

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, MAY 22, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 30

SENATE

TUESDAY, May 22, 2012

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

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

PRAYER

The Chaplain, Reverend TERRY FRIESEN, Pastor of Palmyra Brethren in Christ Church, Palmyra, offered the following prayer:

Shall we pray.

Our Father in heaven, we thank You for this, another day in which we can rejoice and be glad. We pause and ask for Your blessing upon these proceedings. We thank You for each Senate Member, for their staff, and for their families. We thank You this day for their commitment to serve. We pray for the business of this day. We ask that You give us wisdom for the decisions both great and small, and where we fail in the asking, I pray, Father God, that You do not fail in Your giving. For we pray in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Friesen, who is the guest today of Senator Folmer.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

May 22, 2012

HB 153 -- Committee on State Government.

HB 1908 -- Committee on Consumer Protection and Professional Licensure.

BILL INTRODUCED AND REFERRED

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

May 22, 2012

Senators BRUBAKER, SCARNATI, PILEGGI, GREEN-LEAF, ROBBINS, D. WHITE, WOZNIAK, RAFFERTY, YUDICHAK, ERICKSON, BAKER, ALLOWAY, ARGALL, MENSCH, BROWNE, DINNIMAN, HUGHES and BLAKE, presented to the Chair **SB 161**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for criteria for institutions of purely public charity.

Which was committed to the Committee on FINANCE, May 22, 2012.

BILLS REPORTED FROM COMMITTEE

Senator GORDNER, from the Committee on Labor and Industry, reported the following bills:

HB 728 (Pr. No. 3576) (Amended)

An Act amending the act of February 11, 1998 (P.L.58, No.15), known as the Combustible and Flammable Liquids Act, further providing for regulations and for prohibitions.

HB 1055 (Pr. No. 3577) (Amended)

An Act providing for professional employer organizations.

HB 1548 (Pr. No. 3578) (Amended)

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Smucker, and a legislative leave for Senator Rafferty.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Smucker, and a legislative leave for Senator Rafferty.

Senator Costa requests a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of March 26, 2012, and March 27, 2012, are now in print.

The Clerk proceeded to read the Journals of the Sessions of March 26, 2012, and March 27, 2012.

Senator PILEGGI. Mr. President, I move that further reading of the Journals be dispensed with and that the Journals 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-48

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

NAY-0

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

The PRESIDENT. The Journals are approved.

SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED

Senators CORMAN, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA, BREWSTER, BROWNE, BRUBAKER, COSTA, DINNIMAN, EARLL, EICHELBERGER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, GORDNER, GREENLEAF, HUGHES, KASUNIC, KITCHEN, LEACH, McILHINNEY, MENSCH, PICCOLA, PILEGGI, PIPPY, RAFFERTY, ROBBINS, SCARNATI, SCHWANK, SMUCKER, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, VANCE, VOGEL, WARD, WASHINGTON, WAUGH, D. WHITE, M. WHITE, WILLIAMS, WOZNIAC, YAW and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 318**, entitled:

A Resolution honoring Hines Ward for his distinguished career in the National Football League as a wide receiver for the Pittsburgh Steelers and his outstanding contributions to society as a representative of the Pittsburgh Steelers, the City of Pittsburgh and this Commonwealth.

On the question,
Will the Senate adopt the resolution?

GUEST OF SENATOR JAKE CORMAN
AND SENATOR JAY COSTA
PRESENTED TO THE SENATE

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

Senator CORMAN. Mr. President, I often get asked when I go see student groups, what is your favorite part about your job? And today might be at the top of that list as I get the opportunity to introduce someone who does not need any introduction here in Pennsylvania. Prior to today, the most famous professional football player I had a chance to talk to was Senator Tomlinson in his tremendous career back in the 1950s. But today, that has been eclipsed by the opportunity to meet Hines Ward. I am a lifelong Steeler fan, as many in this Chamber know, and he is someone who I have certainly rooted for and have been excited by his career. I am someone who grew up in the 1970s watching the Steelers win all of those Super Bowls. We had some down years, but when the Steelers drafted Hines Ward, the glory years of Pittsburgh came back and we won a couple more Super Bowls since then. I should not say "we." If you are a Steelers fan, you feel like it is "we."

Unfortunately, as time gets us all, Hines Ward has decided to retire from professional football. I am not sure he is retired from professional dancing yet, but he has retired from professional football, and he has graced us by coming here to the Harrisburg Capitol to allow us to honor him for all the things he has done. The resolution is very important, and I can sit here and talk about Super Bowls and stats, but that is not really why we are here to honor Hines Ward. Hines Ward has used his celebrity status as an NFL football star to do great things. In a day and age when a lot of people in the media are not necessarily the ones who give back, he is one who has been an exemplary role model.

Let me cite a few things in the resolution that I think are important. Mr. Ward has been a leader off the field, dedicating his time to helping to improve the lives of underprivileged youth in the Pittsburgh and Atlanta, Georgia, areas through the Helping Hands U.S. Foundation, which focuses on improving literacy among children and provides programs and services to better equip children for achieving success in life. Mr. Ward also continues his work in his home country of South Korea through his Hines Ward Helping Hands Korea Foundation, which is aimed at ending biracial discrimination. Mr. Ward has been appointed as the Good Will Ambassador to South Korea by the Korean Ministry of Foreign Affairs and Trade, and he has also assisted with many other charitable organizations, including the Highmark Caring Foundation, Cystic Fibrosis Foundation, Salvation Army, Make-A-Wish Foundation, and Children's Hospital of Pittsburgh. He has been recognized for many contributions which have impacted the lives of children, when he was named the 2008 Walter Payton Man of the Year.

You know, again, Super Bowls are great, NFL stardom is great, and I believe the NFL Hall of Fame for him someday will be great, but using your celebrity to help others is much, much better, and that is why we are here to honor him today. On behalf of the Senate of Pennsylvania, I want to thank Hines for being here, and let us all offer our congratulations on his wonderful career.

(Applause.)

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

Senator COSTA. Mr. President, I, too, rise and offer my support and our Caucus' support of the resolution that was offered by Senator Corman. Mr. President, I have remarks that are very similar to what Senator Corman has just discussed, particularly the part about the role that Hines Ward has played not only on the football field, but more importantly in our community, and quite frankly, across this country and throughout this world. The many, many community involvement activities that Hines has been part of, as was enumerated by Senator Corman, go to the character and the type of person that Mr. Ward is. He is an individual who provides 110 percent on the football field, but more importantly, does as much, if not more, in the community working with individuals. So to that end, Mr. President, I offer my remarks for the record, and I, too, want to say thank you, Mr. Ward, for your service, of course, to the Pittsburgh Steelers, as a huge Steelers fan, but more importantly, to our community and this Commonwealth.

Thank you, Mr. President.

(Applause.)

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 COSTA:)

Mr. President, President Obama has called Hines Ward the "Happiest Man in Football," perhaps the greatest Steeler wide receiver in history, a history that includes Lynn Swann, John Stallworth, Frank Lewis, Roy Jefferson, and Louis Lipps. An all-time Steeler who came up big in the biggest games, he played 14 years in the National Football League.

A big play receiver, devastating blocker, and hitter of safeties, corners, and inside linebackers, Hines was the consummate team player who did what was needed. Hines is a Pro-Bowler, a future Hall-of-Famer, and a legend in scholastic sports in his home State of Georgia, at the University of Georgia. And, he dances pretty good too; way better than Emmitt Smith. He is a legendary football player, but he was also an outstanding baseball player. Maybe the Pirates can give him a tryout now that his football career has come to an end and he can play 14 years for them. They need a big hitter.

And let us not forget how Hines Ward delivered in games against the Baltimore Ravens and how he brought smiles to the faces of Steeler fans and disgust to the Ravens fans, when Hines would make a key third down catch and keep the chains moving.

He was a Super Bowl MVP and made 1,000 receptions. Even more important, Hines is a community MVP. He is an outstanding ambassador of his sport and has sought to make a difference in the lives of others. He was voted the 2008 Walter Payton Man of the Year, works with the Helping Hands Foundation, the Caring Foundation, Cystic Fibrosis Foundation, Salvation Army, Make-a-Wish, Children's Hospital, Highmark Caring Foundation, and the Pearl S. Buck Foundation.

Hines returned to South Korea, where he was born, and in 2006, he spent two months there trying to usher in a new period of political reform. He was appointed Goodwill Ambassador to South Korea.

Hines Ward is a tremendous Steeler, a tremendous teammate, and a tremendous person. I hope the Senate gives Hines its usual warm welcome. I would like to invite the Senators and staff to swing Terrible Towels if you have them at your desks to give Hines the usual Steeler welcome.

And the question recurring,

Will the Senate adopt the resolution?

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

The PRESIDENT. Let the record reflect that the resolution was adopted unanimously.

Mr. Ward, the podium is yours, sir.

Mr. WARD. Man, this is the coolest thing ever. This is my first time here in Harrisburg, but today is a big honor. I just want to thank all of you guys for honoring me today, especially the guys from western Pennsylvania. But overall, like I say, I just try to not only represent the city of Pittsburgh, but represent the State of Pennsylvania as best that I know how, through Dancing with the Stars, through charitable things on and off the field. So today is a huge honor for me. I am glad to be here, so thank you all.

(Applause.)

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

Senator CORMAN. Mr. President, for the interest of the Members, I will leave the resolution at the desk for anyone who would like to cosponsor it. I can assume that all 50 Members of the Senate would like to put their names on it. So unless I hear otherwise, we will add you as a cosponsor, even you Eagles fans over there. Senator Williams, is that all right? I am just making sure.

Thank you, Mr. President.

2011 PENNSYLVANIA BITUMINOUS COAL QUEEN PRESENTED TO THE SENATE

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

Senator SOLOBAY. Mr. President, it is somewhat amazing to see all these Eagles fans running over to see Hines. I guess they never had the opportunity to see a real Super Bowl winner.

The PRESIDENT. The gentleman is out of order. The gentleman will restrict himself to the introduction of his guests.

Senator SOLOBAY. Yes sir, Mr. President.

Although she may not have any Super Bowl rings, she is a Super Bowl winner in all of our hearts in southwestern Pennsylvania. Mr. President, it is my pleasure to rise today to introduce a very special guest to the Senate of Pennsylvania. For the past 58 years, The King Coal Association has held a Coal Queen pageant in conjunction with the King Coal show to select a young lady to represent the bituminous--not the anthracite, but the bituminous--coal industry of southwestern Pennsylvania. This year, Miss Victoria Buchtan, the 2011 Pennsylvania Bituminous Coal Queen, is from Carmichaels in Greene County. Miss Buchtan is a senior attending Carmichaels Area High School, where she maintains high honors and is very active in school and community activities. She is a member of the senior high marching and concert bands, and participates in the Big Brothers/Big Sisters program. This evening, Miss Buchtan will be honored by the Pennsylvania Coal Association during a reception and dinner at the Harrisburg Hilton. By winning the title, Victoria and her mother became the very first mother and daughter team to hold the title. Vanessa Davidson Buchtan was the 1983 Coal Queen.

I am very pleased to have with Miss Buchtan and her mom the Coal Queen pageant representatives, Jean Hockenberry, Lisa Allison, Paddy Pratt, and Joseph A. Sbaiffoni, who is the director of the Bureau of Mine Safety of the Department of Environmental Protection. Also, it is my understanding, Mr. President, back

in Victoria's home school, Becky Mitchell, who is also part of the Coal Queen pageant but was unable to join us, was able to get this on the Senate webcam so that her entire class, not to make you nervous, Victoria, but your entire class is watching right now as you will soon be addressing the Senate.

Mr. President, I ask that the Senate of Pennsylvania extend its usual warm welcome to Victoria, the 2011 Pennsylvania Bituminous Coal Queen.

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

(Applause.)

Senator SOLOBAY. Your Majesty, the podium is yours.

Miss BUCHTAN. I am very pleased and honored to be here today, and it is my privilege to be able to address our distinguished Senators. I would like to thank you for extending this invitation to me. This is quite an opportunity for a young person to have, and I feel all of you should be commended for taking the time to make me, as well as all of the previous Coal Queens, feel welcome. This time last year, I had no idea that I would be fortunate enough to be with you today. I would like to take a little time to explain what an important role all of you play in so many lives of the young ladies in southwestern Pennsylvania.

Each year, the King Coal Association holds a coal show, and that includes a Pennsylvania Bituminous Coal Queen Pageant, which is the most prestigious pageant in our area. It has become the goal of almost every young girl in her junior year of high school to be selected as a contestant to represent their individual school. This year, we had 14 schools represented. In order to compete, each contestant must perform a talent of her choice as a portion of the judging. Therefore, we are encouraged to develop a talent that might otherwise become unnoticed. Many work for years studying and preparing, and others have gone on to make careers of their talents, such as dancing teachers, piano teachers, professional singers, and one of our past Coal Queens is at present a professional actress in Hollywood. In fact, my future plans are to attend Robert Morris University to double major in communications/theater, in hopes to one day perform on Broadway.

Now, you are asking, how do all of you enter into our goals? The answer is by caring and encouraging us to do the very best we can. And if fortunate enough, as I have been, to be crowned Pennsylvania Bituminous Coal Queen, we can look forward to receiving your invitation here today. Just knowing that you are willing to take the time out of your busy schedules to welcome us each year, and to let us know that you have an interest in our youth today, is our ultimate reward.

Since being crowned, I have been involved in so many activities, such as judging various contests, being interviewed by our local radio station, and numerous parades and dinners, but being able to tour the Cumberland Mine and being invited here today are truly the highlights of my year-long reign. Now I would like to extend an invitation to all of you to come to Carmichaels, the heart of the coal region, this coming August, to attend one of the Coal Queen pageants and to enjoy the other festivities of the coal show during the week-long celebration. Each year, the marvelous efforts of the King Coal Association makes it bigger and better. So, once again, I thank you, and I will be looking forward to seeing you all in August.

(Applause.)

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

Senator SOLOBAY. Mr. President, as you well know, a very strong gentleman whom I was very fortunate enough to replace, Senator J. Barry Stout, and our good Senator Rich Kasunic had an ongoing battle of who gets the most Coal Queens out of southwestern Pennsylvania. I am not sure what the number is between the two of them, and now between the two of us, you and I, Rich, but I think we kind of have you beat pretty bad. But do not feel too bad. Maybe you will have your shot next year.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, Tim is right. Senator Stout and I, and now Tim and I, have this little friendly competition. I think he called it the Super Bowl a little earlier, and he prevailed the last couple of years, but look out for next year, Tim.

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, first, I would like to introduce Rich and Kate Koster from Chester County, West Bradford Township. Rich is a lieutenant colonel in the Army Reserve. His wife, Kate, is a Head Start teacher in Chester County. They are involved in a number of volunteer organizations, and through giving to charity, they are here today as the winners of an auction for a tour of the Capitol. They are fine people who do a great deal for our county, and I hope you will give them a warm welcome, 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. I have a second guest, Mr. President, as well.

The PRESIDENT. Go right ahead, Senator.

Senator DINNIMAN. Mr. President, one of the high schools in our county, Tredyffrin-Easttown School District, Conestoga High School, does a wonderful thing. You know, seniors get a little bored in their senior year and they are itching to get out. Well, they let the seniors spend the last three weeks doing an internship. It could be with a local business, a local doctor, or with a local Senator like myself. So, I am proud of Andrew Metz, a senior at Conestoga High School, who is president and founder of what is called the Political Spectrum, which brings all the groups together. Andrew plans to attend UCLA in the fall with a double major in political science and economics, and a minor in philosophy, and if that is not enough, he hopes to compete on the boxing team at UCLA. If you are going to major in political science, you might as well learn the art of boxing as well, right? So I ask we will give him a warm welcome.

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

(Applause.)

**GUESTS OF SENATOR JUDY SCHWANK
AND SENATOR JOHN C. RAFFERTY
PRESENTED TO THE SENATE**

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

Senator SCHWANK. Mr. President, I am pleased today to join with my colleague, who is on the mend, we hope, Senator Rafferty, in welcoming students from Daniel Boone High School, and they are here today being sponsored by the Daniel Boone Optimist Club. These students are juniors in high school, AP history majors, and they really impressed me with their knowledge of how State government works, in particular, how a bill becomes law. They could answer all of the questions and had a real interest. It is wonderful to have students like them in our halls today visiting with us. Also with them today are their chaperones, Curt Clifford and Bill Aschmen. I ask, Mr. President, that my colleagues join me in welcoming these outstanding students.

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

(Applause.)

**GUESTS OF SENATOR GENE YAW
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, visiting the Capitol today is the entire ninth-grade class from North Rome Christian School, which is the only K through 12 private school in Bradford County. They have been visiting the area, and yesterday they were in Gettysburg and were rained out. So, I am hoping that they will have a much, much better and educational day here in the Capitol. I ask the Senate to welcome this group.

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

(Applause.)

**GUESTS OF SENATOR ROBERT TOMLINSON
PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Mr. President, I am pleased today to welcome the Franklin Delano Roosevelt Middle School POWER group, from Bristol Township, your hometown, visiting us today. The POWER Team is the Preservation of Wildlife Ecosystem Resource Team, and they won a competition in Florida. They were the best comprehensive Ecological Habitat Project to be awarded at a seminar in Sunrise, Florida. The middle school POWER Team focused on creating a natural wildlife prairie from Wheelabrator Falls Plant open space, educating the community on how to create their own backyard habitat and encouraging the support of natural pollinators that are important to the ecosystem. The students utilized the research of wildlife habitats and native flowers, grasses, and natural pollinators that support the natural habitat. I am happy to welcome this team and the teachers who escorted them today, and I ask the Senate to give them a warm welcome.

The PRESIDENT. Would the guests of Senator Tomlinson 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 Appropriations to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Appropriations, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations to be held in the Rules room, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 817 (Pr. No. 1830) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 817?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 817.

On the question,

Will the Senate agree to the motion?

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

Senator BAKER. Mr. President, this measure addresses an appalling aspect of juvenile justice corruption that affected Luzerne County. Reliance on leg shackling and handcuffing kids was another way that Judge Ciavarella intimidated and bullied those who came before him. In most juvenile justice courtrooms,

shackling is a rare occurrence, done only when security is deemed seriously at risk. It was unimaginable as a common practice, considering kids as young as 10 who did something immature or thoughtless, not the destructive or violent acts we think of as constituting juvenile crime. These kids were brought before a judge without the benefit of legal counsel, swiftly sentenced, shackled, and hauled off to detention. In too many cases, there was no correlation between action and consequence. The interbranch commission made it quite clear this practice was offensive to the concept of justice, using words such as "demeaning" and "dehumanizing." Purposely and needlessly breaking the spirit and rubbing out the self-worth of kids is contrary to every principle of restorative justice.

To prevent corruption, we are adopting new laws, strengthening juvenile court rules of procedure, and adding meaningful oversight. To prevent corruption, we must never forget how callously it may be carried out or how corrosive it is to justice and community trust. The people of Luzerne County have been awaiting action, and this is the last of the reform measures coming before the House and Senate. Approval of Senate Bill No. 817 is an important additional and redemptive step. I would like to thank, once again, Senator Greenleaf and my colleagues from Luzerne County, Senator Yudichak, Senator Blake, and Senator Gordner, as well as every Member of the Senate and House for their support of this important reform package.

