

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MARCH 12, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 15

**SENATE**

MONDAY, March 12, 2012

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

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

**PRAYER**

The following prayer was offered by Senator JOHN R. GORDNER:

Shall we pray.

Dear Heavenly Father, for those who were able to be outside yesterday or today, you see the majesty and the awesomeness of this time of year. I was outside yesterday with my son and some of his buddies playing wiffle ball in the backyard, and in doing so felt the warmth, saw the sun, saw the buds start to appear on the trees, and bulbs start to come through the ground, heard the birds chirping in the sky. It is a time of year as we head to spring that some different things come to mind, things like growth, of renewal, and of hope. As we come here this morning as a Senate, as 50 individuals from different parts of the State, different backgrounds and different ideals, let us focus on those three words of growth, hope, and renewal as we collectively come together to do the people's business.

Dear Heavenly Father, we pray that You will be with us this day and through this week. Encourage us, be with us, help us in our mind and our spirit through hope, growth, and renewal. In Your Heavenly name, we pray. Amen.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

MEMBER OF THE BOARD OF TRUSTEES  
OF DANVILLE STATE HOSPITAL

March 9, 2012

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, Rae Sprigle Kurland, 908 Mt. Zion Drive, Danville 17821, Montour County, Twenty-seventh Senatorial District, for appointment as a member of the Board of Trustees of Danville State Hospital, to serve until the third Tuesday of January 2017, and until her successor is appointed and qualified, vice Joseph Millard, Danville, resigned.

TOM CORBETT  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF EAST  
STROUDSBURG UNIVERSITY OF PENNSYLVANIA  
OF THE STATE SYSTEM OF HIGHER EDUCATION

March 9, 2012

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Trudi Q. Denlinger, Bethlehem, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE HORSE  
RACING COMMISSION

March 9, 2012

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Horse Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice John B. Hannum, III, Kennett Square, resigned.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
PHILADELPHIA COUNTY

March 9, 2012

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, Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Renee Cardwell Hughes, resigned.

TOM CORBETT  
Governor

JUDGE, PHILADELPHIA TRAFFIC COURT

March 9, 2012

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, Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Philadelphia Traffic Court, to serve until the first Monday of January 2014, vice The Honorable Earlene Green, resigned.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF NORRISTOWN STATE HOSPITAL

March 9, 2012

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, James A. Laughman, 12 Hurst Boulevard, Lititz 17543, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Board of Trustees of Norristown State Hospital, to serve until the third Tuesday of January 2017, and until his successor is appointed and qualified, vice Louis J. Smith, Ed.D., Blue Bell, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

March 9, 2012

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Optometry, 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, vice Roberta C. Horwitz, O.D., Pittsburgh, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE PLANNING BOARD

March 9, 2012

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, Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for appointment as a member of the State Planning Board, to serve until August 19, 2013, and until his successor is appointed and qualified, vice Ellen Ferretti, Dallas, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE REAL ESTATE COMMISSION

March 9, 2012

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, Stephanie Moore (Public Member), 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-first *[sic]* Senatorial District, for appointment as a member of the State Real Estate Commission, to serve for a term of five years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Weiss, Philadelphia, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF WARREN STATE HOSPITAL

March 9, 2012

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, William F. McCarthy, 4117 Wood Street, Erie 16509, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice Barbara French, Gurnee, Illinois, resigned.

TOM CORBETT  
Governor

MEMBER OF THE WORKERS'  
COMPENSATION APPEAL BOARD

March 9, 2012

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, Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for appointment as a member of the Workers' Compensation Appeal Board, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Herbert Hoffman, Harrisburg, resigned.

TOM CORBETT  
Governor

## MAGISTERIAL DISTRICT JUDGE

March 9, 2012

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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-2-04, to serve until the first Monday of January 2014, vice The Honorable Alan G. Naylor, resigned.

TOM CORBETT  
Governor

## MAGISTERIAL DISTRICT JUDGE

March 9, 2012

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, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of York, Magisterial District 19-1-05, to serve until the first Monday of January 2014, vice The Honorable Barbara H. Nixon, resigned.

TOM CORBETT  
Governor

**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:

March 9, 2012

Senators DINNIMAN and PICCOLA presented to the Chair **SB 1440**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions; and providing for reimbursement of certain costs relating to Keystone Exams.

Which was committed to the Committee on EDUCATION, March 9, 2012.

Senators HUGHES, FARNESE, FONTANA, KITCHEN, TARTAGLIONE, SOLOBAY, SCHWANK, WILLIAMS, FERLO and LEACH presented to the Chair **SB 1441**, entitled:

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

Which was committed to the Committee on FINANCE, March 9, 2012.

March 12, 2012

Senators BOSCOLA, TARTAGLIONE, HUGHES, FONTANA, WOZNIAK, YUDICHAK, BROWNE, ERICKSON, RAFFERTY and FARNESE presented to the Chair **SB 1443**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for limitations on civil actions based on certain assaults.

Which was committed to the Committee on JUDICIARY, March 12, 2012.

