

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

SUNDAY, JUNE 26, 2011

SESSION OF 2011 195TH OF THE GENERAL ASSEMBLY

No. 46

SENATE

SUNDAY, June 26, 2011

The Senate met at 4 p.m., Eastern Daylight Saving Time.

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

PRAYER

The following prayer was offered by Senator MICHAEL J. FOLMER:

Let us pray.

Almighty God, sovereign master of all that exists, we humbly come before You with praise and thanksgiving. O Lord, we are especially thankful for all the riches and blessings You have blessed and bestowed upon us as a State and as a nation. Bless us, O God, as we as a nation begin to celebrate our 235th birthday.

We especially want to give thanks to all of those brave men and women who have given the ultimate sacrifice so that today we may enjoy those freedoms so graciously bestowed upon us by You. We also want to give thanks to those who, at this very moment, are serving their country, away from their friends and families, defending our Constitution and liberties. Protect them, O Lord, keep them safe, and also grant their loved ones peace of mind and the hope that they will one day be reunited.

Now, O Lord, as we as a legislative body begin to do our duties as elected servants of the people, give us wisdom, patience, and understanding so we may do our duties correctly. Grant us, O Lord, the strength so that we may not sacrifice principle upon the altar of self-interest. Help us, O Lord, so that we may do the right thing based upon that rule of law that You, in Your divine providence, have given to us.

Now, Lord, in closing, we thank You for Your perfect love, Your perfect wisdom, and Your perfect divine sovereignty. We pray all these things in the name of the true king, our Lord and savior, Jesus Christ. Amen.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

June 24, 2011

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Joseph L. French, Ed.D., 544 Kemmerer Road, State College 16801, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the State Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate SB 326 and SB 1062, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIII, section 6, these bills will be referred to the Committee on Rules and Executive Nominations.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate SB 745 and SB 1055, with the information the House has passed the same without amendments.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to HB 440 and HB 986.

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 26, 2011

HB 61 and 1264 -- Committee on Judiciary.
HB 338 -- Committee on Aging and Youth.
HB 755 and 1644 -- Committee on Local Government.
HB 838 and 1054 -- Committee on Consumer Protection and Professional Licensure.
HB 1203 -- Committee on Transportation.
HB 1307 and 1363 -- Committee on Education.
HB 1416 -- Committee on Environmental Resources and Energy.
HB 1544 -- Committee on Public Health and Welfare.
HB 1548 -- Committee on Labor and Industry.

HOUSE RESOLUTION FOR CONCURRENCE

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

June 26, 2011

HR 330 -- Committee on State Government.

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 26, 2011

Senators SCHWANK, COSTA, TARTAGLIONE, ERICKSON, MENSCH, FONTANA, ORIE, ALLOWAY, WASHINGTON, BROWNE, SOLOBAY, RAFFERTY, FARNESE, WAUGH, BRUBAKER, LEACH, BREWSTER, KITCHEN, BAKER, YUDICHAK, WILLIAMS, BOSCOLA and FERLO presented to the Chair **SB 1137**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for payments to counties for services to children.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 26, 2011.

Senators DINNIMAN, ERICKSON, FONTANA, SCHWANK, FERLO and FARNESE presented to the Chair **SB 1139**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for short title and scope of chapter and for subjects of local taxation; and providing for assessment and valuation of lease rights to oil and natural gas.

Which was committed to the Committee on FINANCE, June 26, 2011.

Senators DINNIMAN, FONTANA, HUGHES, WILLIAMS and FERLO presented to the Chair **SB 1140**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an energy resource production water withdrawal tax.

Which was committed to the Committee on FINANCE, June 26, 2011.

Senators YUDICHAK, SOLOBAY, RAFFERTY, FARNESE, ARGALL, SCHWANK, FONTANA, LEACH, TARTAGLIONE, COSTA, BOSCOLA, BROWNE, STACK and FERLO presented to the Chair **SB 1143**, entitled:

An Act requiring the Department of Health and the Department of Environmental Protection to coordinate and cooperate on any investigations into suspected disease or cancer clusters in this Commonwealth.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 26, 2011.

Senators SMUCKER, ERICKSON, ARGALL, RAFFERTY, COSTA, ALLOWAY, FONTANA, WASHINGTON, BOSCOLA, YUDICHAK, WAUGH, YAW, SCHWANK, FERLO, PICCOLA and BROWNE presented to the Chair **SB 1150**, entitled:

An Act providing tax incentives and credits for rehabilitation of blighted historic structures.

Which was committed to the Committee on FINANCE, June 26, 2011.

Senators SMUCKER, RAFFERTY, ALLOWAY, SCHWANK, WAUGH and BRUBAKER presented to the Chair **SB 1180**, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in third class county convention center authorities, providing for continuation of act after change in county classification.

