

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JANUARY 24, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 3

SENATE

TUESDAY, January 24, 2017

The Senate met at 11 a.m., Eastern Standard Time.

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

PRAYER

The following prayer was offered by Senator RYAN AUMENT:

Let us pray.

Father God, we thank You for this day and ask for divine blessing and wisdom as we begin the work of this legislative Session. Bless the work that is done on behalf of the residents of this Commonwealth, and bless all those who serve here. We pray for our Governor, Lieutenant Governor, and all those in executive agencies. We pray for the Members of this General Assembly, our staff, and all those who work so hard to serve the people of this State by serving the people assembled. We pray for our courts and all those who serve as part of our judicial system. We pray that You bless the people of this State. May we all be worthy of our Founder's vision: "There may be room there for such a holy experiment. For the nations want a precedent. And my God will make it the seed of a nation. That an example may be set for the nations. That we may do the thing that is truly wise and just." Amen.

The PRESIDENT. The Chair thanks Senator Aument for an excellent prayer.

PLEDGE OF ALLEGIANCE

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

BILL INTRODUCED AND REFERRED

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

January 24, 2017

Senators WARD, McGARRIGLE, RAFFERTY, VULAKOVICH, SCHWANK, FONTANA, SABATINA, WAGNER, MENSCH, KILLION, SCAVELLO, WHITE, ALLOWAY, YAW, STEFANO, BROWNE and LEACH presented to the Chair **SB 133**, entitled:

An Act imposing a duty on the Department of Transportation to file with the Department of Homeland Security a request for extension of time to comply with the REAL ID Act of 2005; and making a related repeal.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, January 24, 2017.

RESOLUTIONS INTRODUCED AND REFERRED

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

January 24, 2017

Senators GREENLEAF, VOGEL, SCAVELLO, FARNESE, COSTA, FONTANA, STREET, HAYWOOD, AUMENT, SCHWANK, HUGHES and BOSCOLA presented to the Chair **SR 7**, entitled:

A Resolution honoring the contributions that African Americans have made in building our nation, acknowledging the wrongs of slavery and expressing Pennsylvania's profound regret for its role in slavery.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, January 24, 2017.

Senators AUMENT and MARTIN presented to the Chair **SR 8**, entitled:

A Resolution establishing a Special Committee on Senate Address to pursue possible address under section 7 of Article VI of the Constitution of Pennsylvania relating to Lancaster County Sheriff Mark S. Reese.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, January 24, 2017.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator John Eichelberger to serve in his stead as a member of the Pennsylvania Higher Education Facilities Authority, and to serve in his stead as a member of the State Public School Building Authority.

BILLS REPORTED FROM COMMITTEES

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 138 (Pr. No. 92)

An Act amending the act of July 20, 1979 (P.L.183, No.60), known as the Oil and Gas Lease Act, further providing for definitions, for payment information to interest owners, for accumulation of proceeds from production and for conflicts and providing for joint ventures and for inspection of records.

SB 139 (Pr. No. 93)

An Act providing for protection for a lessor of natural gas rights who reports a violation or suspected violation of a contractual agreement and for remedies and penalties.

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

SB 42 (Pr. No. 23)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in proprietary and official rights, further providing for wearing of uniforms and insignia.

SB 59 (Pr. No. 40)

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, establishing the Prison Industry Enhancement Authority; providing for employment of prisoners by private industry and for subcontracts with correctional agencies; establishing guidelines for prisoner compensation; and providing for location of private sector prison industry.

SB 60 (Pr. No. 158) (Amended)

An Act amending the act of February 24, 1984 (P.L.92, No.17), referred to as the Precious Metal Sale Regulation Law, further providing for license required, for dealer's retention of precious metal and availability for inspection and for penalty.

SB 62 (Pr. No. 43)

An Act amending Titles 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in proceedings prior to petition to adopt, further providing for grounds for involuntary termination; in juvenile matters, further providing for disposition of dependent child; and adding provisions relating to certain arrest protocols.

SB 69 (Pr. No. 159) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

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

SB 170 (Pr. No. 146)

An Act amending the act of June 12, 1931 (P.L.575, No.200), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance

projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," further providing for the Delaware River Joint Commission, for composition, for employees, for financing and for executive sessions; providing for majority approval and contract procedures; further providing for report; providing for conflicts of interest and for master plan; creating the Port Authority Transit Corporation Commuter's Council; further providing for definitions; authorizing the Governor to apply for approval; prohibiting the entrance into a compact until passage of a similar act; and making editorial changes.

