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SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 44

SENATE

WEDNESDAY, June 27, 2012

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

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

PRAYER

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

Shall we pray.

Dear Heavenly Father, as I am here this morning, I think back a week ago Monday to the passing of my father-in-law after a quick 9-week battle with cancer, and what a loss that was to our family. I think of last Thursday, just 6 days ago, as we were getting ready for that funeral service and received a text through our phone of a new baby. Very good friends of ours, their son and daughter-in-law had a child early, expecting a child on July 4, but the child came that morning, the day of the funeral. And it made me think of something my father-in-law always said about how whenever there is a passing, there is often someone born in the world with a new beginning. What a wondrous way to start that difficult day for us, with the joyous announcement of a birth and a new beginning.

In not quite the same context, but along the same lines, I think of today. For a long time, our Senate has been served by an incredible child of Yours by the name of Mark Corrigan, someone who has been very faithful to You and very faithful to the Senate, someone who has served us well, someone who, in difficult times like we see here in June, guided us with a steady hand and with good words and wisdom and kept us on an even keel. We are joyful for him and his service and look forward to his retirement and his ability to do other things that will be pleasing to You.

Finally, dear Heavenly Father, today we bring in a new beginning with Megan Consedine, someone fresh, someone with great experience, someone who will also be leading us here in the Senate and making sure that we have steady guidance, that we have good direction, good leadership. One of the great things about the Senate is that while we can be disagreeable at times in difference in policy, that at the beginning of the Session and the end of the Session, we still have friendships and we still have an incredible way to get things done here.

Dear Heavenly Father, we ask that You give Your guidance, Your ability, Your calmness, and Your steadiness to Megan as she begins her journey here in the Senate. We are thankful to

You for giving her to us and ask that she be mindful of the Senators, mindful of the staff, and especially Deb and Rob. We pray this in Your heavenly name, amen.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 351**, **SB 367** and **SB 1386**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 8**, **SB 707** and **SB 866** with the information the House has passed the same without amendments.

BILLS SIGNED

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

SB 8, **SB 707**, **SB 866**, **HB 1720**, **HB 1820** and **HB 2027**.

SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY

The SECRETARY. Consent has been given for the Committee on Intergovernmental Operations to meet off the floor during today's Session to consider House Bill No. 2438.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Williams. Without objection, the leave will be granted.

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of May 23, 2012, and May 24, 2012, are now in print.

The Clerk proceeded to read the Journals of the Sessions of May 23, 2012, and May 24, 2012.

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

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

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

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

The PRESIDENT. The Journals are approved.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The Senate will now proceed to elect the Secretary of the Senate.

The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, it is my distinct pleasure and honor to nominate Megan Totino Consedine to serve as Senate Secretary and Parliamentarian. As all of you know, this is a very demanding and challenging position, one that is critical to the effective operations of the Senate. The person taking the office will have large shoes to fill. We will miss you, Mark, and we are sincerely grateful for your service, your friendship, and your contributions to this institution.

In Megan Consedine, I feel confident that we found the right individual who will serve with integrity, independence, and a commitment to excellence. She will be the first woman in Pennsylvania history to serve in this role, but Megan is used to being a trendsetter. I am sure by now that you are all familiar with Ms. Consedine's very impressive resume. She most recently served as a deputy general counsel in the Governor's Office of General Counsel. She also served as assistant counsel to the Department of the Navy, as a special assistant to former Governor Tom Ridge, and as an adjunct professor at Widener University School of Law and Harrisburg Area Community College.

But there is far more to her qualifications than what you see on paper. Serving as Secretary of the Senate also requires a vast knowledge of the legislative process, respect for the institution, and the ability to be fair and even-handed. Megan possesses these important qualities. She is also an extremely smart, engag-

ing person, someone with whom you immediately feel comfortable. I interviewed Megan for this position over dinner, and after 2 hours, in which we talked about every aspect of her background and the position, I came away with one simple thought: she is perfect for the job. Since then, she has been working very diligently to meet with Members, learn every aspect of the position, and understand her responsibilities. In fact, the day she was offered the job, she went home and made 50 flash cards, one for each Member of the Senate, so that she would be ready for her office visits. Each night, her young daughter would quiz her on the flash cards. So Maura, you should definitely have a leg up on your classmates when you take civics next year.

I am sure after your meeting with Megan you will agree with me that she is independent, approachable, and meticulous. She has high standards and strong principles, but do not mistake her wonderful smile for being soft. You do not work as a lawyer in the Navy if you do not have some backbone. I know that Megan will serve with integrity and distinction and bring her unique style and attributes to this very important role. I look forward to serving with her and to making this Chamber an open, bipartisan institution we can all be proud of.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I have the honor and privilege today to rise and second the nomination of Megan Consedine as the Secretary of the Senate of Pennsylvania. The Secretary of the Senate is a very important position in our form of government, particularly here in this Chamber. It requires someone who is strong-willed, fair-minded, knowledgeable in the rules, and measured in disposition.

Since 1981, the Secretary of the Senate has been someone who has possessed all of those characteristics. Mark Corrigan has served this body very well. He knew the Senate Rules, but as important, he also knew the Members. In fact, Mark has had a very keen mind for the historical and important role that the Senate plays in making laws and rebalancing our House colleagues when they legislatively go astray. In fact, some have said that Mark has been here so long that he held open the door for President Teddy Roosevelt when he declared this building one of the most beautiful buildings he has ever seen, back in 1906. We know that is not true, but there is no question that Mark appreciates and understands the value of history. He has in fact lived it in many respects.

There is no reason to believe that Megan will not be able to pick up where Secretary Corrigan has left off. As was mentioned by my colleague, President pro tempore Scarnati, Megan is well schooled in the law and has a broad and deep range of experience. She has served in the Governor's Office of General Counsel, as assistant counsel for the U.S. Navy, as a professor, and as a special assistant to the Governor. She will no doubt be able to manage the rules and be able to make rulings based on that experience, and that is important to all of us.

The Secretary-Parliamentarian role is multifaceted, and the Senate Rules dictate almost two full pages to describing the duties of that office, from making rulings, conducting business, keeping official records, supervising central staff, posting roll calls and Journal entries timely, attesting to writs and warrants, and a host of other items, the Secretary must be a steady force and an adept administrator.

Today, we are doing something that we have not done since Ronald Reagan was President, and before Sandra Day O'Connor, the first woman Justice of the Supreme Court of the United States, took her seat on the bench of the highest court of the land. Today, we are electing a new Secretary of this Senate. This is the one and only time that there should be anything political about this office.

Today, I am asking my colleagues as a body to support the nomination of Megan Consedine to serve as our Secretary of the Senate. I am sure she will do a wonderful job. She is qualified. She is prepared. Our Senate Democratic colleagues look forward to working with her, and I am sure we will continue to be pleased.

Mr. President, it is my honor and privilege to second the nomination of Megan Consedine to serve as Secretary of the Senate.

Thank you, Mr. President.

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

Senator PILEGGI. Mr. President, I rise to second the nomination of Megan Totino Consedine to serve as Secretary of the Senate of Pennsylvania. I know that Megan will serve the Senate well in this capacity.

Some might think the responsibilities of the Senate Secretary were established by William Penn in 1682 as he crossed the Atlantic Ocean on the *Welcome*. In fact, the Secretary's role, as we know it, has developed in recent decades. The position of Secretary was first created in statute in 1911. The qualifications for the position were described as having, "a thorough knowledge of parliamentary practice and legislative procedure." That is how we see the Secretary, first and foremost, as Parliamentarian of the Senate. That is one of the Secretary's most important duties, and it is one of the most visible. However, the position involves much more.

The late 1960s and early 1970s were a time of significant change and reform in the General Assembly. New rules adopted for the 1972-73 Session included for the first time a full and detailed section dedicated to the duties of the Senate Secretary. Today, Senate Rule VI spells out the Secretary's duties. In addition to serving as Parliamentarian, they include, among others, directing the Senate's most important and fundamental functions, such as printing and numbering bills, incorporating amendments into bills, preparing the daily Senate Calendar, supervising the Senate Library, Senate Security, the Senate Bill Room, the Senate Print Shop, the Senate Reporter's Office, and the Senate Page service, in addition to that, serving as the Senate's appeals officer for Open Records requests. The Secretary supervises a staff of approximately 80 people with a payroll of \$5.6 million.

In my personal experience as a Member of the Senate, and in the experience of every Member serving today, with the exception of one gentleman from Montgomery County, the role of the Secretary has been defined entirely by one man, Mark Corrigan. Mark is an exemplary public servant and has been a distinguished Secretary of the Senate. Mark began working as Secretary in June of 1981, 31 years ago, when he replaced W. Thomas Andrews. Prior to Mr. Andrews, Mark Gruell, Jr., served as Secretary of the Senate for 17 years, from 1963 to 1980.

When she is confirmed today, in addition to becoming the first woman to serve in this role, Megan will be just the fourth person in the last half-century to serve as Secretary of the Senate. I know from meeting her and speaking with her and looking at

her credentials that she has the skills, the talent, and the temperament to continue this strong tradition of long-serving, extraordinary Senate Secretaries.

