

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, MAY 11, 2016

SESSION OF 2016 200TH OF THE GENERAL ASSEMBLY

No. 24

SENATE

WEDNESDAY, May 11, 2016

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

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

PRAYER

The Chaplain, Reverend MATTHEW STEPHEN JURY, Pastor of Grace Bible Chapel, Gardners, offered the following prayer:

Let us be in the spirit of prayer.

God of heaven, You are the one in whom we live and move and have our being. We come to You with a simple and brief prayer. By this act of prayer, we humbly acknowledge that government greater than ours, a sovereign and just government, was established forever on Your unfailing and sacrificial love. Lord, we pray asking that You would continue to pour Your mercy and grace upon our great nation, and may our great Commonwealth be a leader in this nation. We thank You for the liberty we enjoy today. Thank You for the many blessings You graciously pour upon us moment by moment. We thank You for the privilege to hold our respective roles here today.

We confess that we need Your guidance over the affairs which You have entrusted to us. Please grant us the courage and will to do what pleases You. Please grant us the wisdom and grace to do what pleases You in the right spirit. Please grant us the compassion and concern to do what pleases You for the right reasons. Please remember that we are human. Please deliver us from fighting within and fears without. Please protect us from ourselves. I pray these things in the name of Christ Jesus. Amen.

The PRESIDENT. The Chair thanks Pastor Jury, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

May 11, 2016

Senator HUGHES presented to the Chair **SB 1241**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2016, to June 30, 2017.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1242**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1243**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1244**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1245**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1246**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1247**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1248**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2016, to June 30, 2017, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2016; and making an interfund transfer.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1250**, entitled:

An Act providing for the capital budget for the fiscal year 2016-2017.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senator HUGHES presented to the Chair **SB 1251**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senators HUGHES and COSTA presented to the Chair **SB 1252**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senators HUGHES and KITCHEN presented to the Chair **SB 1253**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from

said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senators HUGHES and DINNIMAN presented to the Chair **SB 1254**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senators HUGHES and WILLIAMS presented to the Chair **SB 1255**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, May 11, 2016.

Senators SCAVELLO, ARGALL, SCARNATI, RAFFERTY and COSTA presented to the Chair **SB 1259**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for membership of board.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 11, 2016.

Senators SCAVELLO, ARGALL, SCARNATI, RAFFERTY and COSTA presented to the Chair **SB 1260**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for management of cosmetology salons and for powers and duties of board; and providing for variances.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, May 11, 2016.

BILLS REPORTED FROM COMMITTEES

Senator SMUCKER, from the Committee on Education, reported the following bill:

SB 1194 (Pr. No. 1785) (Amended)

An Act amending the act of April 12, 2012 (P.L.232, No.29), known as the State Military College Legislative Appointment Initiative Program Act, repealing provisions relating to expiration.

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

SB 1096 (Pr. No. 1491)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Pennsylvania Premise Alert System.

SB 1226 (Pr. No. 1784) (Amended)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for specific powers and duties and for Veterans' Trust Fund; and, in Veterans' Emergency Assistance, further providing for definitions, for purpose, for eligibility, for amounts of assistance and for appeals.

HB 1877 (Pr. No. 3321) (Amended)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in grants to fire companies and volunteer services, further providing for scope of chapter, for definitions, for award of grants for volunteer fire companies, for establishment, for award of grants for emergency medical services companies, for the Volunteer Fire Company Grant Program, for the Volunteer Ambulance Service Grant Program, for allocation of appropriated funds, for expiration of authority and for special provisions; and making an editorial change.

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 McIlhinney.

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

Senator WILLIAMS. Mr. President, I request a legislative leave for Senator Leach.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator McIlhinney.

Senator Williams requests a legislative leave for Senator Leach.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of February 10, 2016, and February 16, 2016, are now in print.

The Clerk proceeded to read the Journals of the Sessions of February 10, 2016, and February 16, 2016.

Senator CORMAN. Mr. President, I move that further reading of the Journals be dispensed with and that the Journals be approved.

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-48

Alloway	Dinniman	McIlhinney	Tomlinson
Argall	Eichelberger	Mensch	Vance
Aument	Farnese	Rafferty	Vogel

Baker	Folmer	Reschenthaler	Vulakovich
Bartolotta	Fontana	Sabatina	Wagner
Blake	Gordner	Scarnati	Ward
Boscola	Greenleaf	Scavello	White
Brewster	Haywood	Schwank	Wiley
Brooks	Hughes	Smucker	Williams
Browne	Hutchinson	Stefano	Wozniak
Corman	Leach	Tartaglione	Yaw
Costa	McGarrigle	Teplitz	Yudichak

NAY-0

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS
SWEARING-IN OF NEW MEMBER**

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

Senator CORMAN. Mr. President, as a special order of business, I ask that the Senate proceed to receive the returns of election for the special election held in the 9th Senatorial District on the 26th day of April and that the oath of office be administered to Senator-elect Thomas Killion.

The PRESIDENT. At the request of Senator Corman, and without objection, as a special order of business, the Senate will now proceed to receive the official election returns for the special election held in the 9th Senatorial District, and administer the oath of office to Senator-elect Thomas Killion.

ELECTION RETURNS PRESENTED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present Deputy Secretary of the Commonwealth, Marian Schneider.

The PRESIDENT. The Chair recognizes the Deputy Secretary of the Commonwealth.

Deputy Secretary SCHNEIDER. Mr. President, I have the privilege and honor of presenting the election returns and the certification of campaign expense compliance for the special election held on April 26, 2016, in the 9th Senatorial District.

The PRESIDENT. The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Ninth Senatorial District, as the same have been certified to and filed with my office by the Chester and Delaware County Boards of Elections. Thomas H. Killion, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL) IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Har-

risburg, this eleventh day of May in the year of our Lord two thousand sixteen and of the Commonwealth the two hundred fortieth.

PEDRO C. CORTES
Secretary of the Commonwealth

OFFICIAL
RESULTS

SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
9th Senatorial District

April 26, 2016

VOTES

REPUBLICAN	-	Thomas H. Killion	41,613
DEMOCRATIC	-	Marty Molloy	31,533
WRITE-INS	-	Scattered	138

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Secretary of the Commonwealth has also certified that the Senator-elect has filed the accounts and affidavits as requested by the election laws of this Commonwealth.

**GUESTS OF SENATOR-ELECT
THOMAS H. KILLION
PRESENTED TO THE SENATE**

The PRESIDENT. Before proceeding to the administration of the oath of office, the Chair would like to introduce some very special guests, members of Senator-elect Killion's family, who are with us today. His lovely wife, Eileen, and his lovely daughters, Brittany and Rebecca. Welcome.

(Applause.)

The PRESIDENT. It is like that all of the time here.

(Laughter.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair takes this opportunity to politely remind all guests that taking still pictures or videotaping in the Senate Chamber is not permitted. So, I ask that during the administration of the oath of office, no pictures be taken or video be taped. At the end of today's ceremony, however, the Senate will be at ease so that you may then take more photographs than you will ever need.

ADMINISTRATION OF THE OATH OF OFFICE

The PRESIDENT. It is an honor and privilege to have with us today the Honorable Chad F. Kenney, President Judge of the Court of Common Pleas, Delaware County. He has kindly consented to be with us today to administer the oath of office to Senator-elect Killion in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present himself at the bar of the Senate.

Members and guests will please rise.

Judge Kenney will now administer the oath.

Judge KENNEY. Thank you, Governor. I thank the Secretary/Parliamentarian, Megan Martin, for really putting this together in such a way that you just walk up here and do it. It is really

something. She also said, if you say a few words about Tom, say a few words. We keep it short here.

So, I do want to say to Tom, it is an honor for me to do this for you. Tom and I go back a long, long time prior to when he served even on county council in Delaware County. He really represents, he and Tom McGarrigle, the best of what Delaware County is, both very nice individuals, both gentlemen, both very good family people. So, you are going to, believe me, enjoy working with both of them. Congratulations, Tom, and to your family.

Senator Killion, if you would place your right hand on the Bible, raise your left, and repeat after me:

I, (Thomas Killion), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this great Commonwealth and that I will discharge the duties of my office with fidelity, so help me God.

Congratulations.

(Applause.)

REMARKS BY THE PRESIDENT

The PRESIDENT. On behalf of all the Senate, the Chair thanks Judge Kenney for presiding at this ceremony. It has been a pleasure to see Judge Kenney, whom I know from many years back. I also congratulate Senator Killion.

The Senate will now be at ease.

(The Senate was at ease.)

LEGISLATIVE LEAVE CANCELLED

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

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

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

Senator DINNIMAN. Mr. President, I am honored today to have two guests, Mike and Judy Martorana from Parkesburg, who are very active in their community and in the Parkesburg Business Association. I ask, Mr. President, that we give them a warm welcome.

The PRESIDENT. Will the guests of Senator Dinniman please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Costa requests a legislative leave for Senator Wiley. Without objection, the leave will be granted.

**GUEST OF SENATOR ROBERT F. TEPLITZ
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, it is a very special pleasure today to introduce as my guest the eldest heir to the Teplitz fortune, my son Ben, who is a guest Page with us on the floor today. Ben is a student in the Susquehanna Township public schools. He is a competitive, award-winning swimmer and a great all-around kid, when he is not fighting with his brother. I thank the Senate Secretary's office, the Page staff, and my colleagues for their hospitality today. I would appreciate if we could give Ben our usual warm Senate welcome.

The PRESIDENT. Will our wonderful guest Page Ben please rise so that we may welcome you to the Pennsylvania Senate. (Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 31 (Pr. No. 1553) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1990 (P.L.404, No.98), known as the Real Estate Appraisers Certification Act, further providing for powers and duties of the State Board of Certified Real Estate Appraisers, for application and qualifications, for reciprocity and for certification renewal, licensure renewal and records.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 150, SB 180, SB 606, HB 608, SB 691, SB 910, HB 928, HB 930, SB 1011, SB 1014, SB 1031 and SB 1052 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 1115 (Pr. No. 1640) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for dogs pursuing, injuring or killing big game.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1144 (Pr. No. 1573) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of selling or furnishing dextromethorphan to minors.

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

Table with 4 columns of names: Alloway, Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Corman, Costa, Dinniman, Eichelberger, Farnese, Folmer, Fontana, Gordner, Greenleaf, Haywood, Hughes, Hutchinson, Killion, Leach, McGarrigle, McIlhinney, Mensch, Rafferty, Resenthaler, Sabatina, Scarnati, Scavello, Schwank, Smucker, Stefano, Tomlinson, Vance, Vogel, Vulakovich, Wagner, Ward, White, Wiley, Williams, Wozniak, Yaw, Yudichak

NAY-0

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

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

BILLS OVER IN ORDER

SB 1154, SB 1195 and HB 1199 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1229 (Pr. No. 1763) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in horse race industry reform, further providing for Pennsylvania Breeding Fund.

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 Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I want to make sure that we all recognize the importance of the horseracing industry, and we understand that two of the horses in the Kentucky Derby were Pennsylvania bred. Horses and equine agriculture are an important part of our economy, and I want to show my appreciation to both the Majority and Minority chair of the Committee on Agriculture and Rural Affairs for understanding this and working

out a manner in which we can continue to focus in on the positive aspects for our economy of horseracing.

Mr. President, for example, in my county, acres and acres of open space are saved because of equine agriculture. So, what we are doing and the compromise we worked are very important to the economies of many of the counties of the Commonwealth.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Rafferty	Vulakovich
Aument	Folmer	Resenthaler	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	Killion	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.

HB 1310 (Pr. No. 3320) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, providing for prohibited release of 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 yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEA-48

Alloway	Dinniman	McIlhinney	Tomlinson
Argall	Eichelberger	Mensch	Vance
Aument	Farnese	Rafferty	Vogel
Baker	Folmer	Resenthaler	Vulakovich
Bartolotta	Fontana	Sabatina	Wagner
Blake	Gordner	Scarnati	Ward
Boscola	Haywood	Scavello	White
Brewster	Hughes	Schwank	Wiley
Brooks	Hutchinson	Smucker	Williams

Browne	Killion	Stefano	Wozniak
Corman	Leach	Tartaglione	Yaw
Costa	McGarrigle	Teplitz	Yudichak

NAY-1

Greenleaf

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL AMENDED

HB 1484 (Pr. No. 2097) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 30, 1987 (P.L.375, No.75), entitled, "An act providing for the designation of certain trees and land on the grounds of the State Capitol in Harrisburg as "Soldiers' Grove" in honor of war veterans; imposing duties upon the Department of General Services; and making an appropriation," further providing for duties of Department of General Services; and for providing for preservation of "Soldiers' Grove" and for construction.

On the question,

Will the Senate agree to the bill on third consideration?

Senator VULAKOVICH offered the following amendment No. A7103:

Amend Bill, page 1, line 7, by inserting after "Services":
and for appropriation

Amend Bill, page 3, by inserting between lines 3 and 4:
Section 1.1. Section 4 of the act is amended to read:

Section 4. Appropriation.

(a) Department.--The sum of \$25,000, or as much thereof as may be necessary, is hereby appropriated to the Department of General Services to carry out the purposes of this act.