Which was committed to the Committee on LOCAL GOVERNMENT, June 26, 2011.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Senator Daylin Leach as a member of the Public Employee Retirement Commission.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

SB 745, SB 1055, HB 143, HB 144, HB 312, HB 385, HB 390, HB 440, HB 986 and HB 1255.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request legislative leaves for Senator Ward and Senator Tomlinson.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Boscola and Senator Stack, and a legislative leave for Senator Williams.

The PRESIDENT. Senator Pileggi requests legislative leaves for Senator Ward and Senator Tomlinson.

Senator Costa requests temporary Capitol leaves for Senator Boscola and Senator Stack, and a legislative leave for Senator Williams.

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 23, 2011, is now in print.

The Clerk proceeded to read the Journal of the Session of May 23, 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-50

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

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.

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, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Boscola has returned, and her temporary Capitol leave is cancelled.

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 meeting of the Committee on Appropriations to be held in the Rules room.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, 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 Tomlinson has returned, and his legislative leave is cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

RECONSIDERATION OF SB 1122

SB 1122 (Pr. No. 1305) -- Senator PILEGGI. Mr. President, I move that the vote by which Senate Bill No. 1122, Printer's No. 1305, was agreed to on second consideration on June 15, 2011, be reconsidered.

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

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

**NONPREFERRED APPROPRIATION BILL
ON SECOND CONSIDERATION, AMENDED**

SB 1122 (Pr. No. 1305) -- The Senate proceeded to consideration of the bill, 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.

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

Senator CORMAN offered the following amendment No. A3769:

Amend Bill, page 2, line 1, by striking out all of said line and inserting:

State appropriation.....\$214,110,000

Amend Bill, page 2, line 3, by striking out all of said line and inserting

State appropriation.....\$13,584,000

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

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

Senator CORMAN. Mr. President, this bill is the annual nonpreferred appropriation for Penn State University. This amendment reflects the final agreement with the administration and the House of Representatives, which differs from what was originally reported out by the Senate Committee on Appropriations.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I ask for a negative vote on the gentleman's amendment. What this amendment does is takes the 15-percent reduction that was initially in Senate Bill No. 1122 and makes it an even greater reduction to Penn State University. It increases it from 15 percent to 19 percent, so I ask for a negative vote along those lines.

But more importantly, Mr. President, as the gentleman stated, this clearly represents an agreement; however, it does not include Senate Democratic agreement. It is an agreement that was reached by the administration, House Republicans, and Senate Republicans, about the depth of the cuts, not only to higher education, but specifically to Penn State, in this budget. So, I ask for a negative vote. Senate Democrats will be offering their own amendment very shortly that would restore funding back to the appropriate level, which would be the State level from last year. It will be the next amendment to be offered. I ask my colleagues for a negative vote.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, just briefly, I do not know that there is anyone in the building who advocates for higher education more than I do, and there are certainly those who advocate as much. Having said that, this is a process that started with the Governor's proposal at a 54-percent decrease for higher education funding, for Penn State University as well as the other State-relateds, and the State system, for that matter. So even though this final product of 19 percent is higher than what was reported out of the Senate Committee on Appropriations, it is clearly a significant move down and for the better for Penn State University than what was proposed back in March by the Governor.

So, with any compromise, there are things you do not necessarily like, and I am sure there are things that the other side does not like either. Again, the compromise is just among

Senate Republicans, House Republicans, and the Governor, so I will certainly give that comment to the Minority Leader. But I think this reflects a strong voice for higher education by this body in being able to improve the appropriation from a significant, devastating cut that was proposed in March, to a much more manageable one now.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, we are in a situation where we all support higher education. I think everyone in this Chamber does. I have had the privilege of serving as a trustee for the University of Pittsburgh for a number of years, and I am proud of the work that they have done there, as with each of the four State-relateds.

But, at the end of the day, we are going backward. We created a piece of legislation that puts it at 15 percent--granted, it was up from the 54-percent cut, and I think that is important. However, at the end of the day, we went from 15 percent with less of a budget surplus, to 19 percent with a far greater surplus. We are going in the opposite direction.

We need to recognize the value of our State-related universities and provide them with adequate resources to allow them the opportunity to do what they do best, educate our young folks, our best and our brightest, and keep them in the Commonwealth so they can create jobs and grow our region and our communities as we go forward. That is what this is about. This is not about some artificial budget cap that we put in place that is going to prevent us from properly funding our universities as we go forward. I ask for a negative vote.

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

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

YEA-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

NAY-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

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 second consideration, as amended?

