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WEDNESDAY, MAY 6, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 27

**SENATE**

WEDNESDAY, May 6, 2015

The Senate met at 11 a.m., Eastern Daylight Saving Time.

The PRESIDENT (Lieutenant Governor Mike Stack) in the Chair.

**PRAYER**

The Chaplain, Reverend JANET L. KLINE, of Christ United Church of Christ, Barnesville, offered the following prayer:

I want to thank each one of you for giving me this opportunity to come here today. I truly pray that God will truly bless each and every one of you.

Let us pray.

Dear Heavenly Father, we come here this morning and we cannot thank You enough that we can live in this great land that You have blessed for so many years. You have certainly blessed this wonderful State of ours that is filled with rolling hills and green forests, rich coal fields, bountiful rivers and streams, and most of all, what makes this State the great one that it is, is we, the people. Father, we have all come from different backgrounds and, yet, You have united us into one people who are represented by these men and women gathered in this room today. Father, I pray that You would be with these individuals. Their job is certainly not an easy one. Many times they can be criticized for what they have done and the decisions they have made. Yet, I pray that You would help each one of them not to become discouraged, for we realize that the ones who do the least are always the ones who have the most to say and try to put others down. But these men and women have been willing to do more than just talk. They are giving of themselves to try and make things better and make their communities, this State, and the world we live in a better place because they are in it.

Father, these men and women are husbands and wives, moms and dads, sons and daughters, brothers and sisters. Yet, in trying to serve their communities, they have oftentimes had to put their own families on the back burner to try and maybe attend other events where they were expected to be, and yet, many times never really appreciated for their sacrifice to their families. So, I pray that You would be with their families to help them understand that these loved ones are trying to do their best and trying to please so many people and yet, many times they end up hurting the ones they love the most. Father, just be with these men and women and help them not to be so hard on themselves and realize that we can only do what we think is best and that we can

never please everyone. So, help them to do what they think is best and right in their own hearts, and in doing that, they are able to live with themselves.

Father, we all come from different religious beliefs and backgrounds. Many of us may call You by different names, and yet, we realize that we all need someone, someone we can turn to, someone who gives us the strength to keep going. We thank You that those individuals who came before us also realize that they were nothing on their own but they formed a nation that said that in spite of all of our differences, we are still one, one nation under You. I thank You that after all these years this governing body is still willing to come to You, seek Your guidance, and seek Your blessing. So, we pray that You would be with each one of them. Many may even be standing here right now and they are not physically up to power, or they have loved ones who are hurting and they wish that they could be with them right now. So, we place each one of these men and women completely into Your hands, as well as their families and loved ones. Give them safety as they spend so much time on the road traveling from here to their homes and from one place to another. Just be with each one of them, to help them to do their best. Then give them the wisdom, the understanding, the patience, the forgiveness, and the love that each one of them needs in serving their people and in serving You. All of this we pray in Your precious name. Amen.

The PRESIDENT. The Chair thanks Reverend Kline, who is the guest today of Senator Argall.

**PLEDGE OF ALLEGIANCE**

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

**BILL INTRODUCED AND REFERRED**

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

May 6, 2015

Senators HUTCHINSON, AUMENT, BARTOLOTTA, GORDNER, RAFFERTY, SMITH, TEPLITZ, VOGEL, VULAKOVICH and WHITE presented to the Chair **SB 798**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a computer data center equipment incentive program.

Which was committed to the Committee on FINANCE, May 6, 2015.

**BILLS REPORTED FROM COMMITTEES**

Senator EICHELBERGER, from the Committee on Finance, reported the following bills:

**SB 73 (Pr. No. 51)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in malt beverage tax, further providing for limited tax credits for small brewers.

**SB 556 (Pr. No. 862) (Amended)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in realty transfer tax, further providing for definitions and for excluded transactions.

**SB 691 (Pr. No. 677)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption.

Senator VANCE, from the Committee on Public Health and Welfare, reported the following bills:

**SB 396 (Pr. No. 311)**

An Act reenacting and amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, further providing for sunset; and making editorial changes.

**SB 472 (Pr. No. 861) (Amended)**

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, providing for records of distribution of controlled substances.

**LEGISLATIVE LEAVES**

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Dinniman, and a legislative leave for Senator Tartaglione.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Dinniman, and a legislative leave for Senator Tartaglione. Without objection, the leaves will be granted.

**LEAVES OF ABSENCE**

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

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

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**SB 699 CALLED UP OUT OF ORDER**

**SB 699 (Pr. No. 683)** -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 699 (Pr. No. 683)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the disposition of certain lands situate in Plymouth Township, Luzerne County, subject to Project 70 restrictions.

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-47**

Alloway	Eichelberger	McIlhinney	Tomlinson
Argall	Farnese	Mensch	Vance
Aument	Folmer	Pileggi	Vogel
Baker	Fontana	Rafferty	Vulakovich
Bartolotta	Gordner	Scarnati	Wagner
Blake	Greenleaf	Scavello	Ward
Boscola	Haywood	Schwank	White
Brewster	Hughes	Smith	Wiley
Brooks	Hutchinson	Smucker	Wozniak
Corman	Kitchen	Stefano	Yaw
Costa	Leach	Tartaglione	Yudichak
Dinniman	McGarrigle	Teplitz	

**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.

**GUESTS OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE**

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

Senator RAFFERTY. Mr. President, I thank you very much for this opportunity. I have two sets of guests today, one who is no stranger to the Members of the Senate of Pennsylvania. He recently left the employment of State government and returned to the private sector. I am, of course, referring to Mr. Barry Schoch, former Secretary of Transportation. Mr. President, it has been my distinct privilege to be able to work with Barry on the transportation bill. I know Senator Wozniak feels the same way. Barry became the face of the transportation funding bill here in the Commonwealth of Pennsylvania. Oftentimes, we are patted on the back for the transportation bill, and rightly so. It was a tough vote for many of us, but for every team there is a coach who is needed on the sideline to call the plays. There is a coach needed on the sideline for counsel, and Barry was that position for us on what became Act 89.

Mr. President, coming up today from the district to Harrisburg, I was delayed in traffic because they were resurfacing roadways or there was a bridge closed. It is music to my ears. We are finally able to, after all these years, work on the transportation infrastructure here in the Commonwealth of Pennsylvania. When we did this particular piece of legislation, we made sure we did

not look just at roads and bridges but all modes of transportation. This is truly a multi-modal fund that we have set up for transportation for our three ports, our airports, our regional airports, our transit, our short-line railroads, dirt and gravel, highways, bridges, and to ease the debt of the Pennsylvania Turnpike from Act 44. This was a work that turned out to be extremely beneficial. I should say the Commonwealth of Pennsylvania, working with Barry and Senator Wozniak, Senator Scarnati, Senator Pileggi, Senator Corman, Senator Costa, and Senator Hughes, it was a work of art how we were able to intertwine all of the different interests into this piece of legislation. So much so, with Barry's assistance and counsel, when we introduced the transportation bill, there were some 120 people standing on the stage with myself, Secretary Schoch, and Senator Wozniak, all from different factions in the Commonwealth of Pennsylvania - union, nonunion, farmers, bicyclists, and pedestrians - to show their support for this particular piece of legislation. Barry has spent 30 years in the transportation field, and it showed as we worked on this transportation bill, and ideas that were fleshed out that came to fruition in the legislation that we sent to Governor Corbett for his signature, which became Act 89.

We are now seeing millions of dollars pumped into the transportation infrastructure. We are seeing our mass transit systems being able to undertake capital projects. We are seeing dirt and gravel roads being repaired and increased here in the Commonwealth of Pennsylvania. We are seeing short-line railroads in the Marcellus Shale area, Senator Yaw's area, the timber industry, Senator Baker's area, to make sure that there is money there to move those goods and those products. In Philadelphia County, your former stomping grounds, Mr. President, still your stomping grounds, but as a representative of the Senate, for the short-line railroads to start moving the increased amount of goods coming into the Port of Philadelphia due in large part because of the Delaware River dredging done under Governor Rendell and Governor Corbett, now with the increased money going into the Port of Philadelphia to promote it. With the size of the Panama Canal expanding, and after what happened on the West Coast this year, I think you will see more traffic coming into the Port of Philadelphia to help the Commonwealth of Pennsylvania.

Barry was very instrumental. His knowledge of the transportation system, his integrity as an individual and as a professional of the transportation system, was really a key to getting this piece of legislation passed. Mr. President, Senator Wozniak, Senator Vance, in whose district Secretary Schoch and his wife, Karen, live, and I will be sponsoring a citation. It will be left at the desk for any Senators who would like to have their name added to the citation, so we can give a formal copy of the citation to Secretary Schoch in the very near future. We are very fortunate today to have Secretary Schoch and his true partner, his ally and his inspiration, his wife, Karen, with him today. His two 5-year-old twins are with somebody else today so they could be here to be recognized by the Senate. Before we get to that, Mr. President, I will ask you to defer to other Members of the Senate who I know want to say a few words about Secretary Schoch.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Rafferty. It was a monumental task in accomplishing the infrastructure legislation. You did a great job, as well as the Secretary. Another person who did a great job, Governor Scarnati. He is ready to say a few words to welcome our guest.

The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, I just wanted to take a couple of minutes to personally thank Barry for his service and time to the Commonwealth. We all know in this building and in this business, when you enter politics and you endure politics and you leave politics, you do not always come in respected, serve in a respected way, and leave respected and beloved. On a personal note, Barry has become, I think, an inspiration to--he should be an inspiration to many, and all of us, that when you have an important issue, work it, talk about it, sell it. Tell people why it is important. Do it in a way that you respect each other's views and great things can happen. So, I am just honored to call Barry a friend and wish him great health and happiness in the rest of his career in transportation, and give my best to both he and Karen for putting up with the years of dealing with all of us.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for his great work on the legislation.

Further, the co-chair of the Committee on Transportation, the Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, to Senator Rafferty's remarks, all I want to say is ditto. I will save the time on that. To the citizens of Pennsylvania, I say, thank you, because you can, whatever vernacular you wish to use - gasoline tax, revenue enhancer, infrastructure improvement - this General Assembly, this Senate, and Governor Corbett did the right thing by raising those revenues, and those few pennies at the pump create hundreds of thousands of jobs, improve the safety on our highways, and drives our economic engine. I think it would not have happened if it were not for Secretary Schoch, because we are all politicians here. Nobody trusts us, but his savoir-faire, his way about it in front of all of the chambers of commerce and editorial boards explaining the importance of our highway system, our transportation system, our ports, our rails, our airports, et cetera, his confidence, and his engineering knowledge were able to articulate that in a way that gave all of us that opportunity to make a necessary vote.

So, I know he enjoyed the job. I know it took up a lot of his time, and I had that conversation with his wife, she is happy he will be home. So a well-deserved little hiatus while he goes on vacation and picks up, sometime later on this summer, a job back in the private sector. I personally want to thank Barry Schoch, and I consider him not just a colleague, but a friend, and I will tell you what, he will go down in the annals of Pennsylvania history as one of the finest Secretaries of Transportation we have ever had. I am glad to be here, and I would like the Senate of Pennsylvania to recognize and honor him.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks Senator Wozniak, who also did a wonderful job on the infrastructure passage.

Once again, one of our Senators who worked very hard on the issue and had a great relationship with the Secretary, the Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, I am delighted to say what a wonderful job Barry did, and his wife, Karen. When he would come into the meetings of the Committee on Appropriations, many people come in to testify laden down with many, many books and lots of aides. Barry came in by himself with no notes

and knocked every answer out of the ballpark. So, I was very, very impressed with him; in fact, so impressed that I used to say Barry for Governor or Barry for President, and his wife, Karen, said, if he does any of that, it will be with his second wife, not with me. Thank you.

The PRESIDENT. It is hard to accomplish good things in government without making a few enemies, but Secretary Schoch seems to be the exception. Folks are lining up once again to congratulate him.

Further, to say remarks and welcome Secretary Schoch and his lovely wife, Karen, the Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I just want to rise very briefly and echo the comments of my colleagues about the wonderful things they said about Secretary Schoch. I think as folks in this Chamber know, back in June of 2013, we collectively set the stage for what became the legislation that was ultimately passed on November 13 that has really changed the makeup in terms of how we are going to invest in our transportation system. But as a group, there are a number of parties that were involved, but every group or every party that are working together on an issue needs a quarterback, someone to manage the operations and manage the team and be the person who is the leader of that group, and Secretary Schoch certainly was that person as the Secretary of Transportation. He did an outstanding job working with all of the Members and being responsive to Members, to the point where he was responsive in terms of phone calls to assure Members through this process that projects that were important to them would be given significant consideration. That is the type of thing that works well in government, when we are able to do that, when you have a good quarterback, in that regard.

We would also be remiss if we did not think about the work he did as a commissioner on the Turnpike Commission, where he joined with a number of our former colleagues and other individuals to really help right that ship. There were some issues at the Turnpike when Barry started. Now, through his tenure there, I think we are on a different course and a different path with respect to the fine work the Turnpike Commission has done. I am very honored and pleased to stand here and provide these remarks on behalf of Secretary Schoch. Mr. President, his lovely wife mentioned to me that we are saying all these nice things, but she promised to keep the Secretary grounded, because you do not want these things to go to his head in the private sector.

Thank you very much, Mr. President.

The PRESIDENT. I am sure they will not, Senator Costa. Thank you to my friend from Allegheny County.

Showing that this never happens without bipartisanship and every region of our State being involved, my good friend, my former partner from the Committee on Banking and Insurance, the Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, I have no prepared remarks. Everybody here has pretty much covered the bases. Senator Wozniak's words were right on, as were Senator Costa's, Senator Rafferty's, our President pro tempore, and Senator Vance. This is a guy who in my 15 years here, he will be memorable in a lot of ways. He is the best not only Secretary of Transportation, but he has been the best cabinet member I have ever had the privilege of working with. The man has courage, and to go into the field he went into last year with the commitment that he did and working this legislature both in the House and the Senate to dis-

play and give legislators courage at a very critical time on a very critical vote was something this Commonwealth desperately needed. He was a one-man show, and I am forever grateful for what he did for our Commonwealth and for me, personally. Thank you very much, Barry.

The PRESIDENT. Thank you, Senator White.

You cannot have every county in Pennsylvania talking about this issue without talking about the great county of Centre, and for that purpose, the Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I hear all of these wonderful accolades and I am not sure who we are talking about. Actually, the greatest compliment that Secretary Schoch ever got was when someone walked up to him and thought he was me. So, I am not sure that was an insult to you or a compliment to me, or vice versa. He has been a great friend to all of us, and transportation has always been a local issue, not a partisan issue, and that is the way he handled it.

As I drove here from State College today to Harrisburg, I think the number one employer in my district right now is the person who makes orange cones. There is a lot of construction out there going on, and that is because of the great work that he has done. There is a particular project that he has had a personal investment in, he and his wife, which is going to happen now. There is a road in Centre County which, I do not know if they rank them anymore, but it would be listed as one of the most dangerous roads in the Commonwealth, if not the country. Every day you wake up and hope you do not read something in the paper about another tragic accident, and there have been many on that highway. School buses travel on that highway every day, and because of his great work, that is going to be taken care of and it has already started, thanks to his great work.

So, for the people of the 34th Senatorial District, we will always be grateful and indebted to the great work of Secretary Schoch, and more importantly, he has been a great friend, and I look forward to some time when we each have a little more time to play golf again and enjoy moments away from here. But he left a legacy in my district, a legacy that will have a lot of safe travel for the people of central Pennsylvania, and there is nothing greater in public service than leaving that kind of legacy.

Thank you, Mr. President.

The PRESIDENT. So true. The Chair thanks my friend from the great county of Penn State.

Further, to say a few words of recognition, the Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, I just wanted to talk for one moment and thank you personally for your help on getting a project, the most important project in my county, it has been on the books forever, for getting that Laurel Valley Expressway back on the books and moving forward. No one had been able to do it, but you did it, so thank you very, very much.

The PRESIDENT. Now to turn it back to the gentleman from Montgomery for the big applause moment, Senator Rafferty.

Senator RAFFERTY. Mr. President, I appreciate it, and the accolades spoken here on the floor are well deserved. He is certainly someone who I think all of us who worked with or interacted with as Secretary of Transportation came to respect, and that in Harrisburg in and of itself is a great character trait for any individual. We came to respect him, to trust him, and he is a friend to me and to many of us in this room, and under Barry not

only did we begin the work on what became Act 89, but we also began to implement the legislation we had done previously in this Chamber, the private-public partnership legislation. He was very instrumental in that and now we are starting to see private dollars come into our transportation system, that now we are getting calls from other States about our P3 legislation as a model, and other States about our Act 89 legislation as a model.

So, from the bottom of my heart, I thank him for all of the hours that we spent together working on a significant piece of legislation. At times he counseled me and at times I counseled him, that is the nature of the business, but we were able to get this done. I ask the Senate to please give its traditional warm welcome of reception for Secretary Barry Schoch and Karen Schoch, his true ally and partner.

Thank you, Mr. President.

The PRESIDENT. Will Secretary Barry Schoch and his lovely wife, Karen, please rise so that we may give you our usual Senate welcome.

(Applause.)

The PRESIDENT. Secretary, it can only go downhill after this today.

#### **GUEST OF SENATOR JOHN C. RAFFERTY PRESENTED TO THE SENATE**

The PRESIDENT. Further on a guest, and I hope this introduction will be a little bit shorter, once again, the Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I can stretch it.

The PRESIDENT. I know that.

Senator RAFFERTY. Mr. President, I have the distinct pleasure of introducing a gentleman who interned in our office this year. He is a student at Ursinus College. In fact, he is finishing his sophomore year. After he leaves here, he will be going back to study for a final on Saturday morning. He is a political science major and international relations and environmental studies minor at Ursinus College. Nicholas McIntyre is from Pike County, Pennsylvania, Senator Baker's district. He lives in Milford, PA, with his mother, Patricia, and his father, Darrell, and his brother. He is a graduate of Delaware Valley High School. He played a number of sports in high school and now in college. He is very active in Ursinus campus life and very interested in politics and government, and has been a tremendous asset to our office in Collegetown, Pennsylvania. I was happy to have him this year as our intern. Mr. President, I ask the Senate of Pennsylvania to give its traditional warm welcome to Nicholas McIntyre from Pike County, PA, a sophomore at Ursinus College.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Rafferty, Nick McIntyre, please rise to receive your usual customary warm welcome.

(Applause.)

#### **GUESTS OF SENATOR JOHN T. YUDICHAK PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, first, let me thank my Senate colleagues for their affirmative vote a few minutes ago on Senate Bill No. 699, legislation that will complete the land trans-

fer of Moon Lake Park from Luzerne County to the Commonwealth of Pennsylvania. My guests who have joined us in the gallery today have come to witness that vote, Luzerne County Manager Robert Lawton and Luzerne County Solicitor David Pedri. I want to thank both gentlemen, along with the majority members of Luzerne County Council, who had the courage and vision to work with the Luzerne County delegation here in the Senate - Senator Baker, Senator Gordner, and Senator Blake - to put together a long-range plan for the preservation of Moon Lake Park. I must also acknowledge the work of former DCNR Secretary Ellen Ferretti, Acting Secretary Cindy Dunn, and a friend of the Senate, Pat Solano, who put all of the necessary pieces together to make DCNR's acquisition to Moon Lake Park possible.

Now, Mr. President, I ask the Senate to give our guests a warm welcome.

The PRESIDENT. Would the guests of Senator Yudichak please rise so that we may welcome you here to the Senate.

(Applause.)

#### **GUESTS OF SENATOR RICHARD L. ALLOWAY PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, my guests here today from the Pennsylvania Tourette Syndrome Alliance are up in the gallery. Joining us today are Sherrie Sponseller, administrator/consultant to the Tourette Syndrome Alliance, a group and other family members, including parents and children affected by Tourette syndrome. Please give them a warm welcome.

The PRESIDENT. Would the guests of Senator Alloway please rise so that we may give you a warm welcome.

(Applause.)

#### **GUESTS OF SENATOR ROBERT TOMLINSON PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Mr. President, today I would like to welcome constituents from the Franklin Delano Roosevelt Middle School Recycling Team, "Don't Talk Trash, Recycle," to the Senate. They won the outstanding community partnership award at the 2014 Wheelabrator National Environmental Symposium. One hundred and fifty students from 15 middle schools participated in the 20th anniversary event. The Wheelabrator Symposium has promoted students to create innovative solutions to environmental issues, become leaders in their community, and build their interest in science, technology, engineering, and math concepts. Student teams identify an environmental issue in their community and then develop and implement long-term solutions working with their teachers, the Wheelabrator employees, and volunteers.

The focus theme of the 20th anniversary year was "Connecting to the Oceans." The team focused on wetland development and stream reclamation to understand the impact that these have on water tables and pollution in our communities that in turn affect our oceans. Please join me in welcoming the Franklin Delano Roosevelt Middle School and their recycling team to the Senate today.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Tomlinson, the FDR Middle School Recycling Team, please rise so that we may welcome you to the Senate.

(Applause.)

**GUESTS OF SENATOR JOHN P. BLAKE PRESENTED TO THE SENATE**

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

Senator BLAKE. Mr. President, I appreciate the attention of my colleagues while I welcome some very special guests to the Senate from the Scranton School for the Deaf and Hard of Hearing, young students who are visiting us today from the school. The school is a program from the Western Pennsylvania School for the Deaf. The Scranton school opened its doors on September 8, 2009, to 81 students from preschool through 12th grade. It offers academic, residential, and support services to students at no cost to their families. It is a very, very special asset here in the State. The services range from high-quality classroom instruction through specialized services such as audiological, medical, residential, psychological, and much more support for these young students.

Mr. President, I am actually introducing students who are constituents of several of my colleagues. From Senator Yudichak's district is Roger Rominski; from my friend and colleague, Senator Baker's district, Thomas DeVoe, Sarah Gerhold and Edward Racht; from Senator Vance's district, David Harcelrode; and from my own district, Amanda Pasko and Aaliyah Sanders. I would really appreciate it if the Senate would give a nice warm welcome to these young students from the School for the Deaf and Hard of Hearing.

The PRESIDENT. Would the great students from the Scranton School for the Deaf please rise so that we may welcome you to the Pennsylvania Senate.

("Jazz hands" sign language applause.)

**LEGISLATIVE LEAVE CANCELLED**

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

**GUEST OF SENATOR DAVID G. ARGALL PRESENTED TO THE SENATE**

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

Senator ARGALL. Mr. President, I do not know if our guest Chaplain, Pastor Kline from Barnesville, is still with us or not, but in speaking on the floor with her earlier, she reminded us all of the beauty of this Chamber. I can assure you that back home in the small town of Barnesville, Pennsylvania, there is nothing that rivals this. I think she reminded us all that no matter how long we serve here, not just the beauty of the Chamber, but the importance of what we do here on a daily basis, and I want to thank her for joining us today.

The PRESIDENT. Can we recognize that Reverend Kline gave us a nice opening prayer and welcome her to the Senate.

(Applause.)

**RECESS**

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

Senator CORMAN. Mr. President, I request a brief recess of the Senate for the purpose of a Republican caucus in the Rules room.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for caucus as well.

The PRESIDENT. For purposes of brief Republican and Democratic caucuses, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**LEGISLATIVE LEAVE**

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Baker.

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILLS OVER IN ORDER**

**SB 3 and SB 264** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 442 (Pr. No. 391)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring notification in advertising.

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-47**

Alloway	Eichelberger	McIlhinney	Tomlinson
Argall	Farnese	Mensch	Vance
Aument	Folmer	Pileggi	Vogel
Baker	Fontana	Rafferty	Vulakovich
Bartolotta	Gordner	Scarnati	Wagner
Blake	Greenleaf	Scavello	Ward
Boscola	Haywood	Schwank	White

Brewster	Hughes	Smith	Wiley
Brooks	Hutchinson	Smucker	Wozniak
Corman	Kitchen	Stefano	Yaw
Costa	Leach	Tartaglione	Yudichak
Dinniman	McGarrigle	Teplitz	

NAY-0

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

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

BILLS OVER IN ORDER

**SB 489** and **SB 643** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS OVER IN ORDER TEMPORARILY

**SB 644** and **SB 645** -- Without objection, the bills were passed over in their order temporarily at the request of Senator CORMAN.

BILL OVER IN ORDER

**SB 678** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

**SB 7** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL REREFERRED

**SB 70 (Pr. No. 502)** -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations.

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

BILLS OVER IN ORDER

**HB 89, HB 90, SB 95, SB 104** and **HB 221** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION

**SB 284 (Pr. No. 783)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special motorcycle plates for veterans.

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

**SB 285 (Pr. No. 163)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for Veterans' Trust Fund.

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

BILLS OVER IN ORDER

**SB 294, HB 341** and **SB 373** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL REREFERRED

**SB 398 (Pr. No. 312)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in express anatomical gifts, further providing for use of driver's license or identification card to indicate organ or tissue donation.

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

BILLS OVER IN ORDER

**SB 490, SB 501, SB 594, SB 663, SB 687** and **SB 688** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

**SB 695 (Pr. No. 682)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for registration, for reporting and for registration fees, fund established, system and regulations.

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

SENATE RESOLUTION No. 27, ADOPTED

Senator CORMAN, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 27**, entitled:

A Resolution directing the Advisory Committee on Public Health Law of the Joint State Government Commission to study the issue of youth vaccinations and immunizations to determine whether any amendments should be made to the Commonwealth's public health law.

On the question,  
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, I would like to thank the Members on both sides of the aisle, and especially our chair, Senator Vance, for supporting this resolution and getting behind it for the people of Pennsylvania. What we want to do, simply, is just look at what children are receiving and make sure it is what we think--and we also want to make sure that all parents who want to immunize their children and vaccinate their children have access.

So, I think it is a good resolution to look at what we have.  
Thank you, Mr. President.

The PRESIDENT. The Chair thanks my dear friend from Philadelphia for her great work on the immunization issue.

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

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

### THIRD CONSIDERATION CALENDAR RESUMED

#### SB 644 CALLED UP

**SB 644 (Pr. No. 841)** -- Without objection, the bill was called up from page 2 of the Third Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 644 (Pr. No. 841)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, in Independent Fiscal Office, further providing for duties of office and for access to information.

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. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, "openness," "transparency," and "accountability" are words that are often used on this floor and on the floor of the House of Representatives. Approximately 153 bills have been proposed in each Chamber with the stated goals of providing openness, transparency, and accountability. Among these 153 bills are calls for such things as openness, accountability, and scrutiny of any process related to privatization of the Pennsylvania Lottery, requiring the Pennsylvania Gaming Control Board to make its procurement policies more transparent and accountable to taxpayers, and requiring DCED

to assess its economic development programs and penalizing employers for noncompliance and imposing requirements for public disclosure.

My question, Mr. President, is why the goals of openness, transparency, and accountability should not apply to one of the biggest cost drivers of the State budget - collective bargaining agreements? This year, 16 collective bargaining agreements will be executed, covering nearly 45,000 of the 72,000 State employees under the Governor's jurisdiction. Fourteen of these contracts were to expire at the end of June and are estimated to total over \$3 billion in costs to the Commonwealth. Over the next 2 years, four other contracts will expire, totalling another \$1.5 billion. Mr. President, if these contracts increase just 1 percent, the costs to taxpayers will total approximately \$45 million per year, with additional costs associated with covering employees' healthcare and pension costs. Why would we not want to know this information to both properly budget for the costs and to share this information with taxpayers so we are truly open, transparent, and accountable? Mr. President, the General Assembly and the public at large need to know how the costs of labor agreements will impact the Commonwealth's ability to be fiscally responsible in passing a truly balanced budget.

Despite the rhetoric that has been thrown at Senate Bill No. 644, there is nothing having to do with injecting the General Assembly in collective bargaining negotiations. It has nothing to do with attacking unions, and it certainly has nothing to do with some kind of secret plan from the Koch brothers. Rather, this is openness, transparency, and accountability of taxpayers' money. They are the very same reasons we send a host of bills to the Committee on Appropriations to get a fiscal note so that we know the cost before legislation will be passed and before we vote on it. During my time in the Senate, I have never heard anyone question the need for a fiscal note for a good cost information on bills before this Senate. Senate Bill No. 644 seems to get similar information from the Independent Fiscal Office before proposed collective bargaining agreements are signed. Two weeks, Mr. President, just 2 weeks, that is all Senate Bill No. 644 seeks to provide to give the Independent Fiscal Office time to prepare cost estimates for us and for the public at large. If you are truly for openness, transparency, and accountability, I ask you to support Senate Bill No. 644.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise to indicate my opposition to Senate Bill No. 644 and Senate Bill No. 645. I recognize we are only speaking with respect to Senate Bill No. 644 today, but we all have to know that these two bills go together. They have a very specific purpose in mind. While I have great respect for my colleague, the previous speaker, with respect to his contention that these are not geared towards or not driven by that side of the aisle to undermine our labor friends across this Commonwealth to help drive down wages and further destroy what they believe to be the unfettered or unsustainable issues with respect to labor organizations, that is exactly the case. These bills are clearly out of the playbook of the Republican conservative movement across this Commonwealth. Let us be clear: the only reason why we would bring a negotiated agreement that has been negotiated by the parties fairly to the IFO is for the stated purpose as the gentleman said yesterday in the committee hearing,

to allow the public to weigh in. We all know, let us not kid ourselves, folks, we know that, unfortunately, the public employee sector does not enjoy the best benefits and we know that the purpose of going through the IFO and allowing the public to participate in the process will do nothing but drive down wages and further throw a bomb into the negotiating process, which will necessitate the removal of the negotiated agreement, because, again, let us be clear, this is before the agreement is signed and we know what the outcome is going to be. You all know what the outcome is going to be because you know the goal that you want to achieve in this process.

Now, some said yesterday that it was because we have to have a budget number. We need to know what the impact is going to be on the budget. Mr. President, there is nothing in either of these bills that says that we have to wait to do our budget until we get this information. It does not make sense to me that the argument is we need the information for the budget, which is likely to conclude on June 30 or shortly thereafter. These negotiations can go on until July, August, and September. What good is the legislation in that respect? It has not helped us whatsoever. The only purpose that it would have served is that it would have helped drive down the impact of what would be the negotiated agreement.

What needs to be at stake when these agreements are being negotiated is a fair approach to it. What is the employer willing and able to pay, which is part of that conversation, and what is fair to the worker? Those are the things that should be considered when we have those conversations about what is an appropriate negotiated agreement. These two bills are geared to undermine that process. When you take Senate Bill No. 645, assuming it is going to pass, and I have no doubt that it is going to pass with all of your support, or most of your support, but certainly not our support, the information that now becomes subject to the general public in terms of what documents are part of that process. To me, Mr. President, that is not appropriate. Those are not the types of things that should be in the public's view whenever these things are made. There are reasons why we have work product rules and work product exemptions with respect to negotiations and settlements and things of that nature, because there is confidential information as a part of that discussion that needs to be within the parties.

Now, let me say this, in my city of Pittsburgh, which I proudly represent, when the police guys went before their arbitrators, they stood up and invited the press to come hear their presentation to the arbitrators as they made their presentation. That can certainly be done today without changing the rules of the laws as we go forward. In fact, the mayor of our city went one step further and invited the public. That is transparency. What you are trying to do is transparency not for the sake of transparency, but hanging your hat on the words "transparency" and "openness" to try to undermine the value of individuals in this Commonwealth who put in a good day's work for the wages that they earn. That, to me, is wrong. You have a very stated and specific purpose in mind with respect to these two bills, not just at the State level, but the local level as well, as we know Senate Bill No. 645 addresses, I believe, and the laundry list of documents, and the like, that now will be subject to Right to Know and disclosure.

Those are concerns to the people whom we represent in our Commonwealth, and we want to make certain that the people

who are part of the collective bargaining units have the opportunity to have a fair, negotiated wage with respect to what the employer can pay and the employer made in its negotiation. Mr. President, it was stated yesterday that there is some belief that the employer or the bargaining unit was not willing to stand behind what it is that they negotiated. Let me be clear, I think that both parties would have that desire to do that. They stand ready to stand behind whatever is negotiated, but we know what both sides of this Chamber know, Mr. President, and you know, that at the end of the day, if we have to negotiate a contract in public, particularly with school employees and particularly with other types of employees, we know what the outcome is, you know what the outcome is, and that is why you are putting the legislation through. Let us be honest with each other.

Mr. President, those are my thoughts. I know my colleagues want the opportunity to enjoy the benefit of speaking their comments from this microphone, but I ask for a negative vote from my colleagues.

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

Senator HUGHES. Mr. President, well, here we are. Hopefully, they registered to vote in the Commonwealth of Pennsylvania, because they sure are impacting the policies that we are about to be dealing with in this legislative Session. The "they" I am speaking about, Mr. President, are the Koch brothers. They are here. Evidence is right here in this legislation and everything else that they embody, everything else they talk about, everything else that we are confronting, everything else that has moved through this Chamber, or about to be attempted to be moved through this Chamber, the anti-union, the union-busting legislation in Senate Bill No. 644 and everything else that they are about have now arrived in the Commonwealth of Pennsylvania. That is what we have right now, Mr. President. In the spirit of transparency, let us be transparent about it. Their money is in Pennsylvania, their legislation is in Pennsylvania, and praise be to God, hopefully they registered to vote in the Commonwealth of Pennsylvania, since everything else they want to do is right here in Pennsylvania. Senate Bill No. 644, union busting, destroy the collective bargaining process. Senate Bill No. 645, everything that they are about is now in front of us. Well, what we all should have been preparing for, what we have all seen in other States from the Governor of Wisconsin, who now says he wants to be President of the United States of America, the attempt to destroy the last vestiges of the middle class in this State is now present in Pennsylvania and making itself evident in Senate Bill No. 644. That is where we are, Mr. President. That is what we are dealing with right now, the destruction of collective bargaining.

Pennsylvania has a fine tradition, a great tradition, a tradition that we should be proud of in this Commonwealth of being one of the early States to allow State employees to organize themselves, to protect themselves from the vestiges of political demonic behavior. What I mean by that, Mr. President, firing people at will because they did not vote for the particular candidate who might be running for office. Firing people, Mr. President, because they did not write a check to, or make a contribution, or work on election day for a particular person running for office, hiring people because they were cronies, or friends, or what have you. In the old days, decades ago, Mr. President, that is what it was like in Pennsylvania if you were a State employee. That is

what we had to deal with in the Commonwealth of Pennsylvania if you were a State employee. So, folks got together and from the ground up, from the grassroots up, moved themselves to organize in a fashion to protect themselves from those vestiges of patronage kind of behavior.

What we have right now is an attempt to dismantle decades' worth of collective bargaining tradition that was a standard-bearer, that is a standard-bearer for the rest of this nation. That is what we have right now, Mr. President, a straight-out Koch brothers' move. I called it, and some may be proud of it, but you should not be proud of it in the end. A Koch brothers' move to destroy collective bargaining in the State of Pennsylvania for State workers. The last vestiges of the middle class in Pennsylvania are those folks who organize and protect each other and negotiate collectively for wages, benefits, and protection from patronage kind of activities, and political kinds of activities that can occur in the workforce. We have those protections here in Pennsylvania in this move, in this legislation, and in the other pieces of legislation, Senate Bill No. 645, revealing information and collective bargaining, right-to-work legislation, all kinds, stalking bills, things of that nature. That is what this is all about, Mr. President, and folks paying attention, folks listening, folks watching on TV or listening or watching on their computer need to understand the move behind all of this. It is a move to destroy the working class in this Commonwealth of Pennsylvania, best represented in collective bargaining through our State employees. This is not about transparency. This is about trying to undermine the Governor's right to negotiate a contract privately and fairly. This is to undermine the collective bargaining units across the Commonwealth of Pennsylvania so they can negotiate honestly and openly with the Governor and his administration to try to achieve a fair agreement, to try to improve the working conditions which they work for, to try to offer better solutions in how to deal with problems and issues in their work environment. What this is doing right here, Mr. President, once again, is letting the Koch brothers move into Pennsylvania with their money, with their influence, to try to destroy collective bargaining. We see it in State after State, we see it in city after city. It started with Governor Walker in Wisconsin, it is coming here to Pennsylvania, it has moved to set up shop, and it has the money to go along with it. Hopefully, Mr. President, the working people in this State will rise up and say this is unacceptable. We will not tolerate this for our Commonwealth. We will not tolerate this for our workforce. We want to make sure that we stand together with one another and fight against these vestiges, this ugliness that is destroying the middle class across the State and across this nation.

There is no need, there is no justification for Senate Bill No. 644, or Senate Bill No. 645, or Senate Bill No. 501, or Senate Bill No. 500, or right-to-work Senate Bill No. 650, or Senate Bill No. 643, or Senate Bill No. 333, or House Bill No. 874 or all of these other moves. What we really need to be talking about, Mr. President, is raising the minimum wage in Pennsylvania. What we really need to be talking about, Mr. President, is having sick days off for people who are working their behinds off and they cannot find a day to heal themselves when they get sick. That is what we really need to be talking about. That is what we really need to be focused on. Let us be clear, this is not about transparency. This is about the Koch brothers setting up shop in your town, in your community, in your legislative district, in your

senatorial district, in your councilmanic district, in your community, who are setting up shop. They are on the move. They and their billion dollars want to take over the Commonwealth of Pennsylvania. We need to be a strong "no" to the Koch brothers, Mr. President. We need to send a strong message to the Koch brothers that we do not accept, we will not tolerate, we will not be bought. We will not be bought in this State, and that our working people deserve the right and the opportunity to negotiate freely and fairly without any hindrances that are placed on them. We have a great tradition, Mr. President, a tradition that we should be proud of. We know this tradition. We embrace this tradition, and now because of a few millionaires or billionaires who do not like to see it and want to destroy it for their own personal benefit, now this is what we are confronted with.

Mr. President, Senate Bill No. 644 is unacceptable. It should not be a part of the public policy in the Commonwealth of Pennsylvania. Working people should have the right to organize themselves, to negotiate their contracts without fear of repudiation from any boss or any other political hire who may be their supervisor and should be able to go on freely and fairly and exist in this Commonwealth like we have for the tradition that has been around probably for at least about 50 years.

Mr. President, I ask for a "no," and a strong "no," on Senate Bill No. 644 and every other piece of legislation that the Koch brothers intend to move in the Commonwealth of Pennsylvania, because they certainly have set up shop. It is clear and it is quite transparent.

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, certainly, there is a lot of passion on this issue, and I respect my colleagues' passion. Yesterday, in the meeting of the Committee on Appropriations, there were comments made that if you are for this bill, you are against unions. If you are for this bill, you are trying to bust unions. I reject that notion. Everybody has different motives and intentions, but we should not, whether on the floor or in committee, question people's motives. I can tell you that the Koch brothers have been referred to here for 2 days. I have not met the Koch brothers. I reject the notion that they are running these pieces of legislation.

What I can say is, if we are going to be pointing fingers, saying that if you are for this bill you are against unions, then if you are against this bill you must be against taxpayers. Taxpayers, the people—not our money, this does not belong to us, and that is a misconception that continues to be played out over and over. This is taxpayer money, and we are simply asking that when a negotiation takes place, taxpayers have the time to review it, look at it, and make comment. You see, here is what the fear is. Here is where the fear is. Sometimes people like to instill fear. Here is where the real fear is: The taxpayers will see it and they are not going to like it, because we are going to have to say to taxpayers, you need to pay more. While your wages are not moving up, you are going to have to pay more for people whose are. I am for the taxpayers.

To the notion that people are going to be fired for political reasons, well, we are in court right now over only one person I know who has been fired for political reasons. Only one person, Erik Arneson, has been fired for political reasons. We are in court over that. So I cannot even begin to express my disbelief that individuals would be fired. So, I ask my colleagues and I ask

those who are listening, those who are paying attention, would you not like to know what the tax bill is to you from behind-the-door negotiations? So, I urge a strong "yes" vote on this bill.

Thank you, Mr. President.

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

Senator KITCHEN. Mr. President, I would like to say first off that Senator Folmer is my friend. We partnered on several bills that have helped the people of Pennsylvania, but, Mr. President, we differ on this. I am not against transparency. I do not think anybody who came here to serve the people of Pennsylvania is, but my concern is whenever we talk about transparency and balancing the budget, it is always on the backs of the workers, the everyday workers, the unions. Every day, every time I hear it here, it always refers to unions. Government should have reasonable work standards and pay reasonable wages. We should be an example for employers in this State, because you can go anywhere - in the restaurant, in the gas station - and you see how people are being overworked. They are being abused like never before, and one of the reasons is that they are not organized. As the number of unions goes down or the benefits that unions once had goes down, then the middle class is going down. I do not see us coming up with anything to replace those good wages for those taxpayers, people because we know that the more we make, the more we pay in taxes.

Mr. President, I would like to know, I have never seen a big-time contract, like to repair highways and bridges, before it is signed when it is being negotiated. Does this bill cover those negotiations being made public? Big-money contracts that fix the highways and fix the bridges and other kinds of services in this State? I do not see the results. How many people do they hire and from where? How long are those jobs? Is that made public? Some are after the contract is signed, so I say, if we are going to talk about transparency, let us talk about transparency for everybody who receives government wages. Let us stop putting our fiscal woes on the laps of the unions, Mr. President. I would just like to see us be fair about this and be reasonable about it tilting in favor of the workers. Thank you.

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

Senator FARNESE. Mr. President, when I heard the introduction of this bill and I heard the reference to the words of "open" and "transparency," I actually agreed with the speaker at the time, because I can believe that 153 bills or even more were all made and proposed with that very intention of openness and transparency. I mean, there was a time, Mr. President, when those words actually meant something in this building and in this room. How many times have we stood here and argued and debated bills because the process needed to be open and transparent? How many times have we shot down bills because it was not time? How many times have we stood here and argued that we should have more transparent campaign finance laws, that we should have more transparent reporting of campaign finance donations? Surely, Mr. President, those issues impact our taxpayers because they impact the very people who lead the Commonwealth of Pennsylvania.

Issues that are critically germane to openness and transparency never saw the light of day in this building or in this Chamber. I think it is very curious that we use "openness" and "trans-

parency" today to cloak motives that hide what we are really trying to get at here. I think it was articulated very well by a former speaker who made it very clear of what we are trying to do here. I think it is really interesting that we talk about the taxpayers and who we are for, if we are against this bill we are not for taxpayers, but if we are for the bill we are against the unions. I think it is curious and odd that all of a sudden now we are talking about being in favor of taxpayers with this particular type of legislation. When Republicans were in office for the last 4 years, we did not hear about this bill then. You know, what was that? What was the concern during those 4 years? Was it taxpayers? Were they not important? Was it big drillers, big corporations? Is that who that administration cared about? Because if you are not for this bill now, they argue that, well, you are not for taxpayers. I think it is odd that this bill was not brought up over the last 4 years. Question yourself, who was that administration for? We never argued that now.

I think it is important that we talk about taxpayers because, Mr. President, the last time I checked, people who are in unions are taxpayers. Is it just the nonunion taxpayers who we are concerned about here today? If it is, that is fine. I mean, let us be honest about it. Let us, you know, give real meaning to the words "open" and "transparent," because everything we do here, every time we want to do something, we started with "openness" and "transparent." But issues that are really important, issues that are open and transparent that go directly to those issues, that go directly to giving the people of Pennsylvania an opportunity to really see how the people who are elected get there, we shut that down. How many times, Mr. President, has debate on this floor been asked to continue in the spirit of openness and transparency and has been shut down?

What we are going to do here, we know how it is going to go. We have the votes. We know what the numbers are. But I think what we should take to heart is, "openness" and "transparency" are beginning to be just that, words, without any real meaning. We could argue and we could try to pretend that we do not have motives here today, but we do. We know exactly what we are doing here today, and I will tell you right now, I would have a heck of a lot more respect for people if they just got up and said, you know what, this is what we want to do. We want to bust up the unions. We want to make it more difficult for working men and women to get a living wage in the Commonwealth of Pennsylvania. We want to follow suit that other States across the country are doing. Be open about it. Be transparent about it. Do not hide.

We had an issue one time, Mr. President, a couple of years ago where we had a good bill proposed by a very good Senator in this building, on this floor, she is from the other side of the aisle, she is a very, very good Senator, and she had the guts to stand up and say, the bill that I had originally drafted is not the same bill, because this is not open and transparent about what we are doing. We have changed course here. I do not agree with those issues, but I have respect for the people who have the guts to get up and say that. That is what we should be doing today, have the guts to say this is what we are doing. We want to bust it up. We want to make it more difficult for men and women to get to the bargaining table because we know as soon as those documents are made public, and, incredibly, days before it is even ratified. I mean, how many people around the Commonwealth or here in this building have contracts and negotiations

with municipalities? Are those documents made public before they are executed? No. They are not. They are not. They might be public after they are signed and delivered, but not beforehand. People do not get to see the drafts and the working papers, and it is for a reason that we do that.

So we know how these numbers are going to go, Mr. President, and we know how this vote is going to go, but I just think that we are kidding ourselves around here if we continue to use the words "open" and "transparent" to mean something that is really not what we are getting at. There are a lot of good bills that die on this floor, a lot of great ideas that die in this building, that started with those very two words, "open" and "transparent," and unfortunately in this place they become simply those words.

Thank you, Mr. President. I am going to be voting "no." I am sure you knew that.

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

Senator WAGNER. Mr. President, we can debate this all afternoon. Let us call for the vote. This is not about union busting, it is about openness and transparency. It is about people in this Chamber who have to vote on a very important budget, having information to make an informed decision. So I ask you to call for the vote.

#### LEGISLATIVE LEAVE CANCELLED

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

#### LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Vogel, and a legislative leave for Senator Scarnati.

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Williams.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Vogel, and a legislative leave for Senator Scarnati.

Senator Costa requests a legislative leave for Senator Williams.

Without objection, the leaves will be granted.

And the question recurring,  
Shall the bill pass finally?

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

Senator COSTA. Mr. President, I am somewhat confused here because what I think I just heard from the previous speaker, not Senator Corman, but Senator Wagner, was a call for the question. A call for the question, as I understand it, shuts off debate. The argument from the other side of the building is about openness and transparency and discussion and dialogue, but, yet, they move to close the discussion.

Senator CORMAN. Mr. President.

Senator COSTA. I do not get it, Mr. President. How are you supposed to have openness and transparency when you move to close the question, to cut off our dialogue?

Senator CORMAN. Mr. President.

Senator COSTA. We have a right to debate on this floor about bills that we believe in and bills we do not believe in, and now we are going to call for a question--

#### POINT OF ORDER

Senator CORMAN. Mr. President, point of order.

The PRESIDENT. Senator Corman, on a point of order.

Senator CORMAN. Mr. President, there is no motion on the floor to call for the question. The previous speaker said that he would like to see a vote. He did not make an official motion to call for the question. So, there was no close-off of debate. If the Minority Leader would like to continue to speak on this bill, he certainly has every right to do so. There is no motion before us to call the question.

The PRESIDENT. The Chair thanks Senator Corman for the point of clarification. The gentleman, Senator Wagner, called for a call on the vote.

Further discussion, for the second time, is in order, Senator Costa.

Senator COSTA. Mr. President, I apologize to my colleagues for being so upset, but it goes right to the heart of the hypocrisy that we see in this Chamber. Mr. President, the gentleman, on two occasions, called for a vote. Now, he did not receive the necessary seconds, but it is not the technicality of the call for the question, it is the hypocrisy that he states with respect to the reason behind it.

#### POINT OF ORDER

Senator CORMAN. Mr. President, point of order.

The PRESIDENT. Senator Costa, yield for a moment.

Senator CORMAN. Mr. President, again, there was never a motion to call for the question, which would have ended debate. To say he would like to see a vote is a wholly different matter. There was no motion to cut off debate on the floor.

The PRESIDENT. Once again, the Chair thanks Senator Corman. I believe that he has clarified the issue correctly. However, Senator Costa, is still in order.

Senator COSTA. Mr. President, I accept your ruling and I accept the ruling of the Majority Leader that no formal request was made. I cannot lose sight of the words that were uttered with respect to what the purpose behind calling for a vote is, and that is the point I am trying to make to my colleagues. On one hand, out of one side of our mouth we are saying that we have to have openness and transparency, but on the other side of our mouth we want to shut off debate when it is the other side of the aisle that wants to make remarks in opposition to the legislation that is before us. That is the point I was trying to make, Mr. President. I think everybody watching, and everyone in this Chamber recognizes the point we are trying to make.

Please let me be clear, this side of the Chamber, this side of the aisle, Senate Democrats believe in openness and transparency. We think that is the hallmark of what we need to do. As Senator Kitchen said earlier, none of us come here with the idea that we do not want to be open and transparent with--

The PRESIDENT. Will the gentleman yield.

Will the Senate come to attention. We have a debate here. We are doing a good job. We are still time-efficient. Please give your colleague, whether they be Democrat or Republican or Independent, your attention and we can do the people's business.

The Chair recognizes Senator Costa.

Senator COSTA. Mr. President, the point I am trying to make is that our side of the aisle believes in openness and transparency, but Senator Farnese hit the nail on the head, it is about truthfulness, it is about motives. That is what this is about. If it is sincerely about transparency, then there is a whole host of things we can be doing with respect to transparency. Some of the things the gentlewomen from Philadelphia, Senator Kitchen, talked about, and the gentleman from Philadelphia, Senator Farnese, mentioned is what is inclusive in terms of transparency and openness when we leave a whole bunch of folks out of this mix? We leave Act 111 employees out of the mix. Why is that? Why is it right that the SEIU, AFSCME, and those workers have to go through this process, but other folks in uniform necessarily do not? Now, I have great respect for the folks in uniform. I wore a uniform for 5 years back before I came here. So I can appreciate the nature of the position that they hold.

At the end of the day, if it is about transparency and openness, everyone should be included. That is the question that I have and that Senator Kitchen asked. Why is it that we are having selective openness and transparency? Because of the motives. The motives are to impact the ability of the bargaining units to be able to be successful in negotiating a fair and reasonable contract with their employer. That is your motive to impact it in a negative way. That is why Senate Bill No. 644 and Senate Bill No. 645 are crafted the way that they are, and that is why I am asking for a negative vote on both bills.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,  
Shall the bill pass finally?

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

YEA-29

Alloway	Folmer	Rafferty	Vulakovich
Argall	Gordner	Scarnati	Wagner
Aument	Greenleaf	Scavello	Ward
Baker	Hutchinson	Smucker	White
Bartolotta	McGarrigle	Stefano	Yaw
Brooks	McIlhinney	Tomlinson	
Corman	Mensch	Vance	
Eichelberger	Pileggi	Vogel	

NAY-19

Blake	Farnese	Leach	Wiley
Boscola	Fontana	Schwank	Williams
Brewster	Haywood	Smith	Wozniak
Costa	Hughes	Tartaglione	Yudichak
Dinniman	Kitchen	Teplitz	

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

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

SB 645 CALLED UP

SB 645 (Pr. No. 842) -- Without objection, the bill was called up from page 2 of the Third Consideration Calendar, by Senator CORMAN, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 645 (Pr. No. 842) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for notice and disclosure of proposed collective bargaining agreements and related documents and for open records.

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. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I am proud to introduce Senate Bill No. 645, the Public Employer Collective Bargaining Transparency Act. This very simple piece of legislation would require a 14-day posting period to allow the public to register their opinion on most collective bargaining agreements made with public employees. The public deserves an opportunity to weigh in on these important decisions in the same sense that they have to weigh in on the regulations made by departments, legislation made right here in our legislature, or certain grants disbursed by various departments.

I have always wondered why there has been so little transparency. These are big decisions that our elected leaders are voting on, decisions that can alter the fiscal health of government for years to come. Yet, it seems to be one of the only decisions that the voices of the people are not heard from before action is taken. The fact of the matter is, throughout all levels of government, be it legislation, regulation, grant applications, construction projects, paving projects, permit applications, even if they are unpopular, you name it, there is a period of public say. This bill adds one more aspect to that public comment, and that is the contracts with dedicated employees of State and local governments added to the overwhelming list of other things that the public may weigh in on with their thoughts.

Now throughout this debate, during committee meetings, I heard repeatedly that this is not the way things have been done for years and why was this not done before? I had the same thought: why did the public not have the opportunity to have a role in this process? The worst thing you can say to me is, well, that is just the way it has been done. I believe, to restore our people's faith in our government, this is one of the ways we can do that by continuing the process of bringing openness and transparency into our governing process.

On January 20, Governor Wolf promised transparency and a government that works, and I am willing to join him in that fight, and I ask for an affirmative vote on Senate Bill No. 645.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I think the Members and the public know my position with respect to Senate Bill No. 644 and Senate Bill No. 645. There are many questions that my legal staff is posing to me as we stand at the podium, uncertainties about the bill and with respect to the voidness of the bill or whether it is voided or not if the proper advertising is not done. What do we mean by church institutions, with respect to "church offices or facilities"? Is it church offices or facilities, or is it church offices and other facilities? People who are exempt; it is uncertain with respect to who is in and who is out. It goes to the heart of the matter. It is very selective enforcement or selective desire to undermine bargaining units across the Commonwealth. For those reasons, and a number of other reasons as we stated before, I ask my colleagues for a negative vote.

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

Senator HUGHES. Mr. President, again, this is the Koch brothers rearing their head in Pennsylvania. I am glad that they have gotten involved in the Commonwealth. I am glad that, hopefully, they are spending taxable dollars in the Commonwealth of Pennsylvania. That might be a nice benefit out of it, but the truth of the matter in the end is that what they are really attempting to do is to destroy collective bargaining in the Commonwealth, to destroy the people's right to organize in the Commonwealth, to destroy an appropriate, effective, and thoughtful negotiation between employee and employer in the Commonwealth, and really make sure that we are strengthening the middle class. Strengthening the middle class with solid salaries, not exorbitant salaries, not six-figure salaries, not billionaire salaries, not salaries with six zeros behind them, Mr. President, these are average working people who work every day to try to make this State a little bit better for the rest of us. This particular piece of legislation, again, is a part of the entire move by the Koch brothers to infiltrate their perspective into Pennsylvania, the entire move by Wisconsin Governor Scott Walker to try to insert himself into the public policy reality of Pennsylvania, and that is what all of this is about. Let us be really transparent about it. That is what all of this is about, Mr. President. That is what this is about.

There is something called the rule of unintended consequences. Sometimes you had better be careful of what you ask for. You had better be thoughtful about what you ask for, because maybe as one of the consequences that might come out of this particular piece of legislation, should this make it all the way to final passage and implementation, which I do not believe it will, or should it ever get to that point, maybe folks who are not organized, maybe folks are not in a collective bargaining agreement, maybe folks who are not in a union will start to realize a little bit more the importance of what it means to be in a union, the importance of what it means to be negotiating together. They will start to see the benefits of what happens when you negotiate together. You start to balance out the perspectives, you start to provide for a fair playing field for working people in the Commonwealth of Pennsylvania and, in fact, across the country.

Maybe that will be one of the unintended consequences of this particular piece of legislation, Mr. President.

In the end, before we get there, before we get to the unknown, what we know is this: this legislation, Senate Bill No. 645, Senate Bill No. 644, Senate Bill No. 501, Senate Bill No. 643, Senate Bill No. 333, and House Bill No. 874, all of that legislation is strategically put together to break the backs of working people and organized labor in Pennsylvania. That is all it is about. Let us be truly transparent and tell the truth about what this legislation is, what it does, and what its intentions are. As I did before, I ask for a "no" vote, Mr. President.

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

Senator COSTA. Mr. President, I have a quick question, if the maker of the legislation would stand for very brief interrogation.

The PRESIDENT. Senator Costa asks if the maker of the legislation, Senator Stefano, is willing to stand for interrogation. Senator Stefano, are you willing to stand for interrogation on the bill?

Senator STEFANO. Yes, Mr. President.

The PRESIDENT. He agrees that he is willing to stand for interrogation. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I thank the Senator. I just have a quick question. As I indicated earlier in my remarks, there are questions about, in our legal staff's view, questions that are unclear with respect to the application of this legislation. One thing that jumps out at me relates to nonprofit educational institutions. While it may appear that language was stricken from the legislation that would have presumably impacted State-related universities, for example, but on the page before that, beginning on page 2, line 27, the applicability as a public employer refers to the following: "The Commonwealth and its political subdivisions and any officer, board, commission, agency, authority or other instrumentality thereof."

So, Mr. President, I go to Act 3 of Special Session no. 3 of 1966 that talks about the University of Pittsburgh, for example, as an instrumentality of the Commonwealth. By virtue of my reading of the enabling legislation, for example, the University of Pittsburgh and its applicability to Senate Bill No. 645, does that mean that all bargaining discussions and negotiations and all documents related to those negotiations between the University of Pittsburgh, either with the Commonwealth or with their employees, their faculty, their police department—I guess the police folks would be out—but would this legislation be subject to not only Pitt, but also Penn State and Lincoln and Temple? Would all of these faculty conversations thus be subject to the Right to Know under Senate Bill No. 645?

The PRESIDENT. Thank you, Senator Costa.

On the inquiry during the interrogation, is the question clear to Senator Stefano? The gentleman is deliberating.

Senator STEFANO. Mr. President, the question does apply to State-owned universities but it does not apply to State-related universities, the negotiations.

Senator COSTA. Mr. President, I am not certain. I believe the gentleman indicated that it applies to the State-owned universities but not State-relateds?

The PRESIDENT. Senator Costa asks the following inquiry. Is the question clear to you, Senator Stefano?

Senator STEFANO. Mr. President, the statement is correct.

Senator COSTA. Mr. President, I appreciate the clarification and the answer. That would end my interrogation, Mr. President.

In my view, the University of Pittsburgh and Penn State and Lincoln and Temple are declared to be, at least the University of Pittsburgh, pursuant to 1966 Special Session no. 3, Act 3, declares that the University of Pittsburgh is an instrumentality of the State and shall be treated as such. That is not my conclusion, that is the law. I am not sure when the definition of public employer specifically states an instrumentality thereof, thereof being of the Commonwealth, how the State-relateds - University of Pittsburgh, Penn State, Lincoln, and Temple - how those folks would not be subject to this legislation with respect to openness and transparency.

Now, if the intent was to exclude the State-relateds, then I think we need to go back to the drawing board, but at the end of the day, we all know what took place at Penn State. I am not going to dish on Penn State, I do not need to go there, but my point is that there are a lot of questions about things that took place there with respect to executive conversations and the like that maybe need to be brought to light. If we are going to be truthful about openness and transparency, let us not protect them. Let us bring it to light, if that is what the intent is.

I believe that they would be subject, under my view, my interpretation, and that is only my interpretation, Mr. President.

The PRESIDENT. The Chair thanks Senator Costa for that very interesting point.

Senator Stefano, any additional comments?

Senator STEFANO. Mr. President, I have no further comments.

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-29

Alloway	Folmer	Rafferty	Vulakovich
Argall	Gordner	Scarnati	Wagner
Aument	Greenleaf	Scavello	Ward
Baker	Hutchinson	Smucker	White
Bartolotta	McGarrigle	Stefano	Yaw
Brooks	McIlhinney	Tomlinson	
Corman	Mensch	Vance	
Eichelberger	Pileggi	Vogel	

NAY-19

Blake	Farnese	Leach	Wiley
Boscola	Fontana	Schwank	Williams
Brewster	Haywood	Smith	Wozniak
Costa	Hughes	Tartaglione	Yudichak
Dinniman	Kitchen	Teplitz	

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.

UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED

Senators FOLMER, SMUCKER, HAYWOOD, GREENLEAF, TEPLITZ, RAFFERTY, SMITH, DINNIMAN, VULAKOVICH, COSTA, PILEGGI, MENSCH, AUMENT, TARTAGLIONE, ALLOWAY, FARNESE, BOSCOLA and HUGHES, by unanimous consent, offered **Senate Resolution No. 114**, entitled:

A Resolution designating May 6, 2015, as "Wishbone Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise today to introduce a resolution, along with Senator Smucker, recognizing May 6, 2015, as "Wishbone Day" in Pennsylvania to bring awareness to osteogenesis imperfecta and people who are diagnosed with that condition. Osteogenesis imperfecta, or OI for short, is a genetic disorder characterized by fragile bones that break easily and is also known as brittle bone disease. OI is caused by a mutation in a gene that affects the body's production of the collagen found in bones and other tissue. Genetic testing is available to confirm an OI diagnosis. There are eight types of OI, ranging in severity, and can even be lethal. The number of people affected with OI in the United States is between 20,000 and 50,000, with 80 to 85 percent caused by a dominant gene and 10 to 15 percent as a result of a recessive mutation. Respiratory failure is the most frequent cause of death for people with OI, followed by accidental trauma. Although there are treatments that focus on minimizing fractures and maximizing mobility and independent function, there is currently no cure. And although they were not able to be with us here today, I must mention the Martin family - Vicky, David, and little Isaiah - who actually reside in Senator Smucker's district, and from whom I first learned of OI. Vicky and David's son, Isaiah, has type II OI. Vicky and David have vowed that Isaiah will live his life to the happiest and fullest even with OI.

With that, I ask for immediate adoption of this resolution. Thank you very much, 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 ALLOWAY, WOZNIAK, TEPLITZ, GREENLEAF, HAYWOOD, EICHELBERGER, MENSCH, RAFFERTY, DINNIMAN, SCAVELLO, FONTANA, BREWSTER, SMITH, COSTA, AUMENT, BARTOLOTTA, VULAKOVICH, WHITE, FARNESE, BROOKS, TARTAGLIONE, BLAKE and HUGHES, by unanimous consent, offered **Senate Resolution No. 115**, entitled:

A Resolution designating May 15 through June 15, 2015, as "Tourette Syndrome Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, I rise today to offer this resolution recognizing May 15 through June 15, 2015, as "Tourette Syndrome Awareness Month" in Pennsylvania. An estimated 3 in every 1,000 children ages 6 through 17 in the United States and this Commonwealth are diagnosed with Tourette Syndrome, a neurobiological, genetic condition which has no cure. Tourette Syndrome is a lifelong developmental disability that begins before a child reaches 18 years of age and affects children and adults of all races and ethnicities. Individuals with Tourette Syndrome are affected by tics and involuntary rapid, sudden movements or vocalizations that occur repeatedly. Individuals with Tourette Syndrome face periodic changes in the nature and severity of their tics, as these symptoms wax and wane and change without any forewarning.

With this resolution, we will recognize the needs of these individuals with neurobiological impairment and urge all citizens to support education and awareness of Tourette Syndrome and to assist those individuals and their families who deal with this terrible disorder every day of their lives. Please join me in recognizing May 15 through June 15, 2015, as Tourette Syndrome Awareness Month.

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 SCHWANK, HAYWOOD, FONTANA, TARTAGLIONE, SMITH, DINNIMAN, GREENLEAF, PILEGGI, COSTA, RAFFERTY, ALLOWAY and HUGHES, by unanimous consent, offered **Senate Resolution No. 116**, entitled:

A Resolution designating the month of May 2015 as "Teenage Pregnancy Prevention Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator SCHWANK. Mr. President, I will just briefly mention that Berks County, the area that I represent, part of it, is working on a countywide initiative to help stem teen pregnancy. We have a group that is focusing on collective impact, so we are gathering the work of other organizations as well. This resolution will be used as part of that initiative, and I thank you for your consideration.

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

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

Senator DINNIMAN, by unanimous consent, offered **Senate Resolution No. 117**, entitled:

A Resolution recognizing the week of May 3 through 9, 2015, as "National Teacher Appreciation Week" and May 5, 2015, as "National Teacher Appreciation Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, we need to pay homage to those who are teachers in our society. Every time we talk about a problem in society we say that education is the answer. Well, education is done by people who are in the teaching profession. We need to show some respect, and that is the purpose of this resolution.

Last night I was at an event in my county as part of "National Teacher Appreciation Week," where we select the teacher of the year - the middle school teacher, which seems to be the most difficult age to teach; the high school teacher of the year; and the elementary school teacher of the year. There were over 2,000 nominations that came in from students, parents, and sometimes teachers even nominating other teachers who have been their role model. The public understands how important a good teacher is. There were hundreds and hundreds of people at this event, as the top three were selected. So, what I am saying is, sometimes here we knock teachers. We criticize those who teach, without fully understanding the difficulty, the complexity, and the importance of their job. Sometimes we make it seem like teaching is easy or anyone can teach. You really do not need to be trained. All of that is not true. Teaching is a profession, and if you want good teachers, then you have to be respectful to teachers and to the teaching profession.