(b) Funding.--An improvement required under this act may be undertaken only if adequate funding is available.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator CORMAN.

BILL OVER IN ORDER

HB 1552 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 64 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 215 (Pr. No. 3017) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of neglect of care-dependent person; and providing for the offense of abuse of care-dependent person.

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

HB 215 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 215, Printer's No. 3017, 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.

BILL LAID ON THE TABLE

SB 289 (Pr. No. 173) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled, "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions, for creation of a Sewage Disposal System Fund and for expenditure of fund; providing for expenditure of public funds for private lateral sewer lines; and further providing for grants of moneys.

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

SB 289 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 289, Printer's No. 173, 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 342, HB 380, SB 428, SB 535, SB 559 and HB 602 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 837 (Pr. No. 1671) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, for restriction on the use of title "Licensed Marriage and Family Therapist" and for penalties.

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

BILLS OVER IN ORDER

SB 876 and HB 902 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 1038 (Pr. No. 1454) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.840, No.293), entitled "An act creating a board of managers to have exclusive jurisdiction over all houses of detention for the reception of untried juvenile offenders and neglected and dependent children who may be under judicial investigation, in counties of the third class, and abolishing the boards of managers now in charge of such houses," further providing for board of managers.

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

BILL LAID ON THE TABLE

SB 1041 (Pr. No. 1344) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs; and, in enforcement and remedies, further providing for affirmative defense.

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

SB 1041 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 1041, Printer's No. 1344, 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 1112, SB 1160, SB 1166, HB 1167, SB 1168, SB 1192 and SB 1197 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 1205 (Pr. No. 1727) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements

situate in the Borough of East Stroudsburg, Monroe County; and authorizing the East Stroudsburg University of Pennsylvania of the State System of Higher Education, with the approval of the Governor, to grant and convey to the Borough of East Stroudsburg certain permanent public water supply system easements situate in the Borough of East Stroudsburg, Monroe County.

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

BILLS OVER IN ORDER

HB 1205, SB 1216 and SB 1217 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 1225 (Pr. No. 1755) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to partially release a reversionary interest and use restriction affecting certain real property situate in the Township of Weisenberg, Lehigh County.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1227 (Pr. No. 1759) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of independent administrative boards and commissions, transferring certain powers and duties relating to public pension system analysis and legislation; providing for the Independent Fiscal Office; in powers and duties of the Department of the Auditor General, transferring certain powers and duties relating to municipal pension reporting and analysis; and making related repeals.

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

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

BILL ON SECOND CONSIDERATION

SB 1232 (Pr. No. 1760) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Moshannon Valley Economic Development Partnership, Inc., certain lands and improvements situate in Rush Township, Centre County.

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

BILL OVER IN ORDER

HB 1325 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

HB 1330 (Pr. No. 1812) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, in fiscal affairs, further providing for limits on counties of the second class.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 1394, HB 1653 and HB 1661 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 1712 (Pr. No. 2772) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Private Dam Financial Assurance Program and the Private Dam Financial Assurance Fund.

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

HB 1712 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1712, Printer's No. 2772, 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.

BILL OVER IN ORDER

HB 1864 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senator DINNIMAN, by unanimous consent, offered **Senate Resolution No. 363**, entitled:

A Resolution designating May 17, 2016, as "Teacher Education Day" in Pennsylvania and recognizing the outstanding service of teacher educators who prepare teachers for the Commonwealth's classrooms.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, sometimes when we talk about education, education reform, and the changes that need to be made so that every child has an opportunity to be taught to the top of the curriculum, we do not talk about the role that institutions of higher education's teacher preparation programs have. For the first time, we will be having a number of those institutions and their professional bodies here next week to bring to all of our attention the crucial role that they play, and this resolution will allow us in the Senate to show our respect and concern for the teacher preparation programs.

In my district at my university, West Chester University, we produce more teachers than any other college or university in this Commonwealth, more than even Penn State or Temple. In fact, the number of teachers graduating from West Chester University is more than the total of the other 13 State universities put together. So, we understand the vital role, both in our community and at the university, that teacher preparation programs play. We are blessed with an outstanding dean, Dean Witmer, and you will see, not only excellence in the preparation of teachers, but you will see, coming from the faculties of our universities and others, new ideas and new approaches so that we can make sure that every child is educated properly and appropriately.

I ask for unanimous support in honoring our teacher preparation institutions.

