

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, JUNE 13, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 38

SENATE

WEDNESDAY, June 13, 2012

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

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

PRAYER

The Chaplain, Reverend GREG HELMAN, Pastor of Blue Rock Church, Waynesboro, offered the following prayer:

Let us pray.

Dear Heavenly Father, we thank You for this opportunity to come before You. We ask, Lord, that You give wisdom and discernment to all of those who are here. May they guide us, striving to do Your will and not their own or others who have given voice to issues. We pray, Lord, that You would strengthen each person. We pray that You would help us, Lord, to do Your will at all times, whether it takes a lot from us or not. Lord, we know that You will give us strength, and so we look to You, Lord, in this time. We ask this in Jesus' precious name. Amen.

The PRESIDENT. The Chair thanks Pastor Helman, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 100**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 1067**, with the information the House has passed the same without amendments.

HOUSE BILL FOR CONCURRENCE

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

June 13, 2012

HB 1539 -- Committee on Labor and Industry.

GENERAL COMMUNICATION

**INDEPENDENT FISCAL OFFICE'S
FISCAL YEAR 2012-13 REVENUE ESTIMATE**

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

COMMONWEALTH OF PENNSYLVANIA
Independent Fiscal Office
Second Floor, Rachel Carson State Office Building
Harrisburg, PA 17105

June 12, 2012

The Honorable Joseph B. Scarnati, III
President Pro Tempore
Senate of Pennsylvania
291 Main Capitol Building
Harrisburg, PA 17120

The Honorable Samuel H. Smith
Speaker
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Sirs:

Enclosed please find a copy of the Independent Fiscal Office's official revenue estimate for FY 2012-13, produced in accordance with 71 Pa.C.S. §4105.

Sincerely,

MATTHEW J. KNITTEL
Director

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

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 13, 2012

Senators RAFFERTY, TARTAGLIONE, FONTANA, FERLO, SOLOBAY, HUGHES, SCHWANK, YUDICHAK, COSTA, ARGALL, PICCOLA, GREENLEAF, ALLOWAY and MENSCH presented to the Chair **SB 1560**, entitled:

An Act amending the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, further providing for definitions, for administration, for examination and qualification of applicants, for reciprocal licensing, for licensing periods and renewals, for seals, for firm practice, for firm names, for permitted practices, for existing licenses, for unauthorized practice, for disciplinary proceedings and for penalties; providing for injunction; and further providing for complaint procedure and hearings.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, June 13, 2012.

Senators ARGALL, RAFFERTY, ERICKSON, McILHINNEY, FERLO, HUGHES and WASHINGTON presented to the Chair **SB 1561**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for retroactive denial of reimbursement of payments to health care providers by insurers.

Which was committed to the Committee on BANKING AND INSURANCE, June 13, 2012.

BILL SIGNED

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

SB 1067.

BILLS REPORTED FROM COMMITTEES

Senator YAW, from the Committee on Urban Affairs and Housing, reported the following bill:

HB 1767 (Pr. No. 3481)

An Act amending the act of November 24, 1976 (P.L.1176, No.261), known as the Manufactured Home Community Rights Act, further providing for definitions; providing for determination of abandonment, for abandoned manufactured homes, for immunity from liability, for sale or lease of manufactured home communities, for closure of manufactured home communities, for notice requirements in the event of closure of manufactured home community and for remedies; and repealing certain provisions of The Landlord and Tenant Act of 1951.

Senator FOLMER, from the Committee on Communications and Technology, reported the following bill:

SB 1345 (Pr. No. 2285) (Amended)

An Act providing for streamlined procedures for reviewing applications for the modification or collocation of wireless communications facilities and wireless support structures.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Earll and Senator Ward.

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

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

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Earll and Senator Ward.

Senator Costa requests a temporary Capitol leave for Senator Hughes, and a legislative leave for Senator Leach.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator PILEGGI asked and obtained a leave of absence for Senator WAUGH, 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 2, 2012, is now in print.

The Clerk proceeded to read the Journal of the Session of May 2, 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	McIlhinney	Tomlinson
Argall	Erickson	Mensch	Vance
Baker	Farnese	Piccola	Vogel
Blake	Ferlo	Pileggi	Ward
Boscola	Folmer	Rafferty	Washington
Brewster	Fontana	Robbins	White Donald
Browne	Gordner	Scarnati	White Mary Jo
Brubaker	Greenleaf	Schwank	Williams
Corman	Hughes	Smucker	Wozniak
Costa	Kasunic	Solobay	Yaw
Dinniman	Kitchen	Stack	Yudichak
Earll	Leach	Tartaglione	

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 JOSEPH B. SCARNATI PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, it is a pleasure today to introduce two members of the Watson Grange in Warren County. Matt is a high school science teacher at Tidioute Community Charter School, and Miranda is employed by Northwest Savings Bank. I ask the Senate to welcome Miranda and Matthew Irons, Pennsylvania State Grange Young Couple.

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

(Applause.)

GUEST OF SENATOR PATRICIA H. VANCE PRESENTED TO THE SENATE

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

Senator VANCE. Mr. President, I am very pleased to introduce to the Senate, Derek Snyder, who is the Pennsylvania State Junior Grange Prince. He is the son of Jim and Sue Snyder of Boiling Springs. He just finished his sophomore year at Boiling Springs High School, and is a member of the Valley Grange in York County. His extracurricular activities at Boiling Springs include band, jazz band, golf team, SADD club, manager for the boys' basketball team, and participates in Relay For Life. In the future, he hopes to attend Pennsylvania State University School of Law and become an attorney. Please give him a warm Senate welcome.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

GUEST OF SENATOR EDWIN B. ERICKSON PRESENTED TO THE SENATE

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

Senator ERICKSON. Mr. President, it is my pleasure today to introduce another member of the Junior Grange, Katarina Darnosal, who is the Pennsylvania State Grange Princess. Katarina is the daughter of Steve and Jane Darnosal, and Jane Darnosal is here with her daughter from West Chester, Pennsylvania. She is a member of the Kutztown Junior Grange in Berks County. She recently completed her freshman year at Rustin High School, where she is a member of the swim team, track and field team, and concert band. Katarina plans to attend college and continue her swimming career at the collegiate level. I ask for a warm welcome for Katarina.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

GUESTS OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

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

Senator FOLMER. Mr. President, I would also like to introduce Tyler Sattazahn from Womelsdorf, Pennsylvania, which is in the heart of the 48th Senatorial District. He is a representative with the Pennsylvania State Grange and today, as you know, is Grange Capitol Day. Tyler is a member of the Marion Grange in Berks County, and for the past year has attended Grange meetings and special events spreading the message about the Grange and work in the communities across the State. Please join me in welcoming Tyler and the entire State Grange delegation to the Senate.

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

(Applause.)

GUEST OF SENATOR TIMOTHY J. SOLOBAY PRESENTED TO THE SENATE

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

Senator SOLOBAY. Mr. President I, too, have a young lady here visiting us today from the Pennsylvania Grange, Samantha Gourley, who is a youth ambassador. She is the daughter of George and Barbara Gourley of Hookstown, a member of the Hookstown Grange in Beaver County. She just completed her junior year at Shippensburg University, and has spent the year attending Grange meetings and special events spreading the message about the Grange to communities across the Commonwealth. This is one of her last official duties. Mr. President, I ask the Senate to give its usual warm welcome to Samantha Gourley, our State Grange Youth Ambassador.

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

(Applause.)

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS AS AMENDED

SENATE CONCURS IN HOUSE AMENDMENTS AS AMENDED

SB 375 (Pr. No. 2278) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 375?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 375.

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

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.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1433 (Pr. No. 2257) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1433?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1433.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I want to take a few minutes to speak about this legislation and the importance of it to Pennsylvania homeowners, especially those who are having some difficulties with their mortgage and need some assistance. The HEMAP program was started in 1983, and over the almost 30-year history, over 46,000 homes have been saved from foreclosure as a result of the HEMAP program. Over the years, we have appropriated about \$245 million to HEMAP, but it is a loan program. As a result of repayments on interest and principal, another \$275 million has come back into it, which has resulted in over \$500 million worth of loans to homeowners who are in trouble.

One of the things that I always point out, which I think is incredible, is that there is an 85-percent success rate in regard to this program, an 85-percent success rate to make sure that the American dream holds true in regard to homeownership. As most of us know here in the General Assembly, as a result of budget issues, the program stopped taking new applications in September of 2011. So since that time, there has been no new applicants to the HEMAP program.

Mr. President, we have a solution to the problem though. As a result of action taken by 49 States and their Attorneys General in regard to unfair lending practices by our five largest lending institutions across the country, a settlement was reached to help provide moneys to those affected, as well as those States that are affected. I want to thank our Attorney General, Linda Kelly, for helping to guide this to a conclusion during her term in office. As a result of this settlement, there will be about \$64 million to \$65 million that will be available to go into some funding. And what Senate Bill No. 1433 proposes is to put this money into a trust fund, which will allow dollars to be able to go for important purposes over the next 5 years. Ninety percent of the moneys will go to PHFA for the HEMAP program, 5 percent to the Attorney General for housing consumer protection programs, and 5 percent to legal assistance relating to housing issues.

I will mention how important and what a great job PHFA has done over the years, especially Brian Hudson, who is an outstanding executive director. This is important legislation, this is legislation that impacts people, that helps people. The PHFA does a great job identifying those folks who will be able to be successful in using this program to remain in their homes. I want to congratulate several staff people who were very instrumental in regard to this bill getting to the final spot here: Josh Funk, who is with my office and now is with the Majority Leader's office; Todd Roup, my chief of staff; Kathy Eakin, who does an exceptional job in the Majority Leader's office; and I want to mention the Majority Leader himself. Senator Pileggi, from the beginning of this issue coming before me and introducing the legislation, gave a green light and said we need to get this done before we leave in June. I am pleased that on June 13, not June 30, we are actually going to be able to send this to the Governor.

I also thank my colleagues on the Democratic side, Senator Costa. There have been a number of other folks, Senator Fontana is another one who I know that this issue has been very important. But this is a bipartisan issue, it passed the House unanimously, I am expecting a unanimous vote here in the Senate as well. This is the sort of issue that is important that we do get together as Democrats and Republicans, House and Senate, in order to get something done.

Finally, I will say, again, that over the life of HEMAP, 46,000 homes have been saved from foreclosure. As a result of our action today, for at least the next 5 years, there will be hundreds, if not thousands, of people who will again be given a lifeline as a result of our State's HEMAP program. I urge support for Senate Bill No. 1433.

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

Senator FERLO. Mr. President, I have had the honor and privilege of serving a three-county area of many small-town communities, and certainly the heart of the city of Pittsburgh and the lowest-income communities in the great city of Pittsburgh. Unfortunately, these communities, first and foremost, have been

decimated over the years, especially the mid-1980s on, with the loss of important jobs, the middle-class, well-paying jobs, and that is true, unfortunately, in communities throughout the Commonwealth. The HEMAP program, the Homeowner's Emergency Mortgage Assistance Program, has been a vital mainstay in providing an opportunity for homeowners to rework their mortgages and try to retain what should be, and what has been, their most important asset of their lifetime, and that is their own home.

Unfortunately, and I appreciate all the commentary here and the description of refunding this program, but a year ago this program was de-funded by the Corbett administration. I always find it interesting, folks get up and they appropriate money. We had a situation yesterday where, rightfully, we are providing an opportunity to continue funding of the \$25 million annually to support our volunteer fire units, hoping to even raise it a little bit more. And folks are voting for the money, which is great, we all support that, but they do not want to support the casino industry or did not want to technically take a vote for gaming.

So again, before we move on with some of my closing comments, I just want to point out that this program should have never been de-funded a year ago by the Governor in his Budget Address. Many of us on this side of the aisle voted "no" because this was a very vital program to the livelihood and the ability of many of our homeowners to sustain their life's asset. Certainly, as my colleague just spoke, Mr. President, Senate Bill No. 1433 should be supported and passed today. It is obviously a step forward. The refunding of the HEMAP program, which, as I pointed out, should never have been discontinued in the first place, is obviously a positive involvement and an appropriate use of the windfall we received.

While I will be voting in the affirmative for this legislation, I do want to put on the record, at least, concerns that community groups such as Community Legal Services and the Housing Alliance have with language added to the bill to address the so-called *Vukman* decision, a case in Superior Court. The bill will, rightly and retroactively, correct a court decision to resolve a very, very big problem with Act 91 foreclosure notices provided to homeowners who are late on their mortgage payments. However, this bill not only retroactively fixes the problems with those notices from years 1999 to 2008, but changes the notice procedures prospectively. It remains to be seen to what degree banks will change their Act 91 notice procedures due to these changes. Some believe that a worst-case scenario may be that if a bank fails to send a notice, that it would be able to defend the action in court. This notice is an essential protection to homeowners, and this should not be permitted to happen. I believe it is incumbent on this Chamber to remain vigilant in the protection of homeowners in the foreclosure process.

Today, if a homeowner shows a mortgage lender did not properly serve the Act 91 notice, it can use that as a protection in the foreclosure process. We may be turning that on its head today, or worse, completely eliminating that protection. I truly hope this does not become the case, but I wanted to put on the record that this concern is held by many in the homeowner protection advocacy community across our Commonwealth. All this being said, the Pennsylvania Housing and Finance Agency has made a recommendation to support this new language and believes that concerns I have mentioned here are misguided. I will put my faith in the PHFA organization, and, in particular, Brian Hudson as the executive director.

I will be voting for this legislation. But like other bills that come before us, there is another bill upcoming on regulations for the small business community which I will be seeking to amend to have a 3-year sunset. I think it is very important that we move forward progressively to begin applications anew come the month of July, for our homeowners who are upside down in their mortgages. Again, I caution that we need to always monitor and see how the program will take effect, how it will be implemented, and how the banks will react pending this final passage here today.

Thank you, Mr. President.

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

Senator WASHINGTON. Mr. President, I, too, am happy to see that the funds that have been released by the government will be used as soon as possible for HEMAP applicants. In Pennsylvania, particularly in the Fourth Senatorial District and the Philadelphia area, we have the highest number of foreclosures in the State of Pennsylvania. The good part about it is that people who are in the process of having their houses foreclosed on will now see a light at the end of the tunnel. When we talk about families and keeping families together under one household, this is extremely important.

Immediately after we got the announcement, I worked with my Senate Democrats, and we sent a letter to the Governor about this particular issue. I want to thank my colleague on the other side of the aisle. I certainly wanted to be the lead person on this particular issue, but we do not work like that in here, and I understand that. But the point of the matter is that it is done. I am happy to see that the program will be up and running again as soon as possible, because \$18 million immediately, and then \$12 million in future years is a lot of money, a lot of homes, and a lot of families. So thank you.

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-47

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

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 CALENDER

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION 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.

BILLS OVER IN ORDER

HB 17, HB 761, SB 932, SB 941, SB 943, SB 1090 and SB 1091 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, very quickly, this is a very good bill and a fair bill. What it is all about is that school districts can send their students to a private nonprofit or profit institution. But because of an aspect of the School Code that goes back into the past, the local school districts actually end up being responsible for the payments. This is very unfair to a local school district. This has resulted in a number of court cases, and while this does not affect current court cases, it will eliminate any confusion in the future.

It is a good bill and it is fair. If a school district is contracting with a private nonprofit, that is the party that has to pay, not the other school districts that happen to be in the same place as the nonprofit. I probably confused people more than I helped, but it is a good bill and one that I am glad that we are finally going to pass, out of fairness to all of the districts. I am happy to see this bill come forward, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-39

Alloway	Dinniman	McIlhinney	Tomlinson
Argall	Earll	Mensch	Vance
Baker	Eichelberger	Piccola	Vogel
Blake	Erickson	Pileggi	Ward

Boscola	Folmer	Rafferty	White Donald
Brewster	Fontana	Robbins	White Mary Jo
Browne	Gordner	Scarnati	Wozniak
Brubaker	Greenleaf	Schwank	Yaw
Corman	Kasunic	Smucker	Yudichak
Costa	Leach	Solobay	

NAY-8

Farnese	Hughes	Stack	Washington
Ferlo	Kitchen	Tartaglione	Williams

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 1135 and SB 1184 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

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.

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

BILLS OVER IN ORDER

HB 1349, SB 1480, HB 1682 and HB 1720 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1913 (Pr. No. 3211) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing abatement of real estate taxes because of destruction or damage of property by Hurricane Irene or Tropical Storm Lee, or the refund of the amount of such taxes by certain political subdivisions; and authorizing reassessment of properties retroactive to August 1, 2011, and a limited moratorium on the increase of certain real estate taxes.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I want to take just a few minutes in regard to this bill, House Bill No. 1913, as well as the bill right after this, House Bill No. 1916. For a lot of folks, the

flooding that we had last August and September is a distant memory. But for a lot of folks in the communities I represent, the northeast, northcentral area, those represented by Senator Baker, Senator Yudichak, Senator Blake, Senator Yaw, the memory still holds. When I drive near the Bloomsburg fairgrounds, I see a whole series of homes that are unoccupied and unlivable because of the flooding that occurred, and are waiting for a Federal flood buyout. I see streams that are still littered with all the debris that came through the flooding that cannot be fixed.

