

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 25, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 42

SENATE

MONDAY, June 25, 2012

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

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

PRAYER

The following prayer was offered by Senator JOHN C. RAFFERTY, JR.:

As we begin Session today and the heavy burdens of this week, as we prepare for the budget and related documents, let us remember as we gather as a body in the Senate that He is with us. The Almighty will guide us and strengthen us through His graces. We ask for the same wisdom and understanding that He bestowed upon those who created our great Republic and wrestled with the many issues, and for our Commonwealth as well and the guidance he gave them to write the laws to benefit mankind, our country, and our Commonwealth.

May He be with us today and give us the same abundance of grace as we work on the budget and all the related bills, so that the legislation that we pass will be to the benefit of the people of this great Commonwealth. We are mindful today, as we undertake our duties, of the words that He spoke to the prophet Jeremiah: For I know the plans I have for you, declares the Lord, plans to prosper you and not to harm you, plans to give you hope and a future. May we carry forth the wisdom of the prophet Jeremiah today in our deliberations. We ask this, dear Lord, in Your holy name. Amen.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA ECONOMIC
DEVELOPMENT FINANCING AUTHORITY

June 20, 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 Kane, 1707 Warren Road, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified, vice Herb Vederman, Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 22, 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, Krystjan Callahan, Two Clairburn Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven 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 Virginia Roth, Duncannon, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF
LOCK HAVEN UNIVERSITY OF PENNSYLVANIA
OF THE STATE SYSTEM OF HIGHER EDUCATION

June 22, 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, Jerry Swope, 221 West Water Street, Lock Haven 17745, Clinton County, Thirty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Lock Haven University of Pennsylvania of the State System of Higher Education, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice James W. Swistock, Vero Beach, Florida, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF MEDICINE

June 25, 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, J. Bret DeLone, M.D., 320 North 25th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Annette McDaniel-Turner, M.D., Philadelphia, whose term expired.

TOM CORBETT
Governor

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 9**, **SB 444** and **SB 1174**, 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 AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 807**, **HB 1264**, **HB 1349** and **HB 2151**.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 1308**, **SB 1321**, **SB 1322**, **SB 1464** and **SB 1528**, with the information the House has passed the same without amendments.

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 21, 2012

HB 2043 and **2267** -- Committee on Law and Justice.

June 22, 2012

HB 646 -- Committee on Consumer Protection and Professional Licensure.

HB 1521, **1596** and **2421** -- Committee on Judiciary.

HB 1844 -- Committee on Urban Affairs and Housing.

HB 2316 -- Committee on Education.

HB 2438 -- Committee on Intergovernmental Operations.

June 25, 2012

HB 1868 -- Committee on Consumer Protection and Professional Licensure.

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 21, 2012

Senator EARLL presented to the Chair **SB 1569**, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to QRS Realty Corp. certain lands and building situate in the City of Erie, Erie County.

Which was committed to the Committee on STATE GOVERNMENT, June 21, 2012.

June 22, 2012

Senators ERICKSON, GREENLEAF, FERLO, SCHWANK, RAFFERTY, WAUGH, DINNIMAN, COSTA, FARNESE and BROWNE presented to the Chair **SB 1566**, entitled:

An Act establishing the Donated Dental Services Program; imposing duties on the Department of Health; providing for program administration and for contract requirements; and making an appropriation.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 22, 2012.

Senators FOLMER, D. WHITE, ERICKSON, GREENLEAF, YUDICHAK, SMUCKER, SCHWANK, WAUGH, PICCOLA and MENSCH presented to the Chair **SB 1568**, entitled:

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for definitions.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 22, 2012.

Senators ALLOWAY, SCARNATI, WOZNIAK, BOSCOLA and BROWNE presented to the Chair **SB 1571**, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for judgment and writ of possession.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 22, 2012.

Senators WARD, PIPPY and RAFFERTY presented to the Chair **SB 1572**, entitled:

An Act amending the act of August 10, 1951 (P.L.1189, No.265), entitled, as amended, "An act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of employes (except superintendents, assistant superintendents, inspectors, chief clerks and school guards) in bureaus of police in cities of the second class; and defining the powers and duties of civil service commissions in such cities for such purposes," further providing for qualifications for appointment in the competitive class of the civil service.

Which was committed to the Committee on LAW AND JUSTICE, June 22, 2012.

Senators FONTANA, COSTA, SOLOBAY, ALLOWAY, TARTAGLIONE, WARD and FERLO presented to the Chair **SB 1573**, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for board composition.

Which was committed to the Committee on TRANSPORTATION, June 22, 2012.

June 25, 2012

Senators BROWNE, PILEGGI, CORMAN, BRUBAKER, McILHINNEY, FOLMER, FONTANA, ARGALL, YAW, TOMLINSON, BAKER, ERICKSON, EICHELBERGER, D. WHITE, SMUCKER, GREENLEAF, ALLOWAY, RAFFERTY, WAUGH, EARLL, PICCOLA, WARD and MENSCH presented to the Chair **SB 1540**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for a unified retirement system for employees of the Commonwealth and school districts.

Which was committed to the Committee on FINANCE, June 25, 2012.

RESOLUTION INTRODUCED AND REFERRED

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

June 25, 2012

Senators SCHWANK, COSTA, HUGHES, WOZNIAK, FONTANA, EARLL, WARD, FERLO, YUDICHAK, STACK, BLAKE, WASHINGTON, LEACH and DINNIMAN presented to the Chair **SR 333**, entitled:

A Resolution urging the Governor to develop a comprehensive legislative plan to improve basic education in the public schools of this Commonwealth and to establish an advisory commission to study and make specific recommendations for components of the plan.

Which was committed to the Committee on EDUCATION, June 25, 2012.

BILLS SIGNED

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

SB 1308, SB 1321, SB 1322, SB 1464, SB 1528, HB 608, HB 807, HB 1264, HB 1349, HB 1960, HB 2151 and HB 2215.

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

The SECRETARY. Consent has been given for the Committee on Transportation to add House Bill No. 2345 to its agenda for today's off-the-floor meeting.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Smucker and Senator Robbins, and legislative leaves for Senator Mary Jo White and Senator Tomlinson.

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

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

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Smucker and Senator Robbins, and legislative leaves for Senator Mary Jo White and Senator Tomlinson.

Senator Costa requests a temporary Capitol leave for Senator Stack, and a legislative leave for Senator Yudichak.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 21, 2012, is now in print.

The Clerk proceeded to read the Journal of the Session of May 21, 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-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR SHIRLEY M. KITCHEN
PRESENTED TO THE SENATE**

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

Senator KITCHEN. Mr. President, I would like to welcome Elizabeth Cross Elliot to the Senate. Elizabeth is from Wernersville, Pennsylvania, and she is a public health major at Syracuse University. As part of her curriculum at Syracuse, she is required to shadow officials involved in public health policy to gain real-world experience on public health issues confronting public officials. As the Democratic chair of the Senate Committee on Public Health and Welfare, I am delighted that she has joined me today to learn about our Commonwealth's public health policies.

Elizabeth is also a U.S. Army ROTC cadet, where she participates in numerous training activities. Elizabeth's interest in the military runs in the family. Her father, Jeffrey Elliot, is the State Judge Advocate for the Pennsylvania Army National Guard, serving as Adjutant Major General Wesley Craig's military lawyer. Mr. President, I ask that my colleagues give my guest, Elizabeth Cross Elliot, its usual warm welcome.

The PRESIDENT. Would the guest of Senator Kitchen 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 meeting of the Committee on Transportation also to be held in the Rules room, to be followed by a meeting of the Committee on Local Government to be held in the Rules room, to be followed by a meeting of the Committee on Appropriations also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meetings that were mentioned by the Majority Leader, Senate Democrats will meet in the rear of the Chamber for a caucus.

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by a meeting of the Committee on Transportation, to be followed by a meeting of the Committee on Local Government, to be followed by a meeting of the Committee on Appropriations, 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 LEAVES CANCELLED

The PRESIDENT. Senator Smucker, Senator Stack, and Senator Tomlinson have returned, and their respective leaves are cancelled.

LEAVE CANCELLED

The PRESIDENT. Senator Eichelberger has returned, and his personal leave is cancelled.

LEGISLATIVE LEAVES

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

Senator BROWNE. Mr. President, I request temporary Capitol leaves for Senator Piccola and Senator Pileggi, and a legislative leave for Senator Don White.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Kitchen.

The PRESIDENT. Senator Browne requests temporary Capitol leaves for Senator Piccola and Senator Pileggi, and a legislative leave for Senator Don White.

Senator Costa requests a temporary Capitol leave for Senator Kitchen.

Without objection, the leaves will be granted.

CALENDAR

**BILL ON CONCURRENCE IN HOUSE
AMENDMENTS AS AMENDED**

**SENATE CONCURS IN HOUSE
AMENDMENTS AS AMENDED**

HB 823 (Pr. No. 3792) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in subdivision and land development, providing for notice to school district; in planned residential development, further providing for application for final approval; and providing for wastewater processing cooperative planning.

On the question,

Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 823?

Senator BROWNE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to House Bill No. 823.

On the question,

Will the Senate agree to the motion?

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

YEA-49

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

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.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Mary Jo White has returned, and her legislative leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 100 (Pr. No. 2272) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of burglary; in other offenses, further providing for drug trafficking sentencing and penalties; in Pennsylvania Commission on Sentencing, further providing for powers and duties and for publication of guidelines; in sentencing, further providing for sentences for second and subsequent offenses; in sentencing, providing for sentencing for certain paroled offenders; in sentencing, further providing for sentencing generally, for disposition under guilty but mentally ill, for partial confinement, for total confinement and for proceedings and location; in sentencing, providing for court-imposed sanctions for offenders violating probation; in county intermediate punishment, further providing for definitions and for programs; in correctional institutions administration, further providing for drug distribution definitions; in inmate confinement visitation, further providing for gubernatorial visitors, for official visitors and for rights of official visitors; in inmate confinement prerelease plans, further providing for establishment of prerelease centers, for prerelease plan for inmates, for regulations and for compensation of inmates; in inmate confinement motivational boot camps, further providing for definitions and for selection of inmate participants; in inmate confinement State intermediate punishment, further providing for definitions and for referral to State intermediate punishment program; in inmate confinement recidivism risk reduction incentive, further providing for definitions; in inmate confinement community corrections facilities, further providing for definitions; in inmate confinement, providing for safe community reentry and for community corrections centers and community corrections facilities; in probation and parole administration, further providing for certain offenders residing in group-based homes, for administrative powers over parolees, for general court criteria for parole, for parole power, for parole violation and for parole procedure; in probation and parole administration, providing for early parole subject to Federal order; making a related repeal; and abrogating regulations.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 100?

Senator BROWNE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 100.

On the question,

Will the Senate agree to the motion?

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

Senator GREENLEAF. Mr. President, I rise to ask for a favorable vote on concurrence in Senate Bill No. 100. The Senate has previously passed this legislation and has been very supportive of the concept that passed the House by unanimous vote, and I

want to briefly go over why I think it is important for us to pass this legislation.

This bill had its genesis because this body, for some time, has been dealing with a crisis in the Department of Corrections, that crisis being that since 1980 to 2009 and to the present, the increase in our inmate population went up, a 522-percent increase over that period of time in the number of inmates in our correctional system. At the same time, our overall general population in Pennsylvania only went up 6 percent. Now, there is something wrong there, that is for sure, because we are certainly not gaining in significant population, but we had a 522-percent increase in our inmate population. Why was that? Well, because we were getting tough on crime and we were passing bills that dealt with many of the issues of raising sentences, increasing the number of crimes that we created, and hoping that the tougher we were, the less crime we would have. Well, actually, it turned out to be just the opposite. I was a leader and involved in that all along in the last several decades.

In fact, within the increase in our prison population, only 2 percent of that increase is represented by violent offenders, but 55 percent of that increase is represented by nonviolent offenders, individuals who we really do not need an occasion to put in our State prisons. In fact, the Federal prisons have over 12,000 inmates, and our county prisons have 30,000 inmates. In fact, only about a year or so ago, we were adding 2,000 new inmates to our prison population every year. That means that the modern State prison handles, in capacity, 2,000 inmates. That meant that we had to construct and build a new State prison every year to keep up with the ever-increasing number of inmates we were adding to our prison population. That meant we were going to build a new prison every year for the foreseeable future. And what was that going to cost? It was going to cost \$300 million to \$400 million to build, and \$50 million to operate. That was a failed criminal justice policy.