On a more personal note, I am pleased that Megan is a Delaware County native. She is the daughter of Dr. Joseph Totino, a prominent eye surgeon well known in our community for his skill and integrity. In fact, in talking with Megan, I was pleased to know that her grandmother and my grandmother were personal friends, so the connections really go back. It is an extraordinary family in our community. I know her professional career has been here in the mid-State, but she carries on that family tradition of excellence.

Mr. President, it is my honor to second the nomination of Megan Totino Consedine to serve as Secretary of the Senate of Pennsylvania. I ask for an affirmative vote.

NOMINATIONS CLOSED

The PRESIDENT. Are there any other nominations or seconds? Seeing none, the Chair declares the nominations for Secretary of the Senate closed.

The candidate for the Secretary of the Senate is Megan Totino Consedine of Cumberland County. All those in favor of Megan Totino Consedine for the office of Secretary will please say "aye"; those opposed, "nay."

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

The PRESIDENT. The Chair takes pleasure in declaring Megan Totino Consedine unanimously elected Secretary of the Senate of Pennsylvania.

(Applause.)

SPECIAL ORDER OF BUSINESS GUESTS OF THE PRESIDENT PRESENTED TO THE SENATE

The PRESIDENT. Before proceeding to the administration of the oath of office, the Chair would like to introduce some special guests, members of the Secretary-elect's family who are with us today. Her father, Dr. Joseph Totino; her fiancé, James Patrick Caviston; her children, Maura Grace and Jack; her brother, sister, sister-in-law, and niece, Matthew, Amy, and Michael Totino, and Sara Doud. Welcome to the floor of the Senate.

(Applause.)

STATEMENT BY THE PRESIDENT

The PRESIDENT. The Chair would like to now take this opportunity to politely remind all guests that the taking of still pictures and videotaping in the Senate Chamber is not permitted. So I would ask that during the administration of the oath of office, no pictures be taken or video be taped. At the end of the oath, however, the Senate will be recessing. The Secretary-elect, Megan Totino Consedine, will remain at the bar of the Senate and you may take as many pictures as you want at that time.

OATH OF OFFICE ADMINISTERED TO THE SECRETARY-ELECT

The PRESIDENT. It is an honor and privilege to have with us today a personal friend, the Honorable P. Kevin Brobson, Judge of the Commonwealth Court of Pennsylvania. He has kindly

consented to be with us today to administer the oath of office to the Secretary-elect. Will the Secretary-elect please present herself at the bar of the Senate.

Members and all guests will please rise.

Judge Brobson, will you now administer the oath.

Judge BROBSON. Please place your left hand on the Bible, raise your right hand, and repeat after me:

I, Megan Totino Consedine, do solemnly swear that I will support, obey, and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. On behalf of all the Senate, the Chair would like to thank Judge Brobson for presiding at this ceremony and to congratulate our newly-elected Secretary of the Senate.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held in the Rules room, to be followed by a meeting of the Committee on Education also in the Rules room, to be followed by a meeting of the Committee on Intergovernmental Operations 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 listed by the Majority Leader, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, followed by a meeting of the Committee on Education, followed by a meeting of the Committee on Intergovernmental Operations, 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.

CALENDAR

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 PILEGGI.

BILLS OVER IN ORDER

HB 3, HB 156 and HB 197 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL OVER IN ORDER TEMPORARILY

HB 254 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL OVER IN ORDER

HB 532 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

HB 864 (Pr. No. 2576) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for requirement for commercial driver's license and for the Pedalcycle and Pedestrian Advisory Committee.

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

BILL AMENDED

HB 869 (Pr. No. 907) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for drivers in funeral processions.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MENSCH offered the following amendment No. A12699:

Amend Bill, page 1, line 3, by inserting after "processions":
and for use and display of illuminated signs.

Amend Bill, page 2, by inserting between lines 1 and 2:

Section 2. Section 4307(a) of Title 75 is amended to read:

§ 4307. Use and display of illuminated signs.

(a) [General rule.--Except as otherwise provided in this section, no vehicle shall bear or display any illuminated signs, letters, numerals or figures of any kind whatsoever.] Specifications and prohibitions.--

(1) Except as otherwise provided in this section, any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, which projects a beam of light of an intensity not greater than 100 candela:

(i) Shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(ii) Shall measure not greater than a five and one-half-inch width by four and one-half-inch height or five-inch circumference for round versions and be located in rear corner or rear-side corner windows only as not to obstruct the driver's view.

(2) Flashing lights are prohibited on motor vehicles, motorcycles and motor-drawn vehicles except as a means for indicating a right or left turn.