AMENDMENT OFFERED

Senator SCHWANK offered the following amendment No. A4182:

Amend Bill, page 2, line 1, by striking out all of said line and inserting:
State appropriation.....\$249,218,000

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

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

Senator SCHWANK. Mr. President, further on funding for Penn State, from which I note I have two degrees, worked for it for 19 years, and have also served on its board of directors. So certainly, I have a special interest here, but not greater than anybody else in this room. I think we all want to support our State institutions. Here is an opportunity to do it.

What I suggest that we do is restore the funding to Penn State, the appropriation, to its pre-stimulus amount, which would be \$249,218,000, and we do that by generating funds by federalizing inmate healthcare. If we can do that, we can leverage \$24 million without using the surplus, and still give Penn State the opportunity to do the job that it does well, which is to educate the people of Pennsylvania.

Thank you.

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

Senator CORMAN. Mr. President, I would love to support this amendment by the Senator from Berks County. It certainly speaks to the funding level which I began the year trying to achieve in this budgetary process. Certainly, I have long thought that the Commonwealth does not support its higher education institutions to the degree that I think is necessary. So I applaud the Senator's commitment and desire to do just that.

Having said that, Mr. President, unfortunately, as an alumnus and a resident who lives in the shadow of Beaver Stadium, I am in the unenviable situation of advocating against her amendment. As well-intended as it is, as we put this budget process together, these are the numbers that we have to achieve for this year. Although taking money from the Department of Corrections is a place where I would like to take money away from, and, certainly, we have had a lot of discussion and moved some bills out of here, mostly led by the chair of the Committee on Judiciary, the gentleman from Montgomery County, as well as advocated for by the other side of the aisle to do our best to reduce our corrections spending, we still have to make the appropriations that are necessary to continue to operate those facilities. So, with a heavy heart and hesitation, I ask the Senate to vote "no" on this amendment, to stick to the budgetary process that will get us out of here this week, which has the funding we just amended previously.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, thank you for the opportunity to comment again, and thank you, Senator Corman. I

certainly understand your sentiment. This is my first budget process, of course, and I am watching this unfold and thinking, we had the opportunity to do things differently. Had some of us been at the table to work on some of these issues, I think a different outcome could have been possible. I am sorry that that did not happen. Thank you.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

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

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

It was agreed to.

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

RECONSIDERATION OF SB 1123

SB 1123 (Pr. No. 1334) -- Senator PILEGGI. Mr. President, I move that the vote by which Senate Bill No. 1123, Printer's No. 1334, was agreed to on second consideration on June 15, 2011, be reconsidered.

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

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

NONPREFERRED APPROPRIATION BILL
ON SECOND CONSIDERATION, AMENDED

SB 1123 (Pr. No. 1334) -- The Senate proceeded to consideration of the bill, 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 provid-

ing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

On the question,
Will the Senate agree to the bill on second consideration?
Senator CORMAN offered the following amendment No. A3770:

Amend Bill, page 2, lines 4 and 5, by striking out all of said lines and inserting:

- (1) For general support..... \$133,993,000
- (2) For rural education outreach... \$2,083,000

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

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

Senator CORMAN. Mr. President, now that there has been an announcement of the renewal of the longstanding rivalry between Penn State and the University of Pittsburgh in football, this amendment zeroes-out the University of Pittsburgh athletic program.

No, in all seriousness, Mr. President, this is the University of Pittsburgh appropriation. This amendment treats the University of Pittsburgh similar to what we just did in the amendment to Penn State University. It was reported out of the Senate Committee on Appropriations earlier. We were trying achieve a little better for these universities, but, again, we were not able to get quite to the 15-percent cut the original bill provided, but it still provides a strong support of higher education from this body, particularly for the University of Pittsburgh, by moving way down from the original proposal.

I ask for an affirmative vote.

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

Senator COSTA. Mr. President, I ask for a negative vote on this amendment for the same reasons I cited on the Penn State amendment. Our State-related universities are doing exceptionally with respect to the manner in which they educate our young folks.

More specifically, as it relates to the University of Pittsburgh, we had a lot of conversation on this Senate floor about job creation, and there is no public institution better than the University of Pittsburgh in creating jobs in this Commonwealth. Pittsburgh ranks sixth or seventh in the country in terms of a research institution, in excess of \$800 million, generating about 28,000 to 30,000 direct and indirect jobs in the city of Pittsburgh and our region. And we are going to take money away from it and reduce its funding? I think it is inappropriate. Again, I ask for a negative vote.

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

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

YEA-30

- | | | | |
|---------|----------|----------|-------|
| Alloway | Erickson | Pileggi | Vogel |
| Argall | Folmer | Pippy | Ward |
| Baker | Gordner | Rafferty | Waugh |

- | | | | |
|--------------|------------|-----------|---------------|
| Browne | Greenleaf | Robbins | White Donald |
| Brubaker | McIlhinney | Scarnati | White Mary Jo |
| Corman | Mensch | Smucker | Yaw |
| Earll | Orie | Tomlinson | |
| Eichelberger | Piccola | Vance | |

NAY-20

- | | | | |
|----------|---------|---------|-------------|
| Blake | Farnese | Kitchen | Tartaglione |
| Boscola | Ferlo | Leach | Washington |
| Brewster | Fontana | Schwank | Williams |
| Costa | Hughes | Solobay | Wozniak |
| Dinniman | Kasunic | Stack | Yudichak |

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 second consideration, as amended?

AMENDMENT OFFERED

Senator COSTA offered the following amendment No. A4137:

Amend Bill, page 2, line 4, by striking out all of said line and inserting:

- (1) For general support..... \$158,304,000

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

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

Senator COSTA. Mr. President, this amendment, like the amendment offered by Senator Schwank, would restore funding to the University of Pittsburgh to last year's 2010-11 State spending level. As we all know, the spending for the State-relateds was broken into State and ARRA money. This amendment would restore the State funding level to \$158,304,000. Pursuant to Senate Resolution No. 100, the \$17,694,000 increase in the appropriation for the University of Pittsburgh will be funded through an amendment that will provide a commensurate reduction in the Department of Corrections line item covering inmate Medicare, dealing with the issue of federalizing medical care in our correctional institutions.

I ask for an affirmative vote.

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

Senator CORMAN. Mr. President, again, I would love to support the amendment, but, unfortunately, I am not in a position to do so. Similar to the amendment that was offered earlier by the Senator from Berks County on Penn State University, the numbers that have been offered here would throw the budgetary appropriations bill, which we are going to be considering in the next couple of days, out of balance. So, as much as I would like to take from the Department of Corrections and give to higher education, today I must ask for a negative vote.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earl	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

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

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

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

RECONSIDERATION OF SB 1124

SB 1124 (Pr. No. 1307) -- Senator PILEGGI. Mr. President, I move that the vote by which Senate Bill No. 1124, Printer's No. 1307, was agreed to on second consideration on June 15, 2011, be reconsidered.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

NONPREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION, AMENDED

SB 1124 (Pr. No. 1307) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,
Will the Senate agree to the bill on second consideration?
Senator CORMAN offered the following amendment No. A3771:

- Amend Bill, page 1, line 16, by striking out "appropriations" and inserting:
an appropriation
- Amend Bill, page 1, line 18, by striking out "appropriations" and inserting:
appropriation
- Amend Bill, page 1, line 27, by striking out all of said line and inserting:
For general support.....\$139,917,000
- Amend Bill, page 2, line 2, by striking out "appropriations for all items as" and inserting:
appropriation
- Amend Bill, page 2, line 5, by striking out "appropriations" and inserting:
appropriation

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

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

Senator CORMAN. Mr. President, again, this amendment addresses Temple University, a school of which I am very fond and where I have spent some time as well. I know the gentleman standing across the aisle from me has won a few friendly wagers from me because of this university. And, Mr. President, I know you have a certain fondness for this university yourself.

Temple University is a strong, rich university in Pennsylvania, and this amendment would set its appropriation similar to what we previously set for Penn State and the University of Pittsburgh. So I ask for an affirmative vote.

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

Senator HUGHES. Mr. President, yes, I have had the opportunity to win a few friendly wagers with my good friend and colleague. However, I probably will not win this wager, but I can speak up on the matter.

I urge a negative vote on this, Mr. President. We are in a situation where we do have a surplus, and the numbers continue to rise on a daily basis. Especially with that reality, and also with the reality that we are not exactly sure what is in the General Fund budget agreement that has been reported to have been achieved, since we have not necessarily been participants in that, I have to urge a negative vote on this, Mr. President. Thank you very much.

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

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

YEA-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald

Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

NAY-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

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 second consideration, as amended?

AMENDMENT OFFERED

Senator STACK offered the following amendment No. A4138:

Amend Bill, page 1, line 27, by striking out all of said line and inserting:

For general support.....\$164,974,000

On the question,

Will the Senate agree to the amendment?

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

Senator STACK. Mr. President, my tone might be at a higher level than other Members who have spoken. Although the chairman of the Committee on Appropriations, Senator Corman, is my dear friend, and I have worked with him on a number of issues--in fact, we match with our color scheme tonight--I could not disagree with him more about funding for higher education. If the gentleman says he wants to vote in favor of stopping these horrendous cuts, he should vote in favor of stopping these horrendous cuts. They are an assault on middle-class people of Pennsylvania, who, over the years, have struggled to find a way to fund education for themselves and their kids.

All this amendment does is restore the level of Temple University's funding, as we are advocating with the other State-relateds, to \$18 million, which was its level last year. Is it common sense that we have the billionaires of Pennsylvania looting our State with the Marcellus Shale--we have not settled that issue of how we are going to tax them or whether we will. That is a way with which to begin, that we do not have to cut any from higher education, and we can invest in our future and make sure that our kids have the same chance that the Members of this legislature have all had.

Two weeks ago, the Pittsburgh Post-Gazette wrote a story about how we are one of the highest-educated legislatures in the country, where nearly 80 percent of us have college degrees or advanced degrees, and we all, at least a majority of us, have achieved those degrees at State-related schools, most notably Penn State, Temple, and Pitt. For us then to turn around and say, we got ours, but the rest of you, lots of luck, I think is the height of hypocrisy. It is unacceptable. I urge the Members to support my amendment to support the middle

class, to give Pennsylvanians the same opportunity we have had. Thank you.

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

Senator CORMAN. Mr. President, again, I stand here as a strong supporter of higher education. Looking forward, there will be many debates on higher education, as there has been some discussion about the relationship with the State-related universities in the Commonwealth. I believe it was just 2 years ago when Governor Rendell proposed to completely slash these universities as far as the stimulus went, and almost zero them out, or at least it was a 50-percent cut, I think.

So, I will make the argument that it is not just this year, but it has been decades, under bipartisan administrations in the past, that these institutions of higher education have not received the support that I believe they deserve. As one who was advocating for them at the bargaining table, so to speak, I still believe that we could do better. But as I said, in any agreement that is reached, there are things about it you like and things you do not like, and that, ultimately, is the compromise.

I look forward, though, as we move forward from here, to joining the gentleman with the attractive tie over there that goes well with my shirt in advocating on behalf of these institutions. As the budget continues to increase, with the growth of the Department of Corrections, with the growth of other appropriations line items, there will continue to be pressure on higher education. I would be happy to join arm-in-arm with all of my colleagues in the Senate to continue to make the argument that these institutions deserve better support, that we do have a role in public higher education in Pennsylvania, that our students--I believe I saw a study that showed that for the \$600-some-odd million that we invest in these four institutions, the students get a million dollars' worth of tuition breaks, as opposed to out-of-State tuition students. So they are a good investment.

However, this is where the agreement is today. I certainly understand if the gentleman does not want to support it, but this is where we are today. I look forward to supporting him in the future as we advocate strongly for higher education.

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

Senator STACK. Mr. President, I have to jump in. Of course, the chairman of the Committee on Appropriations, the Senator from Penn State, will continue to be my friend. I look forward to the opportunity to continue to work with him on the issue of higher education. I know he is a big advocate for Pennsylvania being a strong business climate State.

Businesses have said time and time again that one of the main reasons that they do not want to come to or that they are leaving Pennsylvania is because we are not job-ready. We have not put enough of an investment in our young people to make sure that they have the educational background and skills that our State-relateds can provide, if we are so inclined to do so, so that we can draw them in. Instead, we are going down a path which is doomed to fail.

We talk about the issue of the brain drain, where our young people are leaving this State because the job opportunities are not here. This is all part of that big problem. When Governor Rendell wanted to slash the State-relateds down to a certain number, I disagreed with him vehemently, and I disagree with

Governor Corbett and the folks in the Republican Caucus on this issue.

Let me point out, we have not been a part of any negotiation. I know we are using the word "agreement," but the agreement is between the parties that are steering this ship, and that is the Governor, the Republican House Leadership, and the Republican Senate Leadership. Now, I have great respect for them, but we are not involved. We are not giving tremendous input in that area, so I figure this is my chance to stand up for the folks sitting at home saying, how about me? How about someone standing up for me? We have to do that for these people.

The educational debt with which young people are graduating is outlandish. It is nearly \$30,000. How are those folks ever going to contribute? With these cuts, it will be up to \$41,000 in no time. Mom and dad are going to have to worry about helping these kids, when they are already worried about their own jobs. This is going to further deteriorate the economic situation in our State.

Nonetheless, let me round off. I have always hoped that we can work together. The point that I want to make is, the elephant in the room is the Marcellus Shale. There is gold in them thar mountains. These are the big utility companies, these are foreign companies taking Pennsylvania's natural resources at the expense of our young people, our kids, and the parents who help those kids go to school. So, before we cut anything, we need to settle this issue with the natural gas billionaires who are stealing--not stealing, sorry--who are taking our natural resources. We have to settle that issue and figure out how much they are going to contribute to the future of our State before we let them run roughshod.

For folks to sit at home and say, well, I have to suck it up for the millionaires again, I think, is outlandish. Nonetheless, I look forward to working with the very finely-dressed chairman of the Committee on Appropriations, who understands a fine color scheme.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I am glad that my two colleagues are well-dressed today. It is really good for everybody, and we appreciate them complementing one another, but I really think that we have to make sure that we put this conversation in its appropriate context.

What I mean by that, Mr. President, is that the bill itself is essentially cutting, I believe, about 18 or 19 percent from last year's appropriation for Temple University. So that is a cut of 18 or 19 percent for the appropriation for Temple University.

But the Stack amendment would like to keep the appropriation the same amount that it was last year. What we have is a conversation that is going on here, Mr. President, that the appropriation for Temple University last year was at \$164,974,000. The cut that is being proposed in this bill brings that appropriation to \$139,917,000. That is an 18-percent cut to Temple University. And it is similar to the other two universities that were discussed earlier, for Penn State and the University of Pittsburgh. But what the Stack amendment does is return the appropriation back to what it was last year.

Now, what we are trying to achieve, Mr. President, is some level of parity for these institutions, financially, in an environ-

ment where we are operating--now, probably by June 30, we will achieve a \$700 million operating surplus. Now, let us put that into context. When we ended the month of May, that surplus was about \$540 million. It has been climbing dramatically over the last 3 weeks and will probably get us all close to, if not at, \$700 million.

So, the conversation then exists, well, what do we do with those extra dollars? Well, here is one appropriate way for those dollars to be invested: for Temple, but not just for Temple, but for Pitt, Penn State, and Lincoln University, what we call the four State-relateds. Now, the question then becomes, if we are going to make the cut, as the bill proposes, the Stack amendment returns it to level funding from last year. That is an appropriate investment of State dollars.

It is appropriate to have this conversation now, especially because, as the gentleman previously said, we are operating in a context where we do not have all of the information for the larger budget discussion, and the dollars spent here on our institutions of higher education are clearly connected to the larger conversation with the budget. So, voting for the Stack amendment is not asking for an increase in the appropriation for Temple University, it is asking for Temple University to stay whole, at what it received last year. But when you add in inflation, it really is somewhat of a loss. But, it is not the 18-percent loss that the gentleman's bill calls for with Temple University.

The important arguments being made about these four institutions kind of tell a story about the direction that we seem to be going with respect to this budget process. We are not investing in the children of Pennsylvania who are attending our institutions of higher education. They are already dramatically in a difficult situation because they are borrowing a tremendous amount of dollars to help to pay for that education. And now, with the loss of State support, they will probably have to borrow more and maybe have to extend the length of time they spend on those campuses, from 4 to 5 or from 5 to 6 years.

Mr. President, I am asking for a "yes" vote on this amendment. All it does is attempt to return Temple University, as was the attempt for Pitt, Penn State, and will be the attempt for Lincoln University, to parity with what they received last year, especially in the context that, more than likely, by tomorrow or Tuesday of this week, the numbers will come in, and we will probably have a \$700 million operating surplus for this year. We are clearly over the \$600 million number. We will probably achieve \$700 million, and if we do not achieve \$700 million and just hang around the \$600 million number, that is a significant amount of extra dollars that should be invested in the children, the youth, our teenagers, who we want to keep here in Pennsylvania, that will be a significant investment for them. They deserve it. They are carrying a lot of debt right now.

We should not forget that reality. More than likely, if they are attending Temple University, Pitt, Penn State, or Lincoln, with this cut, they will have to look at double-digit tuition increases. That is not fair to them, when we have the surplus dollars available to us to make this pain a lot easier. Let us make the appropriate investment in the future of this Commonwealth by investing in our students.

Thank you very much.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

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

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

It was agreed to.

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

RECONSIDERATION OF SB 1125

SB 1125 (Pr. No. 1308) -- Senator PILEGGI. Mr. President, I move that the vote by which Senate Bill No. 1125, Printer's No. 1308, was agreed to on second consideration on June 15, 2011, be reconsidered.

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

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

NONPREFERRED APPROPRIATION BILL
ON SECOND CONSIDERATION, AMENDED

SB 1125 (Pr. No. 1308) -- The Senate proceeded to consideration of the bill, 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 Univer-

sity," 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.

On the question,
Will the Senate agree to the bill on second consideration?
Senator CORMAN offered the following amendment No. A3772:

Amend Bill, page 1, line 22, by striking out "\$11,715,000" and inserting:
\$11,163,000

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

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

Senator CORMAN. Mr. President, this is an appropriation bill for Lincoln University, another extremely important institution of higher education in Pennsylvania that is listed as a State-related. Again, this amendment just changes the appropriation number from when it came out of committee to what it is today, as far as a master agreement. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, again, the argument that I made before with respect to Temple University continues here for Lincoln University, another one of our fine, outstanding institutions of higher learning. We have extra dollars in our budget, Mr. President. We need to use those dollars for appropriate investment in the future of our Commonwealth, and that is an investment in our students and the institutions that teach them. So I ask for a negative vote, Mr. President.

