

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 13, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 33

SENATE

TUESDAY, June 13, 2017

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

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

PRAYER

The Chaplain, Reverend ALAN WOLKENHAUER, Pastor of Trinity Lutheran Church, Reading, offered the following prayer:

Let us pray.

Most gracious God, You have given a sacred trust to those who meet in these Chambers to govern Your people with justice, to protect those who are vulnerable in our society, to steward the vast resources of this great Commonwealth, and to work together for the public good. Grant wisdom to these, Your servants, and bless them with the respect and appreciation for those they serve, that together we may rise to meet the challenges before us with integrity, vision, and mutual understanding. Bless the homes, staffs, and communities of each person here, and let Your good and gracious will be done among us and through us. Now may the deliberations of this Session and the work that is done today be fruitful and pleasing in Your sight. Amen.

The PRESIDENT. The Chair thanks Pastor Wolkenhauer, who is the guest today of Senator Schwank.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. Great job, to the kids in the gallery, with the Pledge of Allegiance.

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:

June 13, 2017

Senators SCHWANK, COSTA, HAYWOOD, FONTANA, BOSCOLA, BREWSTER and HUGHES presented to the Chair **SB 746**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Health and Human Services; making related repeals; and making editorial changes.

Which was committed to the Committee on INTERGOVERNMENTAL OPERATIONS, June 13, 2017.

Senators DINNIMAN, EICHELBERGER, GORDNER, DiSANTO, WHITE, RAFFERTY, HUTCHINSON, RESCHENTHALER, McGARRIGLE, BLAKE, KILLION, MENSCH, WAGNER, BAKER, GREENLEAF, VULAKOVICH, LEACH, FOLMER, McILHINNEY, BARTOLOTTA, LANGERHOLC, TOMLINSON, LAUGHLIN, ALLOWAY, REGAN, YAW, STEFANO and BROWNE presented to the Chair **SB 756**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for assessments for Federal accountability; in duties and powers of boards of school directors, further providing for publication of rules, regulations and policies; in professional employees, further providing for rating system; and, in high schools, further providing for high school certificates.

Which was committed to the Committee on EDUCATION, June 13, 2017.

Senators LANGERHOLC, RAFFERTY, BREWSTER, WARD, BARTOLOTTA, COSTA, MENSCH, RESCHENTHALER, AUMENT, McGARRIGLE, STEFANO, SCAVELLO, REGAN, YAW, WAGNER and VOGEL presented to the Chair **SB 757**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for operational provisions.

Which was committed to the Committee on FINANCE, June 13, 2017.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

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

June 13, 2017

HB 1388 -- Committee on Banking and Insurance.

BILL SIGNED

The PRESIDENT (Lieutenant Governor Mike Stack) in the presence of the Senate signed the following bill:

HB 267.**BILLS REPORTED FROM COMMITTEES**

Senator WHITE, from the Committee on Banking and Insurance, reported the following bills:

SB 471 (Pr. No. 941) (Amended)

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in real property, providing for real estate foreclosure of vacant and abandoned property and for sheriff's commission and credit or attorney fees.

SB 590 (Pr. No. 668)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in forgery and fraudulent practices, further providing for bad checks.

SB 629 (Pr. No. 709)

An Act amending Titles 12 (Commerce and Trade) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in fraudulent transfers, further providing for short title of chapter and definitions, for insolvency, for value, for transfers fraudulent as to present and future creditors, for transfers fraudulent as to present creditors, for when transfer is made or obligation is incurred, for remedies of creditors, for defenses, liability and protection of transferee and for extinguishment of cause of action, providing for governing law and for application to series organization, further providing for supplementary provisions and providing for uniformity of application and construction and for relation to Electronic Signatures in Global and National Commerce Act; and, in support matters generally, further providing for continuing jurisdiction over support orders.

SB 751 (Pr. No. 925)

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, in mortgage loan industry licensing and consumer protection, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for powers conferred on certain licensees engaged in the mortgage loan business, for mortgage loan business prohibitions, for application for license, for license fees and for licensee requirements and providing for the promulgation of regulations to effectively incorporate Federal regulations.

HB 1039 (Pr. No. 1203)

An Act authorizing certain financial institutions to conduct savings promotion raffles; and providing for enforcement by the Department of Banking and Securities.

Senator BAKER, from the Committee on Health and Human Services, reported the following bills:

SB 31 (Pr. No. 12)

An Act amending the act of June 26, 2001 (P.L.755, No.77), known as the Tobacco Settlement Act, in Commonwealth universal research enhancement, establishing the Spinal Cord Injury Research Program and Spinal Cord Research Advisory Committee, further providing for department responsibilities and for use of funds and providing for spinal cord injury research programs funding.

SB 211 (Pr. No. 943) (Amended)

An Act providing for a grant program for a Statewide 2-1-1 system; and imposing duties on the Department of Human Services.

SB 533 (Pr. No. 944) (Amended)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for emergency addiction treatment; and imposing powers and duties on the Department of Drug and Alcohol Programs.

SB 728 (Pr. No. 884)

An Act amending the act of October 27, 2014 (P.L.2911, No.191), known as the Achieving Better Care by Monitoring All Prescriptions Program (ABC-MAP) Act, further providing for requirements for prescribers.

HB 17 (Pr. No. 2003) (Amended)

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

HB 118 (Pr. No. 244)

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, providing for Emergency Drug and Alcohol Detoxification Program.

HB 126 (Pr. No. 2004) (Amended)

An Act providing for the use of epinephrine auto-injectors by certain entities and organizations; and conferring powers and imposing duties on the Department of Health.

HB 239 (Pr. No. 2005) (Amended)

An Act establishing the Rare Disease Advisory Council and providing for its powers and duties; and providing for duties of the Department of Health, the Insurance Department, the Department of Human Services and the Department of Education.