Senators BOSCOLA, TARTAGLIONE, HUGHES, FONTANA, WOZNIAK, YUDICHAK, BROWNE, ERICKSON, RAFFERTY, WAUGH, FARNESE and WARD presented to the Chair **SB 1445**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for statutes of limitations for certain offenses.

Which was committed to the Committee on JUDICIARY, March 12, 2012.

Senator D. WHITE presented to the Chair **SB 1447**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Randy M. Thomas, or his assigns, a permanent utility easement across certain lands situate in White Township, Indiana County.

Which was committed to the Committee on STATE GOVERNMENT, March 12, 2012.

**GENERAL COMMUNICATIONS****ANNUAL REPORT OF THE INDUSTRIAL LAND RECYCLING FUND**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

March 7, 2012

Mr. Mark R. Corrigan  
Secretary of the Senate  
Senate Post Office Box 203053  
Harrisburg, PA 17120-3053

Dear Mr. Corrigan:

The Department of Environmental Protection (DEP) is pleased to present to you a copy of the Industrial Land Recycling Fund Report for Fiscal Year 2010-2011. This report summarizes the collection of fees, expenditures and planned future commitments made from the Industrial Land Recycling Fund. This report is prepared in accordance with Section 701 of the Land Recycling and Environmental Remediation Standards Act (Act 2 of 1995).

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safer communities for all Pennsylvanians.

Sincerely,

MICHAEL L. KRANCER  
Secretary

The PRESIDENT. This report will be filed in the Library.

**ANNUAL REPORT OF USED TIRE PILE REMEDIATION**

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA  
Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

March 7, 2012

Mr. Mark R. Corrigan  
Secretary of the Senate  
Senate Post Office Box 203053  
Harrisburg, PA 17120-3053

Dear Mr. Corrigan:

As required by the amendments to the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 24 of 2010), the Department of Environmental Protection (DEP) is pleased to provide to you its annual report regarding the Used Tire Pile Remediation Restricted Account for the Remediation of Used Tire Piles.

This report summarizes DEP's efforts conducted since these amendments went into effect on May 12, 2010, and lists the priority remediation projects that are planned for the coming year.

If you should have any questions, please do not hesitate to contact Thomas Santanna, Director of Legislative Affairs, by e-mail at [tsantanna@pa.gov](mailto:tsantanna@pa.gov) or by telephone at 717.783.8303.

Sincerely,

MICHAEL L. KRANCER  
Secretary

The PRESIDENT. This report will be filed in the Library.

**LEGISLATIVE LEAVES**

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

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

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

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

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

Senator Costa requests a legislative leave for Senator Leach. Without objection, the leaves will be granted.

**LEAVES OF ABSENCE**

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

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

**SENATE CONCURRENT RESOLUTION**

**WEEKLY RECESS**

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, March 12, 2012

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 26, 2012, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 26, 2012, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

**YEA-48**

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

**NAY-0**

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

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

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

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

Senator DINNIMAN. Mr. President and Members of the Senate, today is the 40th anniversary of an event in women's basketball that changed basketball forever, and that is when a small liberal arts college in my district, Immaculata University, won the national women's championship. They won it again in 1973 and 1974, and were in the competition in 1975, 1976, and 1977. In fact, a film, a movie that you can see in the theaters, called "The Mighty Macs" tells the history of this championship team 40 years ago. They won against the odds, and that is what we are celebrating today. We are celebrating not only the victory of this team, we are celebrating the greatness of Immaculata University, and we are celebrating the fact of women's basketball coming on to the scene, and the inequity of sports that we are still fighting today. First, I want to thank Senator Pileggi and Senator Scarnati for allowing me the privilege of having the team on the floor.

I will introduce to the Senate, Mr. President, with your permission, the members of the team. There is Sue Forsyth O'Grady, Denise Conway Crawford, and Theresa Grentz. Now, Theresa Grentz went on in 1992 to coach the Olympic women's basketball team for our nation, and she went on to coach championship

women's basketball teams at the University of Illinois. There is also Janet Young Eline and Patricia Mulhern Loughran. In addition, they are accompanied by the president of Immaculata University, Sister R. Patricia Fadden. Mr. President, we also have our guests in the gallery from the university, who include Steve Pugliese, Bob Cole, Rebecca Powers Mohn, Sister Carroll Isselmann, Sister Rita O'Leary, Cathy Dernoncourt, Marie Moughan, Lydia Szyjka, and Hunter Martin.

Mr. President, this is a great moment because 40 years ago, against the odds, this team went on to victory. We were all so proud in Chester County, and I hope the Senate gives a good cheer as we still continue to struggle for equity in athletic programs across this Commonwealth and nation.

Thank you, Mr. President.

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

(Applause.)

Senator DINNIMAN. Mr. President, I know Senator White has few words she wishes to say.

The PRESIDENT. The Chair recognizes the gentlewoman from Venango, Senator White.

Senator M.J. WHITE. Mr. President, I also rise to welcome the Mighty Macs to the Senate Chamber. You may not know, they just made a movie about them, I am sure it is G-rated, so take your family and cheer them on today for what they did then. I certainly cheer them on. I know the importance of athletics for women, particularly for high school and college women.

Today in the Senate Committee on Appropriations, we will be voting on my sports scholastic equity bill. This bill passed this body unanimously last Session. I am very proud to say it came out of our Committee on Education unanimously, and hopefully will go over to the House of Representatives, where I hope we can expect a prompt and enthusiastic reception so that we can make sports competition a reality for all of the young women in this Commonwealth who want to participate, because it pays lasting benefits in their lives. Thank you for being here.

(Applause.)

The PRESIDENT. Senator Dinniman has asked me to draw everyone's attention to the fact that he missed two from the championship basketball team, Judy Marra Martelli and Betty Ann Hoffman Quinn, who are with us here as well.

#### **GUESTS OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise today to introduce one of the 48th District's and one of Berks County's most outstanding constituents, Maria Jiang, who was recently named Pennsylvania's Outstanding Young Woman of 2012. Pennsylvania's Outstanding Young Woman is a nonprofit corporation which seeks to recognize the accomplishments and commitment of our young women, and to assist them as they chart their futures. Maria is a senior at Wilson Senior High School and the daughter of J.D. and Sherry Jiang, an AP scholar merit finalist, Reading Symphony Youth Orchestra Concert Mistress, where she serves as first chair, member of the tennis team, is involved in various clubs and organizations, as well as having received a

number of awards for her achievements. Her college plans include a major in environmental science and business. Please join me in congratulating Maria as Pennsylvania's Outstanding Young Woman of 2012, and welcoming her to briefly address the Members of the Senate.

(Applause.)

Miss JIANG. Thank you. Good afternoon, everyone, and thank you for having me here. Thank you, Senator Folmer. You know, growing up, we often hear the expression, money does not grow on trees, and with all due respect to our aunts, uncles, parents, and grandparents, I found that simply is not true. A few months ago, I attended an environmental lecture series where the vice president of TerraChoice, an environmental marketing company, spoke about laundry detergent. Now, normally, we do not really think about our laundry detergent, we just fill it up to that little line and pour it into the machine. But a couple of years ago, a lot of laundry detergent companies decided to concentrate their formulas. This was a big environmental decision because it saved plastic, it saved water, it saved energy, and most importantly, it saved money. It also made a lot of money for stores and companies such as Walmart, who saved shelf space and therefore made a lot more sales.

Now, when we often think about environmental science, we think about trees, and sometimes tree huggers, but when I think about environmental science, I think not only of the environment, but also about the economy, which is why that little story about laundry detergent really speaks to me. So I hope that in the future when you think about going green, you think not only of the environment but also of the economy, about finding solutions that incorporate the two, proving to our aunts and uncles, parents and grandparents, that money really can grow on trees.

Thank you very much.

(Applause.)

#### **GUESTS OF SENATOR LLOYD K. SMUCKER PRESENTED TO THE SENATE**

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

Senator SMUCKER. Mr. President, today I have the privilege of introducing this year's Pennsylvania Fair Queen, Drew An Brubaker. As a representative from Lancaster County's Lampeter Fair, she was evaluated on her public speaking skills and knowledge of the agricultural industry, as well as on her poise and personal presentation. However, her credentials do not simply stop at being recognized for her role as an ambassador for the agriculture industry. As a senior at Lampeter-Strasburg High School, she is involved in the National Honor Society, Fellowship of Christian Students, student tutoring, choir, swing dance club, school musicals, and the school newspaper. She works at Meck's Produce, is active in her church, and enjoys reading and song writing. Drew An's hard work and dedication has proven her to be an outstanding student, citizen, and representative of Pennsylvania. She is accompanied today by her mother, Pam Brubaker. Please join me in giving Drew An a warm welcome to the Senate of Pennsylvania.

The PRESIDENT. Would the guests of Senator Smucker 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 purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room.

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, the Democrats will caucus after the meeting of the Committee on Rules and Executive Nominations.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room, followed by Republican and Democratic caucuses, 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 and Senator Ward have returned, and their legislative leaves are cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 276 (Pr. No. 1977) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 22, 2000 (P.L.318, No.32), known as the Downtown Location Law, further providing for powers and duties of the Department of General Services.

Considered the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question, Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL OVER IN ORDER TEMPORARILY

HB 424 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL AMENDED

SB 623 (Pr. No. 1978) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for contracting with veteran-owned small businesses; and imposing duties on the Department of General Services and other Commonwealth purchasing agencies.

On the question, Will the Senate agree to the bill on third consideration? Senator TOMLINSON offered the following amendment No. A9227:

Amend Bill, page 2, line 29, by inserting after "VETERAN-OWNED":

small

Amend Bill, page 3, line 18, by inserting after "A":

small

Amend Bill, page 6, line 28, by striking out "2011" and inserting: 2012

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

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 816 (Pr. No. 1853) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for qualifications for license.

