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SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 37

SENATE

WEDNESDAY, June 8, 2011

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

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

PRAYER

The Chaplain, Reverend ROBERT ADAMS, Pastor of First Congregational Church, Tamaqua, offered the following prayer:

Let us pray.

Father in heaven, we thank You for another day of life, another opportunity to serve You and serve others. We pray for Your blessings upon this high house of government in the Commonwealth of Pennsylvania, for the Senators who meet here, all of the staff, and their staff members, for the wonderful work that they do, and for the guidance and direction that You bring to them in light of all of the responsibilities they have.

We pray for our States and for our governments, for our nation and for the leaders in all high places. We pray for their families and loved ones that they, too, in addition to these responsibilities that they have, have their own families and loved ones to care for as well. And so we ask, dear Lord, that You would bless them today. Give them the wisdom, courage, insight, and direction that they need, and that we, who are the constituents of this State, might continue to remember them in prayer and hold them up before You each day, as they take upon themselves the enormous responsibility that is given to them in this office.

And so, we pray for Your wise guidance, Your blessings, Your comfort and care, in this place now, and in our lives every day. We pray all of these things in Jesus' name. Amen.

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

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

June 8, 2011

Senators ARGALL, RAFFERTY, TARTAGLIONE, KASUNIC, FONTANA, BAKER, COSTA, SOLOBAY, BREWSTER, GORDNER, GREENLEAF, ERICKSON, SCHWANK, WASHINGTON, FARNESE, YUDICHAK and EARLL presented to the Chair **SB 1019**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, defining "corrections manager"; and, in general administration, providing for salary of corrections managers.

Which was committed to the Committee on JUDICIARY, June 8, 2011.

Senators VANCE, PILEGGI, BAKER, SCHWANK, YUDICHAK, ORIE, RAFFERTY, M. WHITE, FONTANA, ERICKSON, GORDNER, WAUGH, D. WHITE, YAW, SOLOBAY, BREWSTER, WASHINGTON, BOSCOLA, EARLL and MENSCH presented to the Chair **SB 1036**, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

Which was committed to the Committee on FINANCE, June 8, 2011.

Senators McILHINNEY, SOLOBAY, FOLMER, WASHINGTON and FARNESE presented to the Chair **SB 1048**, entitled:

An Act prohibiting certain governing bodies from restricting persons who occupy dwelling units from using solar clothes-drying devices.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 8, 2011.

Senators CORMAN, GORDNER, VOGEL, COSTA, ALLOWAY, BLAKE, BOSCOLA, BREWSTER, BRUBAKER, ERICKSON, FONTANA, GREENLEAF, LEACH, RAFFERTY, SOLOBAY, TARTAGLIONE, TOMLINSON, M. WHITE, WOZNIAK, YAW and YUDICHAK presented to the Chair **SB 1090**, entitled:

An Act amending the act of April 3, 1992 (P.L.28, No.11), known as the Tuition Account Programs and College Savings Bond Act, further providing for tuition account programs and funds.

Which was committed to the Committee on FINANCE, June 8, 2011.

Senator CORMAN presented to the Chair **SB 1122**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, June 8, 2011.

Senator CORMAN presented to the Chair **SB 1123**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, June 8, 2011.

Senator CORMAN presented to the Chair **SB 1124**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 8, 2011.

Senator CORMAN presented to the Chair **SB 1125**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, June 8, 2011.

Senator CORMAN presented to the Chair **SB 1126**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, June 8, 2011.

BILLS REPORTED FROM COMMITTEES

Senator WARD, from the Committee on Aging and Youth, reported the following bills:

SB 550 (Pr. No. 653)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for immunity from liability, for complaint files and for amendment or expunction of information.

SB 1095 (Pr. No. 1281)

An Act establishing an independent informal dispute resolution process for long-term care nursing facilities to dispute Department of Health survey findings; and providing for the powers and duties of the Department of Health.

Senator PIPPY, from the Committee on Law and Justice, reported the following bills:

SB 117 (Pr. No. 95)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of carrying a false identification card.

HB 148 (Pr. No. 2049) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for issuance, transfer or extension of hotel, restaurant and club liquor licenses, for sales by liquor licensees and restrictions, for sale of malt or brewed beverages by liquor licensees, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for malt or brewed beverages manufactured outside this Commonwealth, for brand registration, for limiting number of retail licenses to be issued in each county, for licenses not assignable and transfers, for revocation and suspension of licenses and fines and for unlawful acts relative to liquor, malt and brewed beverages and licensees and for limited wineries.

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

SB 349 (Pr. No. 331)

An Act providing for the regulation of indoor tanning facilities and for penalties.

SB 361 (Pr. No. 342)

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for disclosure of records.

SB 458 (Pr. No. 1299) (Amended)

An Act amending the act of October 20, 1966 (3rd Sp.Sess., P.L.96, No.6), known as the Mental Health and Mental Retardation Act of 1966, updating and modernizing certain terminology.

HB 140 (Pr. No. 2047) (Amended)

An Act establishing the Methadone Death and Incident Review Team and providing for its powers and duties; and imposing a penalty.

HB 960 (Pr. No. 2048) (Amended)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for fraud detection system, for income eligibility verification system and for inmate medical costs.

LEGISLATIVE LEAVES

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Piccola, Senator Folmer, and Senator Smucker.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Leach, Senator Washington, and Senator Williams, and temporary Capitol leaves for Senator Dinniman and Senator Stack.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Piccola, Senator Folmer, and Senator Smucker.

Senator Costa requests legislative leaves for Senator Leach, Senator Washington, and Senator Williams, and temporary Capitol leaves for Senator Dinniman and Senator Stack.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 27, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of April 27, 2011.

Senator PILEGGI. 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 PILEGGI and were as follows, viz:

YEA-49

Alloway	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

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 Stack has returned, and his temporary Capitol leave is cancelled.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR DAVID G. ARGALL
PRESENTED TO THE SENATE**

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

Senator ARGALL. Mr. President, as you indicated, we are joined here today by Pastor Adams, from the First Congregational Church in Mahanoy City. He is a Tamaqua area resident. We are also joined in the gallery by his wife, Evelyn, and his granddaughter, Sadie. So I certainly ask that the Senate give them its usual warm welcome.

The PRESIDENT. Would the guests of Senator Argall please rise so that the Senate may give you its usual warm welcome.
(Applause.)

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

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

Senator YUDICHAK. Mr. President, it is our honor today, Senator Blake and I, to welcome Wilkes University to the Chamber of the Senate. My part of the job is to welcome political science professor Dr. Tom Baldino. Dr. Baldino, thank you for coming to the Senate of Pennsylvania. I ask that we extend to him a warm welcome.

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

Senator BLAKE. Mr. President, I am also going to join my colleague in welcoming two students from Wilkes who are in the political science program under Dr. Baldino, Miss Alysia Ons and Sarah Seman.

Mr. President, these students are actually working under Senate Resolution No. 323, the study of mandates of counties and municipal governments, and, under the guidance of Dr. Baldino, will be working this summer and into the fall to complete a pilot study and investigate several mandates and details to determine whether other States have such mandates and how those States evaluate them to help to conduct a full study in the fall. I ask the Senate to extend a warm welcome to Wilkes University's professor and its students.

The PRESIDENT. Would the guests of Senator Blake and Senator Yudichak please rise so that the Senate may give you its usual warm welcome.

(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 recognize some special guests who traveled from Wayne County and The Hideout. The Hideout is a planned residential community of approximately 3,000 single-family homes nestled in the Pocono Mountains region. Part of the duty of the people who are joining me today are from the Roamingwood Sewer and Water Association. Jack Lennox is the general manager of Roamingwood, and he organized this trip to the Capitol with a very dear friend, Mrs. Betty Sullivan.

Roamingwood is responsible for operating over 40 miles of water distribution mains and 48 miles of wastewater collection in this residential community. So it is a privilege for me to welcome Betty, Jack, and all of the members of the Roamingwood Sewer and Water Association, to the Capitol today. I ask the Senate to give them its usual warm welcome.

The PRESIDENT. Would the guests of Senator Baker please rise so that the Senate may give you its usual warm welcome. (Applause.)

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room immediately.

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

Senator COSTA. Mr. President, could the gentleman indicate to us the length of time he expects the caucus to last today?

Senator PILEGGI. Mr. President, I would expect caucus to last at least 60 minutes, maybe 90 minutes.

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for the purpose of a caucus also. Thank you.

The PRESIDENT. For purposes of respective caucus meetings, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1062 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SB 366 CALLED UP OUT OF ORDER

SB 366 (Pr. No. 351) -- Without objection, the bill was called up out of order, from page 2 of the Third Consideration Calendar, by Senator PILEGGI, as a Special Order of Business.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 366 (Pr. No. 351) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions, for licensure and for State Board of Vehicle Manufacturers, Dealers and Salespersons.

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	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

NAY-0

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Dinniman, Senator Piccola, and Senator Smucker have returned, and their temporary Capitol leaves are cancelled.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 314 (Pr. No. 1295) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining "interactive wireless communications device"; further providing for junior driver's license and for suspension of operating privilege; providing for prohibiting use of interactive wireless communications devices while operating motor vehicles; and further providing for duty of driver in construction and maintenance areas or on highway safety corridors, for duty of driver in emergency response areas, for accident report forms, for department to compile, tabulate and analyze accident reports, for television equipment and for restraint systems.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator CORMAN. Mr. President, let me rise and first congratulate the maker of the bill, the Senator from Bucks County, and also the chairman of the Committee on Transportation from Montgomery County, for their hard work to bring this issue, a very important issue, to the floor and keep this process moving. I think distracted driving—one of my first bills that I dealt with when I came to the legislature back in 1999 was on junior driving and changing some of the regulations as far as getting a permit, when they could go forward with a driver's license, and finding that extra 6 months of experience was invaluable at that time. So I am certainly supportive of what they are trying to accomplish.