Senator WAGNER, from the Committee on Local Government, reported the following bills:

SB 252 (Pr. No. 232)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in parking authorities, providing for granting of interests and mixed-use projects for authorities in cities of the second class.

SB 653 (Pr. No. 942) (Amended)

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for collection; in consolidated collection of local income taxes, further providing for tax collection committees and for powers and duties of tax officer; in collection of delinquent taxes, further providing for costs of collection; and making a related editorial change.

SB 736 (Pr. No. 899)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for specific powers of department and local authorities.

HB 422 (Pr. No. 1058)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in election of officers and vacancies in office, further providing for electors only eligible and for vacancies in general.

HB 423 (Pr. No. 439)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in election of officers and vacancies in office, further providing for vacancies in general.

HB 1269 (Pr. No. 1536)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 18, 2017, is now in print.

The Clerk proceeded to read the Journal of the Session of April 18, 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-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUESTS OF SENATOR CHRISTINE TARTAGLIONE PRESENTED TO THE SENATE

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

Senator TARTAGLIONE. Mr. President, today in the gallery we have a special group of young people. I am pleased to introduce the eighth grade students from Greenberg Elementary School, which is located in the northeast Philadelphia area of my district. These students have participated in the Young Heroes Outreach Program from the National Liberty Museum, which encourages students in fourth through eighth grade to use their First Amendment rights to create social change. The Greenberg students have participated in the Young Heroes Outreach Program for 2 years. Last year, as seventh graders, the students focused on changing the unequal funding structure for public schools in Pennsylvania, which is something we here in the building have been challenged with as well. This year the students have continued their mission to take their message to as many State lawmakers as possible and have worked all year on their own time to achieve this goal.

Mr. President, I ask my colleagues to extend to the Greenberg students, teachers Kathy Volin and Jessie Parker, and parents and guardians who are visiting us today, our usual warm welcome.

The PRESIDENT. Would the guests of Senator Tartaglione from the great northeast Philadelphia, from Greenberg Elementary School, Kathy, Jessie, escorts, and family, in your red t-shirts, please rise so that we may welcome you to the Pennsylvania State Senate. Hello, kids.

(Applause.)

GUEST OF SENATOR RYAN AUMENT PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Mr. President, it is my pleasure this afternoon to introduce my guest for the day, James Joseph Barbieri. Mr. Barbieri is an alumnus of J.P. McCaskey High School in Lancaster and is a former Chief Petty Officer in the United States Navy, where he served from 1981 to 2003, including time served during Operation Desert Storm. Mr. Barbieri and his wife, Denise, are the proud parents of two children who also served our country in the military, both in combat posts. Currently, Mr. Barbieri works for Patterson Logistics as a receiving manager and enjoys spending his free time with his two grandsons, Landon and Luca. Mr. Barbieri looks forward to getting a behind-the-scenes look at the role of government and learning firsthand what his elected officials do every day to serve our great State. Please join me in welcoming James to the Senate.

The PRESIDENT. Would the guest of Senator Aument, James Barbieri, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

GUESTS OF SENATOR VINCENT J. HUGHES PRESENTED TO THE SENATE

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

Senator HUGHES. Mr. President, I take this opportunity to recognize my buddy here, Chelsea Mungo, and the other students from Lewis C. Cassidy Academics Plus Elementary School in the Overbrook section of Philadelphia, who, like Senator Tartaglione's students from Greenberg Elementary School, participated in the Young Heroes Outreach Program. The

fourth-grade students from Cassidy Elementary chose a subject matter, and they did not check with me first on this, folks, of the unequal funding in education that exists in the Commonwealth of Pennsylvania. They did not ask me, it was not a set-up, that is what they chose, and that is what they wrote about. I have about 31 letters representing 71 different letters that were written by the students, and it was Chelsea's letter that made it to the newspaper, Mr. President. Front page of the *Philadelphia Inquirer*.

So, Mr. President, if we could acknowledge these great and wonderful children from the Lewis C. Cassidy Academics Plus Elementary School and make sure that we assure them that we will not let them down.

Thank you, Mr. President.

The PRESIDENT. We have Chelsea on the Senate floor. Chelsea, great to have you and the other Cassidy students. Please rise so that we may welcome you, and we are fighting for education funding here.

(Applause.)

GUESTS OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, it is a privilege for me to rise today to introduce Matthew Dougherty of Lathrop Township in Susquehanna County. He is job shadowing me today and also serving as a guest Page on the Senate floor. I met Matthew last September at the Nicholson Bridge Day community celebration that honors the Nicholson Viaduct. Several days later, I received a very thoughtful letter that included a photograph of Matthew and I that was taken during Nicholson Bridge Day with a very special request inside asking to visit the Capitol so that he could see government in action.

Matthew is completing his freshman year at Mountain View High School. He is active in yearbook, art club, and student government, where he is currently serving as vice president, and next year he will be the school board liaison on behalf of his class. He runs cross country, participates in indoor and outdoor track and field, and while his future plans have yet to be decided, he is considering many options, whether it be engineering, politics, or law, but certainly all with the aim of hoping to make a difference in the world. Matthew's parents, Kim and George Dougherty, are here in the Senate gallery. I ask that my colleagues extend that warm welcome to our guests from Susquehanna County.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Baker, Matthew Dougherty and his parents, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, I have a two-for-one today. Our guest pastor is here with his wife, who is also a pastor in two Berks County parishes. Pastor Alan Wolkenhauer is the senior pastor at historic Trinity Lutheran Church in Reading. Established in 1751, Trinity is the oldest house of worship in the

city of Reading, and I might add, Mr. President, it is like an oasis in the city. There is a beautiful perennial garden that I often stop in when I am downtown just for a moment of repose. Pastor Wolkenhauer is joined by his wife, Pastor Phyllis Wolkenhauer, who serves as the pastor of Bern Lutheran Church in Bern Township, which is a beautiful rural church. So we have the city pastor meeting the country pastor here today.