Our recidivism rate was at 44 percent. That means that every inmate who came out of our State prisons, 44 percent of them returned within 3 years. That is not a successful prison strategy. In fact, our violent crime continued to go up from 1980, gradually, but continued to go up in that direction. You would have expected that our violent crime would have plummeted, just dropped, when we were passing all these tough-on-crime bills. It did not. It actually continued to go unabated, unaffected by all the legislation we passed and continued to gradually go up. If we look at other States, they have adopted many of the proposals that we are looking at today, and that we passed last Session. What happened? You would think that crime went up, violent crime went up. In New York, for example, the violent crime went down and they have less prisoners and less violent crime, and less crime.

So, we could be tough on crime, but we also have to be smart on crime. Certainly our punishment, as we have shown, without rehabilitation is an absolute failure. We forgot the one aspect of criminal justice, and that is to try to attempt to rehabilitate individuals, and this legislation attempts to do that. It provides for a comprehensive reentry program, expanded use of alternative sentencing programs, adopts a Hawaiian program that was very successful on dealing with technical parole violators, which is a large percentage of our increases in our prison system. It provides for swift, predictable, and immediate sanctions, but measured sanctions, that are imposed. It releases and eliminates the

community corrections centers, and turns them into technical parole violators facilities. What I believe will happen when we adopt this legislation and other reforms is that we will have a lower crime rate, lower recidivism rates, safer streets, and substantial savings.

So this is not why we are passing this bill, it is for the other reasons, but let us look at the savings, the projection from the Governor's Office. This fiscal year that we are in, we will save \$2.5 million, the fiscal year 2012-13. In fiscal year 2013-14, we will save \$38-plus million. And in 2014-15, we will save \$57 million. And in 2015-16, we will save \$72 million, and in 2016-17, we will save \$83-plus million, for a total of \$253 million. But what we also are doing is taking some of that money and reinvesting it into these rehabilitation programs, because by doing that we will enhance our ability to reduce recidivism, reduce crime, and make our streets safer.

No one does this alone, and that is certainly the case with this legislation. I would like to thank a few people, certainly, first of all, the Governor and his office and staff. Without him and without engaging the Council of State Governments and almost every agency involved with the criminal justice system, we put them together and added more things to Senate Bill No. 100 that have added more savings and more rehabilitation. So, I want to thank him and his former chief of staff, Bill Ward, Chris Abruzzo, Annmarie Kaiser, Joe Murzyn, and Andrew Paris, all of whom were extremely, extremely helpful during this process. Thank you.

The Secretary of Corrections, John Wetzel, and the Department of Corrections staff, particularly John Coyne, were involved in this process and were very, very helpful. In fact, Secretary Wetzel, administratively, has single-handedly, with the Governor's support, slowed that increase, that 2,000 inmate-per-year increase, significantly. But now they need some legislation to enhance their abilities to curtail overcrowding.

Senate Republican Leadership and Caucus, Donna Malpezzi, counsel, and Kathy Eakin and Bill Witmer; Senator Costa, and the Democratic Caucus, including Ron Jumper, Lisa Felix, and Neeka Jones; Representative Marsico and his staff; Michael Kane—these are all people who have been involved in this process. Representative Caltagirone and his staff, David Tyler; the Council of State Governments Justice Center, Marc Pelka and Tony Fabelo; the Pennsylvania Commission on Crime and Delinquency, Mark Zimmer and Linda Rosenberg; Pennsylvania Board of Probation and Parole, Mike Potteiger, Lloyd White, and Sherry Tate; State Victim Advocate, Carol Lavery; Pennsylvania Commission on Sentencing, Mark Bergstrom; the County Commissioners Association, including Brinda Penyak and Sean Ryan; Attorney General's Office, obviously the Attorney General, Linda Kelly and Ryan Boop; the Pennsylvania District Attorneys Association, Ed Marsico, the District Attorney of Dauphin County, has been extremely helpful, and Greg Rowe; Pennsylvania Police Chiefs Association, Amy Rosenberry; Juvenile Court Judges' Commission, Jim Anderson; and Department of Drug and Alcohol Programs, Gary Tennis.

Finally, the advocates for this proposal, the Commonwealth Foundation, the Pennsylvania Prison Society, the Criminal Justice and Mercy Ministry, and former Governor Leader's groups. There have been many, many people who put their minds and hearts and intellect into this product. It is a product that we should support, and I urge an affirmative vote.

Thank you, Mr. President.

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

Senator M.J. WHITE. Mr. President, as chairman of the Pennsylvania Commission on Sentencing, I rise to thank Senator Greenleaf for his leadership on this very important issue. This is not something that just happened, it has been going on for a long, long time, and all of the people he mentioned participated in its development. But it is time to recognize that the way we sentence, and the way we run our corrections, we are not winning any wars on crimes. In fact, we are losing ground, we are losing people, we are losing families, we are losing generations, and it is time to do this smarter. Sure, we might save some money in the early years, but if we do it smart, a lot of that money will be reinvested in our probation, our parole, and our reentry programs to make sure that people who commit nonviolent crimes have an opportunity to once again become productive members of this society. So, I think this is a very important step in the right direction, and I urge all my colleagues to support this very, very important initiative. Thank you.

LEGISLATIVE LEAVE CANCELLED

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

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

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

Senator COSTA. Mr. President, I, too, rise and ask for an affirmative vote on Senate Bill No. 100. I want to join the gentlewoman in discussing the role that our colleague, Senator Greenleaf, has played, not only on this piece of legislation, but for so many years, and more recent months, to bring it to closure, but his advocacy on a number of these issues over the many years he has been a Member of this Senate. So this is a very, very important piece of legislation. It incorporates a number of measures Senate Democrats have talked about, along with working with Senator Greenleaf for a number of years in the Committee on Judiciary, and Chairwoman White on the Commission on Sentencing. It is something in which we believe very strongly. I ask that my remarks be submitted for the record at this point in time in support of Senate Bill No. 100.

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 Allegheny, Senator COSTA:)

Mr. President, I rise today in support of Senate Bill No. 100. I am pleased that this long-needed reform of our incarceration system appears destined to be signed into law. Senate Bill No. 100 is a solid step toward improving the corrections system and includes a number of ideas promoted by the Senate Democratic Caucus.

Over the years, Senate Democrats have pushed for more programming for release for nonviolent offenders to reduce technical parole violations. We have also supported expediting programming for short-time, nonviolent offenders to help with timely release and aggres-

sively utilizing alternative sentencing for nonviolent offenders. We have also indicated that the increased use of treatment programs is of great value. We have said that it is important to be tough on crime, but smart on incarceration.

The bill before us, Senate Bill No. 100, offers provisions to help reduce the prison population without risking the safety of the public. It applies to nonviolent offenders. The bill makes more nonviolent offenders eligible for Pennsylvania's alternative sentencing programs, including county intermediate punishment, State intermediate punishment, State motivational boot camp, and the recidivism risk reduction incentive. The bill also establishes the Safe Community Reentry Program and requires the Department of Corrections to establish a comprehensive program to reduce recidivism and ensure the successful reentry and reintegration of offenders into the community.

These changes are necessary. State spending on corrections has exploded in the past three decades, from \$185 million in 1985 to \$1.8 billion this year. Since the Special Legislative Session on Crime in the mid-1990s, Pennsylvania's prison population has nearly doubled. As a former member of the State Commission on Sentencing, I know first-hand about the runaway costs of incarceration for nonviolent offenders.

The plan before us puts into place important features of the Justice Reinvestment Initiative. According to a study of our corrections system, the enactment of features of the Justice Reinvestment Initiative has the potential to save Pennsylvania taxpayers \$351 million over the next 5 years, providing welcome relief for overburdened taxpayers. The plan also builds on efficiencies and creates costs savings by being smart on corrections.

In our Senate Democratic budget priorities this year we detailed a plan that would have lessened the burden on our prison system and reduced costs. That is why we think Senate Bill No. 100 is a good starting point for reform. We can do more. We believe legitimate corrections reform for nonviolent offenders has the potential to stretch taxpayer's dollars. It is an essential part of budget savings.

As I indicated, Senate Bill No. 100 offers several provisions to help reduce the prison population without risking the safety of the public. It is an important bill and one that should be supported. We are being smart on corrections, not soft on crime. That is the important point that needs to be underlined today. Senate Bill No. 100 is a good, solid step and a good piece of legislation that will be of great benefit to the citizens of Pennsylvania. I ask the Members today to support Senate Bill No. 100. Thank you.

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

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

YEA-49

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

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.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 157 (Pr. No. 2289) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a task force within the Department of Education, providing for its powers and duties and providing for administrative support.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 157?

Senator BROWNE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 157.

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

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

Senator FONTANA. Mr. President, this legislation focuses on an issue that most folks do not even realize exists, not only in Pennsylvania, but throughout the United States. This legislation creates a task force on homeless children's education, and this task force is charged with examining the educational needs and status of homeless children in this Commonwealth in order to develop and recommend a statewide proposal to provide a strong educational foundation for homeless children.

Mr. President I would like to thank the Senate Leadership - Senator Pileggi and Senator Costa - for their leadership, and also the Committee on Education - Senator Piccola and Senator Dinniman - for helping shepherd this along, and Senator Pippy for helping cosponsor along the way in the Senate, but especially Representative Vulakovich in the House for his leadership and helping me move this legislation through the House, making this a true bipartisan effort.

Thank you, Mr. President.

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

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

YEA-49

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

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.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 449 (Pr. No. 2248) -- 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, providing for child abuse recognition and reporting training.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 449?

Senator BROWNE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 449.

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

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

Senator VANCE. Mr. President, very briefly, under present law, teachers are mandated reporters of child abuse. Unfortunately, only 15 percent of school districts provide any kind of training in order for them to recognize this. This legislation would merely mandate that teachers have 3 hours of training to identify child abuse every 5 years. It can be part of their continuing education. The real winners are the families and children of our Commonwealth. I had introduced this legislation a couple of years ago, but recent events have provided impetus to have this become law, and I ask for the Senate to concur in the amendments made by the House. Thank you.

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

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

YEA-49

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

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.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1478 (Pr. No. 2244) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 1478?

Senator BROWNE. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1478.

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

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

YEA-49

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

NONPREFERRED 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 BROWNE.

BILL OVER IN ORDER

HB 3 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 17 (Pr. No. 2466) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Pickertown Road Bridge carrying Pickertown Road over the U.S. Route 202 Parkway in Warrington Township, Bucks County, as the Robert V. Cotton Bridge.

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-49

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Schwank, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, 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 Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL AMENDED

HB 75 (Pr. No. 3770) -- 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; and, in juvenile matters, further providing for definitions and for disposition of dependent child.

On the question, Will the Senate agree to the bill on third consideration? Senator VANCE offered the following amendment No. A12555:

Amend Bill, page 9, line 27, by inserting after "(II)": on or

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 BROWNE.

BILL OVER IN ORDER

SB 932 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 970 (Pr. No. 3493) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the validity of electronic documents; authorizing county recorders of deeds to receive electronic documents as a means for recording real property; granting powers and duties to the county recorders of deeds; establishing the Electronic Recording Commission; and prescribing standards of uniformity.

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-49

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Schwank, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, 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 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 1055, SB 1090, SB 1091, SB 1135, SB 1184 and SB 1303 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL AMENDED

HB 1343 (Pr. No. 3772) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing State-owned universities and the employees thereof to enter into certain agreements with affiliated entities; providing for doctoral degrees; and repealing the State College Faculty Compensation Law and other related laws.

On the question,
Will the Senate agree to the bill on third consideration?
Senator COSTA offered the following amendment No. A12511:

Amend Bill, page 1, lines 3 and 4, by striking out "repealing the State " in line 3 and "College Faculty Compensation Law and other related laws" in line 4 and inserting:
making related repeals

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 BROWNE.

BILL OVER IN ORDER

HB 1525 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILL REREFERRED

HB 1682 (Pr. No. 3105) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, providing for the creation of land banks for the conversion of vacant or tax-delinquent properties into productive use.

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

BILLS OVER IN ORDER

HB 1720, HB 1934, HB 2027 and HB 2349 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL AMENDED

HB 2406 (Pr. No. 3781) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Susquehanna Township, certain lands in Susquehanna Township, Dauphin County; authorizing the Department of General Services, with the approval of the Governor, to remove the restrictions imposed on certain lands situate in the City of Philadelphia, Philadelphia County; authorizing Indiana University of Pennsylvania of the State System of Higher Education, with the approval of the Governor, to grant and convey to

the Armstrong County Industrial Development Council, or its assigns, a permanent easement across certain lands situate in South Buffalo Township, Armstrong County; 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.

On the question,
Will the Senate agree to the bill on third consideration?
Senator McILHINNEY offered the following amendment No. A12428:

Amend Bill, page 1, line 13, by striking out "AND"
Amend Bill, page 1, line 16, by inserting after "COUNTY":
; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Erie Art Museum, certain lands situate in the City of Erie, Erie County; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Erie Art Museum, certain lands situate in the City of Erie, Erie County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to West Branch Regional Authority, certain lands situate in Clinton Township, Lycoming County
Amend Bill, page 14, by inserting between lines 16 and 17:
Section 5. Conveyance in City of Erie, Erie County.

(a) Authorization.--The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Erie Art Museum a tract of land, including any improvements located thereon, the property being known locally as the Customs House, as described in subsection (b) for \$1.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of approximately 0.20 acres, including any improvements located thereon, situate in the City of Erie, Erie County, more particularly described as follows:

The Point of BEGINNING is located South 27 degrees 00 minutes East a distance of 82 feet 6 inches from the Northeast property line corner at East Fourth Street and State Street, thence by the following courses and distances; North 63 degrees 00 minutes East and parallel to East Fourth Street for a distance of 125 feet 0 inches to a point, on lands previously acquired by the General State Authority, thence along Western line of said lands South 27 degrees 00 minutes East for a distance of 70 feet 0 inches to a point, thence South 63 degrees 00 minutes West and parallel to the Northside of Cashiers House for a distance of 125 feet 0 inches to a point, said point being the Northwest corner of the above mentioned building, thence North 27 degrees 00 minutes West and parallel to State Street for a distance of 70 feet 0 inches to the point of BEGINNING.

BEING the same lands conveyed to the General State Authority (predecessor to the Department of General Services) by deed from the Commonwealth of Pennsylvania, acting by and through the Department of Property and Supplies (predecessor to the Department of General Services), dated March 26, 1968, and recorded in the Erie County Recorder of Deeds Office in Deed Book 979, Page 102.

(c) Easements.--The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed restriction.--Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this act to be used in violation of

this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restrictive covenants.--The following restrictive covenants shall be included in the deed of conveyance:

"Under and Subject to the condition that the buildings and land conveyed herein shall be reasonably accessible to the general public and maintained and preserved according to the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995. Should the grantee, its successors or assigns fail to provide reasonable access to the general public, or fail to maintain and preserve the property as set forth herein, the title to the property will immediately revert to and revest in the grantor.

Furthermore, the grantee shall ensure that any design for new construction, rehabilitation, alteration or demolition work on the property is compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color, and is consistent with the recommended approaches in the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995.

No new construction, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without the prior, written approval of the Pennsylvania Historical and Museum Commission, or its successor, and signed by a duly authorized representative thereof.

These covenants are binding on the grantee, its successors or assigns in perpetuity."

(f) Execution of deed.--The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.--Costs and fees incidental to this conveyance shall be borne by the grantee.

(h) Expiration of authority.--In the event that the conveyance is not effectuated within one year of the effective date of this section, the authority contained in this section shall expire.

Section 6. Conveyance in City of Erie, Erie County, known as Cashiers House.

(a) Authorization.--The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Erie Art Museum two tracts of land, including any improvements located thereon, the property being known locally as the Cashiers House, as described in subsection (b) for \$1.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of approximately 0.15 acres, including any improvements located thereon, more particularly described as follows:

Parcel 1

ALL THAT CERTAIN parcel of land situate in the First Ward of the City of Erie, Erie County, bounded and described as follows:

COMMENCING at a distance of 152 ½ feet from the Southeast corner of Fourth and State Streets; thence along the East side of State Street, South 27 degrees East, 30 feet to a point; thence North 63 degrees East, 125 feet, more or less, to a brick wall, being the West face of wall of a building and the East Face of a building known as Woodruff Building herein conveyed; thence North 27 degrees West, 30 feet to a point in the South line of the property herein described; thence South 63 degrees West 125 feet, more or less, to the East line of State Street, the place of beginning.

BEING a part of In Lots Nos. 2585, 2586, 2587 and 2588.

Parcel 2

ALL THAT CERTAIN parcel of land situate in the First Ward of the City of Erie, Erie County, being part of In Lots Nos. 2587 and 2588, bounded and described as follows:

BEGINNING at a point 82 ½ feet South of the South line of Fourth Street in a line parallel with the East line of State Street, and situate 125 feet Eastwardly from the East line of said State Street; thence Eastwardly parallel with Fourth Street, 30 feet to the West line of an alley 10 feet wide; thence Southwardly along the West line of said alley and parallel with State Street 100 feet; thence Westwardly parallel with Fourth Street 30 feet; thence Northwardly parallel with State Street 100 feet to the place of BEGINNING

BOTH PARCELS BEING the same lands conveyed to the General State Authority (predecessor to the Department of General Services) by deed from the First National Bank of Erie, Receiver of the Erie Drug

Company, dated July 17, 1963, and recorded in the Erie County Recorder of Deeds Office in Deed Book 879, Page 265.

(c) Easements.--The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed restrictions.--Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restrictive covenants.--The following restrictive covenants shall be included in the deed of conveyance:

"Under and Subject to the condition that the buildings and land conveyed herein shall be reasonably accessible to the general public and maintained and preserved according to the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995. Should the grantee, its successors or assigns fail to provide reasonable access to the general public, or fail to maintain and preserve the property as set forth herein, the title to the property will immediately revert to and revest in the grantor.

Furthermore, the grantee shall ensure that any design for new construction, rehabilitation, alteration or demolition work on the property is compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color, and is consistent with the recommended approaches in the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995.

No new construction, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without the prior, written approval of the Pennsylvania Historical and Museum Commission, or its successor, and signed by a duly authorized representative thereof.

These covenants are binding on the grantee, its successors or assigns in perpetuity."

(f) Execution of deed.--The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.--Costs and fees incidental to this conveyance shall be borne by the grantee.

(h) Expiration of authority.--In the event that the conveyance is not effectuated within one year of the effective date of this section, the authority contained in this section shall expire.

Section 7. Conveyance in Clinton Township, Lycoming County.

(a) Authorization.--The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth to grant and convey to West Branch Regional Authority a tract of land being a portion of Muncy State Correctional Institution, situate in Clinton Township, Lycoming County for \$300,000 and under terms and conditions to be established in a lease and option to purchase agreement with the department.

(b) Description of property.--The property to be conveyed under subsection (a) consists of a tract of land containing 14.00 acres + and any improvements thereon, being bounded and more particularly described as follows:

ALL THAT CERTAIN TRACT OR PIECE OF LAND, situate in the Township of Clinton, County of Lycoming and State of Pennsylvania, bounded and described, according to an actual survey thereof, made by Thomas Lloyd on the Eleventh day of March, 1882, as follows:

BEGINNING at a post in the line or Right of Way of the Philadelphia and Erie Railroad; thence by land now or formerly of the Estate of Joshua Bowman, deceased, North 12-3/4° East thirty and eighty-six hundredths (30.86) perches to a post; thence by same North 37-1/2° West forty-six and nine-tenth (46.9) perches to a point in the center of the road leading from Muncy to Montgomery; thence along the center

of said road, North 52° East fifty-four and fifty-six hundredths (64.56) perches to a post; thence by land now or formerly belonging to Hugh Montgomery, South 52-1/2° East twenty-seven and sixteen hundredths (27.16) perches to a point in the right of way of the Philadelphia and Erie Railroad; thence along the right of way of said Railroad the following courses and distances: South 19-1/4° West six and seventy-two hundredths (6.72) perches; South 21-1/2° West thirteen and two tenth (13.2) perches; South 22-3/4° West seventeen and five-tenth (17.5) perches; South 26-1/2° West eighteen (18) perches; South 29-3/4° West twenty-six and eight-tenth (26.8) perches; and South 37° West twelve and eight-tenth (12.8) perches to the place of beginning. (The final legal description and acreage of the property to be conveyed shall be determined by a formal survey/subdivision plan prepared by a Pennsylvania-licensed land surveyor prior to conveyance.)

EXCEPTING AND RESERVING, however, from the said described tract of land the following tract conveyed by John Kift to the Philadelphia and Erie Railroad, by deed dated February 16, 1903, recorded in the Recorder's Office of Lycoming County in Deed Book Volume 151 page 336, bounded and described as follows:

BEGINNING at a stake in the line of right of way of said Railroad; thence by line curving toward the West, with a radius of five thousand and ninety-eight (5,098) feet, a distance of six hundred feet (600) to a stake; thence North 63° 45' West on hundred (100) feet to a stake; thence by a line curving towards the West with a radius of forty-nine hundred ninety-eight (4,998) feet a distance of six hundred seventeen and six-tenth (617.6) feet; and thence South 51° 50' East one hundred five and three tenth (105.3) feet to the beginning. Containing one and three hundred ninety-eight thousandth (1.398) acres.

BEING a portion of Tax ID No. 7-392-101.

AND BEING the same piece or parcel of land conveyed to the Commonwealth of Pennsylvania, from Jennie B. Kift, widow of William H. Kift, by deed dated April 9, 1915 in the office of the Recorder of Deeds of Lycoming County, Pennsylvania, in Deed Book 219, Page 474.

(c) Interests.--The conveyance shall be made under and subject to:
 (1) all lawful and enforceable easements, servitudes and rights of others, including streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies; and

(2) all lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected on the land.

(d) Gaming restriction.--The conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a "licensed facility," as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. If the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and vest in the grantor.

(e) Deed.--The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth.

(f) Costs and fees.--Costs and fees incidental to the conveyance shall be borne by the grantee.

(g) Proceeds.--The proceeds from the sale shall be deposited in the General Fund.

(h) Expiration.--If a lease and option to purchase agreement between the parties is not executed within 12 months of the effective date of this section, the authorization contained in this section shall expire.

Amend Bill, page 14, line 17, by striking out "5" and inserting:

8

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 BROWNE.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 327 and **SB 338** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON SECOND CONSIDERATION

HB 532 (Pr. No. 3601) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing mandatory insurance coverage for general anesthesia.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 874, SB 922, SB 929, SB 1134, SB 1192 and **SB 1193** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL REREFERRED

SB 1402 (Pr. No. 2241) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the definition of "fishing," for organization of commission, for deputy waterways conservation officers and for volunteer program; providing for damage to property; further providing for control of property, for powers and duties of waterways conservation officers and deputies and for enforcement of other laws; providing for unlawful use of computer and for liability for conduct of another and for complicity; further providing for suspension of privileges pending payment of penalties, for misuse of property and waters, for littering, for possession and display of licenses, for lost fishing licenses, for institutional licenses, for exemptions from license requirements, for eel chute licenses, for net permits, for boat and net licenses for boundary lakes, for penalties, for fees, for boating education, for general boating regulations, for chemical testing to determine amount of alcohol or controlled substance and for period of registration; providing for unauthorized operation of boats, for permitting violations and for duties of operators involved in boating accidents; and making editorial changes.

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

BILLS OVER IN ORDER

SB 1413, SB 1432 and **SB 1456** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL REREFERRED

SB 1497 (Pr. No. 2107) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of commission.

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

BILLS OVER IN ORDER

SB 1503, SB 1508, SB 1532, SB 1544, SB 1552, HB 1767, HB 1893, HB 1908, HB 2022, HB 2135 and HB 2224 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL REREFERRED

HB 2293 (Pr. No. 3327) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for classification of offenses and penalties and for revocation, suspension or denial of license, permit or registration; and providing for serious poaching incidents and for taking or possessing by illegal methods.

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

HB 869 TAKEN FROM THE TABLE

Senator BROWNE. Mr. President, I move that House Bill No. 869, Printer's No. 907, 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.

COMMUNICATIONS FROM 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 PENNSYLVANIA
GAME COMMISSION

May 14, 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, Brian H. Hoover (District 8), 514 Sharp Avenue, Glenolden 19036, Delaware County, Eighth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory Isabella, Philadelphia, whose term expired.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

June 8, 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, Paul E. Cozza, Esquire, 521 Edgeridge Road, Pittsburgh 15234, Allegheny County, Forty-second Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable Robert A. Kelly, resigned.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

May 25, 2012

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William F. Ward, Esquire, 266 Jefferson Drive, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable David N. Wecht, resigned.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 8, 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, The Honorable Roger F. Gordon, 2602 Apollo Plaza, Philadelphia 19153, Philadelphia County, First Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Renee Cardwell Hughes, resigned.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

June 8, 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, The Honorable Kenneth J. Powell, Jr., 35 W. Hampton Road, Philadelphia 19118, Philadelphia County, Fourth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Thomas Dempsey, resigned.

