

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, JUNE 12, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 37

**SENATE**

TUESDAY, June 12, 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 SCOTT FISCHER, Executive Director of the Lancaster County Council of Churches, Lancaster, offered the following prayer:

Let us join together in prayer.

Eternal, gracious God, high and mighty King of kings and Lord of lords, as the Psalmist says, Your unfailing love, O Lord, is as vast as the heavens; Your faithfulness reaches beyond the clouds. Your righteousness is like the mighty mountains, Your justice like the ocean depths.

Lord God, I pray You will reward the faithfulness of all who honor Your name and seek to bring You glory. Make known Your plans to prosper them, plans not to harm them, but to give them hope and a bright future. Inspire our elected leaders to seek Your presence, and pray daily for Your wisdom. Let them clearly discern Your still, small voice amidst the constant clamor of their busy lives in the world around. May it be their purpose and all of ours to serve with a loyalty that never waivers and a courage that never falters as they seek to fulfill the high and holy mission which You have entrusted to them, to work together, to forge solutions to the many needs of our Commonwealth, and to ease the anxieties of so many. We pray for Your rich mercy and protection upon them, and for success in their mission. We ask that as we put our lives at Your disposal, You may do in and through us that which is pleasing in Your sight, glorifying to Your name, and most needed for this day. May all that is done be for Your greater honor and glory. Amen.

The PRESIDENT. The Chair thanks Reverend Fischer, who is the guest today of Senator Folmer, Senator Smucker, and Senator Brubaker.

**PLEDGE OF ALLEGIANCE**

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

**HOUSE MESSAGES**

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 1433** and **SB 1478**, with the information the House

has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE CONCURS IN SENATE BILLS**

The Clerk of the House of Representatives returned to the Senate **SB 388** and **SB 1351**, with the information the House has passed the same without amendments.

**BILLS INTRODUCED AND REFERRED**

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

June 12, 2012

Senators KASUNIC, BOSCOLA, BREWSTER, COSTA, FARNESE, FERLO, FONTANA, HUGHES, McILHINNEY, RAFFERTY, SCHWANK, TARTAGLIONE, WAUGH, D. WHITE and YUDICHAK presented to the Chair **SB 1555**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in development, further providing for enforcement orders.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 12, 2012.

Senators KASUNIC, FONTANA, SCHWANK, SOLOBAY, TARTAGLIONE and M. WHITE presented to the Chair **SB 1556**, entitled:

An Act amending the act of February 24, 1984 (P.L.92, No.17), referred to as the Precious Metal Sale Regulation Law, further providing for records of transactions, for dealer's retention of precious metal and availability for inspection and for penalties.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 12, 2012.

Senator ALLOWAY presented to the Chair **SB 1559**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Winebrenner Theological Seminary certain lands and improvements situate in Greene Township, Franklin County.

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

**BILLS SIGNED**

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

**SB 388** and **SB 1351**.

**SPECIAL ORDER OF BUSINESS  
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Rules and Executive Nominations to add Senate Bill No. 1433 to its agenda for today's off-the-floor meeting.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 929 (Pr. No. 2276)** (Amended)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in children and youth, providing for purpose and for county purchase of services.

**SB 1413 (Pr. No. 2277)** (Amended)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for definitions, for persons required to report suspected child abuse, for reporting procedure, for immunity from liability and for penalties for failure to report or to refer; providing for false reports of child abuse; and further providing for release of information in confidential reports, for school employees, for administration, for investigation, for responsibilities of county agency for child protective services and for investigation of reports.

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

**SB 1185 (Pr. No. 2274)** (Amended)

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, providing for appointment of township treasurers and election of tax collectors; and further defining the duties and authority of the board of township commissioners.

**SB 1186 (Pr. No. 2275)** (Amended)

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, providing for a transition from township treasurers to tax collectors in first class townships; and making editorial changes.

**SB 1432 (Pr. No. 1994)**

An Act prohibiting Commonwealth agencies from expending funds to construct sewer facilities or sewer infrastructure projects for State correctional institutions in counties of the second class A.

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

**SB 1551 (Pr. No. 2245)**

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic byways, providing for the designation

of the 8.6 mile U.S. Route 202 Parkway between State Route 63 (Welsh Road) and State Route 611 in Montgomery and Bucks Counties as a scenic byway.

**HB 254 (Pr. No. 3443)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

**HB 1269 (Pr. No. 2161)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special license plate for recipients of the Silver Star, Bronze Star and Bronze Star for Valor and for special plates for recipients of Distinguished Service Cross, Distinguished Flying Cross, Navy Cross or Air Force Cross.

**HB 1617 (Pr. No. 3058)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for suspension of operating privilege for failure to respond to citation.

**HB 2215 (Pr. No. 3110)**

An Act designating an interchange at the intersection of Route 136 and Interstate 70 in Washington County as the Officer John David Dryer Memorial Interchange.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bill:

**HB 1908 (Pr. No. 3724)** (Amended)

An Act providing for standards for towing and for violations.

**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 Piccola, and a legislative leave for Senator Gordner.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola, and a legislative leave for Senator Gordner.

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

Without objection, the leaves will be granted.

**LEAVES OF ABSENCE**

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

Senator PILEGGI asked and obtained a military leave of absence, pursuant to Senate Rule XX.2(c), for Senator PIPPY.

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of May 1, 2012, is now in print.

The Clerk proceeded to read the Journal of the Session of May 1, 2012.

Senator PILEGGI. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

**YEA-47**

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

**NAY-0**

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS  
GUESTS OF SENATOR SHIRLEY M. KITCHEN  
ON BEHALF OF SENATOR LEANNA M.  
WASHINGTON PRESENTED TO THE SENATE**

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

Senator KITCHEN. Mr. President, on behalf of Senator Washington, I would like to introduce to the Senate members of the Alpha Kappa Alpha Sorority, Incorporated. The AKA Sorority is the oldest sorority of African American women, started at Howard University. Members of the sorority are here today at the Capitol for their legislative day. They are meeting with Members on a variety of issues that impact their members and the communities in which they live. I ask the Senate to give its usual warm welcome.

The PRESIDENT. Would the Senate join with me in welcoming the guests.

(Applause.)

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

Senator COSTA. Mr. President, may I ask that we take a moment to recognize our very own Gladys Brown, who is a long-time member of that sorority in her days at the University of Pittsburgh. We recognize Gladys for that as well.

Thank you, Mr. President.

(Applause.)

**SENATE RESOLUTION ADOPTED**

Senator KITCHEN, on behalf of Senator WASHINGTON, by unanimous consent, offered **Senate Resolution No. 326**, entitled:

A Resolution honoring Alpha Kappa Alpha Sorority by designating June 12, 2012, as "Alpha Kappa Alpha Sorority Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, I offer Senator Washington's comments for the record.

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 gentlewoman from Philadelphia, Senator KITCHEN, on behalf of the gentlewoman from Philadelphia, Senator WASHINGTON:)*

Mr. President, I offer the following resolution honoring Alpha Kappa Alpha Sorority by designating June 12, 2012, as "Alpha Kappa Alpha Sorority Day" in Pennsylvania. Alpha Kappa Alpha Sorority celebrated its 104-year anniversary on January 15, 2012, and its roots date back to Howard University, Washington, D.C.

Alpha Kappa Alpha is a sisterhood composed of women who serve their communities through volunteer services, cultivating and encouraging high scholastic and ethical standards. The Commonwealth of Pennsylvania is home to eight graduate chapters and fifteen undergraduate chapters. Senator Washington is a soror of the Omega Omega Graduate Chapter, Philadelphia, PA.

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

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

**GUESTS OF SENATOR CHARLES McILHINNEY  
PRESENTED TO THE SENATE**

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

Senator McILHINNEY. Mr. President, it is my pleasure to introduce David and Dorree Wickman of Newtown. David owns Newtown Office Supplies in Bucks County. David and Dorree have two girls, Melinda and Alex. In their spare time, David, Dorree, and their girls work to support a cure for MS, as Dorree was diagnosed with the disease 28 years ago. Please join me in giving David and Dorree a warm Senate welcome.

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

(Applause.)

**GUESTS OF SENATOR STEWART GREENLEAF  
PRESENTED TO THE SENATE**

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

Senator GREENLEAF. Mr. President, I rise today to introduce Sam Hibbs, a senior at Hatboro-Horsham High School who

won the gold medal in the 3,200-meter event in the 2012 PIAA State Track and Field Championships. Actually, this is the second young man from my district who has won a gold medal in the track events. It is always nice to take this opportunity to recognize student athletes who are succeeding in athletics as well as in the scholastic endeavors in which they are involved.

He won by 5 seconds. The total time was 9 minutes, 9.82 seconds. He has won six State medals in cross country and track and field during his high school career, and he has become the second winner in Hatboro-Horsham's history of winning a cross country event. I would like to take this opportunity to introduce him, as well as his coach who is with him, D.J. Fromal, and his mother, Beth.

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

(Applause.)

#### **GUESTS OF SENATOR DOMINIC F. PILEGGI PRESENTED TO THE SENATE**

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

Senator PILEGGI. Mr. President, it is my pleasure this afternoon to introduce Gurbir Singh and Raj Singh, who are visiting Harrisburg for the day.

Gurbir is visiting from India; Raj is a resident of Delaware County. Gurbir is a lawyer whose father was a former chief minister of Punjab, a state in the northwest part of the Republic of India. Gurbir held a senior post in the Punjab Congress, including the Office of the General Secretary, and is presently commissioned by three national newspapers to comment on India. He has an interest in State government and the State legislative process. This is his first visit to the Pennsylvania State Capitol. Both gentlemen are seated in the gallery today. Mr. President, I ask that we extend our traditional warm welcome to these special guests.

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

(Applause.)

#### **GUEST OF SENATOR JAY COSTA PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I would like to take a moment to introduce a special guest who is also seated in the gallery, Frank Greg. Frank is serving as an intern in our district office this summer. He has just completed his freshman year at the University of Miami in Florida, where he is majoring in political science and international relations. Frank is a member of the National Society of Collegiate Scholars, the honor student association, Alpha Lambda Delta honors fraternity, ethics society, and the University of Miami Chapter of Amnesty International. In addition, he is a member of the pre-law advisory club and competed in the University of Miami Mock Trial program. I am very fortunate to have somebody of Frank's stature working with us this summer as a member of our staff. I ask my colleagues to give Frank a warm Senate welcome.

Thank you, Mr. President.

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

(Applause.)

#### **GUESTS OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE**

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

Senator BAKER. Mr. President, it is a privilege to introduce two individuals who are visiting the Capitol today who are working in my senatorial district office in Dallas.

First, I would like to introduce Susan Slocum, who is my constituent services coordinator. She is a resident of Franklin Township in Luzerne County, and currently serves as Republican committeewoman for the community. Throughout her long career, she has been involved in customer service in various public sector and private industries. She brings a wealth of experience working with people to resolve problems and help make State government work for them.

In addition to Susan, I would like to introduce a summer intern, Maggie Salaway, who is working there this summer in Dallas. She is a resident of Harvey's Lake in Luzerne County, a senior at Penn State University, and will graduate in December with a degree in letters, arts, and sciences with a concentration in professional writing. She does hope to pursue a career as a speech writer one day. She is an active member of the Blue and White Society, and serves as a volunteer with the university relations office for special events. So it is my privilege to introduce two individuals from my senatorial district office, and I hope that you will join me in giving them a very warm Senate welcome.

Thank you, Mr. President.

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

(Applause.)

#### **GUEST OF SENATOR PATRICK M. BROWNE PRESENTED TO THE SENATE**

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

Senator BROWNE. Mr. President, it is a pleasure for me to have an opportunity today to introduce Patrick Foose, who is currently serving as an intern in my Allentown district office. He is attending Northampton Community College and is also currently studying at Moravian College. Please give him a warm Senate welcome.

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

(Applause.)

#### **GUEST OF SENATOR MICHAEL BRUBAKER, SENATOR LLOYD K. SMUCKER, AND SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, on behalf of Senator Smucker, Senator Folmer, and I, we would like to thank the Reverend Scott Fischer for opening our Session today with an invo-

cation. He is the executive director of the Lancaster County Council of Churches, which recently celebrated its 65th anniversary. Mr. President, that is my first of three introductions, if I may.

The PRESIDENT. Would the guest of Senator Brubaker, Senator Smucker, and Senator Folmer please rise so that the Senate may give you its usual warm welcome.

(Applause.)

### GUESTS OF SENATOR MICHAEL BRUBAKER PRESENTED TO THE SENATE

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

Senator BRUBAKER. Mr. President, seated in the gallery are the winners of a student essay competition that is held twice a year. We have Clayton Carlin, who is joined by his father, Greg; and Albert Reiter, who is joined by his mother, Becky. We have two other finalists who could not join us today, and their names are Elizabeth Lee and Zachary Will.

Mr. President, these are young people who are really dedicating their lives to getting the most out of our great educational system here in the Commonwealth of Pennsylvania, and I would love for our entire Senate to give them a warm welcome.

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

(Applause.)

The PRESIDENT. To complete the hat trick, Senator Brubaker.

Senator BRUBAKER. Mr. President, finally, I would like to introduce Goran Skinder, who is interning in my Lititz office. He is originally from Bosnia-Herzegovina, and speaks fluent Serbian. As a United States citizen for 15 years, he is heading into his senior year at Juniata College, studying peace and conflict studies with an emphasis in economics. It is an honor to introduce Goran.

The PRESIDENT. Would the guest of Senator Brubaker 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 Allegheny, Senator Costa.

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

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be 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 Tartaglione has returned, and her temporary Capitol leave is cancelled.

### LEGISLATIVE LEAVES

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

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

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

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

#### NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION LAID ON THE TABLE

**SB 1467 (Pr. No. 2166)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### SB 1467 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Senate Bill No. 1467, Printer's No. 2166, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

#### NONPREFERRED APPROPRIATION BILL ON THIRD CONSIDERATION LAID ON THE TABLE

**SB 1468 (Pr. No. 2167)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1468 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1468, Printer's No. 2167, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**NONPREFERRED APPROPRIATION BILL ON  
THIRD CONSIDERATION LAID ON THE TABLE**

**SB 1469 (Pr. No. 2168)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University--Commonwealth Act, making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

**SB 1469 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1469, Printer's No. 2168, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**NONPREFERRED APPROPRIATION BILL ON  
THIRD CONSIDERATION LAID ON THE TABLE**

**SB 1470 (Pr. No. 2064)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University--Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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

**SB 1470 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1470, Printer's No. 2064, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**NONPREFERRED APPROPRIATION BILL ON  
THIRD CONSIDERATION LAID ON THE TABLE**

**SB 1471 (Pr. No. 2169)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1471 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1471, Printer's No. 2169, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Gordner has returned, and his legislative leave is cancelled.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**SB 8 (Pr. No. 2269)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the Pennsylvania eHealth Partnership Authority and the Pennsylvania eHealth Partnership Fund; providing for consent and confidentiality of health information; and establishing civil immunity under certain circumstances.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator FOLMER. Mr. President, I would like to offer written remarks for the record relating to the passage of Senate Bill No. 8.

Thank you, Mr. President.

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 Lebanon, Senator FOLMER:)*

Mr. President, Senate Bill No. 8 marks the end of a long process to provide for the electronic sharing of patient records and other health information. This journey began many years ago, before I was elected to the General Assembly and before my tenure as chair of the Senate Committee on Communications and Technology.

While many have said such sharing would improve the quality of healthcare, the major impetus for the current effort is largely due to Federal moneys being awarded to States to promote the electronic sharing of health records and other patient information.

States have used three basic models to accomplish this goal: (1) a centralized model (where the State acts as the health information organization to electronically share health records and other patient information), (2) a decentralized model (the State acts as a facilitator or con-

vener to electronically share health records and other patient information through policies and/or regulations for such sharing), and (3) a hybrid model (characteristics of both centralized and decentralized models - the State is not the health information organization but it does create a policy framework and is ultimately responsible for implementing the electronic sharing of information.)

Senate Bill No. 8 (Printer's No. 2269) proposes a hybrid model to electronically share health records and other patient information through the "Pennsylvania eHealth Partnership Authority," a 15-member board that would be responsible for:

- Developing and maintaining a directory of healthcare provider's contact information;

- Establishing policies and procedures to govern the electronic exchange of health information;

- Establishing and collecting fees to make the eHealth Partnership self-sustaining, and;

- Establishing diverse advisory groups with the ability to elect two (2) of the council's members to the board as ex officio, non-voting members.

Failure to have a governing board in place by June 30, 2012, could endanger the Federal moneys the Commonwealth is using to help fund this project.

As sustainability has been a key concern of mine throughout the deliberations of this initiative, Senate Bill No. 8 also proposes to sunset the Pennsylvania eHealth Partnership Authority after 5 years and after a Legislative Budget and Finance Committee study to assess possible future options:

- Reauthorization of the Authority
- Dissolution of the Authority
- Assumption of the Authority's responsibilities or assets by another entity

One of the key provisions of Senate Bill No. 8, to me, relates to the ability of patients to "opt out." Advocates for the electronic sharing of patient records made a strong case that the best way to make such sharing an effective healthcare tool is to automatically have patient records part of electronic exchanges.

Senate Bill No. 8 establishes an "opt out" system where patient records are automatically shared unless patients "opt out" (with minors' parents making the decision for children.) The alternative was an "opt in" system where patients have to decide whether to enroll in networks before their health information can be electronically shared.

As "opt out" is somewhat contrary to my less-government philosophies, I agreed to such an approach on one condition: it must be easy for patients to opt out. Senate Bill No. 8 does this through the establishment of an "opt out registry" for patients. The procedure would be as follows:

- The patient signs and dates a form declining participation
- Within five days, the provider sends the completed form to the eHealth Partnership Authority
- The Authority would be responsible for notifying health organizations that a patient has not authorized the release of his or her health information

- Once the patient is included in the "opt out registry," the Authority is responsible for notifying the patient, either with a copy of the completed form, or through electronic notification to the patient

It should be noted a decision to opt out removes a patient from all electronic sharing of health information, i.e., no partial sharing.