Thank you, Mr. President.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Smucker has returned, and his temporary Capitol leave is cancelled.

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

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

YEA-48

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

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATIONS BILLS OVER IN ORDER

SB 1467, SB 1468, SB 1469, SB 1470 and SB 1471 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 165 (Pr. No. 3560) -- The Senate proceeded to consideration of the bill, entitled:

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

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

On the question,
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Mr. President, before I ask for a "no" vote on this bill, I want to explain that I am a former board member of the Venango County Association for the Blind. I have been a contributor to Guiding Eyes for the Blind for over 20 years, and I certainly recognize the value of guide dogs and assisted living dogs, but I cannot vote for this bill. My problem is that it makes it a crime for your dog to attack a guide dog. I certainly believe that civil penalties are completely appropriate. I believe you should have to replace the dog, pay for lost wages, pay for retraining, whatever it takes to make the situation right if, in fact, your dog attacks a guide dog. But I think to make a person a criminal for the acts of their dog is heading down a very bad path.

Now, if you sic an attack dog on someone, that is a crime. If your dog escapes his leash and attacks another dog, a guide dog, I do not see that as a criminal act, and I think it is almost an embarrassment, as chairman of the Commission on Sentencing, for me to have to tell that commission that we have to now start grading offenses by your dog. So, thank you.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Farnese, Senator Hughes, Senator Kitchen, Senator Stack, Senator Washington, and Senator Williams.

The PRESIDENT pro tempore. Senator Costa requests temporary Capitol leaves for Senator Farnese, Senator Hughes, Senator Kitchen, Senator Stack, Senator Washington, and Senator Williams. Without objection, the leaves will be granted.

And the question recurring,
Shall the bill pass finally?

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

Senator EICHELBERGER. Mr. President, I ask for an affirmative vote on this bill and will explain that in the language of the bill, it is only a person who knew or should have known that the dog he owns or co-owns had a propensity to attack human beings or domestic animals without provocation. This was language that was added in committee to prevent random attacks of dogs where a dog is an otherwise well-behaved animal, a safe animal in a community that, for some reason, possibly would have an encounter with a service dog.

We have service dogs in our society that are extremely well-trained, and very expensively trained, to the tune of between \$30,000 and \$50,000, or maybe more than that, thousands of dollars, and it takes many months to train. These dogs, part of their training entails not responding to attacks from other animals so that they can focus on their job of providing the eyes, ears, and protection for the people whom they are serving. We have had a number of attacks across the Commonwealth on these dogs, and I have a constituent whose dog was attacked. It is a tragic thing for them, and it takes away their ability to function in our society, in many ways, when they are without their service dog.

We allowed the criminal sanctions in the bill under the circumstances that were described, about the propensity of violence from the dog, with the agreement of the district attorney and the judicial system to pursue a criminal sanction. It is not required in the bill that a criminal sanction is pursued, and we certainly have civil reparations in the bill that we hope would be what would be used, for the most part. The point of the civil reparations would be to make the person who is injured whole. That is the real key to trying to protect people so that they can get their dog replaced or retrained and get their bills paid so that they can continue to function, work, and do things in their lives that improve their quality of life.

So again, I ask for an affirmative vote on this, Mr. President, and an understanding that we have all tried to work through this issue as best we can. We have people who do not have any money and have violent animals, and this would at least be something that would be on their records. For those who can pay, we hope the court system will work through that and make sure that the people who are damaged have the payments made to them so that they can get back on their feet. Thank you very much.

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

Senator FERLO. Mr. President, I wanted to further clarify or try to understand the legislative intent that was just explained. Would the sponsor or someone stand for interrogation, briefly? I do not know who made the amendment, but--

The PRESIDENT pro tempore. Senator, the bill is a House bill. The Chair is not aware of anyone who could stand for interrogation on the bill.

Senator FERLO. Okay, Mr. President, I thought it was amended back over here by one of our colleagues. Maybe not. Well, then I will just try to make the point. I wanted to further clarify and understand what "propensity" means, exactly. If

someone owns a dog, regardless of breed, but has knowledge that that dog, for instance, may have attacked at one time or another in the past either an individual, or had some action in front of a court of common pleas, or even at a magisterial district justice level, is it presumed that the legislative intent here is that person had knowledge or fills the description of should have had knowledge? I just want to be clear. I sense that is the intent of this legislation, that that fact would be established and that would go to, in effect, show that person should have known the propensity of his or her dog to possibly engage in a violent attack on a service dog. That is the way I understand this to read, not that the dog itself took an action to cause the harm or death of a service dog, that they understood that there is a track record.

So I want to be clear that that is kind of what we are voting on. I recognize that no one can stand for interrogation, so I was concerned about our colleague's comment from Butler County, which I think is a legitimate concern. So I was trying to clarify legislative intent, but absent someone standing to respond. Thank you.