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

June 8, 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, J. Scott O'Keefe, Esquire, 662 N. 65th Street, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Lydia Y. Kirkland, Philadelphia, resigned.

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

June 8, 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, T. Francis Shields, Esquire, 712 Glenview Street, Philadelphia 19111, Philadelphia County, Second Senatorial District, for appointment as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Georganne V. Daher, Philadelphia, resigned.

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY

June 8, 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, Michael W. Flannelly, Esquire, 162 Leads Road, York 17403, York County, Twenty-eighth Senatorial District, for appointment as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2014, vice The Honorable Clarence N. Patterson, Jr., deceased.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

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, Gary L. Coburn (Public Member), 3830 Pamay Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2013, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Mary Ann Fiorilli, Pittsburgh, whose term expired.

TOM CORBETT
Governor

NOMINATIONS LAID ON THE TABLE

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

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA
GAME COMMISSION

May 14, 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, Brian H. Hoover (District 8), 514 Sharp Avenue, Glenolden 19036, Delaware County, Eighth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gregory Isabella, Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

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, Gary L. Coburn (Public Member), 3830 Pamay Drive, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2013, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Mary Ann Fiorilli, Pittsburgh, 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-49

Alloway	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald

Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

Senator VOGEL, from the Committee on Local Government, reported the following bill:

HB 1857 (Pr. No. 3825) (Amended)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions relating to indebtedness and borrowing, further providing for home rule; and, in other subjects of taxation, further providing for hotel room rental.

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

HB 1803 (Pr. No. 3715)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities and for specific powers of department and local authorities.

HB 1847 (Pr. No. 2370)

An Act designating the Davis Street Bridge over Interstate 81 in Moosic Borough, Lackawanna County, as the Andrew and Durando Pompey Memorial Bridge.

HB 2060 (Pr. No. 2853)

An Act designating a bridge carrying State Route 94 over Bermudian Creek in Latimore Township, Adams County, as the Sgt. Michael C. Weigand Memorial Bridge.

HB 2199 (Pr. No. 3482)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for schedule of convictions and points and for duty of driver in emergency response areas.

HB 2343 (Pr. No. 3466)

An Act designating the eastbound bridge carrying Interstate 90 over Six-Mile Creek in Harborcreek Township, Erie County, as the Senior Airman Bryan R. Bell Memorial Bridge.

HB 2345 (Pr. No. 3473)

An Act designating the bridge carrying Burnside Avenue in West Norriton Township in Montgomery County over Stony Creek as the "Albert Earl Momme Bridge."

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

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

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

HB 156 (Pr. No. 3826) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the registered gross weight limit of certain registration plates, in fees, further providing for annual hauling permits; further providing for use and display of illuminated signs; in excessive size and weight permits, providing for permits to move eggs; and making an editorial change.

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

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

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

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

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

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 1539 (Pr. No. 3790) (Rereported)

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 1617 (Pr. No. 3058) (Rereported)

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 1820 (Pr. No. 3687) (Rereported)

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 RESOLUTIONS ADOPTED

Senators GORDNER, KITCHEN, PILEGGI, COSTA, SCARNATI, ALLOWAY, BAKER, DINNIMAN, EARLL,

ERICKSON, FERLO, FONTANA, GREENLEAF, KASUNIC, PIPPY, RAFFERTY, ROBBINS, SCHWANK, STACK, WARD, D. WHITE, WOZNIAK, TARTAGLIONE, YAW, YUDICHAK, TOMLINSON, FARNESE, BRUBAKER and BROWNE, by unanimous consent, offered **Senate Resolution No. 334**, entitled:

A Resolution designating July 11, 2012, as "Safe Haven Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator GORDNER. Mr. President, in July of 2001, a newborn baby girl was found dead in a trash compactor at Sunbury Municipal Waste Transfer Station. "Baby Mary," as she would come to be known locally, was murdered by her young parents and placed in the trash shortly after her birth. Her death prompted a public outcry, as "Baby Mary" became the latest victim of a national trend beginning in the late 1990s of infant abandonments. My predecessor, Senator Ed Helfrick, began to research the trend of newborn abandonment, and several common factors emerged. The cases almost always involved very young and immature mothers. Many hid their pregnancy from family and friends, and in all cases the mothers were very scared and not prepared for child rearing. In 1999, Texas became the first State to enact a Safe Haven statute, allowing parents of newborns to safely abandon them at medical facilities, anonymously if desired, without fear of prosecution. While abandonment of children should never be encouraged, Safe Haven provided a way to try to save the lives of babies born to these young, scared mothers.

Senator Helfrick was successful in passing Pennsylvania's Safe Haven Law in 2002. In addition to provisions allowing for safe abandonment of infants, our law also contains an important public information and education component. The Department of Public Welfare annually conducts a media campaign to highlight Safe Haven and provides both printed and electronic educational materials. For those who are not aware, there is a Safe Haven Web site here in Pennsylvania, it is www.secretsafe.org. Hospitals in Pennsylvania are active participants in these campaigns. In the past 10 years, all 50 States have enacted Safe Haven laws. Due to different reporting methods nationally, we are unsure of the exact number of babies saved; however, the National Safe Haven Alliance estimates that in the last decade, well over 1,000 infants have been saved, including many here in Pennsylvania. This is "Baby Mary's" legacy. I ask the Senate to honor her memory with the approval of this resolution designating the date of her death, July 11, as "Safe Haven Day" in Pennsylvania.

Mr. President, finally, I would like to mention two others in addition to Senator Helfrick who are largely responsible for our Safe Haven Law. First, Northumberland County Coroner James F. Kelley, who still to this day regularly visits Baby Mary's grave site, and was a staunch local advocate for the legislation and remains so as a result of meetings over the past year to discuss with us how to strengthen the law here in Pennsylvania. And here in the Senate, Senator Helfrick's friend and colleague, Senator Kitchen, who worked with him on the legislation and remains

a strong supporter of Safe Haven today, as demonstrated by her cosponsorship of this resolution and continued support of the program.

Again, Mr. President, I ask the Senate to honor the memory of "Baby Mary" with the approval of this resolution designating the date of her death, July 11, as Safe Haven Day in Pennsylvania.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, on behalf of Senator Kitchen, I would like to offer remarks.

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 Allegheny, Senator COSTA, on behalf of the gentlewoman from Philadelphia, Senator KITCHEN:)

Mr. President, I would like to join my colleague, Senator Gordner, to ask for unanimous support for our resolution designating July 11, 2012, as "Safe Haven Day" in Pennsylvania.

Mr. President, for the past 10 years, the Safe Haven Act has given parents an option to leave a newborn in the care of a hospital without fear of criminal liability under certain circumstances. It is unfortunate that we even need to have such a law, but by enacting the Safe Haven Act, we protect newborns' lives and give them a chance to be placed in the safety and protection of a hospital facility. Many parents would love the opportunity to give a baby a happy home and nurturing environment. This Act can help put newborns on the path to a loving and permanent home.

This Act was inspired by the tragic and preventable death of a newborn who was given the name "Baby Mary." While she lived just briefly on this Earth, her death was not in vain. She was the inspiration for the Safe Haven Act and saving other newborns' lives.

Mr. President, as we designate Safe Haven Day in Pennsylvania, may we remember Baby Mary and may there be hope for a brighter future for the many children who have been saved under this law. I want to thank my colleague, Senator Gordner, for his leadership on 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.

Senator SOLOBAY, by unanimous consent, offered **Senate Resolution No. 335**, entitled:

A Resolution recognizing the significance of arson dogs and the National Fire Dog Monument.

On the question,

Will the Senate adopt the resolution?

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

Senator SOLOBAY. Mr. President, tomorrow, Tuesday, June 26, the National Fire Dog Monument will be passing through the Harrisburg area. I would like to take just a brief moment to speak on this resolution which recognizes these K9s and those who train them for the work that they do. Arson dogs are trained to sniff out accelerants that are used to start fires. They provide a

valuable and unique service in solving the horrible and devastating crime of arson. When you take into account the property loss from arson and add to it the indirect costs such as lost jobs, lost property and tax revenue, higher insurance premiums, and more, the dollar cost is estimated to reach into the billions of dollars across this country. Unfortunately also, hundreds of lives are lost to arson, and that cost cannot be measured.

The National Fire Dog Monument has been in the works for quite some time. Between the planning, designing, construction, and sponsorship from State Farm Insurance and the American Humane Association, this has been quite an extensive commission. We now get the rare opportunity to see this monument before it reaches its permanent display area in Washington, D.C. This event will be tomorrow at the Pennsylvania Fire Museum at 1820 North Fourth Street in Harrisburg between the hours of 3 p.m. and 6 p.m. Mr. President, I ask for unanimous 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.

Senator WAUGH, by unanimous consent, offered **Senate Resolution No. 336**, entitled:

A Resolution designating September 23 through 29, 2012, as "Wake Up to Medicine Abuse Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, recently, a constituent of mine from York contacted me and told me the tragic story of the death of his 18-year-old child who died of an accidental overdose of prescription painkillers. This resolution, "Wake Up to Medical Abuse Week" in Pennsylvania highlights the dangers of prescription drug abuse, particularly the abuse of prescription painkillers. According to the Centers for Disease Control and Prevention, the abuse of prescription painkillers has tripled over the past decade, and it is the fastest-growing drug problem in this country. This resolution supports the efforts of the partnership at www.drugfree.com to curb the abuse of these drugs in Pennsylvania and, for that matter, throughout the entire nation.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Harrison Ray Anderson, Katie Seifert, Felicia Orendorff, Deneisha Hull and to Anna Stoner by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Claude Lynch and to Mr. and Mrs. Earl Strauser by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. F. Emory Galic and to Mr. and Mrs. Marlin Frankhouser by Senator Corman.

Congratulations of the Senate were extended to Joanne Malloy by Senator Costa.

Congratulations of the Senate were extended to Conestoga High School Boys' Tennis Team by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Immaculata University by Senators Dinniman and Leach.

Congratulations of the Senate were extended to Mary Esther Oman Buck and to Elizabeth Zeliff by Senator Greenleaf.

Congratulations of the Senate were extended to Andrew R. Irving by Senator McIlhinney.

Congratulations of the Senate were extended to Benjamin R. Lewis by Senator Pileggi.

Congratulations of the Senate were extended to Dr. Bernard R. Queneau by Senator Pippy.

Congratulations of the Senate were extended to Mr. and Mrs. Leonard Winkleblech and to Fraternal Order of Bears, Den No. 83 by Senator Solobay.

Congratulations of the Senate were extended to Chuck Feldman, Marc Adelman, Phil Holtje, Reggie Keiserman, Gene Rifkind, Don Rosensweig, Mitch Schwartz, Donald Wittenberg, Harold Kessler, Leveah Rosensweig, Eileen Sharlot, Cindi Pasceri, Betsy McKinstry, Arlene Lubin, Tonya Herskovitz, Addy Gilbert, Carol Honigman and to Rochelle Brodsky by Senator Stack.

Congratulations of the Senate were extended to Fortaleza Rehabilitation Centers of Philadelphia by Senator Tartaglione.

Congratulations of the Senate were extended to Harry H. Crohe by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Edwin Secott and to Mr. and Mrs. Robert Preston by Senator Vance.

Congratulations of the Senate were extended to Mary Testa MacAluso and to the members and coaches of the Riverside High School Baseball Team by Senator Vogel.

Congratulations of the Senate were extended to Joann Logan by Senator D. White.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Kevin D. Maffettone by Senators Tomlinson and McIlhinney.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

HB 1803, HB 1847, HB 1857, HB 2060, HB 2199, HB 2343 and HB 2345.

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

TUESDAY, JUNE 26, 2012

11:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider House Bill No. 2390)	Room 461 Main Capitol
11:30 A.M.	LAW AND JUSTICE (to consider Senate Bill No. 1572; and House Bills No. 1310, 2043 and 2267)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider House Bills No. 197, 208, 973, 1478, 1588 and 1749)	Rules Cmte. Conf. Rm.
Off the Floor	EDUCATION (to consider House Bills No. 1330 and 1363)	Rules Cmte. Conf. Rm.
Off the Floor	GAME AND FISHERIES (to consider Senate Bills No. 1484 and 1513)	Rules Cmte. Conf. Rm.

BILLS SIGNED

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

SB 100, SB 157, SB 449 and SB 1478.

RECESS

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Tuesday, June 26, 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 9:13 p.m., Eastern Daylight Saving Time.