SB 171 (Pr. No. 147)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in administrative organization, further providing for gubernatorial appointments.

SB 172 (Pr. No. 148)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in rules of the road in general, further providing for speed timing devices and providing for automated speed enforcement systems.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Browne and Senator Vulakovich.

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

Senator WILLIAMS. Mr. President, I request a temporary Capitol leave for Senator Yudichak, and legislative leaves for Senator Leach and Senator Tartaglione.

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Browne and Senator Vulakovich.

Senator Williams requests a temporary Capitol leave for Senator Yudichak, and legislative leaves for Senator Leach and Senator Tartaglione.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator CORMAN asked and obtained leaves of absence for Senator FOLMER and Senator VOGEL, for today's Session, for personal reasons.

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of January 3, 2017, is now in print.

The Clerk proceeded to read the Journal of the Session of January 3, 2017.

Senator CORMAN. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal 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-47

Alloway	Dinniman	Leach	Stefano
Argall	DiSanto	Martin	Street
Aument	Eichelberger	McGarrigle	Tartaglione
Baker	Fontana	McIlhinney	Tomlinson
Bartolotta	Gordner	Mensch	Vulakovich
Blake	Greenleaf	Rafferty	Wagner
Boscola	Haywood	Regan	Ward
Brewster	Hughes	Resenthaler	White
Brooks	Hutchinson	Sabatina	Williams
Browne	Killion	Scarnati	Yaw
Corman	Langerholc	Scavello	Yudichak
Costa	Laughlin	Schwank	

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Browne and Senator Vulakovich have returned, and their temporary Capitol leaves are cancelled.

**GUESTS OF SENATOR MICHELE BROOKS
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, this morning I have the distinct honor of introducing a gentleman who personifies the word "champion." Trevon Jenifer has grit, strength, skill, and a persevering attitude that not only wins games but Olympic gold medals. During the Paralympics in Rio de Janeiro this past September, Trevon and his fellow Team USA players defeated Spain by a score of 68-52 to capture this nation's first gold medal in basketball since 1988, almost 30 years ago.

Trevon's path to victory was long but steady. He graduated from Edinboro University in 2011, and that following year he and his fellow Team USA basketball players won a bronze medal at the 2012 Paralympics in London. Determined to turn bronze into gold, they worked hard and came back 4 years later to capture the gold in 2016. In that fateful championship game in Brazil, the scoreboard became a seesaw affair as each team traded the lead. It was not until the 7-minute mark of the fourth quarter that Team USA charged on to victory when Trevon executed two bold back-to-back steals and the "W" was ours. Team USA won the gold. Trevon is the first Edinboro University graduate to earn a gold medal. In true Olympian spirit, he continues to give back by teaching others as an assistant coach on Edinboro University's wheelchair basketball team.

Mr. President, what can be more inspirational than to kick off this new Session with Trevon's story? Trevon is a glowing testament to the values of a strong work ethic, sacrifice, passion, and love of family while serving as a shining example for those who aspire to greatness.

Joining him today on the Senate floor is Edinboro University head coach Jim Glatch. Seated in the gallery are fiancée Laura Klass and their 15-month-old daughter, Saraeya. Mr. President, with great pride, may we please give Olympic gold medalist Trevon Jenifer a warm Senate welcome. Thank you.

The PRESIDENT. Let us welcome our gold medalist. Trevon Jenifer, thank you so much. Coach Jim and family, great to see you. God bless you and your family. God bless America.

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

**GUESTS OF SENATOR ROBERT TOMLINSON
AND SENATOR CHARLES T. McILHINNEY
PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Mr. President, on behalf of Senator McIlhinney and myself, it is a distinct honor to welcome the Council Rock North High School Boys' Cross Country Team to the Senate of Pennsylvania today. The Golden Hawks beat out 19 other teams to earn the 2016 PIAA Class AAA Team Championship in Hershey in November. The team trained under Head Coach Dave Marrington and Assistant Head Coach Rob Rodgers. We are very proud that all of their hard work paid off for this State championship. They are a credit to their school and community, and I wish all of them the best of luck in their future endeavors.

I ask my colleagues to join me in giving these exceptional young athletes and their coaches a warm welcome to the Senate of Pennsylvania.