I am supportive of almost every component of this bill. Usually, when you start out with these nice compliments, you know something else is coming. But there is one component of this bill with which I have great concern, and that component is banning, for adult drivers, making it a secondary offense for using a handheld cell phone. You know, this issue has been around here since I have been in the legislature, and a former colleague from Bucks County was a champion of this issue.

Mr. President, I just do not think the evidence is out there that adult drivers using handheld cell phones are more distracting than other forms of distraction that are allowable today on the roads. I come from rural Pennsylvania, and, yes, technology is coming forward with cars that have OnStar and things like that—they can go to hands-free—but there are still a lot of people who cannot afford those iPhones or those more technically advanced devices. And to make it a secondary offense to have a handheld cell phone, Mr. President, I just do not think the evidence is out there to warrant that kind of movement.

So although I am very supportive of almost every other component of this bill, I am just not ready at this point in time to support a bill that bans handheld cell phones for adult drivers. So, Mr. President, from listening to the chairman of the committee, I understand this bill probably will come back to us at some point in time, as the House puts its stamp on it, and so I applaud them for moving this process, but, regrettably, I will be casting a "no" vote today because of the provision I talked about.

I look forward to maybe being supportive when this bill comes back around, and we can focus on the texting and the junior driver issues, which I think are essential. But for the reasons, as I stated, of the banning of handheld cell phones for adult drivers, Mr. President, I am regrettably going to cast a "no" vote. But I did want to make sure that I credit the Senator from Bucks County as well as the chairman of the Committee on Transportation for their hard work on this issue.

Thank you, Mr. President.

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

Senator TOMLINSON. Mr. President, I rise to ask for your support for this bill. When I started out, Senate Bill No. 314 was

a texting bill. It was a bill that dealt with just texting and driving, but as we know in this Chamber, there is a lot of passion about distracted driving, and there are a lot of forms of distracted driving. While we can sit here and say that it is not only dangerous, but deadly, to be texting and driving at the same time, there are many of us who believe that using cell phones and other forms of distracted driving are very, very dangerous.

So I want to thank Chairman Rafferty from Montgomery County for his hard work and for the amendments that he has put in to expand the bill. I really, truly do not believe that we are ever going to get a distracted driving bill out of the Senate or the House, back and forth, and get an agreement unless we do put the things in this bill that we have in this bill.

I do not believe this is the final version of this bill. I think there will still be continued negotiations and compromise. Therefore, I ask the Members to please support this bill, move this bill ahead, because I think it is a good compromise at this point. As we know, we have had debate on primary and secondary offenses, we have had debates on whether it is a cell phone or a handheld device or whether it is connected to your Bluetooth. We have gone over this many times. This is not the first time we have done this. We did this last Session, and we failed. I think that we should rededicate ourselves, move this bill forward, and give a positive vote on this bill so that we do deal with the very deadly and dangerous consequences of distracted driving.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I thank the gentleman for his comments that were made on the floor. Everyone in caucus has had input on this bill, whether a "yes" vote or a "no" vote, and I am appreciative of that. I do believe that as the bill progresses in the House, there will be some changes made there, and we will be revisiting this topic once more.

In regard to the handheld cell phones, we did at one time want to have a primary offense. We agreed to the secondary offense because not enough votes were there. I am cognizant of the fact that the Pennsylvania State Police wrote a letter last year asking us to make it primary. However, we do not have the votes or support to make it primary, so we have made it secondary for the handheld cell phones. I think we are seeing, technologically, that we are moving beyond that, as new cars now have Bluetooth, and even the cell phones themselves—when you go into a cell phone store, having just bought a new one, the little handheld ones are going by the wayside, and the more speaker-oriented and Bluetooth-oriented cell phones are available.

But I will continue to work with my colleagues, those who have reservations, as the legislation continues to move forward between the two Chambers. I ask for an affirmative vote, and I thank you, Mr. President. If I may, I want to thank my colleague and friend, Senator Wozniak, the Democratic chair of the Committee on Transportation, for his input as well and for his office working with us.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-41

Alloway	Farnese	Orie	Vogel
Argall	Ferlo	Piccola	Ward
Baker	Fontana	Pileggi	Washington
Blake	Gordner	Pippy	Waugh
Boscola	Greenleaf	Rafferty	White Mary Jo
Brewster	Hughes	Schwank	Williams
Browne	Kasunic	Solobay	Wozniak
Brubaker	Kitchen	Stack	Yudichak
Costa	Leach	Tartaglione	
Dinniman	McIlhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-8

Corman	Folmer	Scarnati	White Donald
Eichelberger	Robbins	Smucker	Yaw

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.

BILL OVER IN ORDER TEMPORARILY

SB 732 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 815 (Pr. No. 833) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for right to counsel.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, it was a low juncture in Pennsylvania's experience when two of the most fearsome criminals in the courtroom were wearing judicial robes. Two corrupt judges in Luzerne County put a shameful stain on what is a superior juvenile justice system and exposed significant blind spots in county and State oversight. Their wrongdoing necessitates changes in law, an overhaul of procedural rules, and the adoption of reform measures.

Much of what we know now about the unconstitutional and corrupt practices in Judge Ciavarella's courtroom comes from the families and the juveniles. Once criminal charges were filed against the two judges, people stepped forward to relate painful experiences because they believed their witness would lead to punishment for the judges, plus bring reform of the juvenile justice system to save others.

Judge Arthur Grim's review of thousands of tainted cases revealed more about injustice regularly administered. The key element in what made corruption work was convincing kids and

their families to waive their right to counsel. Some were misled, some were intimidated, and some were disastrously uninformed. Even worse, courthouse insiders discouraged appointed counsel from fulfilling their sworn responsibilities. When you talk to the kids and the parents who suffered through railroaded injustice, it is easy to see how everything comes unglued when legal counsel is missing or inert.

The waiver of counsel issue was thoroughly debated by the interbranch commission. Among the dozens of well-considered recommendations they issued, this is the one place where I believe that their recommendation does not go as far as community opinion demands. For a community that has seen the high cost and heavy consequences inflicted when a judge used simple and short proceedings as a way to wrongdoing, mandatory counsel is a mandatory remedy.

As much as we hope there will never be another Mark Ciavarella abusing position and power, we cannot guarantee it. We must trust constitutional and legal safeguards. The juvenile justice system cannot work as it must when public confidence is lacking. To recapture public confidence, we must show that constitutional protection and corruption prevention are fully present in the county courtroom, and that is why I am here today to urge a "yes" vote on Senate Bill No. 815 and a package of bills.

I would also like to take a moment to acknowledge the leadership of Senator Greenleaf and the Committee on Judiciary on this package of bills. I worked extensively with my northeast colleagues, Senator Gordner and Senator Yudichak. We must acknowledge the interbranch commission that was headed by Judge John Cleland, and the men and women who served on the commission, offering many of the recommendations we are about to consider this afternoon. We were assisted by Jim Anderson of the Juvenile Court Judges' Commission; Carol Lavery, our Victim Advocate; Marsha Levik and Riya Shah of the Juvenile Law Center. Citizens, parents, and children spoke out, including Sandy Fonzo, who appeared before the Committee on Judiciary, and Laurene Transue. Finally, I have to acknowledge Chief Justice Castille, who has been an integral part in our efforts to work cooperatively to address juvenile corruption in Luzerne County.

Thank you, Mr. President.

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

Senator YUDICHAK. Mr. President, the juvenile justice scandal in Luzerne County, where judges committed racketeering and other offenses in connection with the incarceration of thousands of juvenile defendants, shocked the community and devastated the lives of thousands of families in northeastern Pennsylvania. The scandal's impact runs deep. In fact, it continues even to this day, as two former Luzerne County Court officials were sentenced today on Federal charges.

For countless children, the precious gift of childhood was shackled and lost. For a community, faith in justice was stripped away by two corrupt judges who believed their positions of judicial authority placed them above the law. The need to address corruption in our courts, specifically our juvenile courts, is imperative to restoring the public's trust in the rule of law. The citizens of Pennsylvania must again have faith in their judicial system.

Today, with the juvenile justice reform package before the Senate, I believe we will begin to heal the wounds of the "kids for cash" scandal, bring peace to the families who endured the

wrath of corrupt judges, and restore integrity to our courts. I want to thank and commend my dear friend, Senator Baker, for taking a leadership role on this issue. I am proud to join her as a co-sponsor of this package, and I am honored to stand with her today to ask for your support. I am also proud to join many of my Senate colleagues, especially the chairman of the Committee on Judiciary, Senator Greenleaf, who crossed political and geographic boundaries to unite behind sensible reform measures that strike at the heart of the Luzerne County judicial corruption scandal.

The damage that has been done to northeastern Pennsylvania families in Luzerne County may never truly be undone, but it is my hope that these legislative initiatives will bring peace to these families and insure that justice is never again denied to a juvenile in Pennsylvania. It is my sincere hope and desire that these legislative initiatives work toward rooting out public corruption and provide the families harmed by the juvenile justice scandal some measure of justice.

The public trust in the justice system must be restored. This package of bills is a great step in healing the wounds left behind by the despicable acts of these judges. I applaud, again, Senator Baker for taking up this charge, for recognizing the seriousness of this issue, and for moving these bills so swiftly to the Senate floor for a vote. I hope today that we move these bills forward, over to the House, and to the Governor's desk.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Alloway	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

NAY-0

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

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

SB 816 (Pr. No. 834) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for the Office of Victim Advocate and for powers and duties of victim advocate.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, extensive corruption has many unfortunate consequences for the community. The unprecedented review of the cases in Luzerne County, necessitated by the judicial misconduct, produced an unanticipated consequence. For a time, the original victims of crimes committed by juveniles were victimized again when the sentences were vacated. Last year, we acted to make sure that the original crime victims were not deprived of the restitution rewards to which they were entitled. This reflected obligation and responsibility.

Juvenile justice is a complex equation in which community protection and victim restoration are essential factors. Preventing another Luzerne County juvenile justice scandal requires more eyes looking at the process and more voices speaking out when that process strays from what it should be. The interbranch commission felt strongly that the circumstances in Luzerne County made a compelling case on the need for a statewide office of Juvenile Justice Victim Advocate. Even in tough economic times, this position is justified. It does more than differentiate right from wrong. It is designed to push for increasing reliance on strategies with promising outcomes and to discourage policies that work against restorative justice.

Over a decade and a half, Pennsylvania has emphasized giving crime victims an appropriate role in criminal proceedings. The Victim Advocate has been an effective player in securing and sustaining the interests of crime victims. In response to the regrettable events in Luzerne County, special attention must be given to the interests of victims of juvenile crime. Therefore, Mr. President, I rise to ask for an affirmative vote on Senate Bill No. 816.

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

Senator GREENLEAF. Mr. President, I rise to thank both Senators for their bravery, courageousness, and immediate action. Both were involved in this issue as soon as the facts were revealed to take whatever action they could take, whether it be a hearing, whether it be standing up and advocating for the rights of the juveniles, or whether it be introducing this series of bills that are supported by the juvenile justice system in Pennsylvania. They are outstanding bills. They will go a long way to make sure that this never happens again in Pennsylvania.

Also, I think it is important for us to note that Pennsylvania, nationally, has been known to have one of the best juvenile justice systems. This aberration that has occurred in Pennsylvania is being addressed by this legislation so that no individual jurist will ever be able to get away with this again. But I also want to make sure that we know that our juvenile judges in the State are some of the best. They are recognized as the best in the nation.

Our juvenile justice system and those supporting agencies are leaders. I have been to conferences where there have been juvenile justice issues and the national leaders have been present. In fact, last winter, in Washington, D.C., they had such a conference, and they were the leaders of those groups. They were from all over the nation, and our juvenile justice experts were there,

and they are leading the way. They have helped to draft this legislation and other legislation to continue to improve our system and continue to improve our laws.

You know, many times when something horrible happens, and we react to it, we can always turn something that is bad into something good, and this is a prime example of that. So, congratulations to both Senators for their actions, their courage, their foresight, and their diligence in bringing these bills to fruition.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Alloway	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

NAY-0

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

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

SB 817 (Pr. No. 1042) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for the use of restraints on children during court proceedings.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, there are many stories and many images from the Luzerne County corruption case that offend our sensibilities. A judge indiscriminately ordering the shackling of young people is a chilling example. Imagine the effect on a child 10, 11, 12 years old who is hauled into court for some act that really warrants nothing more than a stern talking to, to be put in shackles, handcuffs, attached to a thick leather belt, and carted away to detention. That had nothing to do with safety or security. It was an arrogant judge acting as a bully, meaning to humiliate and to break spirit.

The indefensible double standard of injustice was never more apparent to the community than the day when Judge Ciavarella was convicted of serious felony crimes; for he, the beneficiary of capable counsel and full due process, was neither restrained nor detained. As the interbranch commission stated in its report, "The use of shackles on children can be a demeaning and dehumanizing practice that is contrary to the philosophy of balanced and restorative justice and undermines the goals of providing treatment, rehabilitation and supervision for children."

Still, some question whether we need a law. There are a number of good answers to this, but perhaps the best is this contrast. We have all heard from constituents who are pushing a law to prevent dogs from being tethered in the backyard. Do we want any less legal protection for our kids in the halls of juvenile justice?

Thank you, Mr. President.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Alloway	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

NAY-0

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

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

SB 818 (Pr. No. 836) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for disposition information.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator BAKER. Mr. President, when you talk to the many conscientious and outstanding juvenile court judges across our

Commonwealth, you quickly learn that the philosophy, the practices, and the sentencing patterns in their courtrooms are far, far different from the deplorable Luzerne County experience under Judge Ciavarella. At least from a procedural standpoint, we can see what went wrong. In case after case, year after year, there was no substantial justification offered for the severe sentences imposed on juveniles. It came across as an overreliance on zero-tolerance policies and attitudes to all who were unaware of the financial considerations behind the corruption.

In the absence of oversight, the juveniles adversely affected became dozens, then hundreds, then thousands. Little respect was shown to them, few rights were accorded them. No reasoning was rendered for what happened to them. Kids were reduced to statistics, a collection of numbers into which no one felt compelled to look or for which to seek explanation. If juveniles are being sent into detention, they should know why. Their families should know why. The community should know why. How does a sentence relate to the offense? What is the result being sought? Why is an immature 12-year-old being thrown in with hardened teenagers?

Requiring the reasoning to be put on the record seems so commonsense, so fundamental, and so fair. But it is, out of necessity, something more: a way to red flag judicial misconduct in sentencing. The interbranch commission recommended that the Juvenile Act be amended to spell it out, and this bill will accomplish that goal. I urge an affirmative vote on Senate Bill No. 818.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

Alloway	Farnese	Piccola	Vogel
Argall	Ferlo	Pileggi	Ward
Baker	Folmer	Pippy	Washington
Blake	Fontana	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Brewster	Greenleaf	Scarnati	White Mary Jo
Browne	Hughes	Schwank	Williams
Brubaker	Kasunic	Smucker	Wozniak
Corman	Kitchen	Solobay	Yaw
Costa	Leach	Stack	Yudichak
Dinniman	McIlhinney	Tartaglione	
Eichelberger	Mensch	Tomlinson	
Erickson	Orie	Vance	

NAY-0

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

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

BILL OVER IN ORDER

SB 1000 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 299, SB 321, SB 341, HB 373, HB 374, HB 385 and SB 388 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 442 (Pr. No. 1750) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, prohibiting private transfer fee obligations; and providing for notice and disclosure of existing private transfer fee obligations.

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

BILL ON SECOND CONSIDERATION AND LAID ON THE TABLE

SB 469 (Pr. No. 1164) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 2, 1966 (1965 P.L.1860, No.586), entitled "An act encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts," providing for a short title; further providing for definitions; and making editorial changes.

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

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

SB 469 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 469, Printer's No. 1164, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT pro tempore. The bill will be placed on the Calendar.

BILLS OVER IN ORDER

SB 549, SB 626 and SB 635 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 638 (Pr. No. 646) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for definitions; and, in public assistance, providing for mileage reimbursement for individuals receiving methadone treatment.

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

BILL ON SECOND CONSIDERATION

SB 704 (Pr. No. 685) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 1947 (P.L.1046, No.447), referred to as the State Tax Equalization Board Law, further providing for board membership, for chairman's authority and duties, and for quorum and hearings.

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

BILLS OVER IN ORDER

SB 707, SB 709, SB 776 and SB 777 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 828 (Pr. No. 846) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for township manager.

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

SB 829 (Pr. No. 847) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for township manager.

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

SB 830 (Pr. No. 848) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for the office and powers and duties of a city administrator or manager.

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

SB 831 (Pr. No. 849) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for the office of borough manager and for powers and duties of a borough manager.

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

SB 832 (Pr. No. 850) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 24, 1956 (1955, P.L.1674, No.566), entitled "An act authorizing council of any incorporated town to create the office of town manager, and prescribe his powers and duties," further providing for the office of town manager and for powers and duties of a town manager.

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

BILLS OVER IN ORDER

SB 896, SB 957 and SB 967 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 986 (Pr. No. 1849) -- 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, further providing for powers and duties of secretary; and providing for reports.

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

BILL OVER IN ORDER

SB 995 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 1086 (Pr. No. 1282) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, providing for State-aid for 2011-2012.

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

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

BILLS OVER IN ORDER

SB 1096 and SB 1097 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND RECOMMITTED

HB 1352 (Pr. No. 1712) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for background checks of prospective employees and conviction of employees of certain offenses.

Considered the second time and agreed to,

Ordered, To be printed on the Calendar for third consideration.

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was recommitted to the Committee on Education.

THIRD CONSIDERATION CALENDAR RESUMED

SB 732 CALLED UP

SB 732 (Pr. No. 1185) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

SB 732 (Pr. No. 1185) -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating certain facilities which perform abortions; imposing powers and duties on the Department of Health and the Legislative Reference Bureau; and imposing penalties.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MENSCH offered the following amendment No A2643:

Amend Bill, page 1, lines 12 through 16; page 2, lines 1 through 4, by striking out all of said lines on said pages and inserting:

(1) A Philadelphia County investigating grand jury report has revealed systemic deficiencies in the manner in which the Commonwealth has regulated abortion facilities operating in this Commonwealth.

(2) These systemic deficiencies have led to horrific instances of bodily injury and death.

(3) The general public has a substantial interest in the comprehensive regulation of abortion facilities operating in this Commonwealth.

(4) Comprehensive regulation of abortion facilities reasonably serves the Commonwealth's substantial interests in protecting the health, safety and welfare of the general public.

(5) Regulation of abortion facilities that perform outpatient surgical procedures as ambulatory surgical facilities is necessary to cure the systemic deficiencies present in the current regulatory scheme.

(6) Use of outpatient surgical procedures in abortion facilities

is more likely to occur after nine weeks gestational age.

(7) Proper licensing and a system of random administrative inspections of abortion facilities operating in this Commonwealth are also a necessary part of any comprehensive regulatory scheme.

Amend Bill, page 2, line 6, by inserting after "the" where it occurs the second time:

health,

Amend Bill, page 2, lines 7 and 8, by striking out all of line 7 and "regulating abortion facilities operating in this Commonwealth" in line 8 and inserting:

welfare of the general public through the comprehensive regulation of abortion facilities operating in this Commonwealth

Amend Bill, page 5, line 6, by inserting after "facilities":

or, in the case of abortion facilities performing abortions after nine weeks gestational age, the regulations applicable to ambulatory surgical facilities promulgated under the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act

Amend Bill, page 6, line 10, by striking out "summary offense" and inserting:

misdemeanor of the third degree

Amend Bill, page 6, line 11, by striking out "\$250" and inserting: up to \$2,000, or to imprisonment for not more than six months, or both, for the first violation. On the second and each subsequent conviction, he or she shall be sentenced to pay a fine of not less than \$5,000 nor more than \$20,000, or to imprisonment for not less than six months nor more than one year, or both

Amend Bill, page 7, line 29, by striking out "less" and inserting:

more

Amend Bill, page 8, by inserting between lines 23 and 24:

Section 12. Setting of fees and disposition of fees.

(a) Setting of fees.--All fees may be fixed by the department by regulation and shall be subject to the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act. If the revenues raised by the fees imposed under this act are not sufficient to meet expenditures over a two-year period, the department may increase those fees by regulation so that the projected revenues will meet or exceed projected expenditures.

(b) Licensure Fee Account.--The Licensure Fee Account is hereby established as a restricted account in the General Fund. All fees shall be deposited in the Licensure Fee Account. Moneys in the account are hereby appropriated to the department for use in the performance of its duties under this act.

Amend Bill, page 8, line 24, by striking out "12" and inserting:

13

Amend Bill, page 9, by inserting between lines 7 and 8:

(3) Section 5(a)(1) shall take effect in 180 days.

Amend Bill, page 9, line 8, by striking out "(3)" and inserting:

(4)

On the question,

Will the Senate agree to the amendment?

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

Senator MENSCH. Mr. President, my amendment would change three provisions within Senate Bill No. 732, and would add a fourth. First, this amendment increases the penalty for operating an abortion facility without a license from a summary offense to a misdemeanor of the third degree. This grading mirrors most of the licensing statutes in Pennsylvania, including the Medical Practice Act, for practicing and operating without the appropriate license.

Secondly, Mr. President, this amendment corrects what I have been told was a drafting error. The amendment requires complaints pertaining to any professional licensed operation under the Department of State to be reported to the corresponding licensing board within 72 hours of the receipt, not after 72 hours, as is currently called for in the bill.

Thirdly, the department would be able, if they chose, to institute a fee upon license applicants. The fees would be required to go into a restricted fund and may only be used for licensing operations. This, too, is similar to other current licensing statutes. Lastly, this amendment would apply ambulatory surgical facilities requirements, promulgated under the Health Care Facilities Act, to abortion facilities performing abortions after 9 weeks of gestational age.

Like many, if not all of you, I read the initial newspaper reports about the Gosnell clinic in Philadelphia with shock and disbelief. How could anything like this happen? Then I sat through three public hearings where the Gosnell clinic was either the topic or became the major topic. I listened to the testimonies. I read the grand jury report. I reviewed the autopsy report from the coroner. And then I thought, how can we make sure that nothing like this happens again?

There is one thing the opponents of this amendment and I agree on, that what happened to the women who were treated at the Gosnell clinic was horrible, tragic, and absolutely preventable. Where we differ in our opinion is to what extent Senate Bill No. 732 will make women seeking abortion services safer in Pennsylvania. Senate Bill No. 732 does well in addressing major systemic failures on the part of government agencies to license and inspect abortion facilities that led to the ability of the Gosnell clinic to operate in the way that it did for as long as it did. But I feel that what Senate Bill No. 732 does not address is the actual standard of care that women who seek services from abortion facilities actually receive. My amendment would create a level of care which many women would honestly expect from these facilities, but this level of care is presently not required either by statute or by regulation.

Abortion facilities currently fall under regulations of ambulatory gynecological surgery in hospitals and clinics. These regulations recognize that there are inherent health risks to abortion procedures and aim to provide some safeguards, such as mandating that each medical facility has readily available equipment and drugs necessary for resuscitation, and that each clinic have a written transfer agreement with a hospital in case of a complication that warrants women needing emergency medical care. But let me discuss some of the safeguards that are not provided within these regulations.

One, there is no requirement for written instructions for pre-operative procedures, including procedures which include the administration of anesthesia. Two, there is no requirement for giving patients who experience a complication from the procedure any information regarding the condition and arrangements made for the treatment of the complication. If admission to a hospital is necessary, an abortion facility is not required to have a summary of care to accompany the patient. Three, there is no requirement for protocols for instructing patients in self-care after surgery. Four, there is no requirement that mandates procedures for the cleaning and care of equipment, and for the establishment of cleaning schedules.

These are among the requirements that ambulatory surgical facilities have upon them. Requiring abortion facilities to comply with our current ASF regulations when they perform abortions post-9 weeks would most definitely insure the health, safety, and welfare of women who obtain such surgical procedures.

Non-surgical abortions, which are when a doctor prescribes medication to end a pregnancy, are clinically approved up to 63

days of gestation and occur outside a doctor's office or abortion facility. So there is a medical recognition that some abortions can occur safely without direct supervision of a medical professional. It is not so with those post-9 weeks, considering they require a surgical procedure.

During the public hearings of the Committee on Public Health and Welfare on the issue of abortion facilities, we heard from an OB/GYN who routinely performs D&Es in cases of miscarriages, and who testified, in his professional opinion, that such procedures done up to and including 9 weeks could be done safely outside an ASF. Anything later, he personally uses an ASF because the complications increase, and the health of the woman is placed at risk.

Lasik is one of the most common procedures performed in an ASF. Of the nine complications that can arise from this surgery, seven may be treated by eye drops. Of the complications that can come from a surgical abortion, all require either treatment for infection, further surgery, stitches, hysterectomy, or blood transfusion. Yet, Lasik is more regulated in Pennsylvania than surgical abortions.

This issue is about women's health. The biggest lesson to learn from the Gosnell case is clear: The Commonwealth has not adequately made women's health a priority when it comes to abortion facilities. By applying the higher safety standards provided for under ambulatory surgical facilities and regulations to gynecological surgical procedures, we will take one giant leap forward from the substandard medical treatment many women are receiving today in Pennsylvania.

That concludes my remarks, and I encourage a "yes" vote on this amendment, Mr. President.

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

Senator KITCHEN. Mr. President, I rise to oppose this amendment. I find that this amendment is overreaching, and, actually, it will endanger a woman's right to choose. The Vance bill goes far enough to remedy the problems that were found with the issue of Dr. Gosnell in Philadelphia. I find that this amendment obstructs the law and will force women into backroom abortions again.

Mr. President, I think that if we can adopt the Vance bill, we will find out that this will take care of the problems that arose during the hearings. I ask my colleagues to vote against this amendment.

And the question recurring,

Will the Senate agree to the amendment?

VANCE AMENDMENT A2693 TO A2643 OFFERED

Senator VANCE offered the following amendment No. A2693:

Amend Amendments, page 1, line 22 (A02643), by striking out "nine" and inserting:

14

Amend Amendments, page 2, line 6 (A02643), by striking out "nine" and inserting:

14

On the question,

Will the Senate agree to amendment A2693 to amendment A2643?

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

Senator VANCE. Mr. President, this is an amendment to Senator Mensch's amendment--just to confuse everyone--to Senate Bill No. 732. I would much prefer that we were running Senate Bill No. 732 as a clean bill. It addressed what was necessary to make sure that the Department of Health, and in some regards, the Department of State, communicated with each other, and that there were very strict standards that have to be met by the clinics--that they would have unannounced inspections, that they would be licensed, and that there would be a great deal of care given to these clinics. In the oversight, the Department of Health failed. It failed a great deal.

As I said, it would be my preference to do this bill cleanly. That is not my option. Senator Mensch has offered an amendment that says that ambulatory surgical facilities would have to be used after 9 weeks. My amendment says that ambulatory surgical facilities would have to be used after 14 weeks. Is that my preference? No. The fact that I may have reached a good compromise is that both sides of this argument seem to not like it, so maybe that means that there is a compromise. Mr. President, 93.3 percent of all abortions in Pennsylvania are finished by 14 weeks.

Let us talk a little bit about ambulatory surgical facilities. It is very clear that if, in fact, we would adopt Senator Mensch's amendment, no freestanding abortion clinic in Pennsylvania could meet these standards, that they would indeed close down. They would have to move, stop offering abortion options altogether, or spend a great deal of money to try and reconform them.

I think one thing that is missing in this whole argument that we forget is that every clinic does not just do abortions. We are talking about thousands and thousands of women, poor women, usually, who get their only healthcare through these clinics. If, in fact, we force ambulatory surgical facility standards on these clinics, they will indeed shut down, and poor women will then lack very basic healthcare.

Now, there are a lot of arguments that I believe are sort of a facade, to say, oh, we need to give these women this standard of care. Not true. We are using this as a facade to close down these clinics. You will hear people talk later about the situation in Texas to refute what I am saying, but I have many articles here that say when, in fact, Texas did ambulatory surgical facilities, all but two of their facilities were forced to close. There is evidently a letter that says that is not true, but I have reams of information that say this is indeed true.

Again, we should go back to the original purpose of the whole thing. We were all horrified by what happened with the Gosnell clinic; horrified. But there are no ambulatory surgical facilities or anything else that would have affected him. He was an outlaw. He was a criminal. We want to make sure that this never happens again by putting standards on our Department of Health. That is what this should be about, the Department of Health doing the right thing.

