

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, OCTOBER 27, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 62

**SENATE**

TUESDAY, October 27, 2015

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

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

**PRAYER**

The Chaplain, Monsignor MICHAEL McCORMAC, of Saint Frances Cabrini, Fairless Hills, offered the following prayer:

Good afternoon. It is a privilege to be here with you.

O God, fountain of wisdom, knowledge, and right judgment, source of all we are and all we have, we praise You and thank You for Your abundant blessings upon our nation and our Commonwealth. We thank You for the most wonderful and most precious gift of freedom which You have bestowed upon us.

Look with favor on this assembly of Senators for whom we now pray. Pour out on each of them the spirit of wisdom that they may discuss and decide everything for the common good of all human beings and recognize the tremendous responsibilities placed on these women and men. Let them always share in Your knowledge so as to have clear insight into all matters which come before them. Kindle in them a desire for the just advancement of their fellow citizens. Guide them always in their deliberations and decisions. For their right judgment, may each human being be brought to their personal fulfillment. For their collaborative spirit and mutual respect for each other, may every division be removed from their midst. Through their collective efforts, may equity and justice be established within our great Commonwealth.

We ask Your blessing upon the Senators in this Chamber, upon their family members, their staffs, and upon all of their colleagues here within the Capitol. May they know the gratitude of all those whom they serve and may they always find satisfaction in the sacrifices and the good work they do for others. We make this prayer in Your most holy name. Amen.

The PRESIDENT pro tempore. The Chair thanks Monsignor McCormac, who is the guest today of Senator McIlhinney.

**PLEDGE OF ALLEGIANCE**

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

**BILLS REPORTED FROM COMMITTEES**

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

**SB 50 (Pr. No. 1367) (Amended)**

An Act establishing an industrial hemp industry in this Commonwealth; conferring powers and imposing duties on the Department of Agriculture; and prescribing penalties.

**SB 735 (Pr. No. 1368) (Amended)**

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for definitions and for license required.

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

**SB 518 (Pr. No. 1371) (Amended)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, enacting the Revised Uniform Fiduciary Access to Digital Assets Act (2015); and providing for user direction and agreements, for disclosure of digital assets, for functions of fiduciaries and for compliance and immunity for custodians of digital assets.

**SB 851 (Pr. No. 965)**

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for definitions; repealing provisions relating to appropriate implementation for minor victims of human trafficking; providing for special relief to restore victim's dignity and autonomy; adding provisions relating to safe harbor for sexually exploited children by imposing duties on law enforcement officers and the Department of Human Services and establishing the Safe Harbor for Sexually Exploited Children Fund; in public indecency, further providing for the offense of prostitution and related offenses; and, in juvenile matters, further providing for definitions.

**SB 976 (Pr. No. 1372) (Amended)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions and for exceptions to prohibition of interception and disclosure of communications.

Senator VULAKOVICH, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

**SB 1045 (Pr. No. 1370) (Amended)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in general provisions, providing for character of discharge.

**SB 1046 (Pr. No. 1357)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in Pennsylvania National Guard, further providing for retired Pennsylvania National Guard personnel.

**LEGISLATIVE LEAVES**

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

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

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

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

The PRESIDENT pro tempore. Senator Corman requests a temporary Capitol leave for Senator Browne, and a legislative leave for Senator Vogel.

Senator Costa requests a legislative leave for Senator Hughes. Without objection, the leaves will be granted.

**GUESTS OF SENATOR SCOTT WAGNER  
PRESENTED TO THE SENATE**

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

Senator WAGNER. Mr. President, joining us on the Senate floor today is Miss Rose Arbittier. Rose has recently been recognized as Distinguished Young Woman of York County and of Pennsylvania. She is the eighth York County woman to win the State title since 2002. Rose is a senior at Dallastown Senior High School, ranking in the top 1 percent of her class. Rose is a member of the National Honor Society, distinguished honor roll, York County senior honors choir, and district and regional chorus. Rose also established an afterschool program for special needs students at Dallastown Middle School called Rosie's Class. It is an opportunity for those students to have social interactions and participate in activities they would not otherwise have the opportunity to do.

To recognize Rose on her accomplishments, I presented her earlier with a Senate citation, and I invited her to speak to us today. Rose is here with her family and friends. Rose, if you would like to go up in front to the President's podium.

Miss ARBITTIER. Thank you so much for giving me the immense honor of speaking here today. I am very excited to be here because I want to share what has truly been an incredible experience in my life. Coming into the York County Distinguished Young Woman program, I had very high expectations. My older sister participated in the county program 6 years ago, and she developed clear communication and leadership skills because of it. Participating in the program myself, my expectations were exceeded. I developed close friendships with the 29 other girls. I learned how to conduct myself in a formal interview, and so much more. Being judged on scholastic, talent, fitness, self-expression, and interview taught me to be well-rounded in my day-to-day life. These five values demonstrate how Distinguished Young Woman is truly a scholarship program praising young women for their accomplishments, giving them confidence, and teaching them skills they will need to know in their futures.

The key message of Distinguished Young Woman is called Be Your Best Self. The five components of this platform are: be healthy, be ambitious, be involved, be responsible, and be studious. This year I will have the pleasure of visiting Girl Scout troops, classrooms, and other groups of people to share this message with as many individuals as I can. I have already conducted one Be Your Best Self lesson with my afterschool group of special needs students, which made it even closer to my heart. Besides sharing this important message with others, I feel lucky to have had the opportunity to learn how to be my best self.

I feel extremely fortunate to have come from the York County program. The York County program awards \$43,500 of scholarship money each year, more than double than any other county program in the United States. I was awarded \$14,300 for success in the talent, self-expression, and scholastic categories, as well as the overall scholarship. York County propelled me forward to compete in the Pennsylvania State program this past July. At States in Johnstown, I had more outstanding experiences and developed other friendships with girls with whom I know I will stay close for a long time. I felt so prepared and supported going into the State program, and I truly credit my success there with York's excellent event. At States, I was awarded \$5,400 more, yet another benefit from this program. I cannot wait to see what nationals will bring next June in Mobile, Alabama. I am beyond excited to continue learning more about myself and how to lead others through this amazing experience. I feel lucky that the adventure is not yet over, and I strive to be my best self in every aspect - not just to do my best in the national competition, but also to represent York County and Pennsylvania proudly each and every day.

Thank you again for allowing me to speak. It has been a true honor.

(Applause.)

The PRESIDENT pro tempore. The Chair thanks Senator Wagner's guest.

**GUESTS OF SENATOR STEWART GREENLEAF  
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, I rise today to announce very special guests from my district, my home community, members of the Upper Moreland Little League Senior Baseball Team. I previously presented them with a Senate citation in recognition of winning the 2015 Senior League Baseball Eastern Regional Tournament. The team has also won the 2015 Pennsylvania State Senior League Championship and advanced to the semi-finals of the 2015 Senior League Baseball World Series. At this time, I ask the Senate to join me in welcoming and recognizing the team on their stellar season victories and commend them for utilizing their exceptional ability to achieve athletic excellence.

Thank you, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Greenleaf please rise to be welcomed by the Senate.

(Applause.)

**GUEST OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I rise to recognize Monsignor Michael McCormac, who is my constituent and serving as our guest Chaplain today. Monsignor McCormac has served as a pastor at Saint Frances Cabrini in Fairless Hills since 2007. He was ordained to the priesthood in the Archdiocese of Philadelphia and has served as pastor at several churches in Bucks and Delaware Counties since 1996. For those of you who served in the House of Representatives like myself, Monsignor McCormac is the uncle of our staffer, Tom McCormac, whom you might remember, who for many years was a good friend and colleague back when we served in the House. I ask the Senate to join me in giving Monsignor McCormac a warm Senate welcome.

The PRESIDENT pro tempore. Would the guest of Senator McIlhinney please rise to be welcomed by the Senate. (Applause.)

**SENATE CONCURRENT RESOLUTION**

**WEEKLY RECESS**

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

In the Senate, October 27, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, November 16, 2015, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Wednesday, November 4, 2015, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of November 4, 2015, it reconvene on Monday, November 9, 2015, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of November 9, 2015, it reconvene on Monday, November 16, 2015, unless sooner recalled by the Speaker of the House of Representatives.

On the question,  
Will the Senate adopt the resolution?

**HAYWOOD AMENDMENT OFFERED**

Senator HAYWOOD offered the following amendment to the resolution, which appeared as follows:

Amend Recess Resolution offered in the Senate October 27, 2015, page 1, by striking out all lines on page 1 and inserting:

In the Senate, October 27, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the

Senate recesses this week, it reconvene on Thursday, October 29, 2015 and remain in voting session daily until a General Appropriations Act for Fiscal Year 2015-2016 and all necessary Preferred Appropriation Acts for Fiscal Year 2015-2016 are enacted into law; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Thursday, October 29, 2015 and remain in voting session daily until a General Appropriations Act for Fiscal Year 2015-2016 and all necessary Preferred Appropriation Acts for Fiscal Year 2015-2016 are enacted into law.

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

**AMENDMENT TABLED**

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

Senator CORMAN. Mr. President, I move that the amendment be laid upon the table.

The PRESIDENT pro tempore. Senator Corman has moved that Senator Haywood's amendment be laid upon the table. The motion is not debatable.

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

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

**YEA-30**

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

**NAY-19**

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

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

The PRESIDENT pro tempore. The amendment is tabled.

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

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

Senator COSTA. Mr. President, we were not able to consider the amendment by the gentleman from Montgomery. The substance of the amendment would be to make certain that we continue to stay here and work until we get a General Appropriation bill. To that end, and the fact of the matter is this motion does not permit that to be the case, I ask for a negative vote.

Thank you, Mr. President.

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

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

**YEA-30**

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

**NAY-19**

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

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

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

**RECESS**

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of off-the-floor meetings of the Committee on Appropriations and the Committee on Finance to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the committee meetings referenced by the Majority Leader, Senate Democrats will meet in our caucus room.

The PRESIDENT pro tempore. For purposes of meetings of the Committee on Appropriations and the Committee on Finance, followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

**AFTER RECESS**

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

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

**LEGISLATIVE LEAVE CANCELLED**

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

**LEGISLATIVE LEAVE**

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

Senator CORMAN. Mr. President, I request a legislative leave for Senator McGarrigle.

The PRESIDENT. Senator Corman requests a legislative leave for Senator McGarrigle. Without objection, the leave is granted.

**CALENDAR**

**THIRD CONSIDERATION CALENDAR**

**BILL OVER IN ORDER**

**SB 146 --** Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**BILL LAID ON THE TABLE**

**HB 447 (Pr. No. 1037) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, providing for death of a tenant.

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

**HB 447 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that House Bill No. 447, Printer's No. 1037, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILLS OVER IN ORDER**

**SB 482, SB 489, SB 606 and HB 837 --** Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 857 (Pr. No. 970) --** The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; and prescribing penalties.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

**SB 868, HB 907, HB 909, SB 942, SB 955, SB 956, SB 988, SB 989, HB 1340 and HB 1411** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

**SB 62, SB 126, SB 127, SB 201, HB 263, SB 388, HB 400, HB 455, HB 579, HB 696, SB 731, HB 753 and HB 838** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

**SB 927 (Pr. No. 1281)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1931 (P.L.1352, No.332), referred to as the Delaware River Joint Toll Bridge Compact, further providing for the Delaware River Joint Toll Bridge Compact; providing for majority approval; and prohibiting the entrance into a compact until passage of a similar act.

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

BILLS OVER IN ORDER

**SB 983, HB 1278, HB 1279 and HB 1335** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

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

Senator ALLOWAY, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE ANIMAL HEALTH  
AND DIAGNOSTIC COMMISSION

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 19, 2015, of Jacob M. Maldonado, 133 State Street, Apt. 2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jerry Slayton, Bedford, whose term expired.

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

TOM WOLF  
Governor

MEMBER OF THE ARCHITECTS LICENSURE BOARD

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 18, 2015, of Jacob M. Maldonado, 133 State Street, Apt. 2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Howard Graves, Pittsburgh, whose term expired.

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

TOM WOLF  
Governor

[Data Missing] STATE BOARD OF OPTOMETRY

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Denise Wilcox, Pittsburgh, whose term expired.

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

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS IN  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 24, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language Pathology and Audiology, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Creason, Harrisburg, whose term expired.

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

TOM WOLF  
Governor

MEMBETR [*sic*] OF THE STATE BOARD  
OF VETERINARY MEDICINE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Steven Radbill, Huntingdon Valley, whose term expired.

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

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Mary K. Topper, 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-12, to serve until the first Monday of January 2016, and until her successor is appointed and qualified, vice Kevin E. Cooper, Pittsburgh, resigned.

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

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 23, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-07, to serve until the first Monday of January 2016, vice The Honorable Diane Marakovits, resigned.

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

TOM WOLF  
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 26, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-3-03, to serve until the first Monday of January 2018, vice The Honorable Todd Strohe, deceased.

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

TOM WOLF  
Governor

***NOMINATIONS RETURNED TO THE GOVERNOR***

Senator ALLOWAY. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

Senator ALLOWAY, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

September 29, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Robert Capretto D.M.D., 927 Hulton Road, Oakmont 15139, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2018, and until his successor is appointed and qualified, vice Todd Rucci, Lititz, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

September 29, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mr. Elliott Weinstein, 915 Cortleigh Drive, York 17402, York County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2018, and until his successor is appointed and qualified, vice Kathleen Casey, Washington D.C., resigned.

TOM WOLF  
Governor

**NOMINATIONS LAID ON THE TABLE**

Senator ALLOWAY. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator ALLOWAY,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator ALLOWAY. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

September 29, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Dr. Robert Capretto D.M.D., 927 Hulton Road, Oakmont 15139, Allegheny County, Forty-third Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2018, and until his successor is appointed and qualified, vice Todd Rucci, Lititz, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
THE PENNSYLVANIA STATE UNIVERSITY

September 29, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mr. Elliott Weinstein, 915 Cortleigh Drive, York 17402, York County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2018, and until his successor is appointed and qualified, vice Kathleen Casey, Washington D.C., resigned.

TOM WOLF  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

**YEA-49**

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

**NAY-0**

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator ALLOWAY. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**SB 1000 AND SB 1001, TOGETHER WITH  
GOVERNOR'S VETO MESSAGES,  
TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 1000, Printer's No. 1232, and Senate Bill No. 1001, Printer's No. 1233, and the Governor's veto messages of the same, be taken from the table and placed on the Calendar.

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

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

YEA-31

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

NAY-18

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

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

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

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

**SB 805 (Pr. No. 922)**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for energy efficiency and conservation program.

**SB 984 (Pr. No. 1374) (Amended)**

An Act amending Titles 53 (Municipalities Generally), 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in first class cities, further providing for definitions; in general provisions, further providing for definitions; in powers and duties, providing for power of commission to confiscate, impound and sell vehicles; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; providing for motor carrier regulations and for transportation network service; and, in general provisions, further providing for definitions.

**HB 1161 (Pr. No. 1512)**

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions and for license to engage in business.

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

**HB 89 (Pr. No. 79) (Rereported)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in discipline, removal and retirement of judicial officers, further providing for automatic retirement on age.

**HB 90 (Pr. No. 251) (Rereported)**

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

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

**HB 1332 (Pr. No. 1814)**

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for school employees, further providing for definitions and for construction of part; providing for notice to members; further providing for credited school service, for creditable nonschool service, for eligibility for annuities, for eligibility for vesting, for eligibility for refunds, for regular member contributions for current service, for pickup contributions, for return of accumulated contributions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board regarding applications and elections of members, for duties of employers, and for rights and duties of school employees and members; in retirement for State employees and officers, further providing for definitions, for credited State service, for creditable nonstate service, for Social Security integration credits, for eligibility for annuities, for eligibility for vesting, for eligibility for special vesting, for eligibility for refunds, for regular member contributions for current service, for Social Security integration member contributions, for waiver of regular member contributions and Social Security integration member contributions, for member contributions for the purchase of credit for previous State service or to become a full coverage member, for contributions for the purchase of credit for creditable nonstate service, for incomplete payments, for return of total accumulated deductions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board to advise and report to heads of departments and members, for duties of the board regarding application and elections of members, for duties of heads of departments, for rights and duties of State employees and members, and for taxation, attachment and assignment of funds; and providing for construction of part with respect to the Internal Revenue Code.

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

**SB 765 (Pr. No. 1302) (Rereported) (Concurrence)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for the definitions of "emergency service responder" and "emergency vehicle"; and, in rules of the road in general, further providing for duty of driver in emergency response areas.

**SENATE RESOLUTIONS ADOPTED**

Senators TARTAGLIONE, SABATINA, BAKER, GREENLEAF, KITCHEN, FARNESE, ARGALL, VOGEL, TEPLITZ, MCGARRIGLE, GORDNER, FONTANA, RAFFERTY, YUDICHAK, DINNIMAN, HAYWOOD, PILEGGI, MENSCH, COSTA, SCAVELLO, SCHWANK, WILLIAMS and AUMENT, by unanimous consent, offered **Senate Resolution No. 230**, entitled:

A Resolution designating October 2015 as "National Physical Therapy Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, restricted mobility affects millions of American men and women of all ages and social conditions. Until someone has experienced a loss of motion, they may not appreciate how life-altering it can be. More than physicians, nurse practitioners, or physical assistants, physical therapists are the medical professionals who are most directly responsible for patients recovering their ability to live and to work. Many people may not realize that licensed physical therapists are highly trained practitioners requiring multiple years of graduate education and specialty certification. Here in Pennsylvania, a Ph.D. is the common standard for a physical therapist working independently. To that end, consumers should know that they can receive an evaluation directly from a PT without a referral.