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

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

YEA-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

NAY-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

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 second consideration, as amended?

AMENDMENT OFFERED

Senator HUGHES offered the following amendment No. A4139:

Amend Bill, page 1, line 22, by striking out "\$11,715,000" and inserting:
\$13,623,000

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

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

Senator HUGHES. Mr. President, again, the argument still holds. We cannot ignore the financial reality that continues to make itself apparent every day here in the Commonwealth of Pennsylvania, that our budget numbers are growing with respect to surplus in the current year. I have said this before, I said this last week, and will say it again in the coming days, we have the dollars available to make these universities whole with respect to their current year appropriation. We should do that. It is an appropriate investment. It is the right kind of investment to make for the future of the Commonwealth, and Lincoln University needs to receive the same funding it received this current year because the Commonwealth can afford to pay those dollars.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, again, I reluctantly ask for a negative vote. We will go through the same arguments we have, and I am sure we will over the next week. The gentleman is correct, the revenues are coming in very well, and the surplus is going up, but the obligations that the Commonwealth has are going up as well. I will not go into all of them today, but this budget is an attempt to get our revenues to match our expenditures, which we have not done in the last couple of years because of the stimulus dollars. So as much as I would like to be supportive of the gentleman's amendment, which is certainly well-intended, hopefully, in the future we will be able to allocate the dollars he is suggesting, and more, for Lincoln University, because I think it would be a great investment. But today, I must ask for a negative vote.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

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

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

It was agreed to.

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

RECONSIDERATION OF SB 1126

SB 1126 (Pr. No. 1309) -- Senator PILEGGI. Mr. President, I move that the vote by which Senate Bill No. 1126, Printer's No. 1309, was agreed to on second consideration on June 15, 2011, be reconsidered.

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

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

NONPREFERRED APPROPRIATION BILL
ON SECOND CONSIDERATION, AMENDED

SB 1126 (Pr. No. 1309) -- The Senate proceeded to consideration of the bill, entitled:

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

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

Senator CORMAN offered the following amendment No. A3773:

Amend Bill, page 1, line 5, by striking out "\$28,752,000" and inserting:
\$27,889,000

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

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

Senator CORMAN. Mr. President, this is a nonpreferred appropriation for the University of Pennsylvania School of Veterinary Medicine. It is Pennsylvania's lone veterinary school and one to which we have shown quite a bit of commitment over the years. We used to have a long laundry list of nonpreferred legislation that we completely scaled back during the last 2 years during cutbacks. Other than the institutions of

higher education we just went through, this is the only one that remains, because we know the importance of agriculture, being the number-one industry here in Pennsylvania. Many of us, if not all of us, represent a tremendous amount of agricultural interests, so we want to keep this veterinary school, which is nationally, if not world-renowned, for the work that it does. So, we were able to maintain this appropriation, despite all of the massive cutbacks of the last 3 years.

This appropriation, again, is a little bit different from what was reported out of committee, but it continues to show a strong commitment from the General Assembly and this body for this school, which, hopefully, will get an even stronger commitment in the future.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I rise not to make an amendment, but to urge support for the University of Pennsylvania School of Veterinary Medicine. Senator Corman is absolutely correct, it is world-renowned. It is essential to agriculture and agribusiness, which is still the number-one business in Pennsylvania. It is situated in my home county; part of it is in my district, as well as Senator Pileggi's district. Our support is crucial.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, again, we are really concerned about the direction in which we are going with respect to how we support our institutions. All of them are incredibly important to the Commonwealth, this being an extremely vital institution that really requires an appropriate level of support. The University of Pennsylvania School of Veterinary Medicine is just an incredible resource that really deserves the appropriate level of investment. As the gentleman, Chairman Corman, knows, this will be a refrain that we will repeat over the next several days, that we are financially much more secure and in a position to provide the appropriate level of support, which actually is an investment.

It is not just giving money away to some entity, but it is really a tremendous investment that attracts worldwide attention and worldwide support. As is the case with Lincoln, Temple, Pitt, and Penn State, we do not need to be shorting these institutions, especially when we have the appropriate amount of money available to make an appropriate investment.

So I rise again in seeking a "no" vote on this bill, Mr. President, because these institutions deserve, and really need, the support necessary in an environment where we have the dollars available to us. Now, we are talking about dramatic cuts to all of these institutions, this being the most recent, and they really are unnecessary when we have the dollars available. In the next day or two, we will be realizing a \$700 million budget surplus, and we are cutting financial investment to institutions that do not deserve the cuts that are being supported here.