I understand that this has come as a cover for those who do not like abortions. Regardless of your personal feelings, whether you like them or not, they are legal, and we need to do them and make sure that we do not allow criminals like Gosnell to continue to perpetuate. With strong oversight by the Department of Health, as it should be, we will be able to do this. So I ask for

your support of the amendment that would have it be 14 weeks before one would have to go to an ambulatory surgical facility. Help the people not be deprived of the healthcare they need to get and that we probably should provide, particularly the healthcare for poor women, for basic healthcare. I ask for a "yes" vote on my amendment.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Allegheny, Senator Orie.

Senator ORIE. Mr. President, just briefly, I rise in opposition to the amendment to the amendment. It is important to point out that the abortion providers, in the grand jury report, if you look at pages 162 to 163, agreed with the recommendation to be held to the same standards as ambulatory surgical facilities. In addition, Mr. President, the only aspect of these ambulatory surgical facilities that would be closed down if they did not meet this would be the surgical procedures of abortion itself, not other women's health services that are provided. With that said, Mr. President, I rise in strong opposition to this amendment.

And the question recurring,

Will the Senate agree to amendment A2693 to amendment A2643?

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

YEA-20

Baker	Dinniman	Kitchen	Tartaglione
Blake	Farnese	Leach	Vance
Boscola	Ferlo	McIlhinney	Washington
Brewster	Fontana	Schwank	White Mary Jo
Costa	Hughes	Stack	Williams

NAY-29

Alloway	Gordner	Rafferty	Waugh
Argall	Greenleaf	Robbins	White Donald
Browne	Kasunic	Scarnati	Wozniak
Brubaker	Mensch	Smucker	Yaw
Corman	Orie	Solobay	Yudichak
Eichelberger	Piccola	Tomlinson	
Erickson	Pileggi	Vogel	
Folmer	Pippy	Ward	

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 amendment A2643?

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

Senator FARNESE. Mr. President, I want to speak as briefly as I can. I know the hour is getting late here. Just so everybody is clear, in the last 24 hours, we have systematically and intentionally dismantled a woman's right--legal right--to access healthcare, not just an abortion. Because as the previous speaker very eloquently articulated, this is not just about a woman's right to seek an abortion.

This Chamber has systematically and intentionally gone after a woman's right to access healthcare, including, but not limited to, a legal right to pursue an abortion. And please, do not kid

yourself with this Gosnell issue. Because what you have to accept is that by passing the Mensch amendment, you are turning the clock back and literally perpetrating exactly what went on in Philadelphia with regard to Gosnell.

This amendment is not going to help us, Mr. President. It is going to hurt women. Let me say that again, and I will be very clear about this. The Mensch amendment does nothing to reform healthcare. It denies, and it hurts. We were not sent here to hurt people. We were not sent here to perpetrate the destruction of legal rights that have been given to the citizens of the Commonwealth of Pennsylvania. That is not what we are here to do. Yet, this Chamber, for some reason, in less than 24 hours, has done exactly that, yesterday with Senate Bill No. 3, and today with the Mensch amendment.

And my third point: what does this say about this Chamber's priorities? We know it is budget season. We are all talking about how important it is to get a budget done on time. Yet, where do we focus our attention? In the months and weeks of June, as we look at the Calendar--it is not March anymore; it is not April anymore; it is June--and where do we focus our effort, our time, and our attention? In the last 24 hours, we have decided to put that attention and time into going after a woman's right to healthcare. Now, some would say that it just follows suit, because we did it in February, when we took 41,000 people off of adultBasic. We are just following suit. I do not think that is the way we should be going.

We have a priority problem, Mr. President. We have a priority problem. Our priority should not be limiting women's access to healthcare. It should not be taking people who are on healthcare coverage, off. That is not where we should be focusing our time and attention. If we are truly concerned about getting a budget passed on time, if this administration is truly concerned about getting people back to work, then there is no possible way this administration could support what we have done in the last 24 hours.

So let us be clear. It is not about making abortion clinics better or safer. It is about closing them down. That is what this amendment will systemically do. Approximately 20-some clinics across the State of Pennsylvania, if this amendment passes, will have to be closed because they cannot comply with the regulations. We will systematically take away what the Supreme Court has said is legal. Is that what your priorities are in this building? Is that what you were sent here to do? I was not.

I agree with the previous speaker. I understand that the issue of abortion has views on both sides, and it is not about that. But do not go after someone's right to what is legal and cloak it in reform, because that just does not go. If you are going to get up and talk about it, say what it is. We are trying to take away a woman's right to get an abortion, and we are going to do it through a backdoor amendment.

So, Mr. President, I felt compelled this afternoon to rise and speak on this. Not for as much as I feel about the issue of abortion--I have been very clear on where I stand with a woman's right to choose. I have always supported that. But I feel more importantly about the process, because there are a lot of people in this room who talk about reform and transparency. You had better get your Constitutions out, because this is not reform, and this is not transparency. We have been here before. And this is not, Mr. President, what we were sent to do. I urge a "no" vote.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Allegheny, Senator Orié.

Senator ORIE. Mr. President, I rise in support of the Mensch amendment to Senate Bill No. 732. In January, a Philadelphia grand jury report was released, letting loose details so sick, so revolting, that the death penalty is being sought. Women, some of the most destitute in our society, were in a terrible situation and were preyed upon by evil. For years, this house of horrors was overlooked, despite many violations. The blame is widespread, but today we attempt to correct the wrong through Senator Mensch's amendment.

There are several approaches we can take. One is to enact Senate Bill No. 732, a first step by Senator Vance, the chair of the Senate Committee on Public Health and Welfare. I appreciate her efforts. I commend her and Senator Tomlinson for exposing the lapses in this system, but Senate Bill No. 732, the Department of Health Abortion Facility Oversight Act, would establish a licensing, inspection, and complaint process for abortion facilities, but would continue to exempt abortion facilities from the health and safety standards for ambulatory surgical facilities that the grand jury report investigating the Gosnell clinic recommended.

The other approach is the Mensch amendment, which was modeled after legislation that passed overwhelmingly in the House, 148 to 43. The Mensch amendment would require that abortions conducted after 9 weeks be conducted in a facility with the same commonsense standards as an ambulatory surgical facility. It is important to point out that the abortion providers in the grand jury report, pages 162 to 163, agreed with the recommendations to be held to the same standards as ambulatory surgical facilities.

The Mensch amendment would address deficiencies in Senate Bill No. 732 which, standing alone, cause great concern, and it would address issues that Senate Bill No. 732 creates in regard to the safety and welfare of women. I would like my colleague from Philadelphia to understand, this is a priority. Quite frankly, it is about life-and-death issues, and is a priority that deserves preference over the budget at this time, especially when it can cause more deaths. And when you look at the Gosnell case, it was a teenager as well as children.

So my concerns, which I believe the Mensch amendment will address, will show that this is not about pro-life/pro-choice. For me, this issue is about women's health, safety, and welfare. This bill states that in order to be licensed, the abortion facilities have to comply with the act. It does not mean they actually need to comply with the act, but only show they are able to comply with the act.

When you look at Section 3(c)(1), subpart (ii), it says "Compliance with statutory and regulatory requirements." So even if they are not actually in compliance with the department, but they are able to in the future, they can be licensed. And the question I ask in regard to women's health and safety is, how does a woman who is going to seek these services know if they are in compliance or if they are able to be in compliance in the future? Does that woman who is seeking those procedures not have a right to know definitely that they comply? In essence, if you look at this "able to comply" language, Gosnell would have been able to comply in the future as well.

The next concern I have is with the annual inspections. In Section 4, it states that there will be "one unannounced inspec-

tion of each abortion facility." Yet, it does not say to what standards that will apply. If it applies to current standards, I have great concerns. The grand jury report indicated one subsection of present regulations is inadequate protection for a woman's health and safety.

And if you look at Section 10 of the bill, it states that only "Existing regulations...not clearly inconsistent"--**and I emphasize that--**"with the provisions of this act shall remain in effect...." So, in fact, abortion facilities will be subject to less regulation until, and if, the Department of Health decides to promulgate more regulations. If the department is to promulgate new regulations, then I would ask where in this bill--in Section 5, it says only to create new regulations for new complaints, not regulations to address the health and safety of women. Again, it would be less oversight of these abortion facilities than exists now, less regulations than were in place when Gosnell was able to murder a woman and children.

In addition to that, Section 5(a)(4) states that illegal actions include "Gross incompetence, negligence or misconduct in operation of the abortion facility." My question is, does that mean administrative operations in reporting guidelines they are currently subject to, or does that mean the actual procedures that are performed in these facilities? And what are the penalties if the department finds that this abortion facility, like Gosnell, was grossly incompetent?

What is the fine for this? The fine for it is \$250. And let me explain to you, when we talk about grossly incompetent conduct in an abortion facility, we are talking about a woman who may have a punctured uterus, a woman who has transmissions of STDs, or a torn cervix. And guess what the relief is for that woman, a woman who has been maimed? A \$250 fine.

And my question is, although this does not actually allow for private cause of action, instead it has administration, it spells out the penalties, and they are only administrative. My biggest concern about this--and every one of you should have a red flag about this--is the Commonwealth courts have held, under mandatory reporting statutes, which this bill is without the Mensch amendment, Title 23 does not allow for private cause of action because the legislature does not permit it. So guess what? This woman, who has been maimed with the transmission of an STD, a cervix that has been torn, or a punctured uterus, there is a \$250 administrative fee, and there is no cause of action for that woman.

Now, I do not know, based on the previous speaker's statement about how this is pro-life/pro-choice--I have yet to hear one item that shows that. For me, it is about health, safety, and welfare. How can anybody, with good conscience, allow a woman who has been maimed no cause of action? In addition to that, I want to stress that this compliance language that says "able to comply," again, Gosnell's clinic was able to comply with this act, but he chose to go for the money instead.