While physical therapists commonly treat injuries and various chronic ailments, this October the #agewellcampaign is focused on healthy aging, overcoming pain, maintaining vitality, and preserving independence. Too often, sick and injured people feel no alternative but to turn to surgery and long-term prescription drug use. In many cases, the exercises and treatments prescribed by physical therapists can manage pain and restore mobility over the long term. For these reasons and others, physical therapy is a safe, cost-effective, and empowering medical treatment. When considering difficult healthcare budgets and health remedies across this State, such as obesity and diabetes, this field of movement experts deserves our full consideration.

Mr. President, I recognize the month of October as "National Physical Therapy Month" in Pennsylvania. We owe these professionals our utmost respect and appreciation for their dedication and hard work which has improved the lives and the livelihoods of so many residents throughout this State. At this time, I ask all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

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

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

Senators VANCE, BAKER, FOLMER, SCAVELLO, WAGNER, TARTAGLIONE, COSTA, SABATINA, BARTOLOTTA, GREENLEAF, PILEGGI, RAFFERTY, BLAKE, DINNIMAN, FARNESE, FONTANA, HAYWOOD, SCHWANK, TEPLITZ, WOZNIAK, BROWNE, AUMENT and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 231**, entitled:

A Resolution recognizing the week of November 2 through 8, 2015, as "National Apprenticeship Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, this resolution marks November 2 through 8 as "National Apprenticeship Week" in Pennsylvania. It is anticipated in 2020 that there will be nearly 3 mil-

lion jobs unfilled due to prospective employees lacking the post-secondary education required to fill the position. However, apprentices could fill these positions. They earn an average of more than \$50,000 upon completion of their program, and have been shown to increase their compensation by approximately \$300,000 over their lifetime. I ask the Senate for a positive vote.

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

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

Senators VANCE, MENSCH, RAFFERTY, HAYWOOD, SABATINA, SCHWANK, BARTOLOTTA, EICHELBERGER, GREENLEAF, PILEGGI, SCAVELLO, BLAKE, BREWSTER, COSTA, DINNIMAN, FARNESE, FONTANA, KITCHEN, TARTAGLIONE, TEPLITZ, BROWNE, BAKER, AUMENT and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 232**, entitled:

A Resolution designating November 19, 2015, as "Children's Grief Awareness Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, children who lose a loved one really have a terrible loss to carry in their lifetime. The statistics are amazing. One child in 20 will lose a parent before they graduate from high school. "Children's Grief Awareness Day" is always held the Thursday before Thanksgiving. Winters, holidays particularly, can be very tough for children who have just lost a parent. The Highmark Caring Places have been in existence for a number of years and serve a very, very valuable service to our community. I ask for adoption by the entire Senate.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Vance, for a very thoughtful resolution.

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

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

Senators ALLOWAY, TARTAGLIONE, FONTANA, SCARNATI, GREENLEAF, SABATINA, SCAVELLO, RAFFERTY, TEPLITZ, WHITE, KITCHEN, COSTA, DINNIMAN, VULAKOVICH, SCHWANK, FARNESE, MENSCH and AUMENT, by unanimous consent, offered **Senate Resolution No. 233**, entitled:

A Resolution designating the week of October 25 through 31, 2015, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

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 to offer this resolution designating the week of October 25 through 31, 2015, as "Respiratory Care Week" in Pennsylvania. I commend all respiratory therapists for their outstanding contributions to the healthcare system. National Respiratory Care Week will be observed this week nationwide, and this observance celebrates the contribution that respiratory therapists make to our nation's healthcare system. Respiratory therapists are the only allied health practitioners specifically trained to assist physicians in the care of respiratory patients. Please join me in designating the week of October 25 through 31, 2015, as Respiratory Care Week in Pennsylvania and commend all respiratory therapists for their outstanding contributions.

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, BARTOLOTTA, SABATINA, GREENLEAF, WHITE, FONTANA, DINNIMAN, YAW, TARTAGLIONE, COSTA, SCAVELLO, RAFFERTY, MENSCH, FOLMER, FARNESE and AUMENT, by unanimous consent, offered **Senate Resolution No. 234**, entitled:

A Resolution designating the week of October 23 through 31, 2015, as "Red Ribbon Week" 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 to offer this resolution designating the week of October 23 through 31, 2015, as "Red Ribbon Week" in Pennsylvania. The first nationwide Red Ribbon Campaign was organized in 1985 in response to the murder of DEA Agent Enrique Camarena when angered parents and youth in communities across the country began wearing red ribbons as a symbol of their commitment to raise awareness of the killing and destruction caused by drugs in America. Since then, the Red Ribbon has touched the lives of millions of people around the world. The Red Ribbon services are a catalyst to mobilize communities and educate youth and encourage participation in drug prevention activities.

The Red Ribbon Week Campaign is sponsored by the National Family Partnership, which was established as a grassroots, nonprofit organization in 1980 by a handful of concerned and determined parents who were convinced they should begin to play a leadership role in drug prevention. Nancy Reagan was an honorary chair of NFP. Since its founding over 30 years ago, NFP has devoted its efforts to the well-being of youth. Today, the National Family Partnership is a national leader in drug prevention education and advocacy, with a mission to lead and support our nation's families and communities in nurturing the full potential of healthy, drug-free youth.

So please join me in designating the week of October 23 through 31, 2015, as Red Ribbon Week in Pennsylvania.

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

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

Senators SABATINA, GREENLEAF, DINNIMAN, EICHELBERGER, BREWSTER, TARTAGLIONE, COSTA, SCAVELLO, AUMENT, BOSCOLA, MENSCH, RAFFERTY, VULAKOVICH and HUGHES, by unanimous consent, offered **Senate Resolution No. 235**, entitled:

A Resolution designating the month of November 2015 as "Reflex Sympathetic Dystrophy Syndrome Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator SABATINA. Mr. President, today I rise to raise awareness on a disorder that impacts thousands of people every day. This resolution marks the month of November as "Reflex Sympathetic Dystrophy Syndrome Month" in Pennsylvania. Reflex sympathetic disorder is characterized by severe burning pain, most often affecting one of the extremities like arms, legs, hands, or feet. There are often two pathological changes in bone and skin: excessive sweating, tissue swelling, and extreme sensitivity to touch, known as allodynia. Allodynia is a rare condition with roughly 20,000 to 200,000 cases reported in the United States every year. The key symptom is chronic intense pain that is out of proportion to the severity of the injury, if an injury occurred at all, and it gets worse over time rather than better. It most often affects the arms, legs, hands, or feet.

I was not aware of this disorder until I was visited by a constituent of mine in my office. She informed me that due to this disorder she has difficulty working, sleeping, and maintaining a normal productive life. The cause of RSD is not known. The condition is thought to be a malfunctioning of the sympathetic nervous system, but some researchers are still searching for answers. Physical therapy is a primary component of treatment, but is not always effective, and surgery may also help. There is no cure at this time, but research continues. Advances have resulted in some new and effective treatments where some patients may receive a remission of symptoms. In this fight, Mr. President, awareness is a huge hurdle for this condition that affects so many people, no matter how small. That is why I thank the Members today for considering this resolution to mark November as Reflex Sympathetic Dystrophy Syndrome Month in Pennsylvania.

Thank you, Mr. President.

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

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

**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 Jacob Benjamin Schall by Senator Baker.

Congratulations of the Senate were extended to James H. Stewart by Senator McGarrigle.

Congratulations of the Senate were extended to James Patrick Ruppert by Senator Rafferty.

Congratulations of the Senate were extended to Mason Roadcap and to Andrew P. Bosche by Senator Teplitz.

Congratulations of the Senate were extended to Joel Patrick Sorber by Senator Yudichak.

### BILLS ON FIRST CONSIDERATION

Senator SABATINA. 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 50, SB 518, SB 735, SB 805, SB 851, SB 976, SB 984, SB 1045, SB 1046, HB 1161 and HB 1332.**

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

#### WEDNESDAY, OCTOBER 28, 2015

10:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider House Bill No. 794)	Room 8E-A East Wing
10:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 340, 341, 342, 343, 344 and 997)	Room 461 Main Capitol

#### THURSDAY, NOVEMBER 19, 2015

9:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing on the National Guard Youth Challenge Program - Senate Bill No. 56)	Carson Long Military Academy
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### 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 Wednesday, October 28, 2015, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:23 p.m., Eastern Daylight Saving Time.