Before coming to Pennsylvania in 2015, the Wolkenhauers served as co-pastors in North Dakota, Iowa, and Florida. They are the parents of three children: Nathan, a fifth-grade teacher in Florida, who hopes to relocate and teach in the Philadelphia area this fall; Rachel, a professor in the College of Education at Penn State's main campus; and Adam, an IT professional in the Twin Cities, who has not yet been convinced to move to Pennsylvania, but we will work on him. The Wolkenhauers also have five grandchildren. This dynamic couple has come to love the rich history, the beautiful seasons, and the diverse people of Pennsylvania, and are honored to be here in the Senate with us today.

Mr. President, would you and my colleagues join me in welcoming our pastors here today, the Wolkenhauers, to the Pennsylvania State Senate. Thank you.

The PRESIDENT. Would the guests of Senator Schwank, the pastor who said our opening prayer, Pastor Alan Wolkenhauer, please rise, and your wife, Pastor Phyllis Wolkenhauer. We really need all the prayers we can get, and it is great to have you both here. Please give them our usual warm Senate welcome.

(Applause.)

GUEST OF SENATOR JOHN EICHELBERGER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, I am privileged today to have a young lady who is an intern in my office in the district and is down here for a couple of days this week. She is from Claysburg, Pennsylvania, in the southern end of Blair County. Her family and my brother have been friends for many years. I have gotten to know the family and they are excellent people and do a good job. They own a pizza shop, so, if anybody is in Claysburg, Pennsylvania, and they are hungry, stop by Claysburg Pizza. It is the best place to eat. Samantha Medasie is here with us today in the gallery, and I ask for a warm Senate welcome for her.

The PRESIDENT. Would the guest of Senator Eichelberger, Samantha, please rise so that we may welcome you. We will get some pizza at Claysburg Pizza when we are in that area, but please give Senator Eichelberger's guest our usual Senate welcome.

(Applause.)

GUESTS OF SENATOR ARTHUR L. HAYWOOD PRESENTED TO THE SENATE

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

Senator HAYWOOD. Mr. President, I rise today to recognize and see the soon departure of Kaitlyn Colen, an intern in my office. Friday is her last day. She has provided exceptional research, intelligence, and insight on a number of legislative matters that my office has been investigating, so I ask for a warm

Senate welcome for Kaitlyn as she leaves the Senate to move on to higher opportunities.

The PRESIDENT. How could there be any higher opportunity than working with you, Senator Haywood? Kaitlyn, would you please rise, the guest of Senator Haywood, so that we may thank you for your work and give you our usual warm Senate welcome. (Applause.)

GUESTS OF SENATOR MICHAEL R. REGAN PRESENTED TO THE SENATE

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

Senator REGAN. Mr. President, today I have the honor of introducing yet another group of champions from tittletown, which is in the 31st Senatorial District. These champions are not Cumberland County's traditional stars on the track and athletic field. Instead, these students shine in the area of academics. The Camp Hill High School Quiz Bowl Team won first place in the Very Small School division at the National Academic Quiz Tournaments in Rosemont, Illinois, in late April. The team amassed 11 hard-fought wins and was well-coached by Andrew Gianelli. The Camp Hill brain trust includes Colton Sanden, Sydney Preston, Ben Haas, Alex Drda, and Joseph Zullo.

I commend these whip-smart students, their parents, their teachers past and present, and all of their friends and family members who have clearly instilled a love of learning in them. It will be exciting to see where these kids end up.

Mr. President, please join me in leading the Senate in saluting the Camp Hill Quiz Bowl Team on their national-level win.

Thank you, Mr. President.

The PRESIDENT. Would the Camp Hill Quiz Bowl Team champs please rise so that we may welcome you to the Pennsylvania Senate. Great to have you. Congratulations.

(Applause.)

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of a series of off-the-floor committee meetings to be held in the Rules room in the back of the Chamber, starting with the Committee on Finance, then the Committee on Judiciary, the Committee on Labor and Industry, and then followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the three meetings, Senate Democrats will meet in the rear of the Chamber for a caucus.

The PRESIDENT. For purposes of off-the-floor meetings of the Committee on Finance, the Committee on Judiciary, the Committee on Labor and Industry, all to be held in the Rules room, followed by Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules room at the rear of the Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations to be held in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Stefano and Senator White, and legislative leaves for Senator Martin and Senator Ward.

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Stefano and Senator White, and legislative leaves for Senator Martin and Senator Ward. Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 16 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 93 (Pr. No. 603) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 93 from the boundary line between Berwick Borough and Briar Creek Borough, Columbia County, to the boundary line between Orangeville Borough and Orange Township, Columbia County, as the Stuart Tank Memorial Highway.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

| | | | |
|------------|--------------|------------|-------------|
| Alloway | DiSanto | Martin | Tartaglione |
| Argall | Eichelberger | McGarrigle | Tomlinson |
| Aument | Farnese | McIlhinney | Vogel |
| Baker | Folmer | Mensch | Vulakovich |
| Bartolotta | Fontana | Rafferty | Wagner |

| | | | |
|----------|------------|-------------|----------|
| Blake | Gordner | Regan | Ward |
| Boscola | Greenleaf | Resenthaler | White |
| Brewster | Haywood | Sabatina | Williams |
| Brooks | Hughes | Scarnati | Yaw |
| Browne | Hutchinson | Scavello | Yudichak |
| Corman | Killion | Schwank | |
| Costa | Langerholc | Stefano | |
| Dinniman | Laughlin | Street | |