The PRESIDENT. Will the guests of Senator Tomlinson and Senator McIlhinney, the Council Rock North Boys' Cross Country Team and coaches, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

**GUESTS OF SENATOR ROBERT B. MENSCH
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes a good guy who will always look out for you and do you a good turn whenever he can, that is why we call him Senator Mensch.

Senator MENSCH. Mr. President, you will recall, I believe it was last fall, you and I were able to attend a dinner for the International Spring Festival in the North Penn area. Today we have a number of guests who are attending from that event, and I know you had a chance earlier, as did I, to be able to meet and greet with them. They are so appreciative to be here and it is great to be able to recognize this organization for the work that they do.

The International Spring Festival, or the ISF, as it is normally called in the North Penn community in Montgomery County, is celebrating their 26th year and they have attracted over 6,000 attendees to their festival every year. Since 1991, the ISF has sponsored community-based activities to bring people together of varied ethnic and religious backgrounds to develop cross-cultural knowledge and understanding. The mission of the ISF is to facilitate the opportunities to see and reap the myriad of benefits that the people of our diverse communities provide. ISF does so by demonstrating within their organization the values of an inclusive diverse society. ISF is run entirely by volunteer mem-

bers who organize the events and pay for the necessary expenditures by collecting funds from well-wishers, local and national companies, and organizations. I have routinely attended this event and I am always amazed and impressed by the festival's ability to put together such a rich, multi-cultural experience that attracts thousands of visitors.

In attendance today from the ISF are Dr. Francis Jeyaraj, who is the founder; Mr. Alan Gold, who is the executive director; Mr. George Whitehair, chair of publicity; Mr. Shams Huda, co-chair of publicity; Ms. Tina Choing, who runs the finance; and Ms. Alexa Sullivan, who handles student affairs. In addition, we are also joined by student volunteers from the following high schools: Dock Mennonite Academy, Pennridge High School, Perkiomen Valley High School, and Souderton High School. We had also planned on having some North Penn students here as well, Mr. President, but scheduling conflicts prevented them from coming.

Please join me in welcoming this outstanding group of constituents and volunteers for the International Spring Festival.

The PRESIDENT. Will the guests of Senator Mensch, our good friends from the International Spring Festival, and all of these supporting young people of whom we are all so proud, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

It was wonderful to have you all join us here on the floor, and we look forward to continuing to build all of our international relationships around Pennsylvania and around America. Thank you so much for what you do, and thanks for being here.

**UNFINISHED BUSINESS
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 Reverend and Mrs. Irvin Straw, Jr., Robert C. Apgar, Joseph W. Simon, Rose Fusco and to Martha Hartman by Senator Aument.

Congratulations of the Senate were extended to Brian Matthew Avila by Senator Browne.

Congratulations of the Senate were extended to Jared Desjardins, James J. Dolan V, Christopher Luke Rufo, Zachary Andrew Mosenson, John Benjamin Rufo, Brian Francis Fennell, Matthew Waibel and to Ware Presbyterian Village by Senator Dinniman.

Congratulations of the Senate were extended to Ryan Wagner by Senators Dinniman and Killion.

Congratulations of the Senate were extended to Grace Elizabeth Darney Perry by Senator Eichelberger.

Congratulations of the Senate were extended to Robert B. Bleecker by Senator Killion.

Congratulations of the Senate were extended to Lancaster County Association of Realtors by Senators Martin and Aument.

Congratulations of the Senate were extended to Kyle Drummond and to Troop 267 of the Boy Scouts of America by Senator Rafferty.

Congratulations of the Senate were extended to Cynthia Howey by Senator Scavello.

Congratulations of the Senate were extended to Jack E. Deichman by Senators Scavello and Rafferty.

Congratulations of the Senate were extended to Richard D. Smith by Senator Wagner.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Lorren D. Barrett by Senator Tomlinson.

BILLS ON FIRST CONSIDERATION

Senator RAFFERTY. 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 42, SB 59, SB 60, SB 62, SB 69, SB 138, SB 139, SB 170, SB 171 and SB 172.

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, JANUARY 25, 2017

9:00 A.M.	STATE GOVERNMENT (to consider Senate Bills No. 9, 166, 167 and 169) C A N C E L L E D	Room 461 Main Capitol
10:15 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bill No. 137; and Senate Resolution No. 6)	Room 461 Main Capitol
10:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 10 and 128)	Room 8E-A East Wing
10:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bills No. 50 and 51)	Room 461 Main Capitol

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, January 25, 2017, at 11 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 11:29 a.m., Eastern Standard Time.