

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, APRIL 2, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 21

SENATE

MONDAY, April 2, 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 KIRT ANDERSON, Pastor of West Lebanon Church of God, Shelocta, offered the following prayer:

Let us pray.

Lord, God of Heaven, who has graciously blessed our country and our Commonwealth, help all assembled here today to trust in You, that You would keep all here, Lord, from relying solely on our human understanding, but acknowledge You in all that we seek to do here, and in turn You promise to direct our paths. Lord, bless this Assembly and our great Commonwealth with Your peace, which is the fruit of righteousness, and may we never forget that our freedoms came from You. May we also heed the words of William Penn, who once said that mankind can either be governed by God or ruled by tyrants. Help this Assembly be diligent, O Lord, to keep the freedoms You bestowed on us. I pray to my Savior, Lord, and God. Amen.

The PRESIDENT. The Chair thanks Reverend Anderson, who is the guest today of Senator Don White.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

March 29, 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, Mike Downing (Public Member), 123

Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but no longer than six months beyond that period, vice Maria Mengel, King of Prussia, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

March 29, 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 a member of the State Board of Education, to serve until October 1, 2016, or until his successor is appointed and qualified, vice Ivory V. Nelson, Lincoln University, resigned.

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY**

March 29, 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 J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable David N. Wecht, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

March 29, 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, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of

Centre, Magisterial District 49-3-05, to serve until the first Monday of January 2014, vice The Honorable Jonathan Grine, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

March 29, 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 Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-3-04, to serve until the first Monday of January 2014, vice The Honorable Thomas A. Placey, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

March 29, 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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Luzerne, Magisterial District 11-1-04, to serve until the first Monday of January 2014, vice The Honorable Fred A. Pierantoni III, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

March 29, 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 Magisterial District Judge, in and for the County of Somerset, Magisterial District 16-3-02, to serve until the first Monday of January 2014, vice The Honorable Joseph A. Cannoni, resigned.

TOM CORBETT
Governor

MAGISTERIAL DISTRICT JUDGE

March 29, 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 J. Salera, Esquire, 1102 North

2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-3-11, to serve until the first Monday of January 2014, vice new position.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

April 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, Timothy S. Layton, 1308 Cambria Avenue, Windber 15963, Somerset County, Thirty-fifth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Mary Ringler, Johnstown, resigned.

TOM CORBETT
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 473** and **SB 1228**, with the information the House has passed the same without amendments.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 110** and **SB 743**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE BILLS FOR CONCURRENCE

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

March 30, 2012

HB 2192 and **2246** -- 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 29, 2012

Senators D. WHITE and STACK presented to the Chair **SB 1464**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for definitions, for acquisition of control of or merger or consolidation with domestic insurer, for acquisitions involving insurers not otherwise covered, for registration of insurers, for standards and management of an insurer within a holding company system and for examination; providing for supervisory colleges and for group-wide supervision for internationally active insurance groups; further providing for confidential treatment, for rules and regulations, for injunctions and certain prohibitions and for sanctions.

Which was committed to the Committee on BANKING AND INSURANCE, March 29, 2012.

Senators DINNIMAN, PILEGGI and RAFFERTY presented to the Chair **SB 1465**, entitled:

An Act designating a portion of State Route 3 in West Chester Borough, Chester County, as the Senator Robert J. Thompson Highway; and designating the Pottstown Pike Bridge over the French Creek in South Coventry Township, Chester County, as the Representative Sam Morris and Eleanor Morris Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, March 29, 2012.

March 30, 2012

Senator CORMAN presented to the Chair **SB 1466**, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments and the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2012, to June 30, 2013, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2012, to June 30, 2013; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2012, to June 30, 2013, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012, and to provide appropriations from the Motor License Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1467**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting

for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1468**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1469**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University--Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1470**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University--Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1471**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania from the restricted account within the Pennsylvania Race Horse Development Fund.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1472**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1473**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN resented to the Chair **SB 1474**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1475**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2012, to June 30, 2013.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1476**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1477**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1478**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1479**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 30, 2012.

Senator CORMAN presented to the Chair **SB 1480**, entitled:

An Act providing for the capital budget for the fiscal year 2012-2013.

Which was committed to the Committee on APPROPRIATIONS, March 30, 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:

April 2, 2012

Senator PILEGGI presented to the Chair **SR 277**, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2012, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 2, 2012.

BILLS SIGNED

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

SB 473 and **SB 1228**.

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 Piccola, and legislative leaves for Senator Robbins and Senator Ward.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola, and legislative leaves for Senator Robbins and Senator Ward.

Senator Costa requests legislative leaves for Senator Kasunic and Senator Washington, and a temporary Capitol leave for Senator Hughes.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

Senator PILEGGI asked and obtained a leave of absence for Senator ORIE, 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, April 2, 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 30, 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 30, 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-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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ELDER A. VOGEL
PRESENTED TO THE SENATE**

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

Senator VOGEL. Mr. President, today I would like to introduce two guests from my district who are in the gallery. Joseph Ligato and Marissa Galupi are students at the Community College of Beaver County and are members of this year's All-Pennsylvania Academic Team, which recognizes their phenomenal achievements through Phi Theta Kappa International Honor Society for 2-year colleges.

Joseph will be graduating in May with an associate degree in social sciences. During his time at the Community College of Beaver County, Joseph has been on the President's list, served as president of his Phi Theta Kappa chapter, and is currently serving as president of the college's student government association. Upon graduation, he will be transferring to Slippery Rock University with the hope of one day obtaining a doctorate degree in psychology to work as a therapist or teach psychology.

Marissa holds an associate degree in humanities. During her time in college, she has been an active member of her Phi Theta Kappa chapter, helping to organize several events for breast cancer awareness and autism. She was also named to the President's list, and is an officer of the creative writer's club. Upon graduation, she will be transferring to Clarion University of Pennsylvania, where she hopes to obtain a master's degree and become a novelist and an English professor. I ask the Senate to please welcome Joseph and Marissa to the Senate.

Thank you, Mr. President.

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

**GUESTS OF SENATOR ANDREW E. DINNIMAN,
SENATOR JOHN C. RAFFERTY, AND
SENATOR DAYLIN LEACH
PRESENTED TO THE SENATE**

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

Senator DINNIMAN. Mr. President, I do have some guests here today and my staff has not told me exactly who they are, but I believe that they are guests who had the ability to win an auction, and I am part of that. If they would please stand up, so we may recognize them.

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, oh, I know who my guests are. I take that back. Those guests will be here tomorrow. My guests today are guests I previously had on the floor. They are the members of the academic team from Montgomery County. I represent Chester and Montgomery Counties, and they are also, in this case, the guests of Senator Rafferty and Senator Leach. On behalf of the delegation, we want to welcome the academic team members.

By the way, Mr. President, we met with them earlier--now I know exactly who I am introducing--and at least two, perhaps three, of the academic team winners of Montgomery County Community College are coming to my school, West Chester University, next year to complete their degree. We are very proud to have them at West Chester. The other people are going to Temple. So, Mr. President, if you would ask the members of the team to stand up. Thank you.

The PRESIDENT. Would you all please rise.
(Applause.)

**GUESTS OF SENATOR JAY COSTA
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I, too, rise to recognize some outstanding students at the Community College of Allegheny County, a college that I am proud to say I am a graduate of, but more importantly, I continue to serve as treasurer of the board of trustees. Mr. President, we are very, very proud of all the students from the community colleges who are here today, who were just introduced, but I would like to recognize two in particular who reside in the 43rd Senatorial District.