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Yudichak.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 144 and **SB 168** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 303 (Pr. No. 317) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the Borough of Topton, Berks County, in exchange for the imposition of Project 70 restrictions on other lands to be acquired by the Borough of Topton, Berks County.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

| | | | |
|------------|--------------|-------------|-------------|
| Alloway | DiSanto | Martin | Tartaglione |
| Argall | Eichelberger | McGarrigle | Tomlinson |
| Aument | Farnese | McIlhinney | Vogel |
| Baker | Folmer | Mensch | Vulakovich |
| Bartolotta | Fontana | Rafferty | Wagner |
| Blake | Gordner | Regan | Ward |
| Boscola | Greenleaf | Resenthaler | White |
| Brewster | Haywood | Sabatina | Williams |
| Brooks | Hughes | Scarnati | Yaw |

| | | | |
|----------|------------|----------|----------|
| Browne | Hutchinson | Scavello | Yudichak |
| Corman | Killion | Schwank | |
| Costa | Langerholc | Stefano | |
| Dinniman | Laughlin | Street | |

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 332, SB 383, SB 458, SB 461, SB 503, SB 504 and **SB 527** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 561 (Pr. No. 886) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for final-form regulations and final-omitted regulations and procedures for review; and providing for concurrent resolution required for economically significant regulations.

On the question,
Will the Senate agree to the bill on third consideration?

COSTA AMENDMENT A1892 OFFERED

Senator COSTA offered the following amendment No. A1892:

Amend Bill, page 1, lines 13 through 21; page 2, lines 1 through 7; by striking out all of said lines on said pages and inserting:

Section 1. Section 5(a)(4) of the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, is amended to read:

Amend Bill, page 2, line 19, by striking out the bracket before "Insofar"

Amend Bill, page 2, line 24, by striking out the bracket after "1929.""

Amend Bill, page 2, lines 28 through 30; page 3, lines 1 through 27; by striking out all of said lines on said pages

Amend Bill, page 3, line 28, by striking out "4" and inserting:

2

Amend Bill, page 3, line 30, by striking out "5" and inserting:

3

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

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

Senator COSTA. Mr. President, my amendment removes the provisions that impose an alternate method for the approval of regulations deemed to be economically significant regulations. These are the regulations that may impose a cost of \$1 million on the Commonwealth's political subdivisions or private industry.

Mr. President, I also rise, as part of this amendment, to indicate my concern that the process outlined in the bill as we know it, as Senate Bill No. 561 stands before us, it implements a process which we believe to be an unconstitutional legislative veto of the executive branch's action. This amendment preserves the part of the bill, however, that requires the Independent Fiscal Office to score the financial impact of the regulation, which I think is very important. I believe that we would have a positive improvement to the Independent Regulatory Review Act if this amendment was adopted in combination with Senate Bill No. 561. I ask my colleagues for an affirmative vote.

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

Senator CORMAN. Mr. President, I ask for a negative vote on the amendment.

And the question recurring,
Will the Senate agree to the amendment?

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

YEA-16

| | | | |
|----------|-----------|----------|-------------|
| Blake | Dinniman | Haywood | Street |
| Boscola | Farnese | Hughes | Tartaglione |
| Brewster | Fontana | Sabatina | Williams |
| Costa | Greenleaf | Schwank | Yudichak |

NAY-33

| | | | |
|------------|--------------|-------------|------------|
| Alloway | Eichelberger | McIlhinney | Vogel |
| Argall | Folmer | Mensch | Vulakovich |
| Aument | Gordner | Rafferty | Wagner |
| Baker | Hutchinson | Regan | Ward |
| Bartolotta | Killion | Resenthaler | White |
| Brooks | Langerholc | Scarnati | Yaw |
| Browne | Laughlin | Scavello | |
| Corman | Martin | Stefano | |
| DiSanto | McGarrigle | Tomlinson | |

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was 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-29

| | | | |
|------------|--------------|-------------|------------|
| Alloway | Browne | Laughlin | Vulakovich |
| Argall | Corman | Martin | Wagner |
| Aument | DiSanto | Regan | Ward |
| Baker | Eichelberger | Resenthaler | White |
| Bartolotta | Folmer | Scarnati | Yaw |
| Boscola | Gordner | Scavello | |
| Brewster | Hutchinson | Stefano | |
| Brooks | Langerholc | Vogel | |

NAY-20

| | | | |
|----------|------------|------------|-------------|
| Blake | Greenleaf | McIlhinney | Street |
| Costa | Haywood | Mensch | Tartaglione |
| Dinniman | Hughes | Rafferty | Tomlinson |
| Farnese | Killion | Sabatina | Williams |
| Fontana | McGarrigle | Schwank | Yudichak |

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 592 and **SB 630** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 646 (Pr. No. 734) -- 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 fee, further providing for recycling fee for municipal waste landfills and resource recovery facilities and for Recycling Fund.

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

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.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION AND RECOMMITTED

SB 680 (Pr. No. 801) -- The Senate proceeded to consideration of the bill, 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, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 recommitted to the Committee on Appropriations.

SB 681 (Pr. No. 802) -- The Senate proceeded to consideration of the bill, 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, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 recommitted to the Committee on Appropriations.

SB 682 (Pr. No. 803) -- The Senate proceeded to consideration of the bill, 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.

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 recommitted to the Committee on Appropriations.

SB 683 (Pr. No. 804) -- The Senate proceeded to consideration of the bill, 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, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 recommitted to the Committee on Appropriations.

SB 684 (Pr. No. 805) -- The Senate proceeded to consideration of the bill, 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, 2017, to June 30, 2018.

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 recommitted to the Committee on Appropriations.

SB 685 (Pr. No. 806) -- The Senate proceeded to consideration of the bill, 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.

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 recommitted to the Committee on Appropriations.

SB 686 (Pr. No. 807) -- The Senate proceeded to consideration of the bill, 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.

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 recommitted to the Committee on Appropriations.

SB 687 (Pr. No. 808) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

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 recommitted to the Committee on Appropriations.

SB 688 (Pr. No. 809) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2017, to June 30, 2018.

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 recommitted to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 9 and HB 27 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

SB 53 (Pr. No. 34) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, further providing for eligibility for State scholarship.

On the question,

Will the Senate agree to the bill on second consideration?

Senator GREENLEAF offered the following amendment No. A1652:

Amend Bill, page 2, line 6, by inserting after "Commonwealth":
and the institution is an eligible school, as determined by the agency that participates in the program during the 2016-2017 award year

Amend Bill, page 2, by inserting between lines 25 and 26:

(iv) The agency may require necessary data reporting requirements from participating schools and the agency shall report to the General Assembly regarding the impact that online education has on the scholarship program under this act. The report shall be submitted to the Governor and the chair and minority chair of the Appropriations C of the Senate the chair and minority chair of the Appropriations Committee of the House of Representatives and the chair and minority chair of the Education Committee of the Senate and the chair and minority chair of the Education Committee of the House of Representatives.

(v) The board of directors may implement the necessary controls, with regard to paragraphs (ii) and (iii), to limit the impact of online education and protect the purchasing power of the scholarship program under this act and as deemed necessary by the agency.

(vi) For the purpose of this paragraph, "purchasing power" shall be a mathematical formula, as determined by agency, that compares the annual amount of the scholarship provided for by this act to the average tuition and fees as calculated by the agency.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was 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, as amended, was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 113, SB 121, SB 128, SB 183, SB 242, SB 403 and SB 406 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION, AMENDED AND REREFERRED

SB 430 (Pr. No. 422) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate agree to the bill on second consideration?

Senator RAFFERTY offered the following amendment No. A1595:

Amend Bill, page 1, lines 14 through 16, by striking out all of said lines and inserting:

Section 1. Section 1102-C.3 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended by adding a paragraph to read:

Amend Bill, page 1, lines 20 through 22; page 2, lines 1 through 4; by striking out all of said lines on said pages and inserting:

(25) A transfer for no or nominal consideration between a veterans organization and an affiliated nonprofit organization that is recognized by the Internal Revenue Service as tax exempt under section 501(c)(7) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 1 et seq.).

On the question,

Will the Senate agree to the amendment?

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

Senator RAFFERTY. Mr. President, I believe this is an agreed-to amendment. I thank the Department of Revenue for their assistance.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was 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, as amended, was rereferred to the Committee on Appropriations.

SB 431 (Pr. No. 825) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in nuisances, further providing for the offense of scattering rubbish; in registration of vehi-

cles and in licensing of drivers, further providing for the acknowledgment of littering provisions; and, in miscellaneous provisions, further providing for the offense of depositing of waste and other material on highway, property or waters.

On the question,

Will the Senate agree to the bill on second consideration?

Senator SCAVELLO offered the following amendment No. A1581:

Amend Bill, page 2, line 21, by inserting after "pounds":
or nine cubic feet

Amend Bill, page 3, line 1, by striking out "less than five pounds" and inserting:

five pounds or less or less than nine cubic feet
Amend Bill, page 3, line 6, by inserting after "pounds":
or nine cubic feet

Amend Bill, page 3, line 30, by striking out "DEPARTMENT" and inserting:

Department of Transportation

Amend Bill, page 6, line 13, by striking out "SIX" and inserting:
nine

Amend Bill, page 6, line 16, by inserting after "pounds":
or nine cubic feet

Amend Bill, page 6, line 25, by striking out "less than five pounds" and inserting:

five pounds or less or less than nine cubic feet
Amend Bill, page 6, line 29, by inserting after "pounds":
or nine cubic feet

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was 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, as amended, was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 446, SB 449, SB 469 and SB 494 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED

SB 553 (Pr. No. 590) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for chemical testing to determine amount of alcohol or controlled substance; and in driving after imbibing alcohol or utilizing drugs, further providing for penalties, for ignition interlock.

On the question,

Will the Senate agree to the bill on second consideration?

RAFFERTY AMENDMENT A1323

Senator RAFFERTY offered the following amendment No. A1323:

Amend Bill, page 1, lines 1 through 6, by striking out all of said lines and inserting:

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for surrender of license, for period of disqualification, revocation or suspension of operating privilege, for driving while operating privilege is suspended or revoked, for chemical testing to determine amount of alcohol or controlled substance and for probationary license; in driving after imbibing alcohol or utilizing drugs, further providing for penalties, for ignition interlock and for illegally operating a motor vehicle not equipped with ignition interlock; and, in penalties and dispositions of fines, further providing for habitual offenders.

Amend Bill, page 1, lines 9 through 12, by striking out all of said lines and inserting:

Section 1. Sections 1540 and 1541(a) and (e) of Title 75 of the Pennsylvania Consolidated Statutes are amended to read:
§ 1540. Surrender of license.

(a) [Conviction of offense.--Upon a conviction by a court of competent jurisdiction for any offense which calls for mandatory suspension in accordance with section 1532 (relating to suspension of operating privilege), the court or the district attorney shall require the surrender of any driver's license then held by the defendant and shall forward the driver's license together with a record of the conviction to the department. The suspension shall be effective upon a date determined by the court or district attorney or upon the date of surrender of the license to the court or district attorney, whichever shall first occur.]

(b) Suspension, revocation or disqualification of operating privilege.--

(1) Upon the suspension or revocation of the operating privilege or the disqualification of the commercial operating privilege of any person by the department, the department shall forthwith notify the person in writing at the address of record to surrender his driver's license to the department for the term of suspension, revocation or disqualification. Licenses that are surrendered to the department may be destroyed. Upon the restoration of the operating privilege, the licensee may apply for a replacement license.

(2) The department shall include with the written notice of suspension, revocation or disqualification a form for acknowledging the suspension, revocation or disqualification, which form shall be filed with the department if the person has no license to surrender.

(3) The suspension, revocation or disqualification shall be effective upon [the earlier of:

(i)] a date determined by the department[; or

(ii) the date of filing or mailing of the license or acknowledgment to the department, if that date is subsequent to the department's notice to surrender the license.

(4) Upon surrender of the license or acknowledgment, the department shall issue a receipt showing the date that it received the license or acknowledgment].

(c) Seizure of revoked, suspended, canceled or disqualified licenses.--

[(1) The department may delegate authority to the following persons to seize the driver's license of any person whose driver's license has been ordered to be surrendered by a court or district attorney or by the department:

(I) A designated Commonwealth employee.

(ii) Members of the Pennsylvania State Police.

(iii) Local police officers.

(iv) Sheriffs or deputy sheriffs.

(v) Constables or deputy constables.

(2) The department shall, by regulation, prescribe the manner of selecting those persons who are delegated authority under this subsection to seize the drivers' licenses.]

Any police officer or designated employee of the Commonwealth shall be authorized to confiscate any license that has been revoked, suspended, canceled or disqualified. The confiscated license shall be returned to the department, unless it is necessary to keep the license as evidence of an offense.

§ 1541. Period of disqualification, revocation or suspension of operating privilege.

(a) Commencement of period.--The period of disqualification, revocation or suspension of the operating privilege or the disqualification of the commercial operating privilege shall commence as provided for in section 1540 (relating to surrender of license)...

(e) [Request for hearing.--A person whose operating privilege has been suspended or revoked may request at any time during the suspension or revocation, and the department shall provide, a hearing if the person believes that credit toward the person's suspension or revocation has not been given by the department under section 1540.

Section 2. Sections 1543(a) and (c) and 1547(a), (b) and (b.1) of Title 75 are amended and the sections are amended by adding subsections to read:

§ 1543. Driving while operating privilege is suspended or revoked.

(a) Offense defined.--Except as provided in subsection (b), any person who drives a motor vehicle on any highway or trafficway of this Commonwealth after the commencement of a suspension, revocation or cancellation of the operating privilege and before the operating privilege has been restored is guilty of a summary offense and shall, upon conviction or adjudication of delinquency, be sentenced to pay a fine of \$200.

(c) Suspension or revocation of operating privilege.--Upon receiving a certified record of the conviction or adjudication of delinquency any person under this section, the department shall suspend or revoke that person's operating privilege as follows:

(1) If the department's records show that the person was under suspension, recall or cancellation on the date of violation, and had not been restored, the department shall suspend the person's operating privilege for an additional one-year period.

(2) If the department's records show that the person was under revocation on the date of violation, and had not been restored, the department shall revoke the person's operating privilege for an additional two-year period.

(c) Prohibition.--A person charged with an offense under this section may not claim a defense that the person did not know of the suspension, cancellation or revocation.

Amend Bill, page 4, line 8, by inserting a bracket before "or"

Amend Bill, page 4, line 10, by inserting a bracket after "licenses")"

Amend Bill, page 5, line 5, by striking out all of said line and inserting:

Section 3. Sections 1554(b)(2), 3804(c), 3805(a.1) and (i), 3808(c)(2) and 6503.1 of Title 75 are amended to read:

§ 1554. Probationary license.

(b) Petition.--

(2) Before being eligible to petition for a probationary license, a person must have served [and earned credit toward serving] the following terms of suspension or revocation for offenses enumerated in sections 1532 (relating to revocation or suspension of operating privilege), 1539 (relating to suspension of operating privilege on accumulation of points) and 1543 (relating to driving while operating privilege is suspended or revoked):

(i) A person with one to seven offenses must have [earned credit for] served at least a three-year term of suspension or revocation.

(ii) A person with 8 to 14 offenses must have [earned credit for] served at least a four-year term of suspension or revocation.

(iii) A person with 15 to 21 offenses must have [earned credit for] served at least a five-year term of suspension or revocation.

(iv) A person with 22 or more offenses must have [earned credit for] served at least a six-year term of suspension or revocation.

Amend Bill, page 6, lines 7 and 8, by striking out all of said lines Amend Bill, page 6, by inserting between lines 19 and 20:

(i) Offenses committed during a period for which an ignition interlock restricted license has been issued.--Except as provided in sections 1547(b.1) and 3808(c) (relating to illegally operating a motor vehicle not equipped with ignition interlock), any driver who has been issued an ignition interlock restricted license and as to whom the department receives a certified record of a conviction of an offense for which the penalty is a cancellation, disqualification, recall, suspension or revocation of operating privileges shall have the ignition interlock restricted license recalled, and the driver shall surrender the ignition interlock restricted license to the department [or its agents designated under the authority of section 1540 (relating to surrender of license)]. Following the completion of the cancellation, disqualification, recall, suspension or revocation which resulted in the recall of the ignition interlock restricted license, the department shall require that the person complete the balance of the ignition interlock restricted license period previously imposed prior to the issuance of a replacement license under section 1951(d) that does not contain an ignition interlock restriction.

§ 3808. Illegally operating a motor vehicle not equipped with ignition interlock.

(c) Suspension of operating privilege.--Notwithstanding section 3805(c) and (i):

(2) Upon receipt of a certified record of a second conviction of a violation of this section committed by a person who is required to only drive, operate or be in actual physical control of the movement of a motor vehicle equipped with an ignition interlock system which occurred during the same ignition interlock restricted license period, the department shall suspend the person's operating privileges for a period of one year and recall the ignition interlock restricted license, and the person shall surrender the ignition interlock restricted license to the department [or its agents designated under the authority of section 1540 (relating to surrender of license)]. Following completion of the suspension period, the department shall require that the person comply with the requirements of section 3805 prior to being eligible to receive a replacement license under section 1951(d) that does not contain an ignition interlock restriction.

