstate 81 in Silver Spring Township, Cumberland County, as the Corporal Paul Walters Memorial Bridge.

Considered the second time and agreed to,

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

## BILL OVER IN ORDER

**HB 1960** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**HB 1203 AND HB 1827  
TAKEN FROM TABLE**

Senator PILEGGI. Mr. President, I move that House Bill No. 1203, Printer's No. 1598; and House Bill No. 1827, Printer's No. 2345, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The bills will be placed on the Calendar.

**LEGISLATIVE LEAVE CANCELLED**

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

**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 EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION**

March 15, 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 March 9, 2012, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Council of Trustees of East Stroudsburg 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 Trudi Q. Denlinger, Bethlehem, 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 PHARMACY

March 15, 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 March 12, 2012, for the appointment of Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, 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 Paul Miller, Glen Mills, 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:

**BRIGADIER GENERAL, PENNSYLVANIA  
AIR NATIONAL GUARD**

February 16, 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, Colonel Gerald E. Otterbein, 522 Dogwood Drive, York 17406, York County, Thirteenth Senatorial District, for appointment as Brigadier General, LINE, with assignment as the Commander, 193d Special Operations Wing, Pennsylvania Air National Guard, to serve until terminated, vice Brigadier General Eric Weller, reassignment.

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, Nancy Vasta, 62 Bellwood Drive, Langhorne 19053, Bucks County, Sixth 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 her successor is appointed and qualified.

TOM CORBETT  
Governor

MEMBER OF THE PENNSYLVANIA  
CANCER CONTROL, PREVENTION  
AND RESEARCH ADVISORY BOARD

January 5, 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, Joel S. Noumoff, M.D., 238 Lloyd Lane, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD  
OF CRANE OPERATORS

January 4, 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, Paulette A. Burnside (Public Member), 258 SR 1002, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the State Board of Crane Operators, to serve until December 8, 2015, 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 OPTOMETRY

January 23, 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, 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

MEMBER OF THE STATE BOARD OF OPTOMETRY

January 13, 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, Karl E. Streilein, 249 Franklin Street, Corry 16407, Erie County, Twenty-first Senatorial District, for appointment 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, vice Robert Ginsburg, Jamison, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF POLK CENTER

December 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, Sarah R. Gibson, 14910 Route 322, Clarion 16214, Clarion County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Josephine Zuck, Oil City, deceased.

TOM CORBETT  
Governor

MEMBER OF THE STATE REGISTRATION  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND GEOLOGISTS

January 4, 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, Carol D. Sides (Public Member), 400 Upland Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, 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.

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:

**BRIGADIER GENERAL, PENNSYLVANIA AIR NATIONAL GUARD**

February 16, 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, Colonel Gerald E. Otterbein, 522 Dogwood Drive, York 17406, York County, Thirteenth Senatorial District, for appointment as Brigadier General, LINE, with assignment as the Commander, 193d Special Operations Wing, Pennsylvania Air National Guard, to serve until terminated, vice Brigadier General Eric Weller, reassignment.

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, Nancy Vasta, 62 Bellwood Drive, Langhorne 19053, Bucks County, Sixth 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 her successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE PENNSYLVANIA CANCER CONTROL, PREVENTION AND RESEARCH ADVISORY BOARD**

January 5, 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, Joel S. Noumoff, M.D., 238 Lloyd Lane, Wynnewood 19096, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE STATE BOARD OF CRANE OPERATORS**

January 4, 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, Paulette A. Burnside (Public Member), 258 SR 1002, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for reappointment as a member of the State Board of Crane Operators, to serve until December 8, 2015, 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 OPTOMETRY**

January 23, 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, 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

**MEMBER OF THE STATE BOARD OF OPTOMETRY**

January 13, 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, Karl E. Streilein, 249 Franklin Street, Corry 16407, Erie County, Twenty-first Senatorial District, for appointment 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, vice Robert Ginsburg, Jamison, whose term expired.

TOM CORBETT  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF POLK CENTER**

December 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, Sarah R. Gibson, 14910 Route 322, Clarion 16214, Clarion County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Polk Center, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Josephine Zuck, Oil City, deceased.

TOM CORBETT  
Governor

**MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS**

January 4, 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, Carol D. Sides (Public Member), 400 Upland Road, Williamsport 17701, Lycoming County, Twenty-third Senatorial District, for reappointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, 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.

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-48

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

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  
BILLS REPORTED FROM COMMITTEES**

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

**SB 10 (Pr. No. 173) (Rereported)**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for health care services.

**SB 341 (Pr. No. 2036) (Amended) (Rereported)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, authorizing an Automotive Fuel Testing and Disclosure Program.