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-48

|         |              |         |           |
|---------|--------------|---------|-----------|
| Alloway | Eichelberger | Mensch  | Tomlinson |
| Argall  | Erickson     | Piccola | Vance     |
| Baker   | Farnese      | Pileggi | Vogel     |
| Blake   | Ferlo        | Pippy   | Ward      |

|          |            |             |               |
|----------|------------|-------------|---------------|
| Boscola  | Folmer     | Rafferty    | Washington    |
| Brewster | Fontana    | Robbins     | Waugh         |
| Browne   | Gordner    | Scarnati    | White Donald  |
| Brubaker | Greenleaf  | Schwank     | White Mary Jo |
| Corman   | Hughes     | Smucker     | Williams      |
| Costa    | Kitchen    | Solobay     | Wozniak       |
| Dinniman | Leach      | Stack       | Yaw           |
| Earll    | McIlhinney | Tartaglione | Yudichak      |

NAY-0

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

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

BILL AMENDED

**SB 884 (Pr. No. 938)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in Title 15, making extensive revisions, additions and deletions to preliminary material on general provisions; to corporation material on general provisions, on incorporation, on corporate powers, duties and safeguards, on officers, directors and shareholders, on fundamental changes, on registered corporations, on insurance corporations, on foreign business corporations, on incorporation and on foreign nonprofit corporations and to material on business trusts; in Title 54, further providing for general provisions and for corporate and other association names; and making related repeals.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator GREENLEAF offered the following amendment No. A8997:

- Amend Bill, page 1, line 10, by inserting after "corporations":  
; to material on limited liability companies;
  - Amend Bill, page 1, line 17, by striking out "2011" and inserting:  
2012
  - Amend Bill, page 1, line 19, by striking out "'limited liability company,'"
  - Amend Bill, page 2, lines 28 through 30, by striking out all of said lines
  - Amend Bill, page 10, line 12, by inserting after "The":  
nonrefundable
  - Amend Bill, page 132, line 29, by striking out "and 6145" and inserting:  
, 6145 and 8911(a)
  - Amend Bill, page 139, by inserting between lines 19 and 20:  
§ 8911. Purposes.
  - (a) General rule.--Limited liability companies may be organized under this chapter for any lawful purpose, except for the purpose of [banking or] insurance. Unless otherwise restricted in its certificate of organization, every limited liability company has as its purpose the engaging in all lawful business for which limited liability companies may be organized under this chapter. Nothing in this section shall prohibit the following:
    - (1) A limited liability company organized by one or more banks or a banking organization for the sole purposes of marketing and selling title insurance.
    - (2) The organization of an insurance agency licensed in this Commonwealth as a limited liability company.
- \* \* \*
- Amend Bill, page 146, lines 14 through 16, by striking out all of said lines

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1141 (Pr. No. 1909)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 29, 2004 (P.L.1282, No.158), known as the Manufactured Housing Improvement Act, expanding the coverage of the act to relocated housing.

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

On the question,  
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

BILL OVER IN ORDER

**HB 1355** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

**SB 10, HB 61, SB 210, SB 941, SB 943, SB 968, HB 1026 and SB 1080** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

**HB 1091 (Pr. No. 1188)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 955 in Lawrence Park Township, Erie County, as the Michael D. Crotty Memorial Parkway.

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

BILLS OVER IN ORDER

**SB 1115, SB 1223 and SB 1296** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION, AMENDED

**SB 1373 (Pr. No. 1886)** -- 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 six months limitation and for deficiency judgments.

On the question,  
Will the Senate agree to the bill on second consideration?  
Senator GREENLEAF offered the following amendment No. A9235:

Amend Bill, page 8, line 9, by striking out "2" and inserting:  
23

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

On the question,  
Will the Senate agree to the bill on second consideration, as amended?  
It was agreed to.  
Ordered, To be printed on the Calendar for third consideration.

BILLS OVER IN ORDER

**SB 1382, SB 1398, SB 1406, HB 1546, HB 1813 and HB 2134** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

THIRD CONSIDERATION CALENDAR RESUMED

**HB 424 CALLED UP**

**HB 424 (Pr. No. 2655)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

**HB 424 (Pr. No. 2655)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1983 (P.L.260, No.72), referred to as the Public Adjuster Licensing Law, further providing for definitions and for license; providing for application for public adjuster license, for licensing, for issuance and term of license, for license renewals and for reciprocal licensing; further providing for fees, for bond and for contract; providing for written disclosure of financial interest; further providing for revocation, etc., of license and for violations; providing for civil remedy; further providing for administration and enforcement; and providing for persons licensed as public adjuster solicitors.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator D. WHITE offered the following amendment No. A9224:

Amend Bill, page 2, line 18, by inserting a bracket after "corporation"  
Amend Bill, page 2, line 18, by striking out the bracket after "advertising,"  
Amend Bill, page 22, lines 4 and 5, by striking out "partnership" in line 4 and "association or corporation" in line 5

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.  
Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

**COMMUNICATIONS FROM THE GOVERNOR  
REPORTED FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

March 2, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 1, 2011, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable Robert A. Kelly, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor



## MAGISTERIAL DISTRICT JUDGE

March 2, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated November 29, 2011, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as Magisterial District Judge, in and for the County of Lancaster County [*sic*], Magisterial District 02-3-08, to serve until the first Monday of January 2014, vice The Honorable Thomas J. Fee, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

**NOMINATIONS RETURNED TO THE GOVERNOR**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

November 18, 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, David B. Morgan, RLA, 1488 Letchworth Road, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice W. Thomas Borellis, Pittsburgh, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF  
PHYSICAL THERAPY

December 23, 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, John Noone, 116 Allen Drive, Exton 19341, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2014, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Clahane, Mechanicsburg, whose term expired.