§ 6503.1. Habitual offenders.

A habitual offender under section 1542 (relating to revocation of habitual offender's license) who drives a motor vehicle on any highway or trafficway of this Commonwealth while the habitual offender's operating privilege is suspended, revoked or canceled commits a misdemeanor of the second degree. A person charged under this section may not claim a defense that the person did not know of the suspension, revocation or cancellation.

Amend Bill, page 6, line 20, by striking out "2" and inserting:

4

Amend Bill, page 6, line 20, by striking out "immediately" and inserting:

in 15 months

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

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

Senator RAFFERTY. Mr. President, I offer this amendment on behalf of myself and Senator Sabatina. I thank the Pennsylvania District Attorneys Association and PennDOT for working on this important issue with us. I ask for its adoption.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

On the question,
Will the Senate agree to the bill on second consideration, as amended?

RAFFERTY AMENDMENT A1572

Senator RAFFERTY offered the following amendment No. A1572:

- Amend Bill, page 3, line 6, by striking out "fined" and inserting:
subject to a restoration fee of
- Amend Bill, page 3, line 27, by striking out "fined" and inserting:
subject to a restoration fee of
- Amend Bill, page 4, line 15, by striking out "Fines" and inserting:
Restoration fees
- Amend Bill, page 4, lines 18 and 19, by striking out "or (iii)"
- Amend Bill, page 4, line 19, by striking out "fine" and inserting:
restoration fee
- Amend Bill, page 4, lines 20 through 23, by striking out "If the department has previously suspended the" in line 20, all of lines 21 and 22 and "(iii)" in line 23
- Amend Bill, page 4, line 25, by striking out "fine" and inserting:
restoration fee
- Amend Bill, page 4, line 26, by striking out "fines" and inserting:
restoration fees
- Amend Bill, page 6, lines 7 and 8, by striking out all of said lines and inserting:
Section 3. Section 3805(a.1) and (h.2)(1) of Title 75 are amended to read:
Amend Bill, page 6, by inserting between lines 19 and 20:
(h.2) Declaration of compliance.--Restrictions imposed under section 1556 (relating to ignition interlock limited license) shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that the following incidents have not occurred in the two consecutive months prior to the date entered on the certificate:
(1) An attempt to start the vehicle with a breath alcohol concentration of 0.08% or more, not followed within [five] 10 minutes by a subsequent attempt with a breath alcohol concentration lower than 0.08%.

- Amend Bill, page 6, line 20, by striking out "2" and inserting:
4
- Amend Bill, page 6, line 20, by striking out "immediately." and inserting:
as follows:
(1) Except for 75 Pa.C.S. § 1547(b)(2)(ii), the amendment of 75 Pa.C.S. § 1547 shall take effect in six months.
(2) The remainder of this act shall take effect immediately.

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

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

Senator RAFFERTY. Mr. President, I offer this amendment along with Senator Sabatina. It is more of a technical amendment to the bill.

And the question recurring,
Will the Senate agree to the amendment?
It was agreed to.

And the question recurring,
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.
Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

SB 595 and **HB 595** -- 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 611 (Pr. No. 762) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions, for disqualification and forfeiture of benefits and for restitution for monetary loss; and repealing a retroactivity provision.

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 OVER IN ORDER

SB 636 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 649 (Pr. No. 751) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, in financial provisions, further providing for Underground Storage Tank Environmental Cleanup Program, for Underground Storage Tank Pollution Prevention Program and for investigation and closure costs.

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 OVER IN ORDER

SB 662 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION
AND REREFERRED

SB 667 (Pr. No. 888) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, further providing for powers of an authority.

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.

HB 674 (Pr. No. 1499) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in State lottery, providing for lottery winnings intercept.

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.

BILLS OVER IN ORDER

SB 690, SB 691 and SB 693 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION
AND RECOMMITTED

SB 697 (Pr. No. 863) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2017-2018.

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 recommitted to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 724 and HB 758 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES

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

SB 180 (Pr. No. 923)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in anatomical gifts, further providing for definitions, for persons who may execute anatomical gift, for persons who may become donees and purposes for which anatomical gifts may be made, for manner of executing anatomical gifts, for amendment or revocation of gift, for rights and duties at death, for requests for anatomical gifts, for use of driver's license or identification card to indicate organ or tissue donation, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions, for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund, for confidentiality requirement and for prohibited activities, providing for promotion of organ and tissue donation, establishing the Donate Life PA Registry, providing for facilitation of anatomical gift from decedent whose death is under investigation, for collaboration among departments and organ procurement organizations, for information relative to organ and tissue donation, for requirements for physician and nurse training relative to organ and tissue donation and recovery, for uniformity of application and construction, for relation to Electronic Signatures in Global and National Commerce Act and for study of organizations and repealing provisions relating to corneal transplants.

HB 168 (Pr. No. 132)

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.

HB 217 (Pr. No. 1502)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for the offense of endangering welfare of children.

HB 1238 (Pr. No. 1565)

An Act amending Titles 3 (Agriculture), 18 (Crimes and Offenses), 22 (Detectives and Private Police), 34 (Game) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in race horse industry reform, further providing for licenses for horse race meetings and for occupational licenses for individuals; in riot, disorderly conduct and related offenses, repealing provisions relating to offense of cruelty to animals, live animals as prizes prohibited, police animals and assault with a biological agent on animal, fowl or honey bees and providing for offenses relating to cruelty to animals; in humane society police officers, further providing for definitions, for appointment by nonprofit corporations, for qualifications for appointment, for suspension, revocation, limitation and restriction of appointment and restoration of appointment, for powers and authority and jurisdiction, for search warrants and for costs; in hunting and furtaking, further providing for destruction of dogs declared public nuisances; in budget and finance, further providing for municipal corporation portion of fines, etc; and making editorial changes.