**SB 477 (Pr. No. 482) (Rereported)**

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, providing for compelled removal.

**SB 1150 (Pr. No. 2037) (Amended) (Rereported)**

An Act providing tax credits for the rehabilitation of historic structures.

**SB 1169 (Pr. No. 2038) (Amended) (Rereported)**

An Act amending the act of December 18, 1987 (P.L.412, No.86), known as the Pennsylvania Fair Dealership Law, further providing for definitions, for termination of dealer agreement and for death or incapacitation of dealer; repealing provisions relating to coercion; and providing for unlawful acts by supplier and for waiver.

**HB 823 (Pr. No. 3060) (Rereported)**

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for notice to school district; in planned residential development, further providing for application for final approval; and providing for wastewater processing cooperative planning.

**HB 1500 (Pr. No. 2108) (Rereported)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, consolidating the Long-Term Care Patient Access to Pharmaceuticals Act; further providing for declaration of policy, for definitions and for third-party drugs in long-term care facilities; and making a related repeal.

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

**SB 818 (Pr. No. 2007) (Rereported) (Concurrence)**

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

**SENATE RESOLUTIONS ADOPTED**

Senators EICHELBERGER, ROBBINS, EARLL, FERLO, PILEGGI, BLAKE, FARNESE, ALLOWAY, YAW, BAKER, GREENLEAF, SCHWANK, KASUNIC, DINNIMAN, RAFFERTY, BRUBAKER, BROWNE, ERICKSON, M. WHITE, ORIE, STACK, COSTA, FONTANA, PIPPY, ARGALL, BREWSTER, YUDICHAK, GORDNER, TARTAGLIONE, BOSCOLA, D. WHITE, HUGHES and MENSCH, by unanimous consent, offered **Senate Resolution No. 270**, entitled:

A Resolution designating the week of April 15 through 21, 2012, as "Local Government Week" and April 17, 2012, as "Local Government Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator EICHELBERGER. Mr. President, again this year, in conjunction with Senator Robbins, who chairs the Local Government Commission, I offer this resolution to recognize the hard work of our local officials throughout the State. As the Commonwealth again faces serious budget straits, it must be recognized

that many of our municipalities face the same financial problems. The citizens of the Commonwealth expect and deserve municipal services that provide for their health, safety, and welfare, yet it has been widely reported that many municipalities are on the verge of financial disaster.

Local leaders are expected to meet these demands, as well as State and Federal mandates. As chairman of the Committee on Local Government, I believe that we here in the General Assembly must make every effort to assist our communities by providing them with the means to cut costs with relief from unnecessary mandates and a fair and equitable tax base. I ask the Senate to adopt this resolution to acknowledge the efforts of our local leaders, and give them our heartfelt thanks for dealing with these major problems as well as they have to this point.

I am happy to leave this resolution open at the desk for any Members who wish to cosponsor but did not have a chance to do so. Thank you, Mr. President. I ask for an affirmative vote to declare the week of April 15 through 21 as "Local Government Week" in the Commonwealth.

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

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

Senators KITCHEN, BREWSTER, STACK, FARNESE, WASHINGTON, DINNIMAN, PILEGGI, BOSCOLA, BROWNE, SCHWANK, GREENLEAF, SOLOBAY, TARTAGLIONE, WILLIAMS, FERLO, PIPPY and EARLL, by unanimous consent, offered **Senate Resolution No. 271**, entitled:

A Resolution designating the month of April 2012 as "Minority Health Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, this year's theme for National Minority Health Month is "Health Equity Can't Wait, Act Now in Your Community!" This is a call to action and unity for the region's State and local Offices of Minority Health, the Department of Health, and all organizations and partners who are invested in reducing health disparities. Minority populations experience higher rates of illness and death from conditions such as heart disease, stroke, specific cancers, diabetes, HIV/AIDS, asthma, Hepatitis B, and obesity.

This April marks the first anniversary of the launch of the U.S. Department of Health and Human Services Action Plan to Reduce Racial and Ethnic Health Disparities and its National Stakeholder Strategy for Achieving Health Equity. This will provide a common set of goals and objectives for public and private sector initiatives and partnerships to help racial and ethnic minorities and other underserved groups to reach their full potential.

Mr. President, it is important that all Pennsylvanians lead active, healthy lives, but because minorities seem to be disproportionately impacted by many serious diseases, it is our responsibility as lawmakers to work with our State and local health

agencies to insure that we raise awareness. The majority of these diseases are preventable. Let us make an effort to arm the public with the tools and tips they need to be healthy. So I ask my colleagues to join me in designating April as "Minority Health Month" in Pennsylvania.