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 HUTCHINSON, TEPLITZ, BARTOLOTTA, BREWSTER, BROWNE, DINNIMAN, FARNESE, FONTANA, GREENLEAF, RAFFERTY, RESCHENTHALER, SABATINA, SCAVELLO, TARTAGLIONE, SCHWANK, COSTA and AUMENT, by unanimous consent, offered **Senate Resolution No. 364**, entitled:

A Resolution designating May 14, 2016, as "Apraxia Awareness Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I rise today to ask my colleagues for their affirmative vote on this resolution recognizing May 14, 2016, as "Apraxia Awareness Day" here in Pennsylvania. Childhood apraxia of speech is a very challenging and complicated neurological speech disorder that makes it difficult or even impossible for children to accurately produce sounds, syllables, and words despite knowing what they want to say and having a good understanding of language. There is no known cause or cure for apraxia, and much more research is needed. It

is unknown exactly how many children in the United States are impacted by this disorder or by its causes, but the number of children diagnosed with childhood apraxia of speech is on the rise. Parents whose children have been diagnosed with apraxia, and many speech therapists who work with these children, have emphasized the importance of early intervention and the significant impact it can have on speech development for a child with apraxia.

Mr. President, adoption of this resolution raises awareness and strengthens the support systems in the lives of children with apraxia so that each child is afforded the very best opportunity to develop speech. I ask my colleagues for their support.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, I rise to join my colleague, Senator Hutchinson, to recognize May 14, 2016, as Apraxia Awareness Day in Pennsylvania. For most children, speaking is effortless, but children who have apraxia of speech struggle to produce words even though they often want to speak and even though they can understand when they are spoken to. These children work hard to overcome apraxia through frequent intensive speech therapy sessions. In addition, some children have to use alternative communication devices and iPads to alleviate the stress of trying to find their words. Others use flash cards and sign language.

On a personal note, I have a family member who is working to overcome apraxia through speech therapy and support in the classroom. Every child deserves a voice, and children with apraxia can improve their speech with the right tools and therapies in place. So, I ask that my colleagues join Senator Hutchinson and me to recognize May 14, 2016, as Apraxia Awareness Day in order to help others understand this disorder, to emphasize the importance of early intervention, and to insure that these children have access to therapies and services to help them find their words.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks both Senators for creating awareness on a very important issue, and the Chair personally thanks them for the awareness issue.

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 William Lewis Becker by Senator Argall.

Congratulations of the Senate were extended to Robert Hartman, Anna C. Grant and to Helen Dinger by Senator Aument.

Congratulations of the Senate were extended to Barbara J. Buchanan and to Corey Stephen McAndrew by Senator Baker.

Congratulations of the Senate were extended to Gladys M. Wilson by Senators Baker and Yudichak.

Congratulations of the Senate were extended to Steve Powell by Senator Boscola.

Congratulations of the Senate were extended to Carly Yovich, Ryan Carniewski, Daniel Carlson, Steven Miller and to Ainsworth Pet Nutrition by Senator Brooks.

Congratulations of the Senate were extended to Laddon R. Krebs and to Earl Wayne Shawley, Sr., by Senator Corman.

Congratulations of the Senate were extended to Ben S. Forman and to Lynne Carvell by Senator Costa.

Congratulations of the Senate were extended to Joshua Schreiber, Brian Gathercole, Rick Moran, Rodney Discher, Kimberly Ann Holman, Herbert N. Schiffer, Jon Kromer, Andy Rumford, Vince Blando, Dave Lattanzi, Bonnie Smith, Laurie Nelson, Colleen Owens, Wilbur Emmons, members of the Minquas Fire Company and to Pro-Active Muscle Therapy, LLC, by Senator Dinniman and others.

Congratulations of the Senate were extended to Joshua E. Safko by Senator Eichelberger.

Congratulations of the Senate were extended to Brian Korn by Senator Farnese.

Congratulations of the Senate were extended to Sean Patrick Blade by Senator Folmer.

Congratulations of the Senate were extended to Martin Carl Zender II by Senator Fontana.

Congratulations of the Senate were extended to Brett Horowitz and to Sam Bellin by Senators Fontana and Costa.

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

Congratulations of the Senate were extended to Mr. and Mrs. Jerry Reszkowski, Mr. and Mrs. Joseph Crate, Rhonda Jewart, Eleanore Hickman and to Richard Tyler Beal by Senator Hutchinson.

Congratulations of the Senate were extended to Audubon Society of Western Pennsylvania by Senators Hutchinson and Vulakovich.

Congratulations of the Senate were extended to Benjamin Max Kimmel by Senator Leach.