TOM CORBETT  
Governor

**NOMINATIONS LAID ON THE TABLE**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS****EXECUTIVE SESSION**

Motion was made by Senator ROBBINS,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

November 18, 2011

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

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TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF  
PHYSICAL THERAPY

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October 2, 2014, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Clahane, Mechanicsburg, whose term expired.

TOM CORBETT  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

YEA-48

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED**

Senators ORIE, VANCE, BAKER, BOSCOLA, EARLL, KITCHEN, SCHWANK, TARTAGLIONE, WARD, WASHINGTON, M. WHITE, ALLOWAY, ARGALL, BLAKE, BREWSTER, BROWNE, BRUBAKER, COSTA, DINNIMAN, EICHELBERGER, ERICKSON, FERLO, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, MENSCH, PILEGGI, PIPPY, RAFFERTY, SOLOBAY, STACK, WAUGH, D. WHITE, WILLIAMS, WOZNIAC, YAW and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 267**, entitled:

A Resolution commemorating the 100th anniversary of the Girl Scouts of the United States of America on March 12, 2012.

On the question,  
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, on behalf of all my colleagues, I offer this resolution honoring the Girl Scouts of the United States on its 100th anniversary. It was founded on March

12, 1912, in Georgia when Juliette Gordon Low gathered 18 girls to provide them the opportunity to develop physically, spiritually, and mentally.

Girl Scouts in Pennsylvania are one of three councils. There are over 103,000 members in the Commonwealth today who are part of almost 9,000 troops and led by 39,000 adult leaders, all volunteers. Please join me in voting in favor of this resolution to honor the 100th anniversary of the Girl Scouts.

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

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

Senator D. WHITE, by unanimous consent, offered **Senate Resolution No. 259**, entitled:

A Resolution designating the week of April 2 through 7, 2012, as "Community Banking Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

**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 Kay Greenawalt and to Brian Warfel by Senator Argall.

Congratulations of the Senate were extended to the Girl Scouts of Eastern Pennsylvania by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. James E. Nearhood, Sr., by Senator Corman.

Congratulations of the Senate were extended to the University of Pittsburgh by Senator Costa.

Congratulations of the Senate were extended to Andrew J. Gummo by Senator Gordner.

Congratulations of the Senate were extended to Wilfredo Rojas by Senator Kitchen.

Congratulations of the Senate were extended to Timothy Card, Karl Vagle, Charles Brawner, Adriana N. Stephenson, Paige N. Toft, Samantha R. Watts, Margaret C. Wright, Jennifer L. Benson, Cassandra A. Davis, Genevieve A. Donahey, Blinn E. Finnegan, Lauren P. Hawthorne, Jessica K. Milroy, Juhi D. Motiani, Andrew E. Sabol, Joshua Steven Matz, Geoffrey Lawrence Matz, Andrew Carey, Danielle M. Rankin, Madeleine R. Romano, Tina D. Russo, Corinna E. Secchia and to Amanda M. Sergeev by Senator McIlhinney.

Congratulations of the Senate were extended to Carol Foley by Senator Pippy.

Congratulations of the Senate were extended to William K. Bennett and to Richard V. Sanginiti, Jr., by Senator Stack.

Congratulations of the Senate were extended to Mary Curry by Senator Waugh.

Congratulations of the Senate were extended to Kate M. Livingston, Maple Spring Farms of Airville and to the York County Ag Land Preservation Board by Senator Waugh and others.

Congratulations of the Senate were extended to Alexis S. Jackson, Ayanna N. McNeil, Natalie D. Miles and to Camisha M. Taylor by Senator Williams.

**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 Dr. Corinne Cody and to the family of the late Howard A. Leister by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Dr. Roger S. Hertz by Senator Schwank.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, MARCH 12, 2012

|               |   |                        |
|---------------|---|------------------------|
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations) | Rules Cmte. Conf. Room |
|---------------|---|------------------------|

TUESDAY, MARCH 13, 2012

|            |  |                       |
|------------|--|-----------------------|
| 10:00 A.M. | JUDICIARY (public hearing to receive testimony on possible changes to the Wiretapping and Electronic Surveillance Control Act) | Hrg. Rm. 1 North Off. |
|------------|--|-----------------------|

|            |   |                     |
|------------|---|---------------------|
| 11:00 A.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider the promotion to Brigadier General for Col. Gerald E. Otterbein; and to consider Senate Bills No. 345 and 819) | Room 8E-B East Wing |
|------------|---|---------------------|

|               |   |                        |
|---------------|---|------------------------|
| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 86, 209, 790, 932, 1036, 1169, 1200, 1261, 1298 and 1329; and House Bill No. 1054) | Rules Cmte. Conf. Room |
|---------------|---|------------------------|

WEDNESDAY, MARCH 14, 2012

|            |   |                       |
|------------|---|-----------------------|
| 10:00 A.M. | PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 1351; and House Bills No. 1400 and 1960) | Room 461 Main Capitol |
|------------|---|-----------------------|

FRIDAY, MARCH 30, 2012

|            |  |   |
|------------|--|---|
| 10:00 A.M. | JUDICIARY (public hearing to receive testimony on Senate Bill No. 1153, the Post Conviction Relief Act amendments) | Phila. Bar Assn. 1101 Market St. 11th Floor Conf. Ctr. Phila., PA |
|------------|--|---|

**PETITIONS AND REMONSTRANCES**

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise today to thank you, my Senate colleagues, the people of the 48th Senatorial District, and many others who have contacted me to wish me well after I shared my diagnosis of non-Hodgkin's lymphoma. The outpouring of support has been very gratifying and very, very much appreciated. Thank you, one and all.