So again, Mr. President, I rise to urge a "no" vote. Hopefully, as we go forward over the next several days, we can find the great wisdom, as we know we have the dollars available, to make the appropriate investments that are not represented in the bill that is in front of us right now.

Thank you, Mr. President.

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

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

YEA-30

Alloway	Erickson	Pileggi	Vogel
Argall	Folmer	Pippy	Ward
Baker	Gordner	Rafferty	Waugh
Browne	Greenleaf	Robbins	White Donald
Brubaker	McIlhinney	Scarnati	White Mary Jo
Corman	Mensch	Smucker	Yaw
Earll	Orie	Tomlinson	
Eichelberger	Piccola	Vance	

NAY-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

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 second consideration, as amended?

It was agreed to.

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

BILLS OVER IN ORDER

HB 9, SB 299, HB 396, HB 438, SB 469, HB 488, HB 589, HB 712, HB 915, HB 960 and SB 995 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 1000 (Pr. No. 1186) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the lapsing of legislative budget balances.

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

BILL OVER IN ORDER

HB 1173 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

HB 38 (Pr. No. 14) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in governance of the system, further providing for establishment of fees and charges and for costs; and, in budget and finance, further providing for Commonwealth portion of fines.

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

BILLS OVER IN ORDER

HB 66, SB 100 and SB 117 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 145 (Pr. No. 85) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating State Route 18 in Big Beaver Borough, Beaver County, as the "Vietnam Veterans of America Memorial Highway."

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

BILLS OVER IN ORDER

SB 394 and HB 399 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 463 (Pr. No. 1522) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in Pharmaceutical Assistance for the Elderly, further providing for determination of eligibility.

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 626 and SB 634 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 638 (Pr. No. 1390) -- 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.

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

BILLS OVER IN ORDER

SB 717 and HB 870 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 896 (Pr. No. 913) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for insurance language translation.

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

SB 896 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 896, Printer's No. 913, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS OVER IN ORDER

HB 917, SB 926, SB 992, SB 1087, SB 1100, SB 1129, SB 1130 and HB 1219 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

SB 1128 (Pr. No. 1434) (Amended) (Rereported)

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for the definitions of "department" and "secretary," transferring the administration of the Pennsylvania Conservation Corps from the Department of Labor and Industry to the Department of Conservation and Natural Resources.

SB 1151 (Pr. No. 1435) (Amended) (Rereported)

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for purpose and legislative intent and for Commonwealth agency payments or assistance; providing for review of coordinator, for the establishment of a management board for distressed third class cities and for powers of management boards; prohibiting distressed third class cities from filing Federal bankruptcy petitions; and making editorial changes.

HB 15 (Pr. No. 2167) (Rereported)

An Act providing for the establishment of a searchable budget database-driven Internet website detailing certain information concerning taxpayer expenditures and investments.

HB 78 (Pr. No. 921) (Rereported)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the offense of homicide by watercraft while operating under influence.

HB 797 (Pr. No. 966) (Rereported)

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further defining "occupational disease"; and providing for cancer in the occupation of firefighter.

HB 1336 (Pr. No. 2091) (Rereported)

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "home improvement retailer"; and further providing for procedures for registration as a contractor and for prohibited acts.

CONGRATULATORY RESOLUTION

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

Congratulations of the Senate were extended to Juliann Sheldon by Senator Brewster.

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 369**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule XIII, section 6, this bill will be referred to the Committee on Rules and Executive Nominations.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

SR 148.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

SUNDAY, JUNE 26, 2011

Off the Floor **APPROPRIATIONS** (to consider Senate Bills No. 1091, 1128 and 1151; and House Bills No. 15, 78, 797, 1336 and 1485) Rules Cmte. Conf. Rm.

MONDAY, JUNE 27, 2011

Off the Floor **APPROPRIATIONS** (to consider House Bills No. 463 and 1485) Rules Cmte. Conf. Rm.

Off the Floor **COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT** (to consider House Bill No. 67) Rules Cmte. Conf. Rm.

Off the Floor **EDUCATION** (to consider Senate Resolution No. 147; and House Bills No. 1330 and 1352) Rules Cmte. Conf. Rm.

Off the Floor **JUDICIARY** (to consider House Bill No. 924) Rules Cmte. Conf. Rm.

CANCELLED

Off the Floor **RULES AND EXECUTIVE NOMINATIONS** (to consider Senate Bills No. 326, 369 and 1062; and certain executive nominations) Rules Cmte. Conf. Rm.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, June 27, 2011, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 7:07 p.m., Eastern Daylight Saving Time.