Congratulations of the Senate were extended to Dr. Jeffrey R. Sparagana, Paul Stengle, Grace E. Clayton, Phyllice J. Jackson, Upper Bucks Senior Activity Center and to Perkiomen Township Fire Company No. 1 by Senator Mensch.

Congratulations of the Senate were extended to Clayton William Kovatch by Senator Rafferty.

Congratulations of the Senate were extended to VIELA, Ltd., by Senator Rafferty and others.

Congratulations of the Senate were extended to Tyler Russell VanBibber by Senator Reschenthaler.

Congratulations of the Senate were extended to Dr. Allan Tissenbaum by Senators Reschenthaler and Costa.

Congratulations of the Senate were extended to Joseph O'Reilly by Senator Sabatina.

Congratulations of the Senate were extended to Vincent Dimattia, David Shultz and to Von Timothy Walker by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur Haberberger, Dr. Theresa M. Adams and to Bryce John Majowicz by Senator Schwank.

Congratulations of the Senate were extended to members and coaches of the Pennel Wildcats Athletic Association Cheerleading Junior 3 Squad by Senator Tomlinson.

Congratulations of the Senate were extended to Corey Michael Bernard and to Troop 180 of the Boy Scouts of America by Senator Vance.

Congratulations of the Senate were extended to Carnegie Free Library of Midland and to Community College of Beaver County by Senator Vogel.

Congratulations of the Senate were extended to Jorge Oliver and to Nicholas Harn by Senator Vulakovich.

Congratulations of the Senate were extended to Kittanning Township Volunteer Fire Department No. 1 by Senator White.

Congratulations of the Senate were extended to Ellen Rogan and to Nathaniel Serafin by Senator Wiley.

Congratulations of the Senate were extended to Tristan D. Bowman by Senator Wozniak.

Congratulations of the Senate were extended to Ronald Kokinda 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 William V. Campbell, Jr., by Senator Costa.

Condolences of the Senate were extended to the family of the late Dr. Charles Harrison Butler and to the family of the late John Calvin Washington III, by Senator Dinniman.

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 1096, SB 1194, SB 1226 and HB 1877.

And said bills having been considered for the first time, Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, MAY 16, 2016

9:30 A.M.	APPROPRIATIONS SUBCOMMITTEE ON INFRASTRUCTURE, ENVIRONMENT AND GOVERNMENT OPERATIONS (Office of Administration review of programs within the Office of Information Technology)	Room 8E-B East Wing
Off the Floor	GAME AND FISHERIES (to consider House Bill No. 1722)	Rules Cmte. Conf. Rm.
Off the Floor	LAW AND JUSTICE (to consider House Bill No. 1196)	Rules Cmte. Conf. Rm.

Off the Floor	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Resolution No. 325)	Rules Cmte. Conf. Rm.
<u>TUESDAY, MAY 17, 2016</u>		
9:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (S) and GAMING OVERSIGHT (H) (joint public hearing regarding the PA Dept. of Revenue's recent notification of the 12 operating PA casinos of its intention to increase the assessment for section 1401 accounts from 1.5% to 2%)	Room 60 East Wing
9:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (H) and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (S) (informational meeting to hear presentations by the Dept. of Military and Veterans Affairs on the services they can provide to State agencies during emergencies and their plans for closing armories and by the Civil Air Patrol on their threefold mission - emergency services, cadet programs and aerospace education)	Hrg. Rm. 1 North Off.
10:00 A.M.	FINANCE (to consider Senate Bills No. 1109, 1127 and 1161; and House Bills No. 791 and 1084)	Room 461 Main Capitol
<u>WEDNESDAY, MAY 18, 2016</u>		
9:00 A.M.	EDUCATION (H) and EDUCATION (S) (joint public hearing regarding ESSA - Every Student Succeeds Act)	Hrg. Rm. 1 North Off.
9:00 A.M.	GAME AND FISHERIES (public hearing to hear testimony on the expansion of Sunday hunting in Pennsylvania)	Room 8E-A East Wing
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 717 and House Bill No. 1241)	Room 461 Main Capitol
Off the Floor	BANKING AND INSURANCE (to consider Senate Bills No. 736 and 1265; and House Bill No. 1766)	Rules Cmte. Conf. Rm.
Off the Floor	URBAN AFFAIRS AND HOUSING (to consider Senate Bills No. 141, 142 and 666; and House Bills No. 1437 and 1500)	Rules Cmte. Conf. Rm.

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 16, 2016, 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 12:07 p.m., Eastern Daylight Saving Time.