What has happened in this nation is that with all of these testing programs, which have no relationship to the curriculum, we have replaced good teaching with testing. Let me ask something to anyone who is watching: Do any of you remember what the best test you ever took was? But I bet if I asked you who your most important teacher was, you could tell me right away. The words we heard last night when we selected the teachers of the year and read the nominations from the students were not how well someone did on a math test, or how well someone passed their English PSSA test, but it was that the teacher cared about me, that the teacher treated me as a human being, that the teacher came to my rescue as I was going through a horrible divorce that was happening in my family and there was no one I could talk to and the teacher let me sit down and express to her or him what was going on in my life. Or the teacher had a passion about the subject they were teaching, and I want to go and do that subject too. Or I could not understand, and I was learning in a certain way and the teacher said that they would spend a couple of hours with me and they did after school and helped me, or prepared extra exercises for me. Or the teacher knew the trouble I was going through in my life and gave me a break. They said all right, you have to make it through that and then we will work with you. Or that the teacher had standards and made us so that we would work to those standards but did it in a humane way. Or that the role model in my life now is that teacher.

In conclusion, all of us have had some great teacher in our lives. It could have been in kindergarten, where probably you learned most of what you needed to learn in life anyway. It could have been in elementary school, it could have been in high school, it could have been in middle school, or the university, or in my case, when I was working on my doctorate program, where I had a role model and a wonderful teacher. Let us pause for a second, that is the purpose of this resolution, let us appreciate those who teach, let us appreciate those who made a difference in our lives, and let us say as a body, which is the purpose of this resolution, thank you for all that you do for me and for every student in this Commonwealth.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Dinniman. What an important sentiment. You, sir, are a great teacher as well. My mom is a teacher, two of my sisters, and my sister-in-law are teachers. Yes, I can remember the teachers who had a huge impact in my life and they are so important. Thank you for taking a moment to thank them.

And the question recurring,

Will the Senate adopt the resolution?

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

Senator CORMAN, on behalf of Senators SCARNATI, TEPLITZ, HAYWOOD, EICHELBERGER, ARGALL, DINNIMAN, GREENLEAF, BARTOLOTTA, MENSCH, YAW, GORDNER, VULAKOVICH, SCAVELLO, FONTANA, VOGEL, BREWSTER, BAKER, SCHWANK, SMITH, COSTA, RAFFERTY, FOLMER, WHITE, AUMENT, FARNESE, ALLOWAY, HUTCHINSON, YUDICHAK and HUGHES, by unanimous consent, offered **Senate Resolution No. 118**, entitled:

A Resolution designating the week of May 6 through 12, 2015, as "Nurses Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator CORMAN. Mr. President, I have remarks on behalf of Senator Scarnati to submit for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record. We appreciate everything nurses do and we appreciate Senator Scarnati offering the resolution.

*(The following prepared remarks were made part of the record at the request of the gentleman from Centre, Senator CORMAN, on behalf of the gentleman from Jefferson, Senator SCARNATI:)*

Mr. President, today I offer a resolution designating the week of May 6 through 12, 2015, as "Nurses Week" in Pennsylvania. Throughout our Commonwealth we are fortunate to have over 218,000 registered nurses, making nursing the largest licensed healthcare profession in our State. I am proud to be the brother of a nurse, and know firsthand the caring and compassionate care our nurses provide each and every day.

Here in Pennsylvania, the PA Nurses Association was established in 1903, and for the past 112 years has been educating, leading, connecting, and advocating for nurses. Nurses are an integral part of providing quality healthcare to residents across our Commonwealth, and I am proud to stand with my colleagues from both sides of the aisle to recognize the hardworking, dedicated nurses of Pennsylvania.

By passing this resolution, Pennsylvania will be recognizing, along with "National Nurses Week," which is also observed May 6 to 12, in conjunction with Florence Nightingale's birthday.

And the question recurring,

Will the Senate adopt the resolution?

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

## CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Schuylkill Conservation District by Senator Argall.

Congratulations of the Senate were extended to Henry H. Huber and to Mae D. Cooper by Senator Aument.

Congratulations of the Senate were extended to Ryan Daniel O'Neill by Senator Baker.

Congratulations of the Senate were extended to Dr. Don Follmer, Janice Beck, Ann Gastinger, Ana Ortiz, Lois Lechner, Nick Votral, Nancy Udut, Joseph Leluga, Jr., Woman's Club of Emmaus and to the Needlework Group of the Northampton Senior Center by Senator Boscola.

Congratulations of the Senate were extended to Bethel United Methodist Church by Senator Brooks.

Congratulations of the Senate were extended to William M. Pramik, Richard P. Malburg, Eleanor Edna Stephens, Ralph S. Graber and to Orefield Middle School by Senator Browne.

Congratulations of the Senate were extended to Lehigh Valley Business Coalition on Healthcare by Senators Browne, Boscola, and Scavello.

Congratulations of the Senate were extended to Doris G. Brevard by Senator Costa.

Congratulations of the Senate were extended to Dr. Lorna Stuart, Joseph Lubitsky, Callie Maslowsky, Megan Montgomery and to Keith Wilburn by Senator Dinniman.

Congratulations of the Senate were extended to Downingtown High School East Academic Competition Team by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Latoya Myers Corporation by Senator Dinniman and others.

Congratulations of the Senate were extended to Saints John Neumann and Maria Goretti High School Girls' Basketball Team by Senator Farnese.

Congratulations of the Senate were extended to Benjamin C. Kline by Senator Gordner.

Congratulations of the Senate were extended to Robert W. Duff, Grace Marie Meissner Gardner and to Hatboro-Horsham High School by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Duane Pritchard, Mr. and Mrs. Leo Hrinya and to Butler County Sports Hall of Fame by Senator Hutchinson.

Congratulations of the Senate were extended to Robert John Palmer, Jamison Webb, Jack B. Doughan, Kyle Aaron Wadell,

Christopher Michael Stein, Matt Wilcox and to Alexander Shayle Handen by Senator Leach.

Congratulations of the Senate were extended to William J. Yeager III by Senator McIlhinney.

Congratulations of the Senate were extended to Marjorie E. McKeone by Senator McIlhinney and others.

Congratulations of the Senate were extended to The Open Link by Senator Mensch.

Congratulations of the Senate were extended to Mary A. Young and to Waffatopia by Senator Pileggi.

Congratulations of the Senate were extended to Dorothea Bohnert by Senator Scarnati.

Congratulations of the Senate were extended to Eric M. Shields and to Daniel Donovan by Senator Scavello.

Congratulations of the Senate were extended to Mr. and Mrs. Edmond Doherty by Senator Schwank.

Congratulations of the Senate were extended to Skyler Reed Horton and to June Elizabeth Shepley by Senator Smucker.

Congratulations of the Senate were extended to Vincent Goodchild by Senator Tartaglione.

Congratulations of the Senate were extended to Lieutenant Colonel Nicholas J. Bereschak, Jr., and to Gail Johnson by Senator Teplitz.

Congratulations of the Senate were extended to Mr. and Mrs. Lenny Stebulis, Chief Steven Mawhinney, Paul Delp, Sr., Paul Delp, Jr., First Federal of Bucks County and to Bharatiya Cultural Center and Temple, Inc., by Senator Tomlinson and others.

Congratulations of the Senate were extended to Jerome P. Petukauskas and to the citizens of the Borough of Monaca by Senator Vogel.

Congratulations of the Senate were extended to Michael Ulysses Junker by Senator Vulakovich.

Congratulations of the Senate were extended to Archabbot Douglas R. Nowicki by Senator Ward.

Congratulations of the Senate were extended to Nicholas L. Silvis, Daniel R. Dunlap III, Ryan Gaffney, Katherine Kauffman, Mallory Reese, Brian Root, Sean McCartney and to Erin Shaffer by Senators Ward and Stefano.

Congratulations of the Senate were extended to Allan Beattie, Spencer Lee, Michael Kemerer, Josh Shields, Eric Mausser and to Devin Brown by Senator White.

Congratulations of the Senate were extended to Dr. Thomas J. Gamble by Senator Wiley.

Congratulations of the Senate were extended to Maestro Istvan Jaray, Andrea Fedore Sims and to Dennis Kwiatkowski by Senator Wozniak.

Congratulations of the Senate were extended to Bruno Campisano and to Thomas DeBortoli by Senator Yudichak.

**CONDOLENCE RESOLUTIONS**

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

Condolences of the Senate were extended to the family of the late J. Alan Fowler by Senator Boscola.

Condolences of the Senate were extended to the family of the late Tobee L. Capozzi by Senator Scavello.

**POSTHUMOUS CITATION**

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

A posthumous citation honoring the late Virginia Blocker was extended to the family by Senator Boscola.

**BILLS ON FIRST CONSIDERATION**

Senator HUTCHINSON. 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 73, SB 396, SB 472, SB 556 and SB 691.**

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

THURSDAY, MAY 7, 2015

1:00 P.M.	FINANCE (public hearing on tax credits for waterfront development and data center investment)	Point Park University Pittsburgh
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MONDAY, MAY 11, 2015

12:00 P.M.	FINANCE (to consider Senate Bills No. 1 and 356)	Room 8E-B East Wing
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain Executive Nominations)	Rules Cmte. Conf. Rm.

TUESDAY, MAY 12, 2015

9:30 A.M.	TRANSPORTATION (public hearing with Acting Secretary of Transportation Leslie Richards on PennDOT's budget and program priorities; and to consider Senate Bill No. 438)	Room 8E-B East Wing
10:00 A.M.	JUDICIARY (public hearing to discuss collateral consequences of criminal convictions)	Hrg. Rm. 1 North Off.
10:00 A.M.	LABOR AND INDUSTRY (to consider the nomination of Kathy Manderino as Secretary of the Dept. of Labor and Industry; and to consider Senate Bills No. 404 and 655)	Room 461 Main Capitol
10:00 A.M.	PUBLIC HEALTH AND WELFARE (public hearing to consider the nomination of Dr. Karen Murphy as Secretary of the Department of Health; and to consider Senate Bill No. 609 and Senate Resolution No. 113)	Senate Maj. Caucus Rm.

11:15 A.M.	AGING AND YOUTH (to consider the nomination of Acting Secretary of Aging Teresa Osborne; and House Bill No. 753)	Room 461 Main Capitol
11:30 A.M.	STATE GOVERNMENT (to consider the executive nomination of Pedro Cortes for appointment as Secretary of the Department of State)	Senate Maj. Caucus Rm.
11:30 A.M.	GAME AND FISHERIES (public hearing to receive the 2014 Annual Report from the PA Fish and Boat Commission)	Room 8E-B East Wing
12:00 P.M.	AGRICULTURE AND RURAL AFFAIRS (to consider the nomination of Russell Redding as Secretary of the Dept. of Agriculture; Senate Bills No. 78 and 437; Senate Resolution No. 95; and House Bill No. 188)	Room 8E-A East Wing
12:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 538; and House Bill No. 140)	Room 461 Main Capitol

WEDNESDAY, MAY 13, 2015

9:00 A.M.	EDUCATION (public hearing on The Educational Opportunity and Accountability Act)	Room 8E-B East Wing
9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider the nomination of Cindy Dunn as Secretary of the Department of Conservation and Natural Resources; and Senate Bill No. 513)	Room 461 Main Capitol
9:30 A.M.	AGRICULTURE AND RURAL AFFAIRS (joint informational meeting with the House Agriculture and Rural Affairs Committee on Industrial Hemp - Senate Bill No. 50 and House Bill No. 967)	Senate Maj. Caucus Rm.
9:30 A.M.	BANKING AND INSURANCE (to consider the nomination of Robin Weissmann for the Secretary of Banking and Securities; and a public hearing on the competitiveness of the banking industry in Pennsylvania)	Hrg. Rm. 1 North Off.
1:30 P.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing on E-911)	Hrg. Rm. 1 North Off.

THURSDAY, MAY 14, 2015

9:30 A.M.	LABOR AND INDUSTRY (public hearing on the effects that changes to the unemployment compensation system have on seasonal workers)	Erie Public Library
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**PETITIONS AND REMONSTRANCES**

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

Senator CORMAN. Mr. President, this weekend we learned of an accident in the Lehigh Valley involving one of our Members. The Senator from Lehigh was involved in a motorcycle accident, which left him with significant physical injuries. Obviously, he was on personal leave this week and it may be some

time before he gets back, and I am sure everyone here in the Senate wishes him the best and keeps him and his family in our prayers.

The Senator is a tremendous legislator and has done significant work for the Lehigh Valley. Right now, there is an arena downtown that the Flyers minor league hockey team plays in, and it has really revitalized the downtown in the city of Allentown, our third largest city, and there is a lot of other great work he has been involved in over the years that really has left a tremendous mark not only in the Lehigh Valley, but also in the Commonwealth.