Lymphoma is a type of blood cancer that occurs when white blood cells that normally help to protect the body from infection

and disease begin to behave abnormally. My cancer is non-Hodgkin's lymphoma, which is quite common, readily treatable, and most importantly, curable. I join with more than a half-million other Americans living with the disease, and I look forward to joining the many others who have been successful in that treatment, which includes Microsoft co-founder Paul Allen, football player Joe Andruzzi of the New England Patriots, golfer Paul Azinger, hockey great Mario Lemieux, actor Mister T, comedian Gene Wilder, and former U.S. Senators Arlen Specter and Fred Thompson.

I have confidence in my doctors, the love of my family, faith in God, and the support of my Senate colleagues. This means a lot to me, and I want each of you to know how much I appreciate your kind words and the support you have given me. As the Bible says in Proverbs 17:17, "A friend loves at all times, and a brother is born for adversity." Surely, each of you are my brothers and sisters born for the adversity I am facing.

I am pleased to report that I have completed my first chemotherapy treatment, the first of six total, and quite frankly, I feel great. Later this week, I will be going back to the hospital for a pericardial window, a procedure in which an opening is made in the pericardium to drain the fluid that has been accumulating around my heart. Shortly afterward, I will have my second chemotherapy treatment. As I continue my treatments, please know how much your support means. I know it will help me get through the difficult times and to better enjoy the good times. After completing my treatments, I look forward to reporting back to you that I have beaten this disease and I am cured.

Thank you, Mr. President.  
(Applause.)

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

Senator FERLO. Mr. President, I know we all join together today with our well wishes, our thoughts, and our prayers for Senator Folmer. He is a fighter on the floor of the Senate each and every day for his principles, and I know he is going to lead the good fight for his own personal health. So, keep the faith.

Mr. President, I want to offer some remarks for the record on the recently passed House Bill No. 934. I also want to wish my colleague from Allegheny County, Senator Fontana, a happy 39th birthday.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator FERLO:)*

Mr. President, I rise to speak in opposition to what my colleague, Senator Hughes, has described as the voter suppression bill, House Bill No. 934, legislation sponsored by the Republican Majority from the aisle opposite.

The Majority Leader commented on a few points, trying to reinforce his support for the legislation, and I wanted to first respond directly. He comments that several European countries have voter ID, but he failed to mention that they have national identification cards, something that I happen to oppose in the case of our own country. It is ironic that the Republicans vociferously oppose national ID cards but want to impose a Commonwealth version of this unnecessary and mandatory requirement here in Pennsylvania.

The Majority Leader continues to harp on his notion that everyone will have the right to vote, and if they do not have proper ID for the upcoming primary, they can still cast a vote. However, voters must

make a separate effort, a second step, within 6 days following their vote, to provide paperwork which proves their identity. A two-step voting process instead of one-step voting at the polls on election day, with their vote recorded, sealed, and enshrined does nothing more than deter voters from the polls.

The Majority Leader says that even President Jimmy Carter supports voter ID, but he failed to mention that was in the context of our former President being asked by the State Department, and at times the United Nations, to help oversee elections in emerging democracies around the globe.

House Bill No. 934 implies that the election worker can evaluate "reasonable interpretation" of name recognition. What about when Stephen is Steve or Helen is Peggy or Rob is William or John is Jack, will they still be allowed to vote? The whole inference that the dedicated folks who administer our elections are out to cheat and violate the election process disgusts me. It is so insulting to the men and women who work from 5 or 6 a.m. and late into the evening. Most have gladly performed these duties for many years. They are the front-line folks insuring free and fair and democratic elections, with integrity.

I mentioned in the Appropriations Committee that there really is a "vast right wing conspiracy" and one would have to conclude that when the Republican Legislature is in control and in legislative Session, no one's rights are safe.

We were recently witness to the attack on women's reproductive rights with the Republican passage of Senate Bill No. 732, creating barriers to access to safe and legal healthcare services at family planning clinics and at other safe and reputable providers. Furthermore, we witnessed an assault on a woman's right to contraceptive care, and a constitutionally-protected right to make their own decisions about their bodies and their health. Now they want women to have to go through an invasive ultrasound. How outrageous.

We were recently witness to the attack on individual property rights with the Republican-inspired House Bill No. 1950, which strips away local zoning powers of our municipalities and the long-held rights of property owners who now must yield to the profit-driven and environmentally careless Marcellus shale corporate interests.

We are witness to legislation continuing the attack on working people with so-called right-to-work legislation, attacks on the ability of middle class families to educate their college-age students, attacks on those who own property and now must accept higher property taxes at the local level because the state is reducing funding to public schools. I could go on with other examples of their attacks on our rights.

With all the obligations and priorities, we have to address the jobs issue or school funding or lack of transit and transportation infrastructure. The Republican Majority seems "stuck on stupid" with this inane piece of legislation, which is a cure for an ailment that does not exist, spending millions on a solution to an invisible problem.

House Bill No. 934's supporters argue that this measure is necessary to reduce "voter fraud." However, in the 2008 Presidential election, only four cases of voter fraud were reported out of the 8.73 million registered Pennsylvania voters. Voter fraud simply does not exist in Pennsylvania. I saw a statistic that since 2004, we have cast 20 million votes in our state and there have only been 4 convictions for fraud. There is no crime wave and there is no voter fraud epidemic. This is part of a national right wing voter suppression effort and agenda. This is an attempt to make it more difficult for seniors, poor men and women, and minorities to vote.

If election turnout is high, voting lines will be both long and the process heavily delayed, ultimately repelling those who wish to exercise their right to vote. I am sure that Republicans will attempt to keep the number of voting machines down at certain voting districts and will engage in other voter suppression efforts such as last-minute voting location changes.

What is more, cost estimates of this "initiative" are all over the place. Outside groups peg the cost at \$11 million in the first year and over \$15 million over the next 3 years. Our own estimates suggest \$4 million. In a year when our counties and schools and numerous other public entities are suffering, why are we directing precious state funding to suppress the vote? If we want to address voting issues, we should turn our attention to looking for innovative, cost-effective ways to increase voter participation, not disenfranchising voters and discouraging voting by senior citizens, members of the military, disabled, low-income and young voters who do not always have government-issued IDs.

We should also put on a major advocacy effort to make sure all voting locations and buildings meet ADA accessibility requirements.

If in fact we do have millions to spend on this solution, which is in search of a problem, why do not we have money to spend on education, where classroom sizes continue to grow, teachers are losing jobs, and college tuition costs have become unaffordable for so many middle class families? Where were all of these millions when Governor Corbett and the Republican Majority cut more than 40,000 working Pennsylvanians from adultBasic's affordable, quality health care?

Pure and simple, House Bill No. 934 is fiscally irresponsible, ideologically-driven, poor public policy that will create more problems than it will solve, and will inhibit our democracy and our constitutional right to vote.

In closing, in regard to the Republican Majority in the Pennsylvania Senate, I am reminded of the words of Stewart Udall: "We have, I fear, confused power with greatness."

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

Senator COSTA. Mr. President, I want to join Senator Ferlo, all of my colleagues on this side of the aisle, and everyone in this Chamber, to also extend our well wishes and Godspeed to Senator Folmer. I was not aware of his diagnosis, and I wish him all the best as he moves forward. As Senator Ferlo said, he is a man who has demonstrated not only courage by giving remarks here today, but the work that he does in this Chamber on behalf of his constituency is outstanding. I have no doubt he will bring that same level of commitment and dedication and passion to the treatment that he needs to address as he goes forward. So, my best to Senator Folmer.

Mr. President, I rise this afternoon to talk a little bit about an issue that has gotten a lot of attention here in Harrisburg, particularly as it relates to the activities that took place over the past several weeks dealing with our hearings of the Committee on Appropriations. Mr. President, there has been a lot of conversation about a desire to restore funding to the higher education community, more specifically the State-relateds. Mr. President, I stand here to support that notion, but I also believe that there are other areas in the State budget that deserve our attention and are equally as important as the higher education community, specifically the State-relateds. As someone who has served as trustee at the University of Pittsburgh for a number of years, I recognize the need to make certain that we provide resources to those institutions at a very important time of their existence. They are on the cusp of trying to make a determination as to what direction they move and what they become, whether they stay a State-related institution or whether or not they become private institutions.

Mr. President, I will tell you, though, that there are a number of other organizations throughout this Commonwealth that are also facing very difficult times and choices as it relates to this particular budget. Mr. President, this 2012-13 budget proposal set forth by the administration makes very significant changes to our Department of Public Welfare and how it operates. It aims to entirely transform the relationship between State and local governments, specifically our county governments, when it comes to delivering very critical human service programs. Mr. President, the administration has proposed combining multiple human service programs into a single block grant that the administration believes is going to give our counties flexibility to move funds to where they think they are needed most. While providing such flexibility is commendable, Mr. President, I am concerned, along

with Members of our Caucus and a number of people in the provider community, about what may become of these line items and programs that are provided.

For starters, Mr. President, once the programs are consolidated, the Governor has moved to reduce that funding by 20 percent, in excess of \$168 million cut from the provider community. Such a significant reduction cannot and must not be lost in the conversation as we go forward in this budget, and as I said earlier, rises to the level of the same conversation we are having with our higher education communities. The 20-percent reduction means \$168.4 million less for programs that, quite frankly, are literally the difference, in many cases, between life and death for our constituents.

The people who are impacted by these welfare cuts, as they are called, are autistic children, mentally ill teenagers, the developmentally challenged, children and adults alike. Those individuals consistently rely upon the Department of Public Welfare programs, which allow them to maintain some semblance of normalcy in their lives and in their family's lives, and these programs actually, overall, end up saving the Commonwealth resources. Through the DPW programs, which the Governor is seeking to lump together and then reduce by 20 percent, one fifth of those men, women, and children are able to live in group homes, stay with their families, or learn a skill and become self-sufficient and maintain their dignity, believe it or not, allowing them to make the cost associated to the State much less. Keeping these individuals out of nursing homes, out of institutions, and in the community is actually cost-effective, in addition to giving these men and women independence and so much more, which we just simply cannot quantify.

It is easy to talk about cutting waste, fraud, and abuse when wielding the word "welfare," a term we all take issue with when it is used in such a way. Cutting welfare is a popular buzzword, a buzzword which makes it easy to gather folks on your bandwagon and move forward. The word belies, however, the magnitude of these programs and the reliance of those to whom we provide services throughout this Commonwealth are, as I said earlier, literally a lifeline.

Mental health services community programs, \$110 million cut from this budget. Intellectual disability community-based programs, \$29 million; county child welfare special grants, \$9.7 million; homeless assistance program, \$4.1 million; behavioral health services, \$9.58 million; the Human Services Development Fund, a program that has had a lot of conversation here over the years about how valuable that program is to our counties--last year, we were able to restore it to some level. This year, it is recommended to be cut an additional \$3 million.

Mr. President, over the past several weeks since the budget came out, I had the opportunity to meet with a number of provider organizations and individuals who receive these services, and they articulated the concerns they have about these budget cuts and the adoption of this block grant concept. They are deeply concerned about the massive cuts proposed by the Governor, not to mention the major public policy shift, as I said, to a block grant funding model. They believe that this untried, unvetted system poses a major risk to the groups who are the most vulnerable, the groups I mentioned earlier, groups of individuals who run the risk of ending up in our emergency rooms, nursing homes, hospitals, or in jails, or, God forbid, in the streets.

Pennsylvania's behavioral health system was developed over the course of years with the input of professionals, experts, and providers of behavioral health services. Any changes to the system were done with a transparent vetting process. Individuals, families, and communities all across Pennsylvania who were repeatedly promised that they would be provided for, and individual family members would be provided for, are now filled with concern. With the Corbett budget proposal directing cuts of at least \$168.4 million for those who are the most vulnerable, there is good reason for such concern.

Mr. President, when we were faced with very similar types of situations with respect to budget concerns back in 2009, when we did the 2009-10 budget, we were trying to close a projected shortfall of \$3.2 billion when we miscalculated revenue for that particular year, a \$3.2 billion shortfall we were dealing with. When we did the 2011-12 budget, just last year, we were trying to close a \$4 billion gap. Mr. President, in both instances, this General Assembly was compassionate, understanding, and recognized the value of these programs that I just talked about, and we did not make anywhere near the Draconian and drastic cuts to the human service programs that I talked about today. When we had tough choices to make, we looked around to see what we could do to try to find resources to prevent those types of cuts from taking place, and this year is no different.

We have options. We have opportunities. We are not looking to raise taxes to be able to cover this \$168 million, nor are we looking to raise taxes to cover the shortfall in the higher education community. But what we are talking about are some of the options that are on the table. One that jumps out at us consistently and one that we addressed back in 2009-10 when we had the budget conversation was the freezing of the capital stock and franchise tax phaseout. That is something we need to reexamine today. That would allow us the resources, options, and alternatives that we have as we go forward.

Mr. President, there has been talk on both sides of this building as it relates to the combined reporting issue, the Delaware loophole issue, as well as a variety of other efficiency options that we could put into place to help us generate the revenue we would need to be able to close this gap so that we are not impacting the most vulnerable students, the most vulnerable citizens of this Commonwealth, when we address both higher education and this block grant concept as it relates to human service providers and programs.

So, Mr. President, while I think it is important to have a conversation about higher education as we go forward, as I stated earlier, we on this side of the aisle believe that there needs to be another conversation that takes place when it deals with restoration of resources into this State budget, and that is programs for human services that are not only effective here at the State level, but make their way down to our counties where the counties have to make very difficult decisions about maintaining the same level of services. Rest assured, when we send fewer dollars down to the county level to fund these programs, when fewer dollars are there, that does not mean that fewer needs are going to be there. The resources are not going to be there to meet the demand and the need, and these individuals end up in a place that costs this Commonwealth a heck of a lot more money.

So, please, let us continue to be compassionate and understanding, in this Chamber and the Chamber across the building,

so that we can craft a budget that addresses this whole issue of human service programs so that we are able to fund them at an appropriate level and continue to do what we have done in years past, to make sure that those most vulnerable students and individuals in this Commonwealth have the opportunity to get the services that we promised them in a variety of ways and that we make certain we deliver in this Commonwealth.

Thank you, Mr. President.

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Tuesday, March 13, 2012, 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 3:07 p.m., Eastern Daylight Saving Time.