Senate Bill No. 8 also provides a number of other patient protections, including:

- Assurance that nothing under this Act supercedes or limits any other law, including those for "super protected" classes (drug and alcohol, HIV, and mental health)
- Limits the use of health information for other purposes (i.e., research)
- Establishes penalties for unauthorized sharing of health information, including discharge or suspension for employees, agents, and contractors, and monetary penalties, contract revocation, or suspension for contractors

A final change to Senate Bill No. 8 also clarified that this legislation neither expands existing law nor changes existing law related to access to patient records. This was a particular concern of the Pennsylvania Association for Justice. I thank my colleagues for supporting Senate Bill No. 8.

LEGISLATIVE LEAVE CANCELLED

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

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-47

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

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

**HB 17** and **HB 761** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 866 (Pr. No. 2270)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, further providing for the Volunteer Companies Loan Fund; in grants to volunteer fire companies and volunteer services, further providing for scope of chapter, definitions, establishment and award of grants, providing for additional funding and further providing for allocation of appropriated funds and for expiration of authority; and making editorial changes.

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-47

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

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 932, SB 941 and SB 943** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

**SB 1090 (Pr. No. 2089)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1090 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1090, Printer's No. 2089, be taken from the table and placed on the Calendar.

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

BILL OVER IN ORDER

**SB 1091** -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

**SB 1135 (Pr. No. 2090)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1135 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1135, Printer's No. 2090, be taken from the table and placed on the Calendar.

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

BILL OVER IN ORDER

**HB 1349** -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

**SB 1480 (Pr. No. 2074)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the capital budget for the fiscal year 2012-2013.

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

**SB 1480 TAKEN FROM THE TABLE**

Senator WAUGH. Mr. President, I move that Senate Bill No. 1480, Printer's No. 2074, be taken from the table and placed on the Calendar.

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1528 (Pr. No. 2213)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 15, 1982 (P.L.502, No.140), known as the Occupational Therapy Practice Act, further providing for definitions, for creation of board, for requirements for licensure, for practice and referral, for renewal of license and for refusal, suspension or revocation of license; and providing for impaired professionals program.

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-46

Alloway	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Rafferty	Washington
Blake	Folmer	Robbins	Waugh
Boscola	Fontana	Scarnati	White Donald
Brewster	Gordner	Schwank	White Mary Jo
Browne	Greenleaf	Smucker	Williams
Brubaker	Hughes	Solobay	Wozniak



Corman	Kasunic	Stack	Yaw
Costa	Kitchen	Tartaglione	Yudichak
Dinniman	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

NAY-1

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 present said bill to the House of Representatives for concurrence.

**SB 1545 (Pr. No. 2267)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, amending the title of the act; further providing for conflicts of interest and penalty; reorganizing the Department of Banking and the Pennsylvania Securities Commission; 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-47

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

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 1546 (Pr. No. 2268)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, codifying the State Tax Equalization Board Law into the act; and making a related repeal.

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-47

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

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

**HB 1682, HB 1720 and HB 1913** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL AMENDED

**HB 1916 (Pr. No. 3634)** -- The Senate proceeded to consideration of the bill, entitled:

An Act implementing the provisions of clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of Pennsylvania, authorizing the incurring of debt for the rehabilitation of areas affected by Hurricane Irene and Tropical Storm Lee; imposing duties upon the Governor, the Auditor General and the State Treasurer; prescribing the procedures for the issuance, sale and payment of general obligations bonds, the funding of debt and refunding of bonds; exempting said bonds from State and local taxation; creating the Disaster Relief Fund and the Disaster Relief Redemption Fund; providing for allocation of proceeds; making appropriations; providing for highway projects itemization, public bridge projects itemization, disaster mitigation and assistance projects itemization and disaster railroad assistance projects itemization for flood damages; and stating an estimated use.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator GORDNER offered the following amendment No. A11641:

Amend Bill, page 56, line 14, by striking out "ITEMIZED HEREIN" and inserting:

financed from debt incurred under Chapter 2

Amend Bill, page 70, lines 13 and 14, by striking out "ITEMIZED" in line 13 and "HEREIN" in line 14 and inserting:

financed from debt incurred under Chapter 2

Amend Bill, page 73, line 24, by striking out all of said line and inserting:

Section 608.1. Montgomery County.

- (a) Local projects (Reserved)
- (b) State projects

(1) Borough of Hatboro, Flood Control Project  
 Project Allocation 6,000,000

Section 608.2. Montour County.

Amend Bill, page 74, by inserting between lines 19 and 20:  
 (4) Borough of Gordon, Flood Control Project  
 Project Allocation 300,000  
 Amend Bill, page 75, line 12, by striking out "ITEMIZED HEREIN" and inserting:  
 financed from debt incurred under Chapter 2  
 Amend Bill, page 76, line 28, by striking out "ITEMIZED HEREIN" and inserting:  
 financed from debt incurred under Chapter 2

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 WAUGH.

BILLS OVER IN ORDER

**HB 1960** and **HB 2151** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 75 (Pr. No. 3651)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, making changes necessary for the administration and implementation of the act of December 20, 2011 (P.L.446, No.111), entitled "An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, extensively revising provisions relating to registration of sexual offenders pursuant to Federal mandate; and making editorial changes," in the areas of perjury and falsification in official matters, dissemination of criminal history record information, disposition of children generally, court-ordered involuntary treatment of certain sexually violent persons and registration of sexual offenders.

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

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

BILLS OVER IN ORDER

**HB 156, SB 244, SB 338, HB 608, HB 728, HB 807, SB 920, SB 922** and **SB 946** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILLS ON SECOND CONSIDERATION

**SB 1129 (Pr. No. 1319)** -- 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, in pupils and attendance, further providing for liability for tuition and enforcement of payment.

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

**SB 1184 (Pr. No. 2266)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in driving after imbibing alcohol or utilizing drugs, further providing for occupational limited license, for penalties, for ignition interlock and for illegally operating a motor vehicle not equipped with ignition interlock.

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

**SB 1303 (Pr. No. 2137)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for distress in school districts of the first class.

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

BILLS OVER IN ORDER

**SB 1346** and **SB 1402** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILLS REREFERRED

**SB 1442 (Pr. No. 2019)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, repealing and adding sections related to military justice; and establishing the State Military Justice Fund.

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

**SB 1460 (Pr. No. 2176)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for industry partnership tax credits.

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

**SB 1488 (Pr. No. 2115)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 16, 1998 (P.L.980, No.129), known as the Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Education Act, further providing for Postsecondary Educational Gratuity Program.

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

**SB 1489 (Pr. No. 2116)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for tuition waiver for children and spouses of deceased soldiers.

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

**SB 1490 (Pr. No. 2177)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for extension of time to file reports, for changes made by Federal Government and for petition for reassessment; providing for compromise by secretary and for dispute resolution procedures; and further providing and for petitions for refunds.

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

#### BILLS OVER IN ORDER

**SB 1497, HB 1525, SB 1531, HB 1548 and HB 2293** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

#### 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,  
PHILADELPHIA COUNTY

June 8, 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 May 3, 2012, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Thomas Dempsey, resigned.

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

TOM CORBETT  
Governor

#### JUDGE, PHILADELPHIA MUNICIPAL COURT

June 8, 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 April 30, 2012, for the appointment of Robert J. Salera, Esquire, 1102 North 2nd Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Georganne V. Daher, Philadelphia, resigned.

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 ACCOUNTANCY

May 15, 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, Libby A. White (Public Member), 720 Bryn Mawr Avenue, Penn Valley 19072, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until *[sic]* for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Maria Mengel, King of Prussia, resigned.

TOM CORBETT  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

April 23, 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, Michele M. Mandell, 789 Larchmont Road, Pittsburgh 15243, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified, vice Gwendolyn Simmons, Monongahela, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
CALIFORNIA UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

April 23, 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 G. Miner, Jr., 403 Balsam Court, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the Council of Trustees of California 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 Leo Krantz, Uniontown, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

May 17, 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, Ann Catalano (Public Member), 29 Tuscany Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Alessandra Carrafiello, Philadelphia, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

May 16, 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, Christopher L. Neidert, 4151 Hill Terrace Drive, Sinking Spring 19608, Berks County, Forty-eighth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2013, and until his successor is appointed and qualified, vice William Zimmerman, Pottsville, deceased.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD  
OF PHYSICAL THERAPY

April 16, 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, Susan Whitney, PhD, PT, NCS, ATC, 314 Sunnyfield Drive, Glenshaw 15116, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Physical Therapy, to serve until October 2, 2015, and until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT  
Governor

MEMBER OF THE STATE PLANNING BOARD

April 19, 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, Kirk D. Stoner, AICP, 14 Meadowood Place, Boiling Springs 17007, Cumberland County, Thirty-first 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 REGISTRATION  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND GEOLOGISTS

May 18, 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, Robb Keith (Public Member), 17 Norfolk Court, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve until March 31, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael A. Huwar, Pittsburgh, resigned.

TOM CORBETT  
Governor

MEMBER OF THE PROFESSIONAL STANDARDS  
AND PRACTICES COMMISSION

April 16, 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, Douglas A. Enders, 361 Futurity Drive, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2014, and until his successor is appointed and qualified, vice Frank Vecchio, Harrisburg, resigned.

TOM CORBETT  
Governor

## MEMBER OF THE STATE REAL ESTATE COMMISSION

May 21, 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, Joyce Haas (Public Member), 14 High Meadow Lane, State College 16803, Centre County, Thirty-fourth 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 STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS

May 18, 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, George Mermon, 60 Great Oaks Drive, Nesquehoning 18240, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jay Zimmerman, 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.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEE**

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following bills:

**SB 375 (Pr. No. 2278)** (Amended) (Rereported) (*Concurrence*)

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

**SB 1433 (Pr. No. 2257)** (Rereported) (*Concurrence*)

An Act providing for the Homeowner Assistance Settlement Act; establishing a fund for the purpose of funding the Homeowner's Emergency Mortgage Assistance Program; and providing for the effect of noncompliance with the notice requirements of the homeowner's emergency mortgage assistance program and for allocations from the fund.

**SENATE RESOLUTIONS ADOPTED**

Senators BRUBAKER, VOGEL, FONTANA, YAW, KASUNIC, TARTAGLIONE, GREENLEAF, KITCHEN, BAKER, FERLO, ERICKSON, MENSCH, SOLOBAY, PILEGGI, ALLOWAY, D. WHITE, SCHWANK, RAFFERTY, WAUGH, EARLL, DINNIMAN, BOSCOLA, WOZNIAK, GORDNER, WARD and SCARNATI, by unanimous consent, offered **Senate Resolution No. 327**, entitled:

A Resolution honoring the Pennsylvania Association of Agricultural Educators on its 65th anniversary.

On the question,  
Will the Senate adopt the resolution?

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

Senator BRUBAKER. Mr. President, 2012 marks the 65th anniversary of the Pennsylvania Association of Agricultural Educators. The Agricultural Educators Association is dedicated to advancing agricultural education and promoting professional interest in the growth of agricultural teachers. Last year, I introduced Senate Bill No. 389 to amend the Public School Code and to update and modernize the definition of "vocational agriculture." Agricultural educators play an integral role in sharing their skills and knowledge to those who choose a career in our number-one industry. I ask that you join me in recognizing the 65th anniversary of our agricultural educators in voting in the affirmative, Mr. President, for this resolution.

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

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

Senators BAKER, SCARNATI, PILEGGI, ALLOWAY, BOSCOLA, BREWSTER, BRUBAKER, COSTA, DINNIMAN, EARLL, EICHELBERGER, ERICKSON, FARNESE, FERLO, FONTANA, GREENLEAF, HUGHES, KASUNIC, KITCHEN, MENSCH, YUDICHAK, PIPPY, RAFFERTY, ROBBINS, SCHWANK, SOLOBAY, STACK, TARTAGLIONE, TOMLINSON, VOGEL, WARD, WAUGH, D. WHITE, M. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 328**, entitled:

A Resolution designating the week of June 9 through 15, 2012, as "State Veterans' Homes Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator BAKER. Mr. President, I am honored to salute the staff and residents of Pennsylvania's six veterans homes. We pay special tribute to their service and sacrifice during the week of June 11 to June 18, which is "State Veterans' Homes Week."

As a board member of the Gino Merli Veterans' Center in Scranton, I have been impressed by the array of services rendered by these homes and their staff. From administrative assistants and dietary aides to nurses and social workers, staff members are motivated by a core component of patriotism that inspires them to deliver the best and most compassionate care possible for our nation's heroes. Gino Merli of Scranton was a heroic force in both D-Day and the Battle of the Bulge. He earned the Medal of Honor, two Purple Hearts, and the Bronze Star, and his life inspired Tom Brokaw's book, *The Greatest Generation*. He is a remarkable representative of our veterans and the homes dedicated to serving them. In addition to the Gino Merli Veterans Home in Scranton, the Commonwealth operates homes in Erie, Hollidaysburg, Philadelphia, Pittsburgh, and Spring City, all working to serve our Greatest Generation and each generation that follows in their courageous steps. The staff of the State's six veterans homes work to maximize the independence of every sick, aging, and injured veteran, for it is these veterans who fought so bravely to preserve the independence of every American. So as we honor veterans homes, their employees, and the brave soldiers and airmen cared for within their halls, I encourage everyone to visit a veteran and thank a hero. It is a small down payment on the debt we owe our nation's protectors, and I thank you for your consideration of this resolution.

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.

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

**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 Harold E. Weber, Jr., and to William E. Peters by Senator Brubaker.

Congratulations of the Senate were extended to Josiah Cadle by Senator Eichelberger.

Congratulations of the Senate were extended to Lori Bauman and to Vanessa Hemmen by Senator Gordner.

Congratulations of the Senate were extended to Carl E. Zettlemoyer by Senator Schwank.

Congratulations of the Senate were extended to Corporal James A. McElhaney by Senator Solobay.

Congratulations of the Senate were extended to Dr. Linda J. Lemmon and to Barbara A. Wilson by Senator Vance.

Congratulations of the Senate were extended to Mr. and Mrs. Michael McCullon, Mr. and Mrs. John Ward and to Mr. and Mrs. Kenneth Moorehead by Senator Mary Jo White.

Congratulations of the Senate were extended to the D.W. Hoggard Scholarship Guild by Senators Williams and Hughes.

**BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 929, SB 1185, SB 1186, SB 1413, SB 1432, SB 1551, HB 254, HB 1269, HB 1617, HB 1908 and HB 2215.**

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 13, 2012

9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 1345)	Room 8E-A East Wing
9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider House Bill No. 1767)	Room 461 Main Capitol
10:00 A.M.	BANKING AND INSURANCE (to consider Senate Bill No. 1538) <b>C A N C E L L E D</b>	Room 461 Main Capitol
Off the Floor	LABOR AND INDUSTRY (to consider House Bills No. 1539 and 1820)	Rules Cmte. Conf. Rm.

THURSDAY, JUNE 14, 2012

9:30 A.M.	TASK FORCE ON CHILD PROTECTION (to consider potential amendments to Child Protective Services Law and mandatory reporter training)	Hrg. Rm. 1 North Off.
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TUESDAY, JUNE 19, 2012

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1544)	Room 8E-B East Wing
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WEDNESDAY, JUNE 20, 2012

9:00 A.M.	EDUCATION and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing to discuss military-friendly educational programs and policies)	Hrg. Rm. 1 North Off.
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## PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, in the last few days, weeks, and months, I have detected in the public debate, both inside and outside of the legislature, discussion here in the halls of the Capitol, an issue revolving around charter schools in Pennsylvania, and specifically, some people wish to make charter schools a target for decreased funding. I hear this all the time from many public school officials that they should have the funding that now goes to charter schools. In fact, Mr. President, the Members of the Senate will be receiving a memo from me in the next day or two giving some detail on what I am about to talk about today, but I thought it would be helpful to explain exactly what our charter school law does and how charter schools are funded and created.

First of all, I want to make it perfectly clear that charter schools are public schools, unequivocally. They are public schools. They are created either by a charter given by a school district, or, on appeal, granted by the charter school appeal board. The way charter schools are funded is based upon a formula. It was a formula that was enacted with the charter school law back in 1997, and it has not changed. Now, for regular education students, the tuition that is paid to a charter school from the sending regular public school is an amount of money equal to the per-student average expenditure that is spent on a student in that particular regular public school, less certain figures that are backed out for purposes of coming to the bottom-line number. The things that are backed out of that gross number are nonpublic school programs that the school district would pay for, adult education programs, community and junior college programs, student transportation services, special ed programs, facility acquisition, construction, and improvement services, other financing uses, including debt service and fund transfers. There is a slightly different formula for special ed students because it would be the same as what I just mentioned, plus an amount equal to the resident district's total special ed expenditure divided by a couple of other numbers.

Now, some people have suggested we need to revisit that formula, and I do not necessarily disagree with that. In fact, this body, the Senate of Pennsylvania, when it passed Senate Bill No. 1, called for the setting up of a commission to study this very question, and to come back in a very short period of time with some legislative recommendations that the General Assembly could consider to change this formula, but making sure that all the stakeholders - the charter schools, the cyber charter schools, the school districts - everybody is at the table trying to figure out what is the fairest way to get education to these kids.

Now, people attack this formula and the way we fund charter schools because, I guess, they think it is excessive. Mr. President, that is an absolute myth. I maintain, and I will defend charter schools because they are a bargain for Pennsylvania education. Let me demonstrate. For example, in school year 2008-09, the average spending per student for charter schools in Pennsylvania was \$10,750.39. That is how much they got to educate the average charter school student in Pennsylvania. Two years later, in 2010-11, that amount went up to \$10,753.18, an increase of the absolutely huge amount of \$2.79 from 2008-10. If we could

ever find a program that only increased by that amount in a 2-year period, we should keep it, and we have it.

Now, conversely, the regular public schools, during this same 2-year period in 2008-09, the average expenditure for the average public school student in Pennsylvania was \$13,960.06. And 2 years later, it went up to \$15,139.63, an increase of \$1,179.57, at a time when regular public school enrollment was going down and charter school enrollment was going up. I might add, Mr. President, we fund charter schools a year behind because we do not have the figures in the actual year in which the kids are educated, so you are actually going to see a decrease because of the public school funding decreases that you have seen in regular public education, you are going to see a charter school decline of anywhere from 7 to 10 percent in the funding for charter schools, and yet they are still growing.

Further evidence that this is a bargain for Pennsylvania education: in 2006 and 2007, the percentage of Pennsylvania's public education population that was in charter schools was 3.9 percent, and yet the percentage of the Pennsylvania education budget that was devoted to educating that 3.9 percent of the students was only 2.9 percent of our budget. Over the years, the percentage of students who are being educated in charter schools of the education population has risen in 2010-11 to 6.3 percent of our student population. As I said, it is increasing. At the same time, educating 6.3 percent of the population is expending only 4.5 percent, 4.5 percent of the education budget.

Now, when you talk to some, not all, but some regular public school officials, you get the idea that these charter schools are breaking their banks. We spend about a little short of \$27 billion in public education in State, Federal, and local dollars every year. And 96 percent of that stays with the regular public school districts, 1 percent of that goes to cyber charter schools, and 3 percent to bricks-and-mortar charter schools. Not a huge problem. As I indicated by the previous charts, and you will all get copies of these in the mail, it is a bargain, because they are educating kids a lot less expensively.

I also have a chart for you on the annual expenditures that I mentioned earlier, \$15,000 per student versus \$10,000 per student. Now, some people also attack charter schools academically. They say they are not performing. Well, I am going to be developing, in the next couple of days and weeks before we adjourn for the summer, some data on the academic performance of charter schools. Let it be said, it is a great record here in Pennsylvania. Let me just give you a couple of statistics, and then I will end my remarks.

As you all know, Philadelphia has probably half of the charter schools in the Commonwealth. Twenty-five thousand kids are waiting to get into charter schools in the Philadelphia School District, 25,000. That tells you something, it tells you that these kids and their parents are clamoring for choice in education. Nine charter schools in Philadelphia send more kids to college, nine charter schools in Philadelphia send more kids to college than all the traditional neighborhood high schools in the city of Philadelphia combined. College admissions for Philadelphia public charter schools are 48 percent. Forty-eight percent of the kids who go to Philadelphia's charter schools get admitted to college. The record for the regular public schools in Philadelphia is 25 percent. A child attending a charter school in Philadelphia is 93 percent more likely to get accepted to college than if they attend

a neighborhood public school. Is this not what we want? Is this not what we want for our kids, the opportunity for higher education or job training? Charter schools are doing that in our own City of Brotherly Love.

In Pittsburgh, U.S. News lists as its highest ranked public high school in Pittsburgh of any type, the Urban Pathways Charter School. Despite this, the Pittsburgh school board voted to close Urban Pathways in 2009, contrary to the recommendation of both their internal review committee and their solicitor. They reversed themselves, however, after there was an angry parent protest, and I am glad they did, because there are a lot of good things happening in Pittsburgh public education. For the past 3 years, Urban Pathways in Pittsburgh has sent 100 percent of their graduating seniors to college. The demographics of the student body of this institution is among the most challenging in the city of Pittsburgh. The total minority enrollment in Urban Pathways is 98 percent, total economically disadvantaged is 70 percent.

I will have some more information on the academic performance of charter schools in this Commonwealth, Mr. President, but let it be said that even if you have a charter school that is not doing well, that is failing, that is not providing the kinds of education that I have talked about here today, in 5 years, when their charter expires, or perhaps even sooner if it becomes an emergency, that school will be closed. That school will be closed. And yet, the failing public schools in this Commonwealth go on and on and on and on and on.

Fifteen years ago, we talked about education empowerment in this body, and we adopted an education empowerment bill that identified the lowest-performing schools in the Commonwealth. We talked about how we were going to help them and tell them to do certain things, and I am not going to revisit that debate. But last year, this Senate debated and passed Senate Bill No. 1, which talked about the 5-percent lowest-performing school buildings in the Commonwealth. I was present for both debates, Mr. President, and the same schools are on that list. Nothing has changed, except we have poured more and more and more money into those failing schools.

So all I ask, Mr. President, as the next 2 weeks proceed and we start talking about the budget, let us not take our shotguns or our rifles out and put a target on charter schools. They are doing a great job. There are some things we can do to make them better. We can also make that formula better. There are some problems on both sides of that equation. I have suggested, and the Senate has suggested when we passed Senate Bill No. 1, that we create a funding commission to take a look at that formula. But let us not do something that we will all regret in the years to come and kill a goose that is laying a golden educational egg for this Commonwealth, and educating kids, and getting them to college, and getting them the kind of education that they need and that they deserve and that we owe to them, Mr. President.

So, Mr. President, that is the purpose for my remarks this evening. I appreciate the attention of the Members who are here, and I hope you will keep this in mind as we proceed down the next couple of weeks toward a final budget.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise to echo some of the comments that the distinguished gentleman from Dauphin County referenced with regard to charter schools, and I do appre-

ciate someone who is involved very much in the development of the legislation and longtime chairman of the Committee on Education. It is helpful to have a good, every once in a while, refreshed understanding about what role charter schools have played and how valuable they are in many cases. In some cases, they have had some issues.

Most significantly, I have been involved in the discussion and debate with respect to the Duquesne School District and the West Mifflin School District, I think as the gentleman knows, and probably one of the chief complaints from the school board members is in fact the issue of the formula for funding. That is a major concern and major problem as far as the school districts that have been receiving students from the Duquesne High School, particularly as it relates to the special education structure or special education formula. I was very happy to see and hear that there is an interest, on both sides of the aisle, it appears, to address the funding formula as it relates to our charter schools, because I think it is something that needs to be addressed.

I do not think anybody has a target on the charter schools, but I do think the conversation, which was really developed as part of Senate Bill No. 1 more recently, is an appropriate conversation not necessarily in the budget right now, but as we go forward. I think it is an important thing we need to take a look at, particularly as was indicated with the funding formula, because I think it is something that warrants some discussion as we go forward. But I do appreciate the gentleman's comments on the charter schools, and look forward to further conversations after the budget is concluded, probably as part of the budget, if possible; if not, as we go forward in the next several months.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Farnese.

Senator FARNESE. Mr. President, over the last several years, at this time, I have begun to look at the budget season and the budget process, really as a culmination of this body's or this administration's legislative work for the year. As other Members who have been here much longer than me, more experienced, more seasoned, have told me, the budget should not necessarily be looked at in a vacuum, but it should be looked at; what other pieces go along with that budget, the final budget bill that may or may not be represented by specific and detailed and delineated line items. And so, I take a step back and I say to myself at this point, really, the budget, for me, I would try my best to persuade those who see things the way that I do, that the budget should be looked at as a culmination of the legislative year, specifically, the priorities that this administration has put forth this year and in previous years in order to warrant, to earn my support as a "yes" vote. So I say to myself at this time, specifically, has this body, has this administration put forth legislative agendas and priorities which would justify me supporting this administration's budget, a budget that has been put forth by this Chamber, voted on, sent over to the House, and will come back again?

When we look at this year, when we look back, can we say with confidence that the people whom we were sent to Harrisburg to represent, specifically me and 19 other Democrats, can we say that based upon what we have seen for the last 12 months, that this administration, the priorities, and this agenda, that they deserve our support, Mr. President, because they have given us legislation that not only is just good for the people of Pennsylvania, but is good for the people, the 5 million people



whom we represent? So I have been thinking about this, thinking about it last night, thinking about it after talking to Members much, much more well-seasoned than I, and I have a couple thoughts.

I first look at something that is very important to everybody around this place, healthcare, specifically women's healthcare. Has this administration put forth an agenda and priorities that we can say with confidence have helped women across Pennsylvania, making their lives better, granting them broader access to healthcare? Look at Senate Bill No. 3. When I look at Senate Bill No. 3, Mr. President, I really do not think so, a bill designed to outlaw abortion services and any health insurance policy offered through the state exchange. What that really means, Mr. President, is that anyone whose insurance is part of the state exchange could not get a legal abortion, incredibly, even if they chose to pay for it themselves. This discriminatory bill does not help women, does not make them safer, and does not provide any benefit to them. What it simply does is hurts them, especially those who are challenged financially, because it denies them, Mr. President, the medical and preventive services that they want and deserve. Okay?

I move on, I think. Well, what about Senate Bill No. 732? Senate Bill No. 732 requires women's health facilities offering abortion procedures to be subject to the same regulations as ambulatory care facilities. In other words, Mr. President, it makes it extremely difficult financially for these centers to continue on, and ultimately would force them to close. Is this an agenda, a series of priorities that would earn my support for an administration that puts forth a budget similar to what came out of this room a month ago? Okay, maybe. Maybe. Are these the right sets of priorities for the Commonwealth of Pennsylvania and are these the right sets of priorities for folks like me to embrace when I raise my hand and say "yes" or "no" on a budget vote in 14 days or so?

Then we move onto, Mr. President, something that is very recent, I spoke about it a couple of weeks ago, Senate Bill No. 273. Basically, what does this do? It penalizes municipalities for taking steps to do what? To do the essential role of government, and that is to protect its citizens, to protect its citizens from illegal handgun violence. Take a step back. Why would we, as a representative body, want to go after local municipalities to prevent them from taking away one of the essential tools that they have and the essential obligations that we have as elected officials, and that is to protect people. Why would we want to do that? Right now 48 municipalities including Philadelphia, Pittsburgh, Harrisburg, Allentown, Reading, Lancaster, and Erie Counties, currently have local gun laws and resolutions on the books that help curb illegal gun activity.

When this bill passes and is signed by the Governor--I am sure will be a very happy day, he will have his cameras there--the NRA will be responsible. And they are not going to be in the back, they will be right out in front. They will be right out in front, because what this bill does is solidify the NRA's ability, incredibly, to challenge ordinances in court with financial consequences to those municipalities regardless of outcome. Well, it is a first in jurisprudence within the Commonwealth of Pennsylvania, so they certainly can take credit for that. That has never happened before, and probably will not happen again. The NRA can be proud of that. This administration can certainly be proud of that. Are these the kinds of priorities, Mr. President, that have

been enacted over the last 12 months, 15 months that warrant my support for this administration, for the goals, priorities, and agendas that this administration has set forth? Can I hold my head up high and say I support this because this is good for Pennsylvania? Is this good for the people whom I was sent here to represent?

All this, Mr. President, is in the face of what each and every one of us in this building, not this room, but in this building, in this city, in this Commonwealth, know, that we have a failing and aging transportation system. Four thousand, eight hundred structurally deficient Pennsylvania bridges remain unchecked, existing, and no one in this administration feels it appropriate enough to address it at this time, in this budget. Guns? Sure. Restricting women's rights to healthcare access, reproductive services? Absolutely. Make it harder for poor people to get what they need? Of course. But fix the roads and bridges that our children have to travel on each and every day? To sit down and work on that problem, we could put that off, because that is not important. It is not important right now.

So, Mr. President, I can go on and on, and to be perfectly honest with you, my colleagues and I have not sat around and not offered opportunities, answers, or alternatives. For 2 years in a row we have rolled out proposals and initiatives, PA Works, PA Now, whatever you want to call it. Call it whatever you want. It was an opportunity to come to the table and discuss the real problems and the real issues that are facing Pennsylvanians today and to craft a bipartisan agenda and priorities that can do, among other things, something that I think is very important to this administration. Maybe it is not whether or not he cares about us, but maybe let us assume something that is very important, and that is that folks like me can raise their hand and say yes. We put a stamp of approval on his legislative agenda, on this administration's priorities as we move forward.

When you look at that, Mr. President, you look at the voter suppression bill, you look at the attack on SNAP, people who need these types of services, you can go on and on and on. Believe me, there is no golden egg here for these people. There is no bonus here. Is this the agenda? Is this what we were sent here to do? Are we making people's lives better? Again, is this the type of budgetary year, the culmination which will wrap up in a few short weeks? Is this what we as Democrats, as Pennsylvanians, is this the kind of programs that I believe are good for Pennsylvania? That will move me to raise my hand as a "yes" and support this budget? As I stand here today, absolutely not. And I will tell you something else, Mr. President, I am damn proud to say it. Thank you very much.

## HOUSE MESSAGES

### HOUSE BILLS FOR CONCURRENCE

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

June 12, 2012

**HB 1820** -- Committee on Labor and Industry.

**HB 2371, 2372, 2373, 2374 and 2375** -- Committee on Agriculture and Rural Affairs.

**RECESS**

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Wednesday, June 13, 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 5:10 p.m., Eastern Daylight Saving Time.