One of the issues, Mr. President, that he is involved in, currently, is the issue of trying to deal with our growing problem of public pensions. This is, without question, the largest problem we have here in Pennsylvania in State government. Our contributions, Mr. President, over the years have gone from somewhere in the neighborhood of \$400 million to \$500 million in the early 2000s as the contribution as a Commonwealth employer to now over \$2 billion, and before we get fully funded again, that problem will exceed a \$5 billion contribution, taxpayer dollars, to fund the system.

It is good when we talk about a problem to review the history. In the early 2000s, the two pension funds--when I refer to the pension funds I refer to State Employment Retirement Systems, SERS, or the Pennsylvania State Education Retirement System, PSERS--these systems were well funded. The market was doing well. We fund these systems through employer contributions, meaning the Commonwealth or school district, employee contributions, as well as returns. Each of these funds have pension boards who make strategic investments, and hopefully we get positive returns, which help offset the employer contribution.

Well, in 2001, when the funds were both about 130 percent funded, we did a revenue enhancement, which made sense. The policymakers at the time argued that with all of these funds so well funded, to give a benefit enhancement to the employees at the time would help the economy and put money in peoples' pocket. There was no sense in sort of holding these moneys in the funds. Let us get it out to the people who are in the system and allow them to have more money in their pocket, which would obviously help the economy. So we did that.

Unfortunately, soon after that we hit a recession. The recession obviously hurts not only income to the Commonwealth, but it hurts, also, returns for the system. You might remember in 2001-02 we went through the dot-com bust, we went through 9/11, the horrible, tragic, terrorist attack in New York City, which had a profound effect on our economy. So a decision was made, again, by this body, and the House and the Governor at that time, in 2003, to change the way we fund it and hope that our returns would grow our way out of it. That is sort of the simplest way to put it. So that we would not have to go back to the taxpayers to increase their contribution, but we would amortize our losses and gains over a certain way so that we can have our returns and our normal growth make up for our contributions. At the time, again, judging by the fact that in the country's history we never really had two recessions in the same decade, it seemed to make some sense. That was the decision that was made, and it worked, for a while, Mr. President, but unfortunately, 2008 came along.

In 2008, obviously, this country went through its greatest recession in our nation's history, and that had a profound impact

on our pension funds. In fact, SERS and PSERS had a combined loss in value of \$30 billion. Now think about that, Mr. President, \$30 billion lost in value. So, unfortunately, where every State in the nation had problems with their pension funds at that point, ours had a perfect storm because of decisions made, decisions that I voted for, Mr. President, decisions that were made in 2001 and 2003 that were essentially a bet on Wall Street that we could earn our way out of our problems, and then with 2008, the historic recession, was a perfect storm that cost us significant losses in our pension system, which began to underfund the system value where we were once 130-percent funded, now today we are somewhere in the 60s. So, our pension funds are in great risk right now, and so what we are seeing, as I mentioned before, are contribution levels going up dramatically. This year alone, Mr. President, we estimate it will be a billion new dollars in taxpayer dollars, State and local, to fund these two systems. A billion dollars, that is not money going into the classroom, that is not money going into infrastructure, that is not money going into technology, that is not money going into whatever we think maybe money should be going into in State government, but money that is going to fund the status quo. Well, Mr. President, that is a big ask for the taxpayers. So this is a big problem, a significant problem. Unfortunately, big problems often require difficult solutions.

So when we look at the system, the question for us is, how do we want to move forward? It is important to look at the past, but more importantly, how do we want to move forward to have these systems be in a position where we can fund retirements in a responsible way, that our retirees certainly will have something they can count on, because our State employees and school district employees are very important. I am a State employee. My wife is a school district employee. We are, as I like to say, late parents, which means I will be collecting Social Security and paying tuition at the same time. So, clearly retirement means a lot to me, as it does to thousands and thousands of Pennsylvania employees, both State and school district, so we want to make sure that we can have a system that they can have a good retirement, but also have a system that we can preserve for the future. So, that is extremely important as we move forward.

Also, Mr. President, how can we remove the taxpayers from the risk business? As we have seen in this last decade or so, that we have put the taxpayers at risk a couple of times, both politically and through our returns. Unfortunately, those risks did not pay off. So now it is the taxpayers who are holding the bill. It is the taxpayers who have gone from that contribution, as I said earlier, of \$500 million or \$600 million as our employee contribution, to now, at some point it will exceed \$5 billion.

Mr. President, that is a lot to ask of the taxpayers. We are not Washington, D.C., where we print money in the basement and just run up deficits. As you know, we have a constitutional provision to balance our budget, which means we have to come up with this money in one shape, form, or another. The Senator from the Lehigh Valley sponsored a bill in 2010 called Act 120 that begins to raise that contribution over a period of time, and so we are doing that. We are on that long steep climb. So, the question again is, how do we move forward? The Governor, during his campaign, suggested that we did not have a problem, we just needed to pay the bill. Now that he is Governor, he has acknowledged that there is a problem, and he has proposed a solution, which is to take out a \$3 billion bond, as I understand it, and give

that money to PSERS, the Pennsylvania State Employee Retirement System, allow them to invest it and then hopefully, over a 30-year period of time, that \$3 billion becomes \$8 billion. It certainly would help if that becomes true. The problem, again, is though, that is another risk. That is another bet on Wall Street. What if it does not turn out? This year alone, Mr. President, SERS, even during what we would call decent times, the stock market is at a fairly high rate right now, they have a 7.5 percent actual rate that they need to make to be able to pay our bills in a year. SERS did not make it. They only made 6.5 percent. Two months ago, PSERS was teetering on whether they were going to make it or not, and this is during one of the record high stock markets. So are we really prepared to throw more risk onto the table for the taxpayers if it does not come true? It might. I do not know that it will not. I am not saying here that it will not, but I am saying I am not willing to take the risk again with the taxpayers. I have been down that road twice before and I think it is time that we take a different approach.

So, in the coming days I am going to be introducing Senate Bill No. 1, and Senate Bill No. 1 will be an aggressive reform of the public pension system. Senate Bill No. 1 will take the risk away from the taxpayers. It will modernize the system for future employees to look more like a defined contribution system, where we contribute as much as the private sector does into a plan along with our employees. Senate Bill No. 1 will not touch any current retirees. Any current retirees' benefit plan are safe, nothing will change whatsoever. For current employees, we look to go into a relationship with our current employees to find the best way to move forward for them as well. We look forward to giving them options to let them design a plan that is best for their particular financial situation, and also give them new benefits so that if the systems are doing well, they should share in that. Right now they do not share in benefits when the systems make above their rate, it just goes into the system. They do not benefit from that. They should benefit from that.

So what we are going to do is protect the current employees' benefits from what they have earned so far. Nothing would be touched there, but moving forward we are going to give them options to design a plan which is best for them and meets their financial situation, but will give us savings within the system. So, we are going to work with our employees, Mr. President, we are going to take the taxpayers out of the risk business and modernize this plan to reflect the demographics that we have today. This is the first step. Senate Bill No. 1 is going to be introduced this week. We are, sort of, at the mercy of the pension systems as far as getting it done. We hope to have it through into bill form this week so the Senate can begin to address it next week. We realize the Senate is just one step in this process, but we believe it is time to move forward, as we believe it is time to put an aggressive plan on the table that will help the people of Pennsylvania, help our budget needs here in Pennsylvania, preserve the plan for the long term, make sure that our employees' benefits that are accrued already are secure, and make sure that they still have a pension system moving forward that will be one that resembles what the voters and the people of Pennsylvania can afford.

I think it is a fair approach. I think it is an approach that is long overdue. I congratulate the Senator from Lehigh County for a lot of the work that he has done on this. I am happy in his absence to pick up the mantle and bring this to the finish line here

in the Senate. We look forward to the discussion with our colleagues on the other side of the aisle and our colleagues in the House and the Governor, but this is an issue that has been talked about for years, Mr. President. We have been at this for years. I refer to it as a tsunami. When the tsunami is out, a 100 miles from shore, it kind of looks pretty, this big wave, but when it hits land, it does a lot of damage. This pension problem has hit land. It is time to address it. Just sitting back and paying the bill, that is a lot to ask of the taxpayers. That is a lot to ask of the taxpayers. So, we are going to move forward with a plan that we think addresses both the short-term and the long-term needs. It addresses the needs of our employees, but also addresses the needs of the taxpayers, who would like to see us being invested in technology, and would like to see us being invested in the classroom, would like to see us invest in infrastructure, investments that we cannot make because we have a crowd-out effect in our budget.

I do not think anybody in this room wants to see us go from a \$29 billion budget today to a \$40 billion budget by the end of the Governor's first term. That is where we are heading if we do not deal with these cost carry-forwards. The Governor talked about a structural deficit, and we do have a structural deficit, and a large part of the structural deficit is this pension problem. The rate of the growth of this pension problem and other liabilities that the State has are causing our increase in spending that the revenue cannot catch up with, so the Governor has asked for us to step up in revenues to pay for the cost carry-forward in the mandated spending. I understand that approach. I respect his approach. Our approach is to see what we can do about the mandated spending, see if we can design a system that more reflects the needs of today, more reflects what the taxpayers can afford, and also, most importantly, secures these funds for the long term. That is really what is important, Mr. President, because, imagine if we had another downturn when our funds are only 60-percent funded. It is one thing when they are 130-percent funded and we had a big downturn, imagine where we would be if we were in the 60s and had this huge downturn.

This is not a State problem. The local municipalities are screaming for us to solve this as well. I noticed a letter from a lot of our mayors around the State begging us to get involved. This plan of ours does not involve the local municipal pensions yet, but we would like to bring that into the discussion when we can, because they may even have bigger problems than what we have. For a lot of our third-class cities, which are really struggling financially, this is the major issue for them as well, and hopefully we can address that issue at the same time. Our proposal now, Senate Bill No. 1, which I am happy to support and happy to propose, I look forward to addressing it next week, is our plan to begin to solve the long talked about, difficult public pension issue that we have here in the Commonwealth, and I look forward to the discussion next week.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks Senator Corman for his remarks on the Pennsylvania pension issue. Also, for his remarks for our colleague, Senator Browne, and we will keep him in our thoughts and prayers and are confident that he will have a full recovery and we will see him back here soon.

The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I want to echo your comments and the comments of my colleague, Majority Leader

Corman, in terms of our well wishes on behalf of our Caucus to Senator Browne and certainly we hope that he is back to join us very soon. Knowing the value that he brings to these conversations, not just pension conversations over the past several years, but the role that he has played in the area of education, for example, and the role that he has played with respect to the creation of the IFO, the Independent Fiscal Office, with respect to the education community, currently serving as chair of the Basic Education Funding Commission, but his previous tenure as chairman, I believe, of the Special Education Commission. He certainly plays a very valuable role here, and we certainly look forward to that conversation.

I am pleased to hear that Senator Corman will pick up the ball with respect to the pension discussion that needs to take place. This conversation has been around for quite a while. The Senator has laid out some of the things that have taken place, and I want to reiterate just a couple of points with respect to what we have already done and what we have not done. I think what we have not done is the reason why we have to do something going forward, quite frankly. In 2010, we made reference to the legislation that was generated in this Chamber and ultimately signed into law by Governor Rendell in 2010, which made significant changes to the benefit structure for new employees at that point in time, the value of which was about a 25-percent reduction in the overall benefit package received and enjoyed by State employees. We know that we reduced the multiplier from 2.5 percent to 2 percent. We know that we increased the retirement age from 60 to 65. We know that we doubled the vesting period from 5 years to 10 years.

More importantly, specifically to the comment that my colleague made about taking the taxpayers out of the risk business, we did that in 2010 when we put into place a concept that, I think up to that point in time, had not been part of any type of pension resolution. When we introduced the shared risk concept, where, I believe, that if the returns are not where they need to be, the employee was the one who was required to make additional payments into the system to help avoid the taxpayers from having that risk.

I also thought it was interesting in the gentleman's comments about dollars in the classroom. For the past 4 years, we heard the previous administration tout the amount of money they were putting in education. It is ironic that they were saying that the amount of money that they put into the classroom included pension costs to school districts. I was very happy to hear the gentleman say that when we put pension dollars into the school districts, that they are going into the classroom and they should not be calculated as part of the dollars that we put directly into the classroom. I was glad to hear that he acknowledged that. It is something that we have been saying for the past 4 years, which is different than what Governor Corbett had said over that period of time.

Mr. President, at the end of the day, we recognize that we have to address the issue of pensions with respect to SERS and PSERS, and I think one of the things that we realize is that we have many challenges ahead of us along those lines. There was conversation about the nature of a bond issue or the borrowing that we talked about and how borrowing presents risk. I would be remiss if I did not say that is accurate, but it depends upon how we draft and how we craft what we believe can be a properly tailored, very narrowly crafted provision that minimizes the

risk as we go forward, exactly like we did in this Chamber, which Governor Corbett talked about, when we did the bond issue, the \$4 billion that we had to pay back to the Federal government. Either we were not worried about risk then and we are now--we should have been then, if we were ever worried about risk to the taxpayers--or we believe that maybe borrowing is an appropriate way or appropriate tool to utilize as we go forward, if it is done properly and correctly. That is what we proposed last year and that is what the Governor proposed this year, with respect to trying to address that issue.