First, Mr. President, I would like to recognize Lisa Hildreth. Upon receiving an associate degree from CCAC in computer information services and sciences, she will transfer to California University of Pennsylvania, where she will pursue a bachelor of science degree. Outside of college, Lisa works as a medical transcriptionist with Transcend Services, Inc., and has been recognized for her service there by Pittsburgh Magazine, Pittsburgh Post-Gazette, Pittsburgh Tribune-Review, Pop City Media, and

the radio show "The American Entrepreneur." She hopes to one day start her own networking company, or work in the information technology department of a healthcare institution.

We also have, from the 43rd Senatorial District, Brian Smith, who, with an associate degree in social services and social sciences from the community college, will transfer to IUP, with the hope to one day work as a financial analyst. While at the Community College of Allegheny County, he has been named to Dean's List, and was the recipient of the Leadership Scholarship, and has also been a very active member of his Phi Beta Theta chapter, assisting with ceremonies and food drives.

Mr. President, I am very proud of these young students from all over this Commonwealth who are members of the 2012 All-Pennsylvania Academic Team, and I ask that my colleagues give them a warm welcome as well.

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

**GUEST OF SENATOR SHIRLEY M. KITCHEN
AND SENATOR LEANNA M. WASHINGTON
PRESENTED TO THE SENATE**

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

Senator KITCHEN. Mr. President, I, too, have a student from Philadelphia, Mr. Christopher Thomas, who is also a member of the All-Pennsylvania Academic Team. He works very hard and we are very proud of him. He is actually a citizen of the Fourth Senatorial District, which is my good friend, Senator Washington's district. I ask that we give him our usual warm welcome.

The PRESIDENT. Would the guest of Senator Kitchen and Senator Washington please rise so that the Senate may give you its usual warm welcome. (Applause.)

**GUEST OF SENATOR EDWIN B. ERICKSON
PRESENTED TO THE SENATE**

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

Senator ERICKSON. Mr. President, I also have someone from the All-Pennsylvania Academic Team to introduce, and she is Lynda Lichti. She is a constituent who attends Delaware County Community College, and I ask that we give her a warm welcome.

The PRESIDENT. Would the guest of Senator Erickson 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. Without objection and with a point of clarification, the Chair recognizes the gentleman Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, we want to make sure that everyone on the team is recognized. We had our pictures taken earlier with the particular Senators, but I did not have a chance to explain to the whole Senate who these fine students

are. They are the All-Pennsylvania Academic Team of the community colleges of Pennsylvania, and I hope that the whole team would stand up and the whole Senate would give them a warm welcome. We welcome sports teams here, we welcome athletic teams, and it is equally important that we represent the best and the finest in our academic teams in the Commonwealth.

Thank you, Mr. President.

The PRESIDENT. If you would all please rise so that the Senate may give you its usual warm welcome. (Applause.)

**GUESTS OF SENATOR JOHN R. PIPPY
PRESENTED TO THE SENATE**

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

Senator PIPPY. Mr. President, I, too, am very fortunate to have some students from my district who are part of that All-Pennsylvania Academic Team, Sara Lyn Geisler and Genesis Hammond-Schrock. A couple of points: They have great backgrounds, like everyone else who was mentioned, and I note that Sarah Lyn is currently serving as president of Alpha Lambda Nu and has helped raise money for permanently disabled veterans. Genesis will graduate from the community college with an associate degree in arts and science, and then will transfer to California University of Pennsylvania, where she hopes to pursue a doctorate. She also has a leadership role as president of her Phi Theta Kappa chapter, and is heavily involved with campus activities.

Mr. President, if we could give them both a warm welcome. We are very proud of them for what they have achieved, and look forward to more great things from them in the future.

The PRESIDENT. Would the guests of Senator Pippy 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 Appropriations to be held in the Rules room, to be followed by a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Banking and Insurance, to be followed by a meeting of the Committee on Environmental Resources and Energy, to be followed by a meeting of the Committee on Urban Affairs and Housing, to be followed by a meeting of the Committee on Transportation, all to be held in the Rules room. At the conclusion of the meeting of the Committee on Transportation, there will be a Republican caucus 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 meetings listed by the Majority Leader, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT. For purposes of meetings of the Committee on Appropriations, to be followed by the Committee on Rules and Executive Nominations, to be followed by the Committee on Banking and Insurance, to be followed by the Committee on

Environmental Resources and Energy, to be followed by the Committee on Urban Affairs and Housing, to be followed by the Committee on Transportation, all 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

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

Senator BROWNE. Mr. President, I request a temporary Capitol leave for Senator Pileggi.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 341 (Pr. No. 2036) -- The Senate proceeded to consideration of the bill, entitled:

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

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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER

SB 477 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

LEGISLATIVE LEAVES

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

Senator BROWNE. Mr. President, I request a temporary Capitol leave for Senator Corman, and a legislative leave for Senator Brubaker.

The PRESIDENT pro tempore. Senator Browne requests a temporary Capitol leave for Senator Corman, and a legislative leave for Senator Brubaker. Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL AMENDED

HB 823 (Pr. No. 3060) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator ALLOWAY offered the following amendment No. A9525:

Amend Bill, page 5, by inserting between lines 29 and 30:
Section 1104-A. Applicability.

This article shall apply as follows:

(1) This article shall apply to applications for development, plat approval, planned residential development, waiver of land development or construction permits if the development or construction utilizes wastewater treatment service provided by a county wastewater treatment authority incorporated in a county of the second class A.

(2) This article shall apply to all municipalities served by the authority under paragraph (1).

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 BROWNE.

BILL OVER IN ORDER

SB 932 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1150 (Pr. No. 2037) -- The Senate proceeded to consideration of the bill, entitled:

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

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

Senator SMUCKER. Mr. President, I think all of us here know that despite some successful efforts toward encouraging development renewal, many of our urban centers are in serious financial trouble. The answer is not simply changing management, for the problems exist under both Democratic and Republican administrations alike.

Municipal officials today have little leeway for expanding the tax base or for building revenues. They are hemmed in by geography, by job shifts, by antiquated infrastructure, mandates, and tax limits, but the service demands and the imposed costs are not shackled by those similar limits. Most local officials today realize that there is no bill on the way coming to the rescue, with State governments struggling to contain costs and the Feds attempting to rein in mushrooming deficits.

Municipal leaders today receive a lot of free advice about the virtues of thrift, but it is time for us to begin giving them the tools to fix problems themselves. Putting in place a State historic tax credit will let our cities, boroughs, and townships better compete for investment capital. I have had developers tell me that the absence of such a credit delays some projects and completely precludes others. In my area, Lancaster has done well in attracting publicly funded and privately funded partnership projects, and there are many more projects that await rehabilitation. Eligibility in this bill, simply stated, any community with a registered historic district can make application, and the money is not going to high-risk, low-return projects. The projects vying for funding will be scrutinized for economic viability and historic integrity.

The historic tax credit is not a new concept, Mr. President. Bipartisan plans have been floated for more than a decade. This approach is tailored to the times of restricted revenues and is modest in scope to lay the foundation of a program. The concentration of the bill is on commercial properties, which offer the biggest boost. Once the economy rebounds, the tax credit could possibly be extended to residential projects.

When State government is scrambling to find funds for core responsibilities, some argue that nothing should be added to the mix. But the counter to that is that with more communities heading toward distressed status, the price tag on turnaround is going up constantly. So the choice is this: offer something now, or be compelled to pay much more later. Renewing historic structures is a tried and tested way of improving municipal finances and civic outlook. This is only the first step in staving off municipal distress, but is a fiscally responsible and economically constructive beginning.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, obviously, I rise to support this legislation and any effort by the Senate and the House, in a bipartisan fashion, to give local communities and local authorities, local community development corporations and private individuals, be it on the residential or commercial side, opportunities to invest and reinvest in historic properties. As the author pointed out, this bill has been bandied about for the last few years and has had various sponsors and cosponsors. I have always obviously attached my name to it as someone who is a board treasurer of the Urban Redevelopment Authority in the city of Pittsburgh. The URA can be credited, along with community-based development corporations throughout the city, as well as a large number of private entrepreneurs and investors.

If you look at the redevelopment of the city of Pittsburgh and our communities in the three-county area that I represent, every opportunity that we have for economic reinvestment into a property, especially a commercial property, to give it new life, especially those properties that are considered historic and make a valuable contribution to the Main Street character of our business corridor, it is very expensive, as we know, to renovate and upgrade commercial properties.

I welcome and relish the opportunity to vote for this bill, but I do point out that many of us, at least on this side of the aisle, are disappointed. Under the previous administration, and our good Governor Rendell sometimes gets a bad rap, but part of the viability of the city of Pittsburgh, which many of my colleagues have visited and walked away saying, wow, there really are great things happening in the city of Pittsburgh, the Urban Redevelopment Authority, so many old buildings, I can name hundreds of them that the URA has been involved in renovating, bringing new economic life, taxation, collection of sales tax, jobs, have come about as a result of investment and opportunities. The Federal New Markets Tax Credits, the Federal historic tax credit, and now this program, which I wish was more than \$10 million, and I wish it was a program that could be jump-started later on this year. I believe the program will be put in place, but the program actually will not be initiated until a year from now.

It is nice for us to get up and talk about this one program, it is only \$10 million of tax credits, and it is foregoing revenue at the State level. But I do want to point out that the previous administration, to its credit, made a lot of these types of economic investments, either through the tax credit program, like the R&D Tax Credit, the Film Production Tax Credit. This is not that much of a tax credit, \$10 million, but it is certainly a step in the right direction, so I applaud the bipartisan effort that, hopefully, this bill will be given in final approval.

But, let us be clear. Let us not be two-sided about this discussion. I am pleased to see the Republican Majority voting in favor of this small tax credit. I ask that you consider in the annual budget review and our prioritization of what the expenditures will be that we continue to make prudent economic investments in big cities and small towns throughout the Commonwealth, not only with various tax credit programs, but not giving up on important programs that are funded in the Department of Community and Economic Development.

Thank you, Mr. President.

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

Senator WOZNIAK. Mr. President, I was not going to rise, I was going to support this, but I do have a question because my good friend from Allegheny County brought up the wonderful things that happened in Allegheny County and Pittsburgh. I want to know if the sponsor of the bill could answer one short question. I probably already know the answer, but the question is--

The PRESIDENT pro tempore. Would the gentleman please yield.

The Senator is requesting the gentleman from Lancaster to stand for interrogation. Would the gentleman agree?

Senator Smucker so agrees. The gentleman may proceed.

Senator WOZNIAK. Mr. President, I know a lot of the programs we create in Pennsylvania are for the benefit of all of the four corners of Pennsylvania, but some communities have a little more ability, financial backing, and opportunities than other places. In the language in this bill, is there any designation that some of this money is to be spent outside of Allegheny County and outside of Philadelphia County so that the rest of Pennsylvania might enjoy some of this \$10 million?

Senator SMUCKER. Mr. President, there would be an annual application process for any projects that would be eligible within the definition of the bill. The definition would be for historically designated projects, which is a Federal designation, so it essentially would be any borough or city that has a Federal historic district. A project within that district would be eligible.

Senator WOZNIAK. Mr. President, so the answer is it is a competitive bid out there, and the determination would be made project by project, not necessarily community by community. My concern is that \$10 million does not sound like a whole lot, and with two projects in a large city, the \$10 million is gone, and I might have a small project in Lock Haven, and kaput. But I am going to be supporting this anyway because I know how expensive renovations are, particularly if you have to keep things to the historical concept of both the State and Federal government--I have had some issues and successes with that, but I support the language. Thank you.

The PRESIDENT pro tempore. The Chair would be interested in Lock Haven also. Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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.

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

BILL OVER IN ORDER

SB 1351 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1395 (Pr. No. 1925) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating State Routes 3035 and 3033 in Robesonia Borough, Heidelberg Township, North Heidelberg Township and Penn Township, Berks County, as the Captain David Eric Pannabecker POW-MIA Memorial Highway.

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-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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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.

BILL AMENDED

HB 1500 (Pr. No. 2108) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BAKER offered the following amendment No. A9731:

- Amend Bill, page 3, line 6, by striking out "long-term care"
- Amend Bill, page 3, line 6, by inserting after "pharmacy":
, within the long-term care facility or that has a contract with the long-term care facility.
- Amend Bill, page 6, by inserting between lines 23 and 24:
(7.1) A pharmacist must be held responsible for his activity or activity performed under his supervision or authorization.
- Amend Bill, page 6, line 24, by striking out "long-term care"
- Amend Bill, page 6, line 25, by inserting after "pharmacy":
, within the long-term care facility or that has a contract with the long-term care facility.

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 BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1827 (Pr. No. 2345) -- The Senate proceeded to consideration of the bill, entitled:

An Act redesignating a bridge in Irvona Borough, Clearfield County.

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-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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 165, SB 345 and SB 351 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILLS ON SECOND CONSIDERATION

SB 466 (Pr. No. 455) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 469 (Pr. No. 2756) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 2, 1956 (1955 P.L.1211, No.376), known as the Practical Nurse Law, further providing for violations.

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

HB 470 (Pr. No. 2757) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for use of title.

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

BILLS OVER IN ORDER

SB 512, SB 682, SB 819, SB 1175, HB 1236, HB 1237, HB 1264, HB 1280, SB 1314, SB 1340, SB 1382, HB 1398, SB 1403 and SB 1410 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILLS ON SECOND CONSIDERATION

SB 1436 (Pr. No. 2045) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions,

further providing for definitions; prohibiting certain action affecting Keystone Exams; and, in the State Board of Education, further providing for powers and duties of the board.

Considered the second time and agreed to,

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

SB 1440 (Pr. No. 2046) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions; and providing for reimbursement of certain costs relating to Keystone Exams.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 1525, HB 1720, HB 1761, HB 1830 and HB 1960 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON SECOND CONSIDERATION

HB 2133 (Pr. No. 2978) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge that carries State Route 66/28 over Redbank Creek between the Borough of South Bethlehem, Armstrong County, and the Borough of New Bethlehem, Clarion County, as the Sergeant Joseph M. Garrison Memorial Bridge.

Considered the second time and agreed to,

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

SENATE RESOLUTION No. 246, ADOPTED

Senator BROWNE, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 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.

On the question,

Will the Senate adopt the resolution?

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

Senator WOZNIAK. Mr. President, I am up twice today, but this is my resolution. There is an old song by Jim Croce, "You don't tug on Superman's cape. You don't spit into the wind." And let us add this, you do not take on the EPA. But I think it is time we stare them down a little bit.

This is a joint resolution that has to pass the Senate and the House, and it is going to memorialize Congress to at least ask them, cajole them, and resolve that they might take a look at the requirement that the States have to hook up to an auto emissions test. Statistics and empirical evidence show that we have almost

a 96-percent compliance rate. Some studies have that at 98 percent. The Federal government and the automobile industry have done their job. The cars of today are far cleaner than they were in the late 1980s and before the Clean Air Act of 1990. Every one of us who are in a noncompliance county have to take our automobiles every year to show that they are worthy to be on the roads of Pennsylvania. If you are in a county that is in compliance, it does not matter what kind of automobile, all you have to do is do a simple smell and gas test to see if the vehicle is okay.

It is interesting, and I just say this anecdotally, because I do not really know, but some people have told me that Penelec took their motor pool out of an area that had to be checked every year and claimed a county that did not have an inspection area as the home base for their vehicles so they did not have to make the expenses of the auto emissions.

It is a redundant system now. Our automobiles tell us when they are making mistakes. For once, maybe once in the history of the United States of America, we can look at the EPA and remove a regulation. A time has come, it is over, it is not needed anymore, and even those conservationists and the environmentalists are not in disagreement with me.

So, I want to make this language as strong as possible. I hope we have unanimous support here in the Senate and the House, and maybe let us begin that process that at least puts some common sense back into the Environmental Protection Agency. They are there to protect the environment, but they are not there to keep a thumb on the good citizens of this nation.

Thank you very much, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate adopt the resolution?

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

HB 1862 TAKEN FROM TABLE

Senator BROWNE. Mr. President, I move that House Bill No. 1862, Printer's No. 2400, 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.

COMMUNICATIONS FROM THE GOVERNOR REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator BROWNE, 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 HARNESS RACING COMMISSION

February 27, 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 J. Welsh, 281 Winthrop Lane, Wayne 19087, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE HARNESS
RACING COMMISSION

February 27, 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 Roy W. Wilt, 262 Leech Road, Greenville 16125, Mercer County, Fiftieth Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified.

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

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 Senatorial 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 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

MEMBER OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

February 17, 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 F. Coleman, Jr., 100 Skyharbor Drive, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2017, 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 VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

February 17, 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, Dan G. Murphy, 833 Colony Court, Bryn Mawr 19010, Delaware County, Seventeenth 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 BROWNE. 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 BROWNE,

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 BROWNE. 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 HARNESS
RACING COMMISSION**

February 27, 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 J. Welsh, 281 Winthrop Lane, Wayne 19087, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT
Governor

**MEMBER OF THE STATE HARNESS
RACING COMMISSION**

February 27, 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 Roy W. Wilt, 262 Leech Road, Greenville 16125, Mercer County, Fiftieth Senatorial District, for reappointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified.

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

**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 Senatorial 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 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

**MEMBER OF THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

February 17, 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 F. Coleman, Jr., 100 Skyharbor Drive, Port Matilda 16870, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2017, 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 VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS**

February 17, 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, Dan G. Murphy, 833 Colony Court, Bryn Mawr 19010, Delaware County, Seventeenth 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 BROWNE 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	McIlhinney	Tomlinson	
Eichelberger	Mensch	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 BROWNE. 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 D. WHITE, from the Committee on Banking and Insurance, reported the following bills:

SB 1144 (Pr. No. 2077) (Amended)

An Act amending the act of July 2, 1996 (P.L.514, No.85), known as the Health Security Act, defining "covered dentist services"; and prohibiting insurers from setting fees for noncovered dentist services.

SB 1464 (Pr. No. 2058)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for definitions, for acquisition of control of or merger or consolidation with domestic insurer, for acquisitions involving insurers not otherwise covered, for registration of insurers, for standards and management of an insurer within a holding company system and for examination; providing for supervisory colleges and for group-wide supervision for internationally active insurance groups; further providing for confidential treatment, for rules and regulations, for injunctions and certain prohibitions and for sanctions.

Senator YAW, from the Committee on Urban Affairs and Housing, reported the following bills:

SB 1414 (Pr. No. 2078) (Amended)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

SB 1433 (Pr. No. 2079) (Amended)

An Act providing for the Homeowner Assistance Settlement Act; establishing a fund for the purpose of funding the Homeowner's Emergency Mortgage Assistance Program; and providing for an appropriation.

HB 1682 (Pr. No. 3105)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

Senator M.J. WHITE, from the Committee on Environmental Resources and Energy, reported the followings bills:

SB 1136 (Pr. No. 2080) (Amended)

An Act requiring the design and construction of certain State buildings to comply with specified energy and environmental building standards.

HB 807 (Pr. No. 3332) (Amended)

An Act amending the act of July 10, 2008 (P.L.1009, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for definitions, for biodiesel content in diesel fuel sold for on-road use and for cellulosic ethanol content in gasoline; providing for blending, registration and other requirements; further providing for department authority and responsibility; providing for fees; establishing the Biofuel Development Account; and imposing penalties.

HB 2151 (Pr. No. 3333) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for fees and for records; providing for vintage snowmobile permits; and further providing for operation by persons under age sixteen.

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

HB 585 (Pr. No. 562)

An Act designating a bridge in Carroll Township, Washington County, as the Stanley Jurgaitis Memorial Bridge.

HB 1955 (Pr. No. 2686)

An Act designating Grant Street from Main Street in Waynesboro Borough, Franklin County, to the borough line at Route 316 as the Staff Sergeant Richard J. Tieman Memorial Highway.

HB 1956 (Pr. No. 2687)

An Act designating State Route 16 from the entrance of Greencastle Borough, Franklin County, to the square or other end of the borough on State Route 16 as the Master Sergeant Benjamin F. Bitner Memorial Highway.

HB 2045 (Pr. No. 2814)

An Act designating the bridge that carries State Route 26 over the Raystown branch of the Juniata River in the borough of Everett, Bedford County, as the Sergeant Robert W. Hartssock Memorial Bridge.

HB 2192 (Pr. No. 3077)

An Act designating a bridge carrying U.S. Route 202 over an unnamed branch of the Neshaminy Creek in Doylestown Township, Bucks County, in honor of First Lieutenant Colby J. Umbrell.

HB 2246 (Pr. No. 3195)

An Act designating a bridge carrying U.S. Route 202 over the Neshaminy Creek in Doylestown Township, Bucks County, as the First Lieutenant Travis Lemma Manion Memorial Bridge.

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the followings bills:

SB 110 (Pr. No. 2051) (Rereported) (Concurrence)

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for the authority of the department; and providing for logging of certain aircraft flights.

SB 730 (Pr. No. 2034) (Rereported) (Concurrence)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for real property and for personal property; and, in contracts, further providing for letting contracts.

SB 743 (Pr. No. 1843) (Rereported) (Concurrence)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, further providing for teaching safe driving of motor vehicles.

SB 815 (Pr. No. 2033) (Rereported) (Concurrence)

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

SB 1167 (Pr. No. 1947) (Rereported) (Concurrence)

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

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

SB 157 (Pr. No. 2076) (Amended) (Rereported)

An Act establishing a task force within the Department of Education, providing for its powers and duties and providing for administrative support.

SB 1263 (Pr. No. 1627) (Rereported)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for the Department of Labor and Industry.

SB 1296 (Pr. No. 1983) (Rereported)

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

SB 1466 (Pr. No. 2060)

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments and the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2012, to June 30, 2013, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2012, to June 30, 2013; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2012, to June 30, 2013, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive and Legislative Departments of the Commonwealth for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012, and to provide appropriations from the Motor License Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund.

SB 1467 (Pr. No. 2061)

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

SB 1468 (Pr. No. 2062)

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

SB 1469 (Pr. No. 2063)

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University--Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

SB 1470 (Pr. No. 2064)

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

SB 1471 (Pr. No. 2065)

An Act making appropriations to the Trustees of the University of Pennsylvania from the restricted account within the Pennsylvania Race Horse Development Fund.

SB 1472 (Pr. No. 2066)

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1473 (Pr. No. 2067)

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1474 (Pr. No. 2068)

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

SB 1475 (Pr. No. 2069)

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2012, to June 30, 2013.

SB 1476 (Pr. No. 2070)

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

SB 1477 (Pr. No. 2071)

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1478 (Pr. No. 2072)

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

SB 1479 (Pr. No. 2073)

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

SB 1480 (Pr. No. 2074)

An Act providing for the capital budget for the fiscal year 2012-2013.

HB 61 (Pr. No. 29) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for collection of court costs, restitution and fines by private collection agency.

HB 1546 (Pr. No. 3167) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Juvenile Court Judges' Commission.

HB 1702 (Pr. No. 3331) (Amended) (Rereported)

An Act reenacting and amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code.

RESOLUTION REPORTED FROM COMMITTEE

Senator M.J. WHITE, from the Committee on Environmental Resources and Energy, reported the following resolution:

SR 265 (Pr. No. 2081) (Amended)

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

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

SENATE RESOLUTIONS ADOPTED

Senators FARNESE, BROWNE, STACK, SCHWANK, FONTANA, RAFFERTY, TARTAGLIONE, KITCHEN, ALLOWAY, HUGHES, ERICKSON, SOLOBAY, GREEN-

LEAF, DINNIMAN, COSTA, PILEGGI, FERLO and EARLL, by unanimous consent, offered **Senate Resolution No. 278**, entitled:

A Resolution designating the month of April 2012, as "Pennsylvania Donate Life Month."

On the question,
Will the Senate adopt the resolution?

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

Senator FARNESE. Mr. President, I am pleased to offer this resolution designating April 2012 as "Pennsylvania Donate Life Month," to bring attention to the need for organ donations and the great work done by our State's 18 transplant centers. It is estimated in the United States that 113,000 people are in need of lifesaving organ transplants, a number that each year seems to grow. In Pennsylvania alone, approximately 8,000 people are awaiting such a transplant. For every person who donates organs or tissue, a potential 50 lives can be enhanced or saved, and up to 8 people can be taken off the waiting list for organ transplants.

The important work done by our medical personnel and donation centers in Pennsylvania has made the Commonwealth a leader in the field of donation and transplantation, for which recognition is deserved. However, it is important to highlight that despite progress being made in better educating our citizens about donation through Pennsylvania's Organ and Tissue Donor Awareness Program, demand continues to outweigh donations. I hope that by offering this resolution today we can encourage everyone in Pennsylvania to become an organ donor.

Thank you, Mr. President.

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

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

Senators FONTANA, FARNESE, TARTAGLIONE, KITCHEN, WASHINGTON, STACK, TOMLINSON, HUGHES, WILLIAMS, PILEGGI, McILHINNEY, SCHWANK, GREENLEAF, SMUCKER, YUDICHAK, PICCOLA, BROWNE, BRUBAKER, PIPPY, FERLO, WARD, ORIE, D. WHITE, COSTA, RAFFERTY, BREWSTER, SOLOBAY, VOGEL, FOLMER, LEACH, BOSCOLA, DINNIMAN, BAKER, M. WHITE, BLAKE, YAW, MENSCH, SCARNATI, ERICKSON, GORDNER, WAUGH, ARGALL, EICHELBERGER, VANCE, KASUNIC, ALLOWAY, CORMAN, WOZNIK and ROBBINS, by unanimous consent, offered **Senate Resolution No. 279**, entitled:

A Resolution recognizing the week of April 8 through 14, 2012, as "Library Week 2012" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, this resolution designates the week of April 8 through April 14 as "National Library Week" in Pennsylvania. National Library Week has been observed each year since 1958 and celebrates the contributions that libraries, librarians, as well as library workers have made across the country. This year's theme of "You Belong @ Your Library" emphasizes that there is something for everyone at the library. In these difficult economic times, the library is a place of resources for job seekers, free activities for children, access to computers, or discovering a new favorite book.

In addition, Mr. President, the Pennsylvania Forward Program for libraries was conceived to give a voice to what the library community already knows, which is that with the right support, libraries are ideally positioned to be community centers for information, technology, and learning that will fuel education and economic opportunity. Pennsylvania is home to approximately 3,000 libraries based in schools, colleges, and universities, and another 460 public libraries that receive State funding. Pennsylvania libraries serve over 7 million residents each year through regular library services, and over 30 bookmobiles that allow outreach to those who would not ordinarily be able to visit the library.

With many Carnegie Libraries in my district, I see how beneficial this library system is to my constituents. I am also honored to inform you that the Carnegie Library saw the fifth-largest increase in usage in a study of 15 metropolitan libraries across the country.

Mr. President, National Library Week highlights the capacity of our nation's public, academic, school, and specialized libraries to help us transform our lives and communities. Thank you for your support on this resolution.

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

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

Senators YUDICHAK, M. WHITE, FARNESE, ERICKSON, FONTANA, RAFFERTY, GREENLEAF, BROWNE, STACK, KASUNIC, SCHWANK, TARTAGLIONE, BAKER, COSTA, WAUGH, BREWSTER, ALLOWAY, DINNIMAN, FERLO, PIPPY, ARGALL, HUGHES, PILEGGI, SOLOBAY and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 280**, entitled:

A Resolution designating the week of May 6 through 12, 2012, as "Drinking Water Week" in Pennsylvania.

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

Senators STACK, DINNIMAN, SCHWANK, LEACH, BREWSTER, BROWNE, WOZNIK, FONTANA, KITCHEN, ORIE, SCARNATI, TARTAGLIONE, BOSCOLA, PIPPY, WARD, HUGHES, ERICKSON, YUDICHAK, FARNESE, PILEGGI, RAFFERTY, BAKER, ARGALL, MENSCH, GREENLEAF, D. WHITE, WILLIAMS, ALLOWAY, COSTA, BRUBAKER and FERLO, by unanimous consent, offered **Senate Resolution No. 281**, entitled:

A Resolution designating April 15 through 22, 2012, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, I rise along with my friends and colleagues, Senator Dinniman, Senator Schwank, and Senator Leach, to seek unanimous adoption for this resolution which honors April 15 through April 22, 2012, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania. From 1933 to 1945, 6 million Jews across Europe were systematically slaughtered under Hitler's Nazi regime. Millions of other people were also tortured and killed, including gypsies, disabled people, prisoners of war, Christians, and other people who resisted Hitler's agenda. The Holocaust remains one of the world's darkest periods in modern history, yet it is a part of our history that must never be forgotten because it must never be repeated. We can take steps today to combat bigotry and hatred. We can make every effort to treat each other with mutual respect. Pennsylvania can also stand up to nations that preach hatred and support terrorism.

In 2002, Mr. President, we enacted a divestment law that requires Pennsylvania's public pension plans to divest from companies that have major business activities in the rogue nations of Sudan and Iran. A few months ago, Mr. President, the office of the State Treasurer released the first comprehensive report on the outcomes of this divestment law. I am pleased to say that 10 companies have already ceased operations in Sudan and/or Iran, and thus are no longer prohibited investments by the Commonwealth of Pennsylvania. Further, six companies have declared they plan to divest or are in the process of doing it and ceasing their involvement with these regimes in order to avoid divestment.

Additionally, in the future, Mr. President, I plan to introduce legislation that would prohibit the Department of General Services from entering into a contract with an individual, organization, financial institution, company, or government entity that provides goods and services, or a line of credit worth at least \$20 million, to any energy sector in Iran. This legislation is one more way to let Iran know that we will not do business with a nation whose leader has threatened to wipe Israel off the map.

We must remember the Holocaust by standing up immediately, Mr. President, to those who espouse hatred. We must know we are all under the threat whenever one person, or one nation, or one people is threatened. By honoring the Days of Remembrance of the Victims of the Holocaust, we here in Pennsylvania can insure that men, women, and children who suffered and died will not be forgotten. In fact, they will never be forgotten, Mr. President. We can pledge to condemn all forms of anti-Semitism, ethnic intimidation, and hatred.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I thank Senator Stack for his resolution. Indeed, it is important that we remember these Days of Remembrance of the Victims of the Holocaust. But in this remembrance, we must be committed to making sure that there is no future holocaust. Since the 1930s and 1940s, we have seen a holocaust in a number of places, where people of one

ethnic group or religious group kill mass numbers of people in other groups.

Human beings are capable of doing horrible things, and human beings are capable of doing the most wonderful, compassionate things as well. It is through history, it is through remembrance that we renew the human spirit, we renew the capability that we do what is right. Here in this Chamber we have a series of stained glass windows, and one of those windows above me says "history." History is not just to tell us what occurred in the past, history is also to inform us, to help us make sure that the mistakes of the past do not happen again.

So I rise in support of this resolution so that we may not only remember with respect, dignity, and love those people who perished, but we also will recommit ourselves with every fiber of our bodies to make sure that never again will a holocaust occur to any group of people in the world. It is an important time for us to remember that we are all united together. In the words of Martin Luther King, "We are caught in an inescapable network of mutuality, tied in a single garment of destiny."

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 LEACH, TARTAGLIONE, FONTANA, ERICKSON, DINNIMAN, RAFFERTY, BOSCOLA, BROWNE, GREENLEAF, KITCHEN, EARLL, HUGHES, YUDICHAK, FARNESE, PILEGGI, PIPPY, COSTA and FERLO, by unanimous consent, offered **Senate Resolution No. 282**, entitled:

A Resolution recognizing the month of April 2012 as "Multiple Birth Awareness Month" in Pennsylvania.

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

Senators LEACH, FONTANA, WOZNIAK, WARD, HUGHES, FARNESE, COSTA, PIPPY, BRUBAKER and FERLO, by unanimous consent, offered **Senate Resolution No. 283**, entitled:

A Resolution recognizing February 14, 2012, as "National Socks for the Homeless Day" in Pennsylvania and encouraging all citizens to contribute to organizations that provide socks for the homeless.

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 Lawrence G. Plank by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur K. Ridley by Senator Baker.

Congratulations of the Senate were extended to Gabriella Katelyn Smith, Kirsten Nicole Leskovich, Jack Huang, Erica Mascarenhas, Natalie Herb, James Ragan, Cassie Apgar, Kimberly Hakvaag, Matthew John Kuna, Ashanti Dior

Littlejohn, Teresa Hamsher, Hannah K. Ruebeck, Leslie Lukow, Stephanie Sie Chantal Mark, Ryan Joseph Spirko, Rebecca Kuc, Alexa Marie Bartel, Garrett W. Powell, Rylee Maron, Megan Lynn Berner, Zachary Panto, David Fritz, Abhinav Rangarajan, Karthik Nataraj, Colleen Mary Topper, Mya Roberson, Christine A. Overholt, Karl Costantino and to Christian Giovannini by Senator Boscola and others.

Congratulations of the Senate were extended to Joshua Michael Woolley by Senator Browne.

Congratulations of the Senate were extended to Landon Colby Miller and to Samantha Rose Fenicle by Senator Corman.

Congratulations of the Senate were extended to Charles Mallon by Senator Dinniman.

Congratulations of the Senate were extended to Tyler Earley by Senator Eichelberger.

Congratulations of the Senate were extended to Michael F. Ryan by Senator Farnese.

Congratulations of the Senate were extended to Ashley M. Orehek by Senator Greenleaf.

Congratulations of the Senate were extended to Anya Kelly by Senator Mensch.

Congratulations of the Senate were extended to the Honorable Gustave Diamond, Sewickley Public Library and to Mt. Lebanon Fire Department by Senator Pippy.

Congratulations of the Senate were extended to Mary Maletto by Senator Scarnati.

Congratulations of the Senate were extended to Christopher Fellin by Senator Schwank.

Congratulations of the Senate were extended to the Penn State Washington County Cooperative Extension by Senators Solobay and Washington.

Congratulations of the Senate were extended to Philip Falchetti by Senator D. White.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Frank Delano Burbage by Senator Williams.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 1136, SB 1144, SB 1414, SB 1433, SB 1464, SB 1466, SB 1467, SB 1468, SB 1469, SB 1470, SB 1471, SB 1472, SB 1473, SB 1474, SB 1475, SB 1476, SB 1477, SB 1478, SB 1479, SB 1480, HB 585, HB 807, HB 1682, HB 1955, HB 1956, HB 2045, HB 2151, HB 2192 and HB 2246.

And said bills having been considered for the first time,

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, APRIL 2, 2012

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 157, 1263, 1296, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479 and 1480; and House Bills No. 61, 1546 and 1702)	Rules Cmte. Conf. Rm.
Off the Floor	BANKING AND INSURANCE (to consider Senate Bills No. 1144 and 1464)	Rules Cmte. Conf. Rm.
Off the Floor	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1136; Senate Resolution No. 265; and House Bills No. 807 and 2151)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 277; Senate Bills No. 110, 730, 743, 815 and 1167; and certain executive nominations)	Rules Cmte. Conf. Rm.
Off the Floor	TRANSPORTATION (to consider House Bills No. 585, 1955, 1956, 2045, 2192 and 2246)	Rules Cmte. Conf. Rm.
Off the Floor	URBAN AFFAIRS AND HOUSING (to consider Senate Bills No. 1414 and 1433; and House Bill No. 1682)	Rules Cmte. Conf. Rm.

TUESDAY, APRIL 3, 2012

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (informational meeting with the PA Dairy Industry)	Senate Maj. Caucus Rm. 156 MC
9:30 A.M.	EDUCATION (public hearing on Modernization of the Professional Educator Discipline Act)	Hrg. Rm. 1 North Off.
9:30 A.M.	LABOR AND INDUSTRY (public hearing to consider the nomination of Robert H. Shoop, Jr., Esq., to the PA Labor Relations Board)	Rm. 461 Main Capitol
10:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 8)	Rm. 461 Main Capitol
10:00 A.M.	FINANCE (to consider Senate Bills No. 1090, 1135 and 1309; and House Bill No. 761)	Rm. 8E-B East Wing
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 1352; and House Bill No. 48)	Rm. 461 Main Capitol

PETITIONS AND REMONSTRANCES

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

Senator FERLO. Mr. President, it has been about 16 months or so since West Penn Allegheny Health System was clearly in financial trouble, and there was a pronouncement and an announcement by the Highmark organization out west that they would indeed intervene and acquire the facility, the assets, and many of the professional physicians and groups that are part of the West Penn Allegheny Health System. That system is not only vital to the healthcare delivery complement throughout the three-county area that I represent, and certainly the city of Pittsburgh, but a system not unlike UPMC that has thousands of employees, well-paying jobs, and has really been part of the vibrancy of the city of Pittsburgh and our region.

We talk about how the region has successfully transformed itself with the demise of primarily steel, and how we are touted as kind of an "eds and meds" community that continues to have important manufacturing and other sectors, but clearly the powerhouse institutions, the healthcare facilities, and certainly the educational colleges and universities that we have throughout Allegheny County are really quite remarkable, contributing significantly to the vibrancy of our city.

Obviously, everyone has concerns about what is going on now, I do not want to recount the trials and tribulations of this past week involving the now former CEO of Highmark. I am really not that interested, quite honestly, in the lifestyles of the rich and famous. I am more concerned about the downtrodden, those who are in need of healthcare, and the healthcare professionals who work in this system. What is important right now is a continued, focused effort--despite the soap opera that is going on, I am sure there will be a lot of intriguing details yet to come out. I would hope that in the main editorial boards, the letters to the editor, and the public's concern can rather not be preoccupied with the one situation that is going on, which will certainly be a soap opera that will be unraveled in the media. I hope that we will return to the focus of how critical it is that we continue to survive and maintain these important healthcare facilities, their jobs, and all the services that they provide. I am talking about the continued support that I have certainly, and many in my constituencies support, the formal acquisition by Highmark of the West Penn Allegheny Health System.

I want to briefly call to the attention of many that it is important that individuals who are interested in supporting the acquisition, that they either appear at the formal hearing coming up by the Pennsylvania Insurance Department, or at least go to the excellent Web site that the Insurance Department operates, and sign up, or at least submit your testimony, even if it is just indicating that you support the acquisition. The formal public hearing will be on Tuesday, April 17. It will be at the Westin Convention Center Hotel on 1000 Penn Avenue near the convention center. There is a registration form on the Pennsylvania Department of Insurance's Web site. Folks can sign up and indicate their interest in either submitting testimony or speaking. I encourage everybody to get involved in this process. I hope people get involved because they want to support the acquisition. It is very critical that we get a broad-based indication from the public.

There will be a review not only by the Pennsylvania Insurance Department, but this is a matter that will have to be reviewed by the Orphans' Court in Allegheny County, as well as the IRS has to review certain aspects of this acquisition, and it could conceivably go to the Department of Justice for their type of review possibly, I am not sure. The Attorney General of Pennsylvania

may want to possibly intervene or comment on the Act 94 provisions. Again, there are just a lot of reviews that have to go on, but time is of the essence.

It is the hope and prayer of many in the community that I represent that the proceedings will continue posthaste and that there will be, hopefully, a positive recommendation and action by these various authorities, especially the Department of Insurance, to indeed approve the acquisition to maintain the jobs, the community livelihood, and certainly the healthcare delivery system. That portion which several of the hospitals, clinics, facilities, doctors, nurses and para-professionals represent that are part of the West Penn Allegheny Health system include West Penn Hospital in Bloomfield, Allegheny General Hospital in the North Side, and certainly the Alle-Kiski Valley Hospital as well.

So again, please get interested in this subject, sign up, and be supportive of the public hearing. It is an open public hearing and will begin in the morning at the convention center. There will also be a 7 p.m. public hearing. I will be speaking right at 7 p.m., submitting testimony. We are encouraging folks to come out for the proceedings at the beginning of the morning. Certainly, for those who have to work during the day or do not have time during the day, please come out en masse, large numbers. We need people to fill the room at this hotel in support of the acquisition. If they need information, they can call my office on Butler Street, 412-621-3006. Get involved, speak up now, and let us continue to fight for the necessary healthcare that we need.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

PETITIONS AND REMONSTRANCES (Continued)

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

Senator STACK. Mr. President, we had a spirited debate here last week on the Senate floor about the Federal healthcare reform. We had to talk a lot, we had a nice, healthy discussion about healthcare, but we also had a nice, healthy discussion about language, about how we refer to terms and policies. Some people call the Federal healthcare act by its official name, the Patient Protection and Affordable Care Act, and some people call it, I do, by its nickname, Obamacare, and some people have other names that we will not even get into. But whatever you want to call it, it is a monumental healthcare reform law that could make a fundamental difference for millions of lives.

While we are talking about nicknames, Mr. President, I have one for the administration's policy on healthcare and welfare. The Governor does not like Obamacare, but the more I think about it, I think we should call his program "Corbett Don't Care," or to be grammatically correct--I would get in trouble if I were not--"Corbett Doesn't Care." We will call it the "Corbett Doesn't Care" plan, and under that plan, the Governor's ideological and public policy plan is to destroy education funding, higher education funding, and human services for the disabled and the elderly, and pass the costs on to the local governments through increased property taxes.

Now, let us compare. We have on the one side Obamacare, and the other side we have "Corbett Doesn't Care." Obamacare would help uninsured Americans get insurance by setting up large insurance pools and giving consumers an online one-stop shop called the insurance exchange. It would also create an opportunity for insurance companies here in Pennsylvania to sell much more insurance and probably create more jobs. But Obamacare also bans insurance companies from using preexisting illnesses to determine insurance premiums or deny people health insurance.

So let us break that down again. People watching at home, people who maybe work here, people who are passing by, you and your children will not be denied coverage just because you have a preexisting condition. What is a preexisting condition? Well, it is another way of saying you are likely to get sick. So under the Obamacare plan, you cannot be denied insurance for probably having to need it. Obamacare does not require everyone to purchase insurance, so healthy people are going to be pooled with sick people and the premiums are spread out over a large group of people. The likely result would be cheaper insurance for everybody, and a tax credit would be provided to people to help them buy insurance.

According to the Pennsylvania Department of Insurance statistics, 90 percent of uninsured Pennsylvanians would absolutely be eligible for a tax credit to buy health insurance under Obamacare. So Obamacare tries to help people buy health insurance, tries to help people get healthy, tries to hold down costs. Is it perfect? Absolutely not. There is a lot more that could be done, there may be a lot less that could be done. But the bottom line is, I think it needs to do a better job of holding down cost controls and it needs to make sure that the ability of States to make the decisions that they think are best are retained. It does some of those things.

The "Corbett Doesn't Care" plan does not try to help people. The "Corbett Doesn't Care" plan eliminated the adultBasic health insurance for working Pennsylvanians. The "Corbett Doesn't Care" plan led to 89,000 kids getting kicked out of the Medical Assistance program. The "Corbett Doesn't Care Plan" led to 14,000 school employees being laid off during the worst recession since the Great Depression--and that was begun under, and it is a subject for another day, not Obamacare, not "Corbett Doesn't Care," but that was "Hoover Care." "Corbett Doesn't Care" has led to huge across-the-board tuition hikes across the State. "Corbett Doesn't Care" cut funding to disability programs at a time when autism and other disabilities need the most help.

So, Mr. President, folks can rail against Obamacare all they want. Obamacare, or the Affordable Care Act, or the Federal act, whatever you want to call it, folks can try to create loopholes to block the healthcare law. They can claim they are just protecting American rights. Heck, they can throw around the word "mandate" all they want. We did it a lot last week. I am sure people will continue to do it. I know some people call it a bad word, but it seems to me that the Governor and some Members of the legislature want to do some mandating of their own. They do not want mandates for health insurance, but they want to mandate the credentials you need to exercise your fundamental right to vote.

It is convenient that the Governor and some of my colleagues on the other side of the aisle want to selectively place mandates on the citizens of the Commonwealth. If you look at the numbers, Mr. President, the "Corbett Doesn't Care Plan" will take a

much worse toll on Pennsylvanians than Obamacare. The Federal government does a lot of things I do not like, and I certainly do not agree with many of the findings of the Supreme Court, but what they taught me back in law school was that the Supreme Court is the law of the land, and they are arguing Obamacare right now. In any event, we need to stop with the partisan nonsense going on here. We need to get to work to try to find new ways to bring revenue into our State to improve our schools, to fund our addiction recovery programs, to fund our transportation crisis, and move this Commonwealth forward.

Whatever your thoughts are on Obamacare or "Corbett Doesn't Care," but at the end of the day, I think, Mr. President, as far as the people of this State who are hurting right now with this legislature's program, it should care, and that should be our plan, that this legislature does care.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I have to give a round of applause to my good friend and colleague, Senator Stack, because I think he came up with a good one there with the "Corbett Doesn't Care" healthcare program. He has been known to come up with some good ones, and that may be one of his best ones.

We are clearly operating in an environment where the healthcare of the people of the Commonwealth of Pennsylvania is becoming a conversation that has been pushed to the bottom, not raised to the top. We need to be in a situation where, Mr. President, we put the people of Pennsylvania first, not put them last, and one of the ways that we put the people of Pennsylvania first is by dealing with the issue of the uninsured and how many people in this Commonwealth have no health insurance and how, in fact, this administration is not doing anything to lift a finger to help them get the insurance that they so desperately need.

The number-one reason why folks are filing for bankruptcies, Mr. President, is because of unpaid healthcare bills. Those bills come about as a simple result of the fact that millions of people across this nation and in the State of Pennsylvania have no health insurance, and there has been no help, no support, no lifting of any finger to try to help the people of Pennsylvania in that respect by this administration.

I raise that in the context, Mr. President, of where we are right now as a result of our budget situation. Mr. President, I have a lot of fine staff people who help me, help our Caucus, and work with our constituents to try to figure out this budget situation and the deficit that was projected. They come up with a lot of technical terms, but we need to figure out how to make it as plain as possible so we can get through this understanding so that we can shape the right policies for the people of Pennsylvania, because we want to put the people first. We do not want to put them last, which is what this administration is trending to do and has done.

So what we know is this, Mr. President, that in February of this year, the Governor projected that we would have a budget shortfall, a budget deficit of \$719 million. Now, that is what he projected, Mr. President, that we would be short \$719 million by June 30 of this year. So, because we had that hole of \$719 million, we had to do a lot of additional cutting in the State budget to fill that hole. That is his budget proposal. That is what he is standing on. His Budget Secretary, as late as this weekend, said that is the deal, that is the reality, that we are short \$719 million,

that we are going to be short \$719 million by June 30, and that we have to cut our way to fill that hole.

Well, Mr. President, I have to say that the numbers are in, and my staff people have spent an inordinate amount of time helping me to understand exactly how these numbers work and how the calculations come together. But the truth of the matter is this: the amount of money that has come into the State coffers so far is beginning to fill that hole and is beginning to fill that hole dramatically. More dollars are coming into the State coffers, the economy has picked up nationally, the State has picked up on that national return, and more dollars are coming to the State. So, in fact, Mr. President, the State's budget deficit will be nowhere close to \$719 million, because new resources are coming in. The State's economy is picking up. New resources are coming in. So, that \$719 million hole is starting to fill up. We are filling up that hole with new State resources, which means we do not have to make the cuts that the Governor is projecting for us to make. That is bottom-line, that is clear.

Now, I am not making this stuff up. This is not voodoo economics that we are talking about here. This is not made-up stuff that we are calculating here with some mad mathematician sitting in the background calculating these numbers. This is real stuff.

First of all, Mr. President, the Independent Fiscal Office, an office that was created by this General Assembly, by the House and the Senate and signed off by the Governor, started operating several months ago, they projected about 2 weeks ago that the budget deficit would not be anywhere close to \$719 million, probably closer to \$500 million. Well, that is a \$219 million difference. By rough calculations, that is about a 28- to 30-percent difference. They say the hole will be about \$500 million. The Governor said the hole will be about \$719 million. So, there is a huge difference right there.

But then, we have all of the numbers in for all of the months leading, including the month of March, and if you can see this chart, Mr. President, you will see all of the lines, it is July through March included right there. So, again, these are not made-up numbers, these are numbers consistent with the Governor's Office, the Secretary of Revenue, the Budget Office, all of the four Caucuses have these exact same numbers. In fact, one of the reporters, I believe, already reported on this, I believe it was Capitolwire or something along that line. It is already public information. They have already written about this. I believe that, more than likely, Mr. President, where we are right now is closer not to a \$719 million deficit, not to a \$500 million deficit, but somewhere closer to a \$350 million to \$400 million deficit. That is the kind of revenue that is coming into the State coffers. We believe that number is going to do even better over the next 3 months, in April, May, and June. So, what started out as a huge hole of \$719 million is starting to fill up, and it is filling up dramatically.

So, we need to pay close attention to this, we need to pay attention to these charts, and we need to look at the work of the Independent Fiscal Office and examine that correctly because we are making budget decisions over the next 3 months that are based on these numbers, the numbers that we have right here. The voodoo economics of this administration are not adding up. The mathematics are not adding up, Mr. President. More closely, we are in a situation where we are coming to, where we will have extra dollars that we can reinvest in Pennsylvania's people. We can put Pennsylvania's people first. We can talk about funding

education, we can talk about funding higher education, we can talk about reducing the cuts to human services, we can talk, most importantly, about doing things that put Pennsylvania's people back to work and not have to do it by creating any taxes. No new tax increase needs to be had.

We will be talking about this more in the coming days, Mr. President, but I think it is important to note, and I think it is important to make part of the Official Record that the rate of economic growth in Pennsylvania's economy is such that the \$719 million projected budget deficit is a myth. It will not be. It will not occur. I can say this just as sure as I said with last year's budget crisis, when the Governor predicted a \$79 million budget surplus, and the surplus wound up being almost \$800 million. That is what happened last year, and the same is going to occur this year.

So, the math that we are dealing with is not working out. What is happening is that the deficit hole is starting to be filled up by economic activity, largely generated by the Federal government. The turnaround in the Federal economy is having an impact here in the State. So, that is a good thing. We are going in the right direction economically. That is a good thing, and it is making itself evident in the State coffers, as more dollars are coming in.

So, Mr. President, over the next couple of days, we will talk about this in more depth and more detail. In the next several months, we will be having budget negotiations and budget conversations, and hopefully, the Democrats will have the opportunity to be at the table in full discussion and full negotiation. We have commitments from the Governor's Office directly that he will not exclude the Democrats in this process. The Senate Democratic Caucus and the House Democratic Caucus will be at the table. We expect that to play itself out all the way to the end. We expect to provide significant ideas and options that put Pennsylvania's people first, does not destroy the State budget, does not raise any taxes, and, as I said, puts people, Pennsylvania's people first, utilizes the tax dollars that are already in existence to make significant investments in things that are important to put Pennsylvania's people first, put Pennsylvania's people back to work, which is job number one, putting Pennsylvania's people back to work.

Thank you, Mr. President.

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, April 3, 2012, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:20 p.m., Eastern Daylight Saving Time.