In addition to that, the grand jury states that the Department of Health created this loophole for abortion facilities not to be licensed as ambulatory surgical clinics and that, on page 133, "Pennsylvania's Department of Health has deliberately chosen not to enforce laws that should afford patients at abortion clinics the same safeguards and assurances of quality health care as patients of other medical service providers." Guess what? Even nail salons in Pennsylvania are monitored more closely for client safety right now than exists with these abortion clinics.

This bill, without the Mensch amendment, will continue the loophole and not require any new regulations. The legitimate abortion providers who testified before the grand jury told us they already complied with standards as demanding as those for the ambulatory surgical facilities. If you look at pages 162 and 163 of the grand jury report, they said they are meeting those. So you cannot be meeting those and then say you are going to close down at the same time.

This bill does less to protect women who need the services of abortion providers, less to keep them safe, less to keep them informed of providers who fail to meet even the bare-bones current regulations, and less to have the Department of Health take an active role in the monitoring and regulation of these facilities than present law does. After Gosnell, why would any of us want to do less for women? If we are truly concerned about women's health, we will insure that those clinics that perform abortions after the 9-week gestation period do so in a safe setting, where written, signed orders are insured, where written transfer procedures are in place with hospitals, where post-operative care is observed, rather than supervised, and patients are provided privacy in pre-operative and post-operative areas.

Mr. President, you did hear allusion to the fact of Texas and the horrible situation that occurred there. I would like to share with you a letter from Marc Allen Connelly, Deputy General Counsel, Texas Department of State Health Services. The letter states:

The Texas Abortion Facility Reporting and Licensing Act, as referenced below, does not currently have any type of requirements that Pennsylvania is considering--**with the Mensch amendment or with--** Pennsylvania House Bill No. 574.

Regarding the ACLU statements and Planned Parenthood statements, there was no bill passed in the 2003 legislative session that required Abortion Facilities to comply with the Texas Ambulatory Surgical Centers (ASC) licensing and regulation statutes, nor am I aware of or able to verify any legislation which may have caused 18 of 20 abortion providers to close in 2004.

If you review the Texas Abortion Laws and Rules, you will see all the requirements regarding abortion facilities and staffing. Specifically, Section 245.010 of the statute sets out the minimum standards for such facilities.

There are currently 41 licensed abortion facilities in Texas.

The number of facilities that reported abortions in 2009:

Abortion Facilities - 43

Ambulatory Surgical Centers - 5

Hospitals - 26

Physicians - 2

So do not allow this thing about we have all of this information we are going to provide to you, when we actually have a letter from the Texas Department of Health saying nothing like this exists. It is wrong to inflame this issue. It is wrong to use inaccurate information to make this argument. Today, we need to right a wrong, right a wrong where a teenager and children were killed. And the only way you right that wrong is by voting "yes" on the Mensch amendment, and not being led astray that this is about pro-life/pro-choice, and destroying a woman's right to choose. For me, this issue is purely about women's safety and welfare, and that is what it should be focused on. No more rhetoric, no more inflammation, and no more distortion of actual facts.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, very briefly, I do agree with the previous speaker's one comment about Texas. I wish we would be more like it and tax Marcellus Shale.

But the truth of the matter, Mr. President, is that the issue is not as much about abortion as it is about limiting a woman's right and access to healthcare. There is no question that if this amendment passes, women in Pennsylvania will find it more difficult, more obtrusive to obtain a legal abortion. Also, as previously articulated, not by me, but by a speaker on the other side of the aisle, who did it much more eloquently than I can, who framed the issue very, very succinctly and very, very clearly when she said this is about healthcare. It is about access to healthcare, not just about a woman's right to get an abortion.

Numerous times throughout the previous speakers' comments, there was a flip-flopping between Senate Bill No. 732, the actual bill itself, and the amendment. Two wrongs, Mr. President, have never, ever, ever made a right. There is no question that what happened in Philadelphia with Gosnell was wrong. We understand that. But you do not solve a problem by creating another one.

If you vote "yes" on the Mensch amendment, not only will you limit a woman's legal right to healthcare, but you will exacerbate a problem and create a trail of Gosnells across the Commonwealth of Pennsylvania. That is the truth. That is not inflamed.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, respectfully, I want to refer back to the so-called Mensch amendment, as well as the elaborate oratory of my colleague from Cranberry Township, whom I respect, but I do find the amendment and subsequent oratory to be disappointing, disingenuous, and actually quite dangerous to the health of thousands of women in our Commonwealth. I am not going to comment on Texas, focusing in on our obligation and authority as elected officials within the great State of Pennsylvania.

The fact of the matter is, the original bill, Senator Vance's Senate Bill No. 732, would in fact have licensed and regulated to a greater extent abortion providers throughout Pennsylvania, placing into statute the new complaint system and inspection process established--and supported, at least ostensibly, by the Governor's administration, most notably by the Secretary of Health--in response to a tragic and horrific incident and subsequent grand jury report, although that incident is directly unrelated to the issue at hand.

The Mensch amendment, however, as far as I am concerned, will greatly endanger patient safety in Pennsylvania by making safe, legal abortions inaccessible and unaffordable for most Pennsylvania women. So, in fact, the Mensch amendment, to me, stands logic on its head and is topsy-turvy. It would actually have the net effect of forcing individuals out of safe, legal clinics.

Again, I want to reiterate how important these clinics are throughout the Commonwealth, including not only the urban communities, but many of our rural, smaller counties. The fact of the matter is, thousands of women will frequent these facilities, and the services provided there, in small percentage, are abortion-related, but there are other extensive primary and repro-

ductive contraceptive care counseling services, various types of primary, secondary healthcare services provided at these facilities.

The fact of the matter is, this is about the continued debate about abortion, because the intent of the amendment and subsequent comments is to basically shut down the 20 or so clinics that are currently, and have been, since probably the mid-70s, providing safe, legal abortions throughout our Commonwealth. So it is everything about that. It has nothing to do with the so-called Gosnell incident. It is yet another attempt to really disingenuously state that abortion facilities have little to no regulations in Pennsylvania, and again, they have cynically used the Gosnell case to pursue what amounts to an anti-abortion agenda.

So I think we should at least be honest and clarify what this debate is really about. I totally oppose the Mensch amendment. It would shut down very vital services. I know in my own three-county Senate district, there are a number of facilities, and again, I want to reiterate the importance of these clinics in terms of the services that they provide, which is not limited to direct abortion services, but a host of other important reproductive and healthcare rights of women as well as men. Hundreds, if not thousands, of men also frequent these clinics and receive counseling and other types of services. The LGBT community avails themselves to these clinics. Men avail themselves to the clinics for STDs and other related health needs. This will be the death knell to the operation of these clinics.

I support the original intent of the legislation by Senator Vance. I appreciate her leadership and hard work for putting into legislative statute suggested regulations. But the so-called Mensch amendment really undermines and will actually make healthcare, which is safe and legal, unsafe, and will drive individuals outside of the State and will actually have the reverse effect.

I think that is really what the intention is, to continue to victimize women and to continue to try to wage this battle on the abortion issues, which, again, it is safe, it is legal, it is constitutionally protected, and current abortion clinics have more regulations than we can think of, including the constraints of the Abortion Control Act and countless other regulations which I can quote. So I obviously urge a "no" vote on the Mensch amendment. Thank you.

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

Senator HUGHES. Mr. President, I rise, obviously, to speak in opposition to the Mensch amendment. And I speak so in the context of having some very specific knowledge about, I guess, the context with which this whole discussion comes up, which is in the context of the atrocities that were permitted by Gosnell. And I will do my best not to call him a doctor, Dr. Gosnell, because there is no way, in any shape or form, that he was operating under the concepts of how a physician should perform any kind of healthcare services.

I think the context is important, Mr. President, because this whole discussion comes out of the activities of this one individual, Gosnell. Folks need to understand that Gosnell, on his best day, is an aberration. On his best day, Mr. President, Gosnell is an aberration to what we normally term as a provider for any kind of healthcare services, especially any kind of reproductive

healthcare services. What Gosnell was doing at that location, which happens to be in my district, is an atrocity at the highest order. Even a casual reading of the grand jury report, which we know relatively well, would indicate that what was going on there was, as I said, at best an aberration, and clearly an atrocity.

Gosnell was found out because he was one of the largest traffickers of prescription drugs. He was found out by the U.S. Department of Education because of other activities. They found out about his practices as a result of investigating of other activities in which he was involved at that facility at 38th and Lancaster Avenue.

So, what we have here is a situation, Mr. President, where an amendment and a series of activities have occurred around an issue created by an aberration, at best, Gosnell, who no one can find anyone close to providing any similar kind of services, not just here in the State, but probably in the country. No one can find anyone close. So, we are trying to, with this amendment, deal with an issue that really does not call for this kind of amendment. Because Gosnell is, as I said, at best an aberration. What he was doing was beyond the pale, and there is no other indication anywhere that any facility is coming anywhere close to what Gosnell was doing.

So, as the previous speakers have indicated, it seems that there is another agenda that may be afoot here. The other agenda, however--and maybe it is an issue of unintended consequences, but should this amendment become law in the Commonwealth of Pennsylvania, we put ourselves in a situation of increasing the barrier to healthcare services for low-income women.

It has been reported, researched--we have had public testimony in numerous, different environments, here in Harrisburg and across the State--that if certain actions were to occur consistent with this particular amendment, the cost of providing the services that the 22 facilities currently in Pennsylvania provide--which have essentially no record of problems, and absolutely nothing coming close to Gosnell--that the cost of providing those services would become so high that those services would no longer be able to be provided. And in fact, if those services cannot be provided, the women who seek those services will not have access to them in their community.