At the end of the day, Mr. President, what we believe needs to be done is a very restrictive, narrowly tailored, very responsible and reasonable pension bond issue that would allow for immediate relief not only to our Commonwealth, but also to our school districts. We recognize that they, too, face many challenges as we go forward. That is something we have to talk about, but if we do it the right way, as we propose and as the administration proposes, it provides \$450 million to each of those entities in immediate relief across this Commonwealth. With respect to the provisions, the portion of Senate Bill No. 1 that I understand will be coming out very soon, we talk about the fact that we are going to move everyone into a defined contribution plan. Again, we have concerns about that, not because of the things that we have made up or the things that we have said, but rather what other folks have said about defined contribution plans. Particularly, as it relates to the structure that we have in place now. If we were starting fresh with a new plan, that may be one thing, but we are not. We recognize that if you do a defined contribution plan with new employees, our belief is that it doubles the unfunded liability that we have to deal with. That is what the issue is. We have no money going into the system, but yet you have money coming out. It is unsustainable and it is not something we believe is appropriate for the Commonwealth. Again, not my numbers, the IFO and other reports indicate that it drives the unfunded liability to over \$90-plus billion. That is a significant unfunded liability that we should be addressing or need to be taking up in this Commonwealth, particularly when we talk about some of the risks that are associated with it.

Mr. President, we have to have a conversation going forward. But let me be clear, while we talked about, and the Senator gave a great historical perspective of what has been done over the course of the past several years, from 2001, 2003, and 2010, but what was missing from that recitation was the fact that employees today are being asked to solve this problem, and the employees going forward with further reduction in their benefits as new employees go forward. Those are the folks who, over the course of the past 14 or 15 years, got up every day and went to work, and will continue to do so, and they made their contributions into the system. They paid what they were supposed to pay. It was us, it was the Commonwealth, and it was the school districts that did not make the appropriate contributions that needed to be made when they should have been made.

So what is happening today, as I understand it, is that we are now having to pay for what we did not pay for all of those years when we decided not to put anything into the systems. That, to me, is something that we need to recognize. Senator Kitchen talked about it earlier today. Every time we have a crisis or a problem, we look to solve the problem on the backs of workers in this Commonwealth. That is what is going to be done here when you look at, not necessarily the new employees, but the

current employees. All of those employees who have been doing what they have been asked to do for the past several years, all of a sudden when they wake up, I presume on January 1, 2016, their benefit structure is going to change. They did not do anything wrong or different, but their benefit structure is going to change.

Now, the Senator talked about locking down what they have. Right, we can do that, but I have a question as to whether or not we can layer or stack another level of benefits on top of that that is different than what they have already experienced, different than what they have already bargained for through the process. To me, once you have a contract, you have a contract going forward. Now, that will certainly be a legal issue that will be resolved by the courts. I think we are going into uncharted territory with respect to that issue in this Commonwealth, but the fact of the matter is, we are again looking at those current employees, and while the gentleman said we will not impact current employees with what they have already received, it is clear that we would change their benefits going forward, and that is something I think is inappropriate and wrong because they have not done anything wrong to warrant having their benefits reduced or changed. The question remains whether we can legally do that.

At the end of the day, Mr. President, I look forward to a conversation just like we had in 2010. We all sat in our room, we sat in my room downstairs in the office of the Committee on Appropriations back then, and we had a good conversation and we fleshed out the issues among the parties and among the sides, with all of the interested parties in the mix. That is the approach I think we need to continue to take, but I look forward to working with my colleagues on both sides of the aisle figuring out what we can do best for this Commonwealth as we move forward along those lines.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I am not going to get into a sort of tit for tat. I appreciate the gentleman's comments, and to their credit, the Senate Democratic Caucus, a couple of years ago, came out with a plan of their own to help try to solve this issue, because they recognize it is a problem. Obviously, it was a plan that I did not necessarily support 100 percent, but I give them credit for trying to step up and solve the issue. They identified it as an issue that needed to be resolved, and they deserve full marks for offering a plan that would try to deal with that. And again, this is the beginning of our process and we will have many conversations.

Let me refer back to one comment, because I think it is very important to point out. He is right. In 2010, we changed the benefit structure for future employees, and in our plan, that would not be touched. For anyone who started after the Act 120 legislation, that does not change one bit. They would continue to have the same benefits that they had before. Again, anyone who retired prior to 2001, nothing would change. Even those who retired after 2001, who are currently retired, nothing would change. Part of the issue that we are having, and the Senator is correct, the employees did everything they were supposed to do. They made their contribution as they were supposed to. Part of the issue that we are having to fund the system is the benefit enhancement that we gave them in 2001. So, the employees who were in the workforce or are still in the workforce since 2001, who prior to 2010 will retire at a better benefit enhancement than

any State employee ever, even with the changes we are suggesting. They will still retire with a better retirement benefit enhancement package than any State employee who retired before 2001 or any State employee who started work after 2010. So, the enhancement that we gave is not all of the problem by any stretch, but it is part of the problem, particularly since we did it retroactively.

We are trying to partner with our employees. We are trying to give them new benefits which they have never had before in this process, trying to give them options on how to deal with it, but certainly, I think, it is not an unusual concept for an employer to say, during good times, we will figure out a way to help you out more because it is a good time and therefore we will give you an enhancement. And then like now, when the good times are gone, maybe we have to go back to where we started, which is all we are suggesting here. I think it certainly stands the legal test as we move forward. Again, these were not collectively bargained agreements, as was suggested. The pension fund is outside any collective bargaining.

This is not about social policy. This is about math. This is a math equation, and when you look to where the contribution levels have to go and the sustainability of the fund over the long haul, it is very difficult for the taxpayers to put up that bill. So, we think we have structured a plan that meets today's needs, structured a plan that gives our current employees options moving forward, which will still, again, allow them to retire at the best benefit package in the history of the Commonwealth. So I think it is a fair proposal, and I look forward to the gentleman on the other side and his colleagues' comments through this process, but it is a process that has to happen now. We cannot wait any longer. We need to move forward, and we will start this next week.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I appreciate the recognition, and as a final comment to the issue about dealing with pensions. Let us be clear about the two major reasons why the pension funds are in the predicament that they are in right now. One is the fact that for 15 to 17 years, the State did not make its appropriate contribution. That transcends a number of governors, both Democratic and Republican, who did not make their appropriate contribution.

Number two, Mr. President, one of the reasons why the State pension funds are in the difficulties that they are in right now is because of the financial collapse of 2008 and 2009. The same folks, the people who caused that collapse, almost the collapse of the international economy, caused the collapse and the problems with those pension funds. Whatever resolve that we come up with to try to help our pension funds and strengthen them, which means that we are strengthening the retirement security for the people who are participants in those funds, and also means we are strengthening the financial picture of the Commonwealth in general, whatever we come up with, it doggone sure better not benefit the people who caused the problem in the first place. The people who caused the problem in the first place are the people who ripped off the international economy and wound up making a whole lot more as a result of that big rip-off. They stole money back then, they are getting paid now, and the people who cannot benefit from whatever it is we put together are the folks who

caused the problem in the first place. Those are who cannot benefit from this process, the people who caused the problem. For us to drive a significant portion of funds or the future of the pension funds into 401(k) programs where private managers can rip off, once again, the retirement futures for thousands, if not millions of people, and put the State's economy in jeopardy once again, is the wrong direction and the wrong play. That is not where we need to be going. That is not the direction that we need to be going in this Commonwealth.

So that is my comment on the pension fund. But before we even get to the pension fund, Mr. President, it is doggone sure time that we need to deal with the issue that most of Pennsylvania's people are concerned about and over three-quarters of Pennsylvania's people say that we need to focus on. When are we going to have a vote on raising the minimum wage in Pennsylvania? The people want to know, when are we going to have a vote on raising the minimum wage in Pennsylvania? We have a bill that is currently in lockdown in a committee, cannot get free, cannot get opened up for a vote, Senate Bill No. 195 cannot get freed up, it would raise the minimum wage to \$10.10 an hour over a 3-year period. All we want is to free up the minimum wage so folks can start working their way out of poverty in the Commonwealth of Pennsylvania.

Now, we have been through this conversation before, Mr. President, over 10 years ago. You and I, in fact, stood on this floor, argued vociferously over a 4- to 6-month period about getting the minimum wage raised in Pennsylvania, and now we are back to the same old argument. Those policies, which we have been suffering under, keeping folks at the low wage, keeping folks locked into poverty, is what has caused Pennsylvania to drop from seventh in the nation in new job creation to last in the nation in new job creation. Those policies, that it seems every other State around Pennsylvania has adopted, New York raised the minimum wage, New Jersey raised the minimum wage, Delaware raised the minimum wage, Maryland raised the minimum wage, West Virginia raised the minimum wage, Ohio raised the minimum wage, but Pennsylvania has not. Well, the bill is locked down, and it is time to free Senate Bill No. 195 so that we can raise the minimum wage in Pennsylvania, so that we can give the people in the Commonwealth of Pennsylvania an opportunity to move their way out of poverty, because right now that is what we are in. We are in a poverty situation, and for anyone to even remotely suggest that an alternative piece of legislation, which over a 3-year period would raise the minimum wage to \$8.75 an hour, is a joke, at best. A joke at best. We need to come up to the 21st century. We need to come up to the standards that the six States around Pennsylvania have adopted. We need to come up to a situation where people can get out of poverty, and Senate Bill No. 195 needs to be freed from the committee so it can be enacted here in the Commonwealth of Pennsylvania.

It is time for us to stop playing with the lives of the future of Pennsylvania. Everyone has shown, everyone has proven, all of the research is in, that when you raise the minimum wage, you have no impact on job creation in a negative fashion. In fact, what it all shows, if you looked at the States around Pennsylvania, that when you raise the minimum wage, employment opportunities go up. Pennsylvania is 50th in the nation in new job creation. All of the other States have raised job creation above Pennsylvania and have also raised the minimum wage. It is time to free Senate Bill No. 195. Let us raise the minimum wage in

Pennsylvania. Let us get the job done for the people of the Commonwealth of Pennsylvania. Let us stop the practice of keeping people in poverty. Let us raise that wage. Let us free Senate Bill No. 195, and let us get it done now.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I never try to match the eloquency of my colleague from Philadelphia. We served together, I do not know if we have a record, but the Senator and I served together as chairmen of the Committee on Communications and Technology, we served together as chairmen of the Committee on Public Health and Welfare, and then chairmen of the Committee on Appropriations. Even though he is from the big city and I am from the country, we are great friends; and we have one other thing in common, we both completely out-kicked our coverage when it came to marriage. How we got so fortunate, I will never know.

Having said that, Mr. President, just two points of agreement, really. First, on the minimum wage, the Senate did hold hearings this week. There is some movement on that particular issue. Senator Baker and Senator Tartaglione had hearings, the Senator from Luzerne County and Senator from Philadelphia had hearings this week. So, I will be anxious to see the testimony from that. I did not get the chance to watch the hearing myself, but hopefully we can move forward in a responsible fashion on the minimum wage issue, as the Senator suggested. So, that is some activity that is going on now.

Also, I would agree with his point about money managers. I know the Senator was concerned about money managers profiting from this system. Well, understand the current system, both SERS and PSERS, hire money managers to do our investments, and there has been a lot of talk, and I think rightfully so, particularly by the Governor, that process needs to be reviewed. That process needs some oversight. Senate Bill No. 1 will actually provide that oversight for the first time. Senate Bill No. 1 will establish a commission appointed by the General Assembly and the Governor to review all asset management hiring of money managers at the pension systems. Like I said, there has been discussion that we are paying a significant amount for smaller returns than maybe what we should. So, for the first time, Senate Bill No. 1 will provide that and make recommendations to the General Assembly on changes that may be needed.

To Governor Wolf's credit, he has talked about this. I know our Senator from York County has championed this issue. So, that is a big proponent on Senate Bill No. 1 to make sure that if we are going to be hiring--which we do now, let us understand, SERS and PSERS do now hire money managers, as the Senator suggested, to oversee our portfolio of investments. I think it is good that we put a process in place, again, established by Senate Bill No. 1, but also appointments by the Governor and the General Assembly to provide oversight for the first time ever of these systems. I think it is completely called for. I congratulate the Governor for calling for it. I look forward to, hopefully, getting this established. For the first time, I know the concerns of the gentleman can be addressed in a way that makes sense.

Thank you, Mr. President.

The PRESIDENT. Those who are watching at home can learn what I always say, if you miss Petitions and Remonstrances, you miss a lot. It is where all the good information comes out, so I

thank the Senators for the really very positive and informative discussions.

### RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Monday, May 11, 2015, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 2:35 p.m., Eastern Daylight Saving Time.