(3) No person shall drive or move upon any highway any vehicle or equipment with any lamp or device that displays a red light visible from directly in front of the center of the vehicle or equipment.

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

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

BILL REREFERRED

SB 874 (Pr. No. 2304) -- The Senate proceeded to consideration of the bill, entitled:

An Act reenacting and amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code.

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Pippy and Senator Robbins.

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

Senator WILLIAMS. Mr. President, I request a temporary Capitol leave for Senator Yudichak.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Pippy and Senator Robbins.

Senator Williams requests a temporary Capitol leave for Senator Yudichak.

Without objection, the leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF HB 869

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

Senator PILEGGI. Mr. President, I move to reconsider the vote by which House Bill No. 869 went over in its order as amended.

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

And the question recurring,
Will the Senate agree to the bill on third consideration, as amended?

RECONSIDERATION OF AMENDMENT A12699

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

Senator PILEGGI. Mr. President, I move that the vote by which amendment No. A12699 was agreed to be reconsidered.

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

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

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

YEA-45

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

NAY-4

Baker	Earl	Vance	White Mary Jo
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A majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. The bill will go over as amended.

BILL LAID ON THE TABLE

SB 932 (Pr. No. 1007) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for duration of a listing.

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

SB 932 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 932, Printer's No. 1007, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1055 (Pr. No. 3577) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for professional employer organizations.

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

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 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

SB 1090, SB 1091 and SB 1135 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

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

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

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

SB 1184 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 1184, Printer's No. 2266, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1269 (Pr. No. 2161) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

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

BILL OVER IN ORDER

SB 1303 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1345 (Pr. No. 2285) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-48

Alloway	Erickson	Mensch	Tomlinson
Argall	Farnese	Piccola	Vance
Baker	Ferlo	Pileggi	Vogel

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

NAY-1

Brewster

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

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

BILL OVER IN ORDER

HB 1478 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1503 (Pr. No. 2120) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Borough of Ashland or their assigns certain lands situate in the Borough of Ashland, Schuylkill County, Pennsylvania, a portion of which is subject to Project 70 restrictions.

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

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 present said bill to the House of Representatives for concurrence.

HB 1525 (Pr. No. 3714) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 21, 1989 (P.L.672, No.87), known as the Health Club Act, further providing for employee available to administer CPR.

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

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 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 1539, HB 1588, HB 1617, HB 1749 and HB 1803 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1934 (Pr. No. 3589) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for municipal implementation of recycling programs.

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

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	
Earl	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 return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 2349 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDER

BILL ON SECOND CONSIDERATION

HB 208 (Pr. No. 3491) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked, for duties of drivers in accidents involving death or personal injury and for subsequent convictions of certain offenses.

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

BILLS OVER IN ORDER

SB 327, SB 338 and HB 728 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 973 (Pr. No. 3835) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for definitions, for registration districts, local registrars and appointment and removal of

and for death and fetal death registration, certificates to be filed; providing for disposition of cremated remains of veterans; and further providing for records and disclosure by local registrars.

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

BILLS OVER IN ORDER

SB 1134, SB 1192 and SB 1193 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 1310 (Pr. No. 3833) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions; and limiting number of retail licenses to be issued in each county.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1330 (Pr. No. 3836) -- 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 educational improvement tax credit; and repealing provisions of the Tax Reform Code of 1971 relating to educational improvement tax credit.

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

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

BILL OVER IN ORDER

HB 1363 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND RECOMMITTED

SB 1413 (Pr. No. 2277) -- The Senate proceeded to consideration of the bill, entitled:

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

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

Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was recommitted to the Committee on Aging and Youth.

BILLS REREFERRED

SB 1432 (Pr. No. 1994) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1456 (Pr. No. 2306) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in teacher certification, further providing for qualifying certificates and kinds of certificates.

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

BILLS OVER IN ORDER

SB 1484, SB 1508, SB 1513, SB 1532, SB 1544, SB 1552, SB 1572, HB 1767, HB 1847 and HB 1857 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1893 (Pr. No. 3788) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for gambling devices, gambling, etc.

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

BILLS OVER IN ORDER

HB 2022, HB 2043 and HB 2060 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 2135 (Pr. No. 3603) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for licensure of vendors, for requirements for sale of portable electronics insurance, for authority of vendors of portable

electronics, for termination of portable electronics insurance, for licensing, for renewal of license, for injunctions and for appeals.

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

BILLS OVER IN ORDER

HB 2199 and HB 2224 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 2267 (Pr. No. 3786) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by Pennsylvania Liquor Stores, for sales by liquor licensees and restrictions, for sales by manufacturers of malt or brewed beverages and minimum quantities, for retail dispensers' restrictions on purchases and sales, for breweries, for local option, for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for rights of municipalities preserved.

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

BILL OVER IN ORDER

HB 2343 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 2345 (Pr. No. 3473) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL REREFERRED

HB 2390 (Pr. No. 3604) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in cities of the first class, further providing for definitions, for contested complaints, for driver certification program, for power of authority to issue certificates of public convenience, for certificate and medallion required, for additional certificates and medallions, for wages and for civil penalties.

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

THIRD CONSIDERATION CALENDAR RESUMED**HB 254 CALLED UP**

HB 254 (Pr. No. 3443) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator PILEGGI.

BILL OVER IN ORDER

HB 254 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

UNFINISHED BUSINESS**BILLS REPORTED FROM COMMITTEES**

Senator SMUCKER, from the Committee on Intergovernmental Operations, reported the following bill:

HB 2438 (Pr. No. 3659)

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

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

HB 48 (Pr. No. 3846) (Amended) (Rereported)

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, adding definitions; and providing for licensure of prosthetists, orthotists, pedorthists and orthotic fitters.

HB 1682 (Pr. No. 3105) (Rereported)

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.

HB 1908 (Pr. No. 3842) (Rereported)

An Act providing for standards for towing and for violations.

HB 2175 (Pr. No. 3196)

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions, for legislative procedures, for reports related to redevelopment assistance capital projects and for appropriations and limitations on projects; providing for review of proposals; and further providing for funding and administration of projects.

**BILL REPORTED FROM COMMITTEE
AND REREFERRED**

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

HB 1901 (Pr. No. 3845) (Amended) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for definitions, for background checks of prospective employees and conviction of employees of certain offenses and for collection of identifying information of students attending institutions

of higher education; providing for adjustments based on Consumer Price Index and for Keystone Exams; in school districts, further providing for moratorium on certain data collection systems and data sets; in school finances, providing for reopening of 2012-2013 budget and for intergovernmental agreements for school security and safety; in grounds and buildings, providing for limitation on new applications for the Department of Education's approval of public school building projects and further providing for work to be done under contract let on bids and exception; in books, furniture and supplies, further providing for purchase of supplies; in district superintendents and assistant district superintendents, further providing for eligibility and for manner of election or approval, providing for performance review and further providing for election of assistant district superintendents, for term and salary of assistants, for commissions and for removal; in professional employees, further providing for causes for suspension; in pupils and attendance, further providing for liability for tuition and enforcement of payment and for school lunch and breakfast reimbursement; in safe schools, further providing for regulations; adding a requirement relating to cardiopulmonary resuscitation; providing for open campus initiatives; in high schools, further providing for attendance in other districts; reenacting and amending provisions relating to school boards and educational empowerment; in community colleges, further providing for financial program, reimbursement of payments; in Thaddeus Stevens College of Technology, further providing for contracts for construction, repair, renovation or maintenance; in State System of Higher Education, further providing for project contracts and for powers and duties of institution presidents; in school districts of the first class, further providing for superintendents of schools or buildings and of supplies; in funding for public libraries, providing for State and for fiscal year 2012-2013; in reimbursements by Commonwealth and between school districts, providing for basic education funding for 2011-2012 school year, further providing for payments to intermediate units and for special education payments to school districts, providing for assistance to school districts certified as education empowerment districts, further providing for Pennsylvania accountability grants and providing for targeted industry cluster certificate scholarship program; and making editorial changes.

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

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 Helen M. Curry, Brian Gen-Wei Tom and to the citizens of the Borough of Bath by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald A. Smith by Senator Corman.

Congratulations of the Senate were extended to 4-H of Delaware County by Senator Erickson.

Congratulations of the Senate were extended to Jessica L. Swager by Senator Ferlo.

Congratulations of the Senate were extended to Reading Pride Celebration and to the Healing Hearts Foundation of Berks County by Senator Schwank.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Mark Alan Cebrick by Senator Baker.

Condolences of the Senate were extended to the family of the late Bruce R. Tilley by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Boyd B. Winegardner, Jr., by Senator Schwank.

Condolences of the Senate were extended to the family of the late Lorraine Patrene by Senator Solobay.

BILLS ON FIRST CONSIDERATION

Senator FOLMER. 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 2175 and **HB 2438**.

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

THURSDAY, JUNE 28, 2012

Off the Floor	APPROPRIATIONS (to consider House Bills No. 761, 864, 1261, 1310, 1330, 1901, 2135, 2175, 2267 and 2390)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1466)	Rules Cmte. Conf. Rm.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Thursday, June 28, 2012, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:12 p.m., Eastern Daylight Saving Time.