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

Senator COSTA. Mr. President, before we get to the roll-call vote, as it relates to the gentleman's question about interrogating someone as it relates to the bill, I think the very specific question goes to the criminal nature of the particular provisions in the bill, which, if I am not mistaken, were reinserted into the bill yesterday in the form of an amendment by a Member, and I think the gentleman is asking that the Member who provided the amendment yesterday be available for interrogation, if that is possible.

The PRESIDENT pro tempore. The Chair would entertain the request of a specific Member, if the gentleman would ask for a specific Member.

Senator COSTA. Mr. President, I believe it was Senator Eichelberger who offered an amendment to that end.

The PRESIDENT pro tempore. The Chair would entertain that request, if it would be made.

Senator COSTA. Mr. President, I defer to Senator Williams, who could make that request. The question is, Mr. President--

POINT OF ORDER

Senator WILLIAMS. Mr. President, point of order.

The PRESIDENT pro tempore. The gentleman will state his point.

Senator WILLIAMS. Mr. President, to clarify who is the person who would be interrogated. I would be happy to be the person who is interrogated. Senator Eichelberger and I worked on the language, so I am more than happy.

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

Senator FERLO. Mr. President, I do not usually interrogate a colleague on our side of the aisle. I ask, respectfully, to briefly interrogate the likely sponsor of the amendment.

The PRESIDENT pro tempore. Will Senator Williams stand for interrogation?

Senator WILLIAMS. Yes, Mr. President.

The PRESIDENT pro tempore. The gentleman indicates he will. The gentleman may proceed.

Senator FERLO. Mr. President, if you heard the earlier discussion, I wanted to clarify the issue that our colleague from

Butler County raised. It was a legitimate concern about what is the legislative intent, specifically on defining what the owner of the dog's knowledge is on that dog's propensity to be violent.

Senator WILLIAMS. Mr. President, I apologize. For the benefit of those who are watching or listening, I walked in late, but I am quite clear about this issue of criminality or misdemeanor. So the misdemeanor does not put you in jail, but it does put you at a certain level of concern. The reason for that is because some of us who have been involved in this, and in my particular case, in Philadelphia County, people buy pitbulls, or a variety of dangerous animals, and they are not around for a civil claim, they may not even have the wherewithal to provide a civil claim, but are quite clear that they do not want to have record when it comes to allowing for a dangerous dog to roam on the streets of Philadelphia. That has literally happened. People will turn their dog out on the street, knowing how dangerous the animal is, and quite clearly have never appeared in civil court, knowing they will get a judgment.

So, for us who take this quite seriously, who are dog lovers and owners of animals, we think there is a level of responsibility that is beyond negligence, it is that level of drawing one's attention on a different level that draws us to this point. I recognize that some persons do not have that issue. But in my area and in a variety of other areas across Pennsylvania, we do have this issue.

Senator FERLO. Mr. President, thank you.

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

Senator WILLIAMS. Mr. President, I was just here to respond. Thank you.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Farnese, Senator Hughes, Senator Kitchen, Senator Stack, Senator Washington, and Senator Williams have returned, and their temporary Capitol leaves are cancelled.

LEGISLATIVE LEAVE

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Robbins.

The PRESIDENT pro tempore. Senator Pileggi requests a temporary Capitol leave for Senator Robbins. Without objection, the leave will be granted.

And the question recurring,
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentlewomen from Venango, Senator Mary Jo White.

Senator M.J. WHITE. Mr. President, one brief response. I really believe that the criminal courts of Philadelphia have more important work to do than to handle attacks by dogs on other dogs. Thank you.

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

Senator WILLIAMS. Mr. President, I totally agree that the courts of Philadelphia have a lot of important issues well above and beyond this, but I happen to live in Philadelphia, and so I have to face certain realities. This, if it is going to be handled, would not be handled in the court of common pleas, it would be handled somewhere at a lower level where bureaucracy would deem, in some cases, we actually have clerks who serve in those capacities who could easily and fairly adjudicate this process. So, it is not going to be overwhelming or overburdening, and it will certainly not bankrupt the court system of Philadelphia. But what it will do is send a message, which we have not in a long time in Philadelphia, that we love animals, and we protect the sanctity of the human beings who reside with those animals.

So while I respect my colleague's opinion, I want to assure the gentlewoman, and anyone else, this is something that one needs not to be concerned that will overrun and overburden the court system of Philadelphia County, or any other county, frankly.

And the question recurring,
Shall the bill pass finally?

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

YEA-38

Alloway	Erickson	McIlhinney	Tomlinson
Argall	Farnese	Mensch	Vogel
Blake	Folmer	Pileggi	Ward
Boscola	Fontana	Pippy	Washington
Brewster	Gordner	Rafferty	Williams
Browne	Greenleaf	Robbins	Wozniak
Corman	Hughes	Schwank	Yaw
Costa	Kasunic	Solobay	Yudichak
Dinniman	Kitchen	Stack	
Eichelberger	Leach	Tartaglione	

NAY-10

Baker	Ferlo	Smucker	White, Donald
Brubaker	Piccola	Vance	White, Mary Jo
Earll	Scarnati		

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 with amendments in which concurrence of the House is requested.

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

BILLS OVER IN ORDER

HB 804, SB 932, SB 1090 and SB 1135 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1263 (Pr. No. 1627) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for the Department of Labor and Industry.

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

SB 1398 (Pr. No. 2163) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 1480 and **SB 1492** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1610 (Pr. No. 3442) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing standards for preventing sudden cardiac arrest and death in student athletes; assigning duties to the Department of Health and the Department of Education; and imposing penalties.

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-46

Argall	Farnese	Piccola	Vance
Baker	Ferlo	Pileggi	Vogel
Blake	Folmer	Pippy	Ward
Boscola	Fontana	Rafferty	Washington
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
Eichelberger	McIlhinney	Tartaglione	
Erickson	Mensch	Tomlinson	

NAY-2

Alloway Earll

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 with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1682 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1825 (Pr. No. 3494) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey by quitclaim deeds to Aber and Hockenberry, Mary E. Crotzer, Ronald and Michael Haines, Randy D. Payton Sr., Jack L. Hanna and Victor and Katherine Crum, certain lands situate in Curtin Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Centre County Industrial Development Corporation certain lands situate in Benner Township, Centre County; 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; authorizing the Department of General Services, with the approval of the Governor, to remove and release the restrictive use covenants imposed on certain real property situate in the Borough of Blossburg, Tioga County; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Canonsburg, Washington County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to VARHA, Inc., certain lands situate in the Borough of Polk, Venango County; authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Ohiopyle Borough certain lands situate in Ohiopyle Borough, Fayette County, in exchange for Ohiopyle Borough granting and conveying certain lands to the Commonwealth of Pennsylvania to be added to those existing lands at Ohiopyle State Park; authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Kyle A. and Tamara J. Boltz certain lands situate in Union Township, Lebanon County, in exchange for Kyle A. and Tamara J. Boltz's granting and conveying certain lands to the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, to be added to those existing lands at Swatara State Park; and making related repeals.

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	McIlhinney	Tartaglione
Argall	Erickson	Mensch	Tomlinson
Baker	Farnese	Piccola	Vance
Blake	Ferlo	Pileggi	Vogel
Boscola	Folmer	Pippy	Ward
Brewster	Fontana	Rafferty	Washington
Browne	Gordner	Robbins	White Donald
Brubaker	Greenleaf	Scarnati	White Mary Jo
Corman	Hughes	Schwank	Williams
Costa	Kasunic	Smucker	Wozniak
Dinniman	Kitchen	Solobay	Yaw
Earll	Leach	Stack	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 with amendments in which concurrence of the House is requested.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 8, HB 135, HB 208, SB 632, HB 761, HB 970, HB 973 and SB 991 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

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.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1255, HB 1264, SB 1265, SB 1303, SB 1362, SB 1381 and SB 1388 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1410 (Pr. No. 2044) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, reenacting and amending provisions relating to school boards and educational empowerment.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 1449, SB 1459, SB 1460, SB 1465, SB 1490 and HB 1913 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 2271 (Pr. No. 3255) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge carrying State Route 2009, formerly the Huff Road Bridge, in West Wheatfield Township, Indiana County, and in St. Clair Township and New Florence Borough, Westmoreland County, as the PFC Robert "Piney Decker" Nadolski Memorial Bridge.

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

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

Senator PICCOLA, from the Committee on Education, reported the following bills:

HB 1307 (Pr. No. 3585) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, further providing for elementary schools; in school finances, further providing for when district distressed; repealing provisions relating to special board of control, petition and appointments, when no appointment is made and compensation of special board of control; further providing for powers of special board of control and for distress in school districts of the first class; repealing provisions relating to additional tax and to school directors to remain in office and elections; adding provisions relating to school district financial recovery; establishing the Financial Recovery School District Transitional Loan Account; further providing for distress in school districts of the first class; in intermediate units, further providing for subsidies for services and for financial reports; further providing for manner of election or approval; providing for performance review; further providing for election of assistant district superintendents, for term and salary of assistants, for commissions and for removal; in high schools, further providing for attendance in other districts; and providing for wearing of military uniform at graduation ceremony and for superintendents of schools or buildings and of supplies.

HB 1901 (Pr. No. 2570)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, further providing for work to be done under contract let on bids and exceptions.

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

SB 244 (Pr. No. 2202) (Amended) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, adding a requirement relating to cardiopulmonary resuscitation.

SB 1115 (Pr. No. 2203) (Amended) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definitions; and providing for the distribution of special education funding for student achievement and instruction of eligible students and for special education accountability.

SB 1321 (Pr. No. 2204) (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 definitions, for contents, for plan not affected by certain collective bargaining agreements or settlements, for filing municipal debt adjustment under Federal law and for collective bargaining agreements, furlough of employees and disputes.

SB 1464 (Pr. No. 2205) (Amended) (Rereported)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for definitions, for acquisition of control of or merger or consolidation with domestic insurer, for acquisitions involving insurers not otherwise covered, for registration of insurers, for standards and management of an insurer within a holding company system and for examination; providing for supervisory colleges and for group-wide supervision for international insurance groups; and further providing for confidential treatment, for rules and regulations, for injunctions and certain prohibitions and for sanctions.

HB 10 (Pr. No. 2430) (Rereported)

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for title, for legislative findings, for definitions, for port authorities, for board, for eminent domain, for conveyance and for integrated operation; providing for exclusive jurisdiction and for report; and making editorial changes.

HB 807 (Pr. No. 3586) (Amended) (Rereported)

An Act amending the act of July 10, 2008 (P.L.1009, No.78), known as the Biofuel Development and In-State Production Incentive Act, further providing for definitions, for biodiesel content in diesel fuel sold for on-road use and for cellulosic ethanol content in gasoline; providing for blending, registration and other requirements; further providing for department authority and responsibility; providing for fees; establishing the Biofuel Development Account; and imposing penalties.

HB 1237 (Pr. No. 1356) (Rereported)

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions.

HB 1349 (Pr. No. 3587) (Amended) (Rereported)

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for legislative intent, for definitions and for proposed regulations and procedures for review.

HB 1960 (Pr. No. 2674) (Rereported)

An Act amending the act of November 24, 1999 (P.L.884, No.54), known as the Prescribed Pediatric Extended Care Centers Act, further providing for definitions and for regulations.

HB 2151 (Pr. No. 3333) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for registration of snowmobile or ATV, for certificate of title for snowmobile or ATV, for fees and for records; providing for vintage snowmobile permits; and further providing for operation by persons under age sixteen.

SENATE RESOLUTION ADOPTED

Senators BOSCOLA, KASUNIC, FONTANA, KITCHEN, DINNIMAN, SCHWANK, YUDICHAK, GREENLEAF, ERICKSON, PIPPY, PILEGGI, FERLO, ALLOWAY, RAF-FERTY and FARNESE, by unanimous consent, offered **Senate Resolution No. 319**, entitled:

A Resolution commending the Pennsylvania Academy of Audiology for its efforts to educate Pennsylvanians about the importance of having regular hearing screenings, and recognizing the month of May 2012 as "Better Hearing Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I offer this resolution recognizing May as "Better Hearing Month." The American Academy of Audiology cites hearing loss as the third most common health problem in the nation, and it currently affects more than 36 million people here in the United States. Although hearing problems are commonly associated with the normal aging process, more than half of all hearing-impaired persons are in fact younger than 65 years of age. Due to this fact, Mr. President, it is important to encourage all Pennsylvanians to be more aware of their hearing health. Those who suffer with hearing loss tend to have increases in other health issues, such as early onset of dementia, depression, or anxiety. These issues often affect an individual's job performance and participation in social activities. Audiologists are qualified healthcare professionals who can determine the best course of treatment for hearing loss, which may include hearing aids, assisted listening devices, and listening rehabilitation.

Thank you, Mr. President.

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

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

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 Ann Schnabel by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Donald J. Holler by Senator Brubaker.

Congratulations of the Senate were extended to Phyllis Gingrich by Senator Corman.

Congratulations of the Senate were extended to Peter Moller and to Nick Z. Wang by Senator Greenleaf.

Congratulations of the Senate were extended to Joseph LaPenta by Senator Leach.

Congratulations of the Senate were extended to Nicholas James Carpinelli by Senator Mensch.

Congratulations of the Senate were extended to Joan Moran by Mensch and others.

Congratulations of the Senate were extended to Frank Corr and to Conner Hughes by Senator Pileggi.

Congratulations of the Senate were extended to Bryan Ale Velez by Senator Rafferty.

Congratulations of the Senate were extended to David Halloran and to Steven Krol by Senator Stack.

Congratulations of the Senate were extended to William Smith by Senator Vance.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Wallace W. Wagonseller by Senator Schwank.

BILLS ON FIRST CONSIDERATION

Senator BOSCOLA. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

HB 728, HB 1055, HB 1307, HB 1548 and HB 1901.

And said bills having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 23, 2012

9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 874; and House Bills No. 19, 21 and 1857)	Room 461 Main Capitol
9:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 155 and 946; and House Bills No. 3, 17 and 156)	Room 8E-B East Wing
10:00 A.M.	FINANCE (to consider Senate Bill No. 161)	Room 8E-B East Wing
10:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1346; and House Bill No. 1934)	Room 8E-A East Wing

HOUSE MESSAGE

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1400**.

BILLS SIGNED

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

SB 817 and HB 1400.

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 Wednesday, May 23, 2012, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:14 p.m., Eastern Daylight Saving Time.