And what would be the result of that? The result of that, in fact, would probably be an increase in the historical term known as "back-alley abortions" or back-alley services, because the traditional service providers would have to essentially shut down their operation. As a result of shutting down their operation, low-income women would have no place to go except to someone who probably would be in a position to set up, as we called it years ago, a back-alley operation.

We lose sight of the fact, Mr. President, that these facilities, these 22 facilities that exist across the Commonwealth, provide more than just abortion services. They provide health screenings, Pap smears, and cervical cancer testing. They perform all kinds of healthcare services to help and assist low-income women and others to get access to high-quality healthcare services. Should the Mensch amendment become law, more than likely, these facilities would have to shut down, and women would be trapped in a situation where they would not have access to what have historically been quality services.

So here we are, Mr. President, thinking we are doing good on one side, but we are, in fact, creating an environment where those who need these services will no longer have access to

them. And therein lies the rub. Gosnell was an aberration at best. He performed atrocities on hundreds, if not thousands, of individuals. The grand jury report is clear on that. The grand jury report also indicated that they want action by the State, and the State began a process when we became aware of what was going on to take action. But now we are treading from appropriate action into an area that can only have negative consequences, which are shutting down the services, shutting down these providers, and putting these women in an environment where they have no access. Hopefully, that is not what we want to happen.

Hopefully, we want all women in the Commonwealth of Pennsylvania, especially those at the lower income of the economic scale, hopefully we want them to have the highest quality care available to them in their immediate neighborhood. Hopefully, that is what we want. However, this amendment that we are discussing right now would create a barrier where the provision of those services would no longer be available, and that is a mistake. I really do not think that is what we want the consequences to be on this issue.

Thank you, Mr. President.

And the question recurring,
Will the Senate agree to amendment A2643?

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

YEA-31

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Blake	Greenleaf	Robbins	White Donald
Browne	Kasunic	Scarnati	Wozniak
Brubaker	Mensch	Smucker	Yaw
Corman	Orie	Solobay	Yudichak
Eichelberger	Piccola	Tomlinson	

NAY-18

Boscola	Ferlo	McIlhinney	Washington
Brewster	Fontana	Schwank	White Mary Jo
Costa	Hughes	Stack	Williams
Dinniman	Kitchen	Tartaglione	
Farnese	Leach	Vance	

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

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

Senator FERLO offered the following amendment No. A2129:

Amend Bill, page 4, by inserting after line 30:
(d) Privacy.--The department shall conduct its inspection in such a way so as not to delay, disrupt or interfere with patient care or jeopardize patient safety and privacy.

Amend Bill, page 8, line 2, by striking out all of said line and inserting:

- The following shall apply:
- (1) Information regarding complainant and patient identity Amend Bill, page 8, by inserting between lines 5 and 6:
 - (2) The department shall at all times respect the privacy of patients and patient records which shall be subject to the Health Insurance Portability and Accountability Act (HIPAA) of 1996 (Public Law 104-191, 110 Stat. 1936).

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

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

Senator FERLO. Mr. President, just very briefly, I hope that this will be supported. It would make sure that we assure the privacy and patient confidentiality regarding any inspections and records, certainly pursuant to maintaining our obligations under the Federal HIPAA law of 1996. Thank you.

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

It was agreed to.

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

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators BLAKE, BOSCOLA, BREWSTER, COSTA, DINNIMAN, FARNESE, FERLO, FONTANA, HUGHES, KASUNIC, KITCHEN, LEACH, SCHWANK, SOLOBAY, STACK, TARTAGLIONE, WASHINGTON, WILLIAMS, WOZNAK and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 136**, entitled:

A Resolution congratulating Sukanya Roy on winning the Scripps National Spelling Bee.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, each year, we have the privilege to watch many Pennsylvania athletes perform at extraordinarily high levels on ESPN. But not since 1987 have we watched a Pennsylvania student outlast and outspell the rest of the competition like Sukanya Roy did last week at the Scripps National Spelling Bee.

Sukanya, an eighth-grade student at Abington Heights Middle School in my district, became Pennsylvania's seventh Scripps National Spelling Bee champion by correctly spelling "cymotrichous" in the final round. A perennial winner of the Northeast Pennsylvania Regional Spelling Bee, Sue, as she is known to her friends, had in two previous years finished in 20th place and 12th place in the National Spelling Bee. I extended an invitation to Sukanya to join us here in the Senate, but our hometown champion is in the midst of a national media blitz that included a stop with "Live with Regis and Kelly," and will conclude tomorrow with a visit to the White House to meet President Obama.

I also want to take a moment to congratulate Joanna Ye, an eighth-grader at Lambertton Middle School in Senator Vance's district, for finishing in third place in the Scripps National Spelling Bee. Pennsylvania students were extremely well represented in the Scripps National Spelling Bee. This is a tribute to the quality of education provided by our schools, the nurturing support

and encouragement of their parents and family, and the focus and dedication of our students in meeting their goals.

We look forward to rooting on more of our bright young students in next year's competition. This year was Sue's last opportunity to compete, so it is very special that after 3 years, she was able to achieve the title Scripps National Spelling Bee Champion. So, congratulations to Sukanya. Your outstanding personal commitment and your academic achievements have made all of Pennsylvania very proud. I leave the resolution at the desk for any of my colleagues who wish to cosign.

Thank you, Mr. President.

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

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

Senators BAKER, ARGALL, BREWSTER, BRUBAKER, DINNIMAN, ERICKSON, FARNESE, FERLO, FONTANA, GREENLEAF, HUGHES, KASUNIC, KITCHEN, MENSCH, ORIE, PILEGGI, PIPPY, RAFFERTY, ROBBINS, SCARNATI, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, VOGEL, WASHINGTON, D. WHITE, M. WHITE, YAW, YUDICHAK, SCHWANK and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 137**, entitled:

A Resolution designating the week of June 12 through 18, 2011, as "State Veterans' Homes Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I offer my remarks for the record. I just want to speak on behalf of our veterans homes, and as a board member of the Gino J. Merli Veterans Center in Scranton, it is a privilege to work with the staff and those who really look out for the care of our aging veterans in the Commonwealth.

Thank you, Mr. President.

The PRESIDING OFFICER. As a member of the Advisory Council of the Southeastern Veterans Center, the Chair joins with the gentlewoman on the fine work our veterans centers do. Thank you.

The remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentlewoman from Luzerne, Senator BAKER:)

Mr. President, I am honored to speak on behalf of Pennsylvania's six veterans homes as we declare June 12 to 19, 2011, "State Veterans' Homes Week." As a board member of the Gino J. Merli Veterans Home in Scranton, I have had the privilege of witnessing firsthand the services rendered by these homes and their staff. They have difficult jobs, but they each have a higher purpose rooted in patriotism. That higher purpose motivates them to be great in every patient room, every day.

It is appropriate that a veterans home should bear the name of Gino Merli. Gino Merli was a Scranton native and a coal miner's son who participated with uncommon valor in both the D-Day invasion and the Battle of the Bulge. For his courage in the face of German attacks, he was awarded the Medal of Honor, two Purple Hearts, and the Bronze Star. His life was the inspiration behind Tom Brokaw's book "The

Greatest Generation." He is emblematic of our veterans and the homes dedicated to serving them.

In addition to the Gino Merli home in Scranton, the Commonwealth also operates veterans homes in Erie, Hollidaysburg, Philadelphia, Pittsburgh, and Spring City, all working to serve our greatest generation and each following generation preserved by their sacrifices. The workers in the State's six veterans homes care for the ill and disabled, and those with specialized needs, optimizing their independence and preserving the dignity they so richly deserve. They faithfully serve veterans who are unable to afford private care but who are ineligible for assistance from either Medicaid or the Federal Department of Veterans Affairs.

These homes play a valuable role in our spectrum of veterans services, from those first days after discharge to the final days of their heroic lives and beyond. As we honor our veterans homes and the brave soldiers and airmen cared for within their halls, I encourage everyone to visit a veteran and thank a hero.

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 Joshua Aaron Carter, George E. Flanagan III, Nicholas Shane Kunkel and to Kowalonek's Kielbasy Shop of Shenandoah by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Richard B. Dubs, Mr. and Mrs. Hal Hoff, Mr. and Mrs. Thomas Traver, Betty Miller Lubinski and to Sea Scout Ship 90 by Senator Baker.

Congratulations of the Senate were extended to Matthew Planer by Senator Blake.

Congratulations of the Senate were extended to Mr. and Mrs. James Frances Tretter and to Grant Emerson Haines by Senator Boscola.

Congratulations of the Senate were extended to First Sergeant Nathan D. Billips by Senators Boscola and Mensch.

Congratulations of the Senate were extended to Brendan D. Demich by Senator Brewster.

Congratulations of the Senate were extended to Dr. Maria V. Ghetu, Justin Ronald Davis and to the Ukrainian Medical Association of North America by Senator Browne.

Congratulations of the Senate were extended to MKSD Architects of Allentown by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. John Edwards, Mr. and Mrs. Wilmer Shelly, B.R. Kreider and Son, Inc., and to Ephrata Area Social Services by Senator Brubaker.

Congratulations of the Senate were extended to Sam S. Smucker and Sons, Inc., of Lancaster, by Senators Brubaker and Smucker.

Congratulations of the Senate were extended to Shelby Barnes by Senator Corman.

Congratulations of the Senate were extended to April Warble, Alexandra Warble and to David Alan Cook by Senator Costa.

Congratulations of the Senate were extended to Mary Pat Knauss by Senator Dinniman.

Congratulations of the Senate were extended to Melmark of Berwyn and to GREENandSAVE.com of Devon by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Zach Rutherford and to Zeb Wagner by Senator Eichelberger.

Congratulations of the Senate were extended to Joseph H. Jacovini by Senator Farnese.