One of my prouder moments here in the Senate was last September, when, in a bipartisan manner, Senator Blake, Senator Yudichak, Senator Yaw, Senator Baker, and I unveiled a package of bills to deal with the devastation of the flood, as well as to deal with issues in years to come. Last November, as a matter of fact, this Senate passed an eight-bill package. A number of bills to deal with bridges, highways, flood control projection, tax abatements, farmers who were affected, and with small businesses. We passed those bills back in November and sent them over to the House. Unfortunately, not one of those Senate Bills has moved out of a House committee since we sent them over in November. The House earlier this year did move House Bill No. 1913 and House Bill No. 1916, which we have before us today. House Bill No. 1913, by Representative Culver, provides options for local municipalities as it relates to tax abatement. This is a similar bill to the one introduced by Senator Blake that we passed back in November. I want to thank Senator Blake for his sponsorship and for this bill coming to us. I urge its support.

I want to focus, though, on House Bill No. 1916. As this came over from the House, it dealt with flood control projects. What we have done in the Senate is add more projects to this, bridge projects, highway projects, as well as some bonding. I want to talk about what this does and the importance of it, not only now and not only relating back to September, but to the future as well. There is no longer a flood control line item under the Department of Environmental Protection in our budget. We are poised, in the next couple of weeks, to pass a capital budget debt authorization bill that no longer includes flood control projects. If we do not do this bill, other than a few dollars left with the Commonwealth Financing Authority, there will be no moneys available to the State for flood control efforts at any time in the future.

So if the Federal government were to come and say to this community, we have some moneys, but you are going to have to come up with a 30-percent match, State moneys are not going to be there to do that. So, we need to provide this mechanism, this bonding authority to provide some opportunities for flood control projects in the future, whether they are smaller projects, which many of our communities may need, or larger projects that the Federal government and the Army Corps of Engineers may be involved in.

Let me also talk about the Federal reimbursement for highways and bridges. Ultimately, according to our Secretary of Transportation, we may get around 65- to 70-percent reimbursement from the Federal government as a result of the flooding that occurred with our bridges and highways. But as of a couple of months ago, we had not even received 20-percent reimbursement yet, not even 20-percent reimbursement. We were still getting some Federal reimbursement from flooding that occurred 4 or 5 years ago, according to our Secretary of Transportation. So where is the money that is being used for all the work that was done back in August and September? It is coming out of our

existing Federal highway pot. Well, we all know of the transportation crisis, we know of the funding crisis, and as a result of us advancing the moneys from the Feds, we are doing less highway projects, less road projects, when we are looking for ways in order to do more.

This bonding mechanism would provide an opportunity for us to get some moneys, so that we would not be dipping into existing projects to pay for the results of August and September.

So while I support these efforts, I am concerned about where they go from here. We know that these House bills are going to go back to the House, but I just want our fellow Senators to know that, as of right now, there is no agreement with the House, there is no agreement with the Governor that these bills, as they exist, will get to the Governor's desk for signature.

So I urge all of our Members, whether you were affected by the flooding in August and September, or whether you are concerned that you may be affected by flooding in the future, unless we do bills like House Bill No. 1913 and House Bill No. 1916, there are not going to be any moneys available for any sort of flooding occurrences in the future, whether they are small or large projects. I urge support for House Bill No. 1916 and would, again, urge my colleagues to talk to your House Members, talk to the Governor's Office, so that we can get these issues done before we leave in June.

Thank you, Mr. President.

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

Senator BLAKE. Mr. President, I just have a few brief comments to echo the remarks of Senator Gordner and to express thanks to my colleagues Senator Baker, Senator Gordner, Senator Yaw, Senator Argall, and Senator Yudichak, all of whom worked together last year to put together the package of bills in response to the flooding events in Pennsylvania. Mr. President, when I began my career in public life, it was in flood control work. I can tell you that when communities and residents of Pennsylvania are concerned about whether they can go to sleep at night because 3 inches of rain might be threatened tomorrow, I think they deserve some peace of mind from the General Assembly of Pennsylvania and from the Governor.