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

HB 144 (Pr. No. 108)

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for exemptions from registration.

HB 411 (Pr. No. 1014)

An Act amending the act of July 10, 1981 (P.L.214, No.67), known as the Bingo Law, further providing for definitions, for rules for licensing and operation and for penalty.

Senator WARD, from the Committee on Labor and Industry, reported the following bill:

SB 663 (Pr. No. 781)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, in adoption and enforcement by municipalities, further providing for administration and enforcement.

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

SB 178 (Pr. No. 551) (Rereported)

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents, and providing for Commonwealth archival records, for local government archival records and for access to older public records; and, in historic properties, further providing for powers over certain historic property.

HB 1071 (Pr. No. 1270) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in other subjects of taxation, prohibiting bans, fees, surcharges and taxes on recyclable plastic bags.

SENATE RESOLUTION ADOPTED

Senators MENSCH, ARGALL, MARTIN, BROOKS, FONTANA, DINNIMAN, GREENLEAF, BROWNE, BREWSTER, SCAVELLO, EICHELBERGER, YUDICHAK, KILLION, WHITE, FARNESE, RAFFERTY, VULAKOVICH, RESCHENTHALER, VOGEL, BAKER, FOLMER, COSTA, SABATINA, WARD, AUMENT, STREET and HUGHES, by unanimous consent, offered **Senate Resolution No. 142**, entitled:

A Resolution recognizing the 242nd anniversary of the founding of the United States Army.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. How did the gentleman ever get this resolution away from Senator Rafferty?

The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, Senator Rafferty, along with a number of other Members of this Chamber, are quite dedicated to the content of this resolution.

On June 14 in 1775, the newly-formed United States Congress voted to adopt what was then referred to as the Boston troops, and formed a committee to draft rules and regulations for the governing of this new army, and they appropriated funds in support of this new army. That was on June 14, which will be

tomorrow, 242 years ago. Then on June 15, George Washington was appointed by the Congress as the Army Commander-in-Chief. Currently, the American Army is made up of more than 1 million soldiers in active duty, Army Reserves, and the National Guard. I know that myself and other Members of this Chamber have served, and you, Mr. President, have served also, so thank you for your service.

The Army lives by Seven Core Values that include loyalty, duty, respect, selfless service, honor, integrity, and personal courage. So, Mr. President, I am truly proud to introduce this resolution to recognize all those who have served and recognize the sacrifices made by the men and women of the United States Army.

The PRESIDENT. The Chair thanks the gentleman for an extremely important resolution, and we should never forget what a great organization we have, a brave fighting force, the United States Army. Thank you for your service, Senator.

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 Leasia Ayers-Caswell by Senator Alloway.

Congratulations of the Senate were extended to the Pennsylvania Federation of Democratic Women by Senator Blake.

Congratulations of the Senate were extended to Sharon Wilkes by Senator Folmer.

Congratulations of the Senate were extended to the Mattress Factory of Pittsburgh by Senator Fontana.

Congratulations of the Senate were extended to Wilma Rowe, John Greenlee, Othie Rowser, Goldye Johnson, Bessie Williams and to Nina Randolph by Senator Haywood.

Congratulations of the Senate were extended to the Bethany Baptist Church of Chester by Senator Killion.

Congratulations of the Senate were extended to the Reverend David B. Schaeffer and to Phillip James Roesch by Senator Scavello.

Congratulations of the Senate were extended to Joseph Green by Senator Tartaglione.

Congratulations of the Senate were extended to Shayne A. Hanz by Senator White.

Congratulations of the Senate were extended to Dr. Mary Ann Fedrick by Senator Yudichak.

BILLS ON FIRST CONSIDERATION

Senator LAUGHLIN. 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 31, SB 180, SB 211, SB 252, SB 471, SB 533, SB 590, SB 629, SB 653, SB 663, SB 728, SB 736, SB 751, HB 17, HB 118, HB 126, HB 144, HB 168, HB 217, HB 239, HB 411, HB 422, HB 423, HB 1039, HB 1238 and HB 1269.

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, JUNE 14, 2017

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| 9:00 A.M. | HEALTH AND HUMAN SERVICES and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the Department of Health: Hospital and Healthsystem Preparedness) | Hrg. Rm. 1 North Off. |
| 9:30 A.M. | STATE GOVERNMENT (to consider Senate Bills No. 588, 610 and 658; and House Bill No. 599) | Room 461 Main Capitol |
| 9:30 A.M. | TRANSPORTATION (to consider Senate Bills No. 145 and 753; and House Bills No. 188, 283 and 952) | Room 8E-B East Wing |
| 10:00 A.M. | EDUCATION (to consider Senate Bills No. 541 and 756; and House Bill No. 178) | Room 8E-A East Wing |
| 10:30 A.M. | CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 472, 542 and 616) | Room 461 Main Capitol |

THURSDAY, JUNE 15, 2017

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| 10:30 A.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing on after action assessment of the Eric Frein manhunt) | Pike Co. Training Ctr., Lords Valley |
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WEDNESDAY, JUNE 21, 2017

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| 9:00 A.M. | LABOR AND INDUSTRY (public hearing to receive input on Senate Bill No. 429 regarding apprenticeship ratios) | Hrg. Rm. 1 North Off. |
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FRIDAY, JUNE 23, 2017

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| 11:00 A.M. | LOCAL GOVERNMENT (public hearing on Philadelphia Soda Tax) | City Cncl. Chambers, Phila. |
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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, June 14, 2017, 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 4:48 p.m., Eastern Daylight Saving Time.