Congratulations of the Senate were extended to Jeannine M. Martilla and to Barbara Tanner by Senator Gordner.

Congratulations of the Senate were extended to the Warminster Township Public Library by Senator Greenleaf.

Congratulations of the Senate were extended to Arthur Rubenstein by Senator Hughes.

Congratulations of the Senate were extended to Brian Lorenzo, Charles Taylor, Michael Hand, Christopher Dougherty, Jermaine Davis, Roslyn Downing, Julianne Bruhns, Shane Getz, Sellus Motley, Sylvester Burton, Bernard Ford, John Swift, David Rausch, Christine Lardon, Ezequiel DaSilva, Charlton Medley, Brian Deal, Andrew Brown, Seth Berman, Christopher Binns, James Wagner, Francis Whalen, Michael Mocharnuk, Charles Tuttle, William Stewart, Lawrence Belitsky, Michael Jackson, Harry Downey, Edward Wrenn, Franchot Robinson, Kevin Perry, Rodney Wright, Wali Shabazz, Tyshaan Williams, Francis O'Brien, Sean Hart, Michael Murphy, Terrence Black, Joseph Negler, Donald Eccleston and to David Benvignati by Senator Kitchen.

Congratulations of the Senate were extended to Relay for Life of Easton by Senator Mensch.

Congratulations of the Senate were extended to Margo Malone, North Allegheny Senior High School Boys' Volleyball Team, North Allegheny Senior High School Girls' 3200-Meter Relay Team, Hampton High School Boys' Lacrosse Team, North Hills High School Girls' Lacrosse Team, Deer Lakes High School Boys' Volleyball Team, Seneca Valley High School Boys' 1600-Meter Relay Team and to the Seneca Valley High School Girls' Lacrosse Team by Senator Orie.

Congratulations of the Senate were extended to the Duquesne University School of Law by Senator Orie and others.

Congratulations of the Senate were extended to Dennis W. Felty and to Middletown Lodge 410, Loyal Order of Moose, by Senator Piccola.

Congratulations of the Senate were extended to Mr. and Mrs. David Dayton and to Mr. and Mrs. Donald E. Clark by Senator Robbins.

Congratulations of the Senate were extended to Mr. and Mrs. Leonard Lovenduski by Senator Scarnati.

Congratulations of the Senate were extended to Virginia Hand and to Gregory S. Selmer by Senator Schwank.

Congratulations of the Senate were extended to Mary L. Karl by Senator Smucker.

Congratulations of the Senate were extended to Shatori Walker-Kimbrough, Jessie Merckle, Jaisen Irwin, Dustin Fuller, Robert J. Coury, Mike McClelland, Monessen High School Boys' Basketball Team, Washington High School Boys' 1600-Meter Relay Team and to the Ringold High School Boys' 400-Meter Relay Team by Senator Solobay.

Congratulations of the Senate were extended to Juan Carlos Romero, Carlos Joaquin Ruiz, Eleuterio Lopez and to Antonio Francisco Bastardo by Senator Tartaglione.

Congratulations of the Senate were extended to George Collins, Karen Nina Klingerman and to Heritage Creek of Warwick by Senator Tomlinson.

Congratulations of the Senate were extended to Paul Kovalesky and to Travis Court by Senator Vogel.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Ashe, Mr. and Mrs. Silvio Andreassi, Mr. and Mrs. Walter Kline and to Dennis W. Culley by Senator D. White.

Congratulations of the Senate were extended to Matthew McWilliams and to Tyler Jeffrey Yost by Senator M.J. White.

Congratulations of the Senate were extended to Doris Gardner by Senator Yaw.

Congratulations of the Senate were extended to Catherine M. Trzcinski and to Bob Memory by Senator Yudichak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Joseph F. Rocks by Senator Hughes and others.

Condolences of the Senate were extended to the family of the late George W. Taylor by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Sister Mary Vera Bartley by Senator Orie.

Condolences of the Senate were extended to the family of the late Maurice Burston by Senator Piccola.

Condolences of the Senate were extended to the family of the late Staff Sergeant Edward Mills, Jr., by Senator Vogel.

BILLS ON FIRST CONSIDERATION

Senator VOGEL. 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 117, SB 349, SB 361, SB 458, SB 550, SB 1095, HB 140, HB 148 and HB 960.

And said bills having been considered for the first time,

Ordered, To be printed on the Calendar for second consideration.

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, I want to take this opportunity to add a few comments for the record. Going back to the debate that we just had on the Mensch amendment to Senate Bill No. 732, in the interest of moving the vote along, I chose to make my comments now instead. There was a lot of hyperbole. There were a lot of comments made, very emotional words used, such as, it was overreaching, we are limiting a woman's right to choose, that we are limiting the right to access healthcare, closing down abortion clinics, that we would only be hurting low-income women, that we would be closing all clinics. Mr. President, there is no data to suggest that any of this is true. Let me just offer a few comments as to why I believe that we are actually improving the access for women's healthcare.

Today, there are 22 abortion clinics in the State of Pennsylvania. Yet, there are 267 ambulatory surgical facilities. If the regulations for an ASF were so restrictive, Mr. President, we would

not have 267 additional facilities. But we have 267 facilities because there are laws and regulations that are relatively easy to comply with. Anyone wanting to do an honest, sincere, health-attaining service in Pennsylvania can attain the ASF standards.

In fact, Mr. President, the right to access healthcare was raised several times. The Mensch amendment dealt with gestation after 9 weeks. It is widely recognized in the State that 60 percent of all abortions occur in the first 9 weeks. That means that we have not restricted access for at least those 60 percent, right off the bat. Furthermore, Mr. President, there is absolutely no empirical data--and we have asked for the data from the industry--we have gotten no data to suggest that we would close, in any way, any facilities. So I just wanted to add those comments for the record, Mr. President. I do believe in my heart that the intent of the Mensch amendment to Senate Bill No. 732 was to strengthen the bill in the interest of women's healthcare.

Thank you very much.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, it was not my intention to speak today on the issue of Senate Bill No. 732 and the subsequent comments of my colleague from Montgomery County, but I would be remiss if I did not stand up to recognize and, quite frankly, make certain that the positions to which he made reference and the comments that were made by the gentleman about the manner in which the legislation would be described and the impact or the consequences of its implementation in this Commonwealth--the comments that were made were largely directed at Members on this side of the aisle, and as the Democratic Leader, I feel compelled to defend the comments that those Members made as being sincere comments. The people who made those remarks truly and sincerely believe that those will be the consequences that will take place if this amendment is successful.

Now, our Members believe very clearly, as was stated on this floor today, that the amendment restricts access to healthcare. That is their belief, and they are entitled to be able to state that on this particular floor. But more importantly, Mr. President, the gentleman made reference to the number of facilities we have that are governed by licensure and implied that--he used the terms "honest" and "sincere," that there should be no problem being licensed in this Commonwealth. Mr. President, quite frankly, being able to meet the demands and the criteria that are established in the legislation, as I understand it, is precisely the issue. There are a number of facilities in this Commonwealth that will not, for a variety of reasons, be able to meet the criteria, not because they want to be dishonest, not because they do not want to be sincere about the services they provide, but for other reasons, they are not able to comply with the letter of the law. It makes it difficult for them to be able to do that, as a number of my Members have talked about. And I think to suggest that because they will not be able to meet the letter of the law and comply with the regulations, that they are dishonest or insincere, I think, is wholly inappropriate.

We believe, as our Members have stated, that this restricts--a number of our Members, I should say, not all of them, of course, because it is evidenced in the vote that there are Members who disagree along those lines. But those are the consequences that our Members believe will be the result of the implementation of

this legislation. I think it is unfortunate that the maker of the comments has left the floor, as did our Members, because I think they would have liked the opportunity during Petitions and Remonstrances to respond.

But at the end of the day, what we did today, in terms of the number of Members who spoke who believe that this limits the access to healthcare, legitimate, legal healthcare in this Commonwealth, and it is something about which we believe strongly. And to suggest that the folks who are not able to comply are dishonest and insincere is something that I think is inappropriate at this point in time. So I thank you, Mr. President, for the opportunity to respond to the comments of the previous speaker. Thank you.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

June 8, 2011

HB 10 -- Committee on Consumer Protection and Professional Licensure.

HB 864 and 1304 -- Committee on Transportation.

HB 1021 -- Committee on State Government.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, JUNE 9, 2011

11:00 A.M.	STATE GOVERNMENT (joint hearing with the House State Government Committee to consider Congressional Redistricting)	Cranberry Twp. Municipal Bldg., 2525 Rochester Road Cranberry Twp., PA
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MONDAY, JUNE 13, 2011

10:30 A.M.	GAME AND FISHERIES (public hearing with the Pennsylvania Fish and Boat Commission regarding license flexibility)	Room 8E-A East Wing
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C A N C E L L E D

TUESDAY, JUNE 14, 2011

9:00 A.M.	STATE GOVERNMENT (joint hearing with the House State Government Committee to consider Congressional Redistricting)	Hrg. Rm. 1 North Off.
10:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider the nomination of Bernard A. Labuskes, Jr., Esq., to the Environmental Hearing Board)	Sen. Maj. Caucus Rm.

12:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider the nomination of the Hon. Katie True for Commissioner of Professional and Occupational Affairs)	Room 461 Main Capitol
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WEDNESDAY, JUNE 15, 2011

9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bills No. 162, 354, 355 and 356; and Senate Resolution No. 10)	Room 8E-A East Wing
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WEDNESDAY, JUNE 22, 2011

9:30 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the requirements for carbon monoxide (CO) alarms)	Sen. Maj. Caucus Rm.
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RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Monday, June 13, 2011, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:35 p.m., Eastern Daylight Saving Time.