I commend the House colleagues who have put up the bills that are being considered in the Senate today, House Bill No. 1913 and House Bill No. 1916. Again, I want to express deep thanks to Senator Gordner for his leadership. I do call out his concerns about our obligation to cost-share with the Federal government, the essential flood control and infrastructure improvements, as a result of flood-prone areas of the State. We are a water-rich State, but as you know, Mr. President, there are times when those benefits can become threats, and that is why the Commonwealth needs to step up and do its share to pay for the improvements that protect our citizens. So again, I look for support for House Bill No. 1913 and House Bill No. 1916, and appeal to our House colleagues and the Governor to sign them into law. Thank you.

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

NAY-0

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

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

HB 1916 (Pr. No. 3730) -- 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.

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

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.

BILLS OVER IN ORDER

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 156 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 244 (Pr. No. 2202) -- 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, adding a requirement relating to cardiopulmonary resuscitation.

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

HB 254 (Pr. No. 3443) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 338 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 608 (Pr. No. 592) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit; providing for bioenergy crop bonding; and making editorial changes.

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

BILL OVER IN ORDER

HB 728 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 807 (Pr. No. 3586) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

SB 920, SB 922 and SB 929 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 946 (Pr. No. 1019) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for department vehicle registration records.

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

SB 1185 (Pr. No. 2274) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1186 (Pr. No. 2275) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

HB 1269, SB 1346, SB 1402, SB 1413, SB 1432, SB 1497 and HB 1525 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 1531 (Pr. No. 2218) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, establishing the Pennsylvania Veterans Trust Fund; and, in registration of vehicles, further providing for special plates for veterans.

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

HB 1548 (Pr. No. 3578) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL ON SECOND CONSIDERATION

SB 1551 (Pr. No. 2245) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

HB 1617, HB 1908, HB 2215 and HB 2293 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE STATE BOARD OF 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

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

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

YEA-47

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Earl, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Piccola, Pileggi, Rafferty, Robbins, Scarnati, Schwank, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, White Donald, White Mary Jo, Williams, Wozniak, Yaw, Yudichak

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative. Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise. The motion was agreed to by voice vote.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Labor and Industry to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Labor and Industry to be held in the Rules room immediately, without objection, the Senate stands in recess.

AFTER RECESS

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

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

HB 1539 (Pr. No. 3689)

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, amending the title of the act; and establishing the Keystone Works Program.

HB 1820 (Pr. No. 3687)

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for minimum wages and for exemptions.

SENATE RESOLUTION ADOPTED

Senators GREENLEAF, FONTANA, STACK, DINNIMAN, BAKER, HUGHES, BREWSTER, COSTA, PILEGGI, SOLOBAY, SCHWANK, PIPPY, ERICKSON, ARGALL, YUDICHAK, TARTAGLIONE, BOSCOLA, FERLO, ALLOWAY, RAFFERTY, WAUGH, EARLL, BRUBAKER, FARNESE and PICCOLA, by unanimous consent, offered **Senate Resolution No. 329**, entitled:

A Resolution designating September 29, 2012, as "William Penn Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

LEGISLATIVE LEAVE CANCELLED

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

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

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

Senator GREENLEAF. Mr. President, the resolution I offer designates September 29, 2012, as "William Penn Day" in Pennsylvania. William Penn, the Founder of this Commonwealth, was born in London, England, on October 24, 1644. The Province of Pennsylvania was acquired by William Penn from King Charles II of England in payment of a debt the King owed his father, Admiral Sir William Penn, for which William Penn received a charter from King Charles II dated March 4, 1681.

William Penn invited people from diverse nationalities and creeds to join with him in a Holy Experiment, where men might worship God according to their own light. His own prayers were that Pennsylvania might become the seed of a nation. In fact, Penn's hopes for a new land are best captured in a quote which wraps around the Rotunda's interior, just below the main cornice, as a reminder for legislators and citizens, and it reads: "There may be room there for such a holy experiment. For the nations want a precedent. And my God will make it the seed of a nation. That an example may be set for the nations. That we may do the thing that is truly wise and just."

His own prayers were that Pennsylvania might become "the seed of a nation" as I have just stated, and William Penn had a strong faith in a representative form of government, public education without regard to race, creed, sex, or ability to pay, and respect for the civil liberties of all persons. Many of the liberties and rights that we enjoy today can be traced to William Penn's efforts.

William Penn initiated the first call for a "united states" in his 1697 "A Plan for Union for the English Colonies in America." He also developed the first practical plan for world peace and for

"united nations"--and he used those words: united nations--in 1693, which was 251 years before the United Nations was established.

Further, William Penn established the first constitutions, including religious liberty and tolerance, self-government, and taxation only through representation, in modern history. On October 28, 1701, Penn's third revision of Pennsylvania's Constitution was adopted, the "Charter of Privileges." The "Charter of Privileges" so firmly established and grounded Pennsylvania as a keystone to other colonies that it evolved into the outline and later adoption of American liberties.

With the Constitution of the United States in 1751, the General Assembly commissioned a foundry in England to forge the bell, which ultimately we refer to as our Liberty Bell, and it was to celebrate the 50th anniversary of the "Charter of Privileges." The Liberty Bell is fondly associated with the year of 1776 when the Declaration of Independence was read in Philadelphia, but it was actually created 25 years previous to the Revolution in honor of William Penn and his great "Charter of Privileges" of 1701.

The Declaration of Independence and the Constitution of the United States were adopted in Philadelphia, and this nation was then established. Thomas Jefferson, the third President of the United States and writer of the Declaration of Independence, duly recognized William Penn's indelible influence upon this American nation and stated that he was, without doubt, quote, "the greatest lawgiver the world has produced." In fact, if you read the Declaration of Independence, there is a phrase in there that we are all familiar with, and that is "inalienable rights" that mankind has. That was set forth in Penn's writings almost a century before.

Woodrow Wilson, the 28th President of the United States, stated that in speaking of the phenomenon in Pennsylvania, "America did not come out of New England," it came out of the acts and thoughts of William Penn. May Pennsylvania continue to be the beacon to the world that he envisioned it to be, and I ask for the adoption of 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.

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 John Kiesendahl, Kathryn Cohen, Caitlin Meehan, Emily Rose Cooper, Karisa McCormick, Nadia Gentilesco and to Angelica Ballesteros by Senator Baker.

Congratulations of the Senate were extended to the Tobyhanna Army Depot by Senator Blake.

Congratulations of the Senate were extended to the Hispanic Center Lehigh Valley by Senator Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. John Henninger, Nikhil Raj Ananth, Samuel Christian Baker, Andrew Michael Lanagan, Andrew Davey Madore, Coral Flanagan and to Rebekah Miller by Senator Corman.

Congratulations of the Senate were extended to Martha E. Brunson Hinson by Senator Costa.

Congratulations of the Senate were extended to Joseph Little, Sean Alexis and to Benjamin Andrew Richey by Senator Dinniman.

Congratulations of the Senate were extended to the Reverend Charles Cole by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Charles Jacob and to the Kennett Square Borough Historical Commission and Architectural Review Board by Senator Dinniman and others.

Congratulations of the Senate were extended to Michael C. Brenneman by Senator Eichelberger.

Congratulations of the Senate were extended to Laura Klodnicki and to Donald Lewis Gray II by Senator Gordner.

Congratulations of the Senate were extended to Bishop Richard Franklin Norris by Senator Hughes.

Congratulations of the Senate were extended to Reverend Monsignor John Edward McCullough, Samuel David Dively and to Luke Thomas Sprowls by Senator Kasunic.

Congratulations of the Senate were extended to Thomas Dominic Durante and to Dorothy Carlson by Senator Leach.

Congratulations of the Senate were extended to the Bucks County SPCA by Senator McIlhinney.

Congratulations of the Senate were extended to Linda A. Hicks, Jaelyn Lacy B. Gyger, Rachel Miller, Breanna Smith, Allison Weller, Lindsey Zuvich and to Kimberly Elter by Senator Piccola.

Congratulations of the Senate were extended to Joseph P. Favazza, Aldo O. Cardoni, citizens of the Borough of Marcus Hook and to the Garnet Valley High School Girls' Lacrosse Team by Senator Pileggi.

Congratulations of the Senate were extended to Debra Gentzler by Senators Pileggi and Waugh.

Congratulations of the Senate were extended to the Pennsylvania Trappers' Association by Senator Scarnati.

Congratulations of the Senate were extended to Richard L. Dietrich and to the members of the Governor Joseph Hiester Chapter, Sons of the American Revolution, of Wyomissing, by Senator Schwank.

Congratulations of the Senate were extended to Mr. and Mrs. Albert William Nagy, Mr. and Mrs. Aaron Boyd Mansfield, Mr. and Mrs. Domonick Pastorial, Martha Mast, Marissa Kalsey and to Jessie Merckle by Senator Solobay.

Congratulations of the Senate were extended to Egypt E. Thomas by Senator Stack.

Congratulations of the Senate were extended to Samuel Leonard Weiss by Senator Tomlinson.

Congratulations of the Senate were extended to Kenneth Wagner, Hope Miller, Katherine Schwang and to Judith Heh by Senator Vance.

Congratulations of the Senate were extended to the Shippensburg Lions Club by Senators Vance and Alloway.

Congratulations of the Senate were extended to Dale G. Wagner and to Collin Inners by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Scheer by Senator M.J. White.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Robert W. Ferguson, to the family of the late William E. Whyte, Sr., and to the family of the late John Luksic by Senator Baker.

Condolences of the Senate were extended to the family of the late Maria R. Sculley by Senator Boscola.

Condolences of the Senate were extended to the family of the late Francis G. Brown by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Charles Albert McCloud and to the family of the late Dr. Edward W. Robinson, Jr., by Senator Washington.

Condolences of the Senate were extended to the family of the late Robert Harris by Senators Yudichak, Baker, and Gordner.

BILLS ON FIRST CONSIDERATION

Senator RAFFERTY. 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 1345, HB 1539, HB 1767 and HB 1820.

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

MONDAY, JUNE 18, 2012

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 161, 1303, 1309, 1345 and 1535; and House Bills No. 3, 75, 970, 1055, 1307, 1343 and 1934)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Cmte. Conf. Rm.

TUESDAY, JUNE 19, 2012

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 1544)	Room 8E-B East Wing
10:00 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 874; and House Bills No. 197 and 2224)	Room 8E-A East Wing
10:30 A.M.	EDUCATION (to consider Senate Bills No. 327, 1134, 1456 and 1508)	Room 8E-A East Wing
12:00 P.M.	STATE GOVERNMENT (to consider Senate Bill No. 1503; and House Bill No. 2406)	Senate Maj. Caucus Rm.

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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9:30 A.M.	AGING AND YOUTH (joint information meeting with the House Aging Committee on the Department of Aging's proposed State Plan)	Room 60 East Wing
10:00 A.M.	FINANCE (to consider Senate Bill No. 1552)	Room 8E-A East Wing

PETITIONS AND REMONSTRANCES

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

Senator RAFFERTY. Mr. President, I want to take a moment to reflect on the importance of last Wednesday, June 6, and the following weeks, through June, July, and through April 1945. I am talking about the D-Day invasion. This was a momentous occasion in history. Not only was it the largest land invasion ever in the history of the world, from sea to land, but countless lives were lost on the beaches in Normandy and the countryside of France by American troops and by our allies, fighting against tyranny, fighting for freedom of oppressed people in France and the European continent.

We should not lose sight of the importance of D-Day, for it was the beginning of the end of one of the darkest, most tyrannical regimes we have ever seen in history. It was the men who fought on those battlefields, everyday individuals from the United States of America, Australia, England, from all of our allies who took up the weapons to fight for the cause of freedom, to allow us today to be able to enjoy the liberties, the many liberties that we have in our great country, to live where we want, to worship where we want, to choose our own vocation. Those men who made the ultimate sacrifice for us, who are buried today on United States land or on foreign territory, we owe to them heartfelt thanks, our prayers, and a deep debt of gratitude. All our veterans, especially from World War II, we owe each and every one of them, those who made it home and those who are still serving, our gratitude, and we need to thank them day in and day out and keep them in our prayers and support.

D-Day was an important day for democracy in this world, and we continue today, in the Republic of the United States of America, to have a democracy because those brave, great men were willing to take to the shores of Normandy to fight for our freedoms here. Let this day never be forgotten in United States history. Let the memory of those individuals who made the ultimate sacrifice and those who survived D-Day - the soldiers, airmen, sailors, Marines, Coast Guard - let them all know that we deeply appreciate their sacrifices and their efforts on our behalf today. Mr. President, thank you very much. All of us need to remember in prayer during the month of June those in World War II who made that ultimate sacrifice.

Thank you, Mr. President.

BILL SIGNED

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

SB 1433.

RECESS

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

Senator YAW. Mr. President, I move that the Senate do now recess until Monday, June 18, 2012, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:30 p.m., Eastern Daylight Saving Time.