Thank you, Mr. President.

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

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

Senators VANCE, BAKER, ERICKSON, WARD, PILEGGI, KITCHEN, HUGHES, KASUNIC, ALLOWAY, ARGALL, BROWNE, BRUBAKER, GREENLEAF, McILHINNEY, PIPPY, RAFFERTY, YAW, BOSCOLA, BREWSTER, COSTA, DINNIMAN, FARNESE, FERLO, FONTANA, STACK, TARTAGLIONE and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 272**, entitled:

A Resolution honoring BAYADA Home Health Care on 37 years of providing in-home care.

On the question,  
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, I am very pleased to offer a resolution to honor BAYADA Home Health Care, which has served the State for 37 years. They were founded in January 1975 in Philadelphia by Mark Baiada. They provide nursing, rehabilitation, therapeutic, hospice, and assisted care services so that people can live in their homes with comfort, independence, and dignity.

About 17,700 people in 58 counties were served by the more than 9,200 employees just in 2011. BAYADA is the largest provider of pediatric home healthcare for medically fragile children in Pennsylvania. Please join me in supporting this very worthwhile group.

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

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

Senators VOGEL, SCHWANK, SCARNATI, PILEGGI, ALLOWAY, ARGALL, BAKER, BOSCOLA, BREWSTER, BROWNE, BRUBAKER, EARLL, EICHELBERGER, ERICKSON, FERLO, FOLMER, FONTANA, GREENLEAF, KASUNIC, KITCHEN, ORIE, PIPPY, RAFFERTY, ROBBINS, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, WARD, WAUGH, D. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 273**, entitled:

A Resolution designating March 27, 2012, as "Pennsylvania Farm Bureau Day" and commending the Pennsylvania Farm Bureau's more than 53,000 members for their contributions to this Commonwealth and our agricultural industry.

On the question,  
Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, I rise today to offer a resolution designating March 27, 2012, as "Pennsylvania Farm Bureau Day." We all know agriculture is our number-one industry in Pennsylvania, and I believe it is important to recognize the Pennsylvania Farm Bureau and its outstanding membership for their contribution to our Commonwealth and its agricultural industry.

Mr. President, this resolution is a small gesture of gratitude and a way to say thanks for all that the Farm Bureau and its members do on behalf of the farming community, and for the citizens of Pennsylvania. I can say, as a former and still a Farm Bureau member myself, having come to Harrisburg many times over the last few years on the Farm Bureau Legislative Tour, it is a great event and learning experience. Once again, I ask you to please join me in supporting this resolution today.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, I would like to add to my colleague's comments in support of the Farm Bureau. Both statewide and at the national level, the Farm Bureau provides members with representation concerning legislation and other matters of importance to our farming community. The Pennsylvania Farm Bureau has grown to more than 50,000 member families in 54 county farm bureaus. I am a member myself in Berks County, and I meet with my Farm Bureau on a regular basis, because when it comes to legislation that impacts them, they are a group that I really want to be sure that I represent well.

Just a few months ago, I had breakfast with members of the Berks County Farm Bureau to hear their concerns and suggestions, and it is this type of exchange that better helps me, and I think probably my fellow legislators as well, understand the day-to-day challenges our farmers face. I am pleased to cosponsor this resolution recognizing March 27 as Farm Bureau Day in Pennsylvania. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Renfrew Museum and Park by Senator Alloway.

Congratulations of the Senate were extended to Elizabeth Fenton Lewis and to Greg Soltis by Senator Argall.

Congratulations of the Senate were extended to General Federation of Women's Club of Harveys Lake by Senator Baker.

Congratulations of the Senate were extended to the citizens of the Borough of Dunmore by Senator Blake.

Congratulations of the Senate were extended to David Shank and to Richard Shusterman by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Chad David Yeane and to Scott J. Jeska by Senator Earll.

Congratulations of the Senate were extended to Paul Mickle by Senator Erickson.

Congratulations of the Senate were extended to Jeffrey Thomas Deely by Senator Fontana.

Congratulations of the Senate were extended to Bryan Daniel Walter and to Harold Scott Smith by Senator Greenleaf.

Congratulations of the Senate were extended to Josie M. Baxt and to Courtney M. Coles by Senator Kitchen. Congratulations of the Senate were extended to Mr. and Mrs. Philip Daly and to Spencer Diernbach by Senator McIlhinney.

Congratulations of the Senate were extended to the Souderton Charter School Collaborative by Senators McIlhinney, Mensch and Greenleaf.

Congratulations of the Senate were extended to Todd Lawrence Moyer by Senator Mensch.

Congratulations of the Senate were extended to Mr. and Mrs. Elmer Engel, Sean Kurtz, Kevin Hindman, Daniel Cardone, Matthew Buerger, Margaret Gruber, Lauren Lamendola, Kurt Muehlheuser, Dominic Giordano, Kristen Murslack, North Allegheny Senior High School Boys' Swimming and Diving Team, North Allegheny Senior High School Girls' Swimming and Diving Team, and to North Allegheny Senior High School Boys' 400-Yard Freestyle Relay Team, North Allegheny Senior High School Boys' 200-Yard Medley Relay Team, North Allegheny Senior High School Girls' 200-Yard Medley Relay Team and to North Allegheny Senior High School Girls' 200-Yard Freestyle Relay Team by Senator Orie.

Congratulations of the Senate were extended to the Honorable Franklin L. Kury and to Jean Louise Holt by Senator Piccola.

Congratulations of the Senate were extended to the Friends of the State Line Serpentine Barrens by Senator Pileggi.

Congratulations of the Senate were extended to Sarah E. Allen, Sara E. Planthaber and to Rebecca A. Tritt by Senator Rafferty.

Congratulations of the Senate were extended to Carolyn Inez Pettigrew and to Joshua T. Roat by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to Renee Denise Roman by Senator Stack.

Congratulations of the Senate were extended to Brett Richard Curtis and to Saint James the Greater Episcopal Church of Bristol by Senator Tomlinson.

Congratulations of the Senate were extended to General Glenn Kay Otis by Senator Vance.

Congratulations of the Senate were extended to Alexander J. Graziani by Senator Ward.

Congratulations of the Senate were extended to Master Sergeant Lamont Roberts by Senator Washington.

Congratulations of the Senate were extended to Susan Hrinko by Senator D. White.

Congratulations of the Senate were extended to Mabel Brazington by Senator Williams.

Congratulations of the Senate were extended to Private First Class Stephen Biernacki 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 Wanetta E. Thompson Potts by Senator Argall.

Condolences of the Senate were extended to the family of the late Rose Frances Tscheschlog by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Clarence M. Lenker III by Senator Piccola.

Condolences of the Senate were extended to the family of the late Henry S. Litchkofski by Senator Yudichak.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, MARCH 26, 2012

Off the Floor      APPROPRIATIONS (to consider Senate Bills No. 10, 341, 477, 1150 and 1169; and House Bills No. 823 and 1500)      Rules Cmte. Conf. Room

Off the Floor      RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 818; and certain executive nominations)      Rules Cmte. Conf. Room

TUESDAY, MARCH 27, 2012

10:00 A.M.      COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider Senate Bills No. 682 and 1257)      Room 8E-B East Wing

10:30 A.M.      EDUCATION (to consider Senate Bills No. 1225, 1389, 1410, 1436 and 1440)      Room 8E-A East Wing

11:00 A.M.      AGING AND YOUTH (to consider House Bill No. 1720)      Room 461 Main Capitol

11:30 A.M.      JUDICIARY (to consider Senate Bills No. 351, 466 and 1412; and House Bills No. 165 and 1264)      Room 8E-B East Wing

11:30 A.M.      LAW AND JUSTICE (to consider Senate Bills No. 512 and 1175)      Senate Maj. Caucus Rm.

12:00 P.M.      CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider renomination of John Coleman, Jr., to Board of Public Utility Commission; and consideration of Senate Bills No. 964, 1314 and 1352; and House Bills No. 48, 469, 470, 1280 and 1525)      Room 461 Main Capitol

Off the Floor      TRANSPORTATION (to consider House Bills No. 1830 and 2133)      Rules Cmte. Conf. Room

WEDNESDAY, MARCH 28, 2012

9:00 A.M.      VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider the nomination of Brig. Gen. Eric G. Weller as Major General LINE of the PA Air National Guard)      Room 8E-A East Wing

9:30 A.M.      COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 8)      Room 8E-A East Wing

9:30 A.M.      LAW AND JUSTICE (public hearing with the House Judiciary Committee on State Police Trooper Complement)      Room G-50 Irvis Bldg.

10:00 A.M.      FINANCE (to consider Senate Bill No. 1309; and House Bill No.1761)      Room 8E-B East Wing

10:00 A.M.      GAME AND FISHERIES (to consider Senate Bills No. 1340, 1402 and 1403; and House Bills No. 1236, 1237 and 1398)      Room 461 Main Capitol

FRIDAY, MARCH 30, 2012

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

**RECESS**

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Tuesday, March 27, 2012, 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 4:55 p.m., Eastern Daylight Saving Time.