

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

FRIDAY, JUNE 29, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 46

**SENATE**

FRIDAY, June 29, 2012

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

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

**PRAYER**

The following prayer was offered by Senator MICHAEL J. STACK III:

Dear Lord, we thank You for all of Your blessings and opportunities. We are truly thankful and humbled by Your kindness and trust. We ask Your guidance in working in the interests of the people, the ones who have sent us here, who are counting on us to do the right thing. Help us, O Lord, to work together, to be strong in our convictions but open-minded, thoughtful, and conscientious to our fellow lawmakers and to our fellow man. Above all, almighty Lord, please guide us to be brave, sincere, and humble, and to be true to ourselves, the men and women You have shaped us to be. We ask this in Your name, amen.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATION REFERRED TO COMMITTEE**

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

**MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION**

June 29, 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, Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, Nineteenth Senatorial District [*sic*], for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Hugh J. Murray, Sr., West Chester, resigned.

TOM CORBETT  
Governor

**RECALL COMMUNICATION  
REFERRED TO COMMITTEE**

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

**MEMBER OF THE STATE BOARD OF PSYCHOLOGY**

June 29, 2012

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 4, 2012, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board of Psychology, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Patricia Bricklin, Wayne, deceased.

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

TOM CORBETT  
Governor

**BILL INTRODUCED AND REFERRED**

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

June 29, 2012

Senators SCHWANK, COSTA, FONTANA, FARNESE and KASUNIC presented to the Chair **SB 1576**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for termination of condominium.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, June 29, 2012.

**APPOINTMENT BY THE  
PRESIDENT PRO TEMPORE**

The PRESIDENT pro tempore. The Chair wishes to announce the President pro tempore has made the following appointment:

The Hon. Mark R. Corrigan as a member of the State Ethics Commission.

**HOUSE MESSAGES**

**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 1055, HB 1307, HB 1525 and HB 1934.**

**LEGISLATIVE LEAVES**

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Don White and Senator Corman.

The PRESIDENT pro tempore. Senator Pileggi requests temporary Capitol leaves for Senator Don White and Senator Corman. Without objection, the leaves will be granted.

**JOURNALS APPROVED**

The PRESIDENT pro tempore. The Journals of the Sessions of June 5, 2012, and June 6, 2012, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 5, 2012, and June 6, 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 pro tempore. The Journals are approved.

**LEGISLATIVE LEAVES CANCELLED**

The PRESIDENT pro tempore. Senator Don White and Senator Corman have returned, and their temporary Capitol leaves are cancelled.

**SPECIAL ORDER OF BUSINESS  
GUEST OF SENATOR DOMINIC F. PILEGGI  
PRESENTED TO THE SENATE**

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

Senator PILEGGI. Mr. President, it is my pleasure this morning to introduce Deb Drais Gentzler from my staff, who is retiring from the Senate on July 11 of this year, after 35 years of service. Deb is a resident of Paradise Township in York County, Senator Alloway's district. On October 16, 1977, Deb began her tenure of service with the Senate of Pennsylvania as an administrative assistant and soon became office manager to Senator John Stauffer, who was the Republican Whip and Floor Leader from 1977 to 1988, representing the 19th Senatorial District. Prior to that position, she served as a legal secretary to Henry B. Leader, a senior partner of Stock and Leader. Deb has served as an executive assistant for the Senate Committee on Rules and Executive Nominations since 1984. She worked for Senator Joe Loeper from 1988 to 1999, and Senator "Chip" Brightbill from 1999 to 2006. She has worked in my office since December of 2006.

Deb serves her community as a member of the Shippensburg University Council of Trustees, a committeewoman for the York County Republican Committee, and also as an auditor for Paradise Township. Throughout her career, Deb has maintained the highest level of excellence and earned the respect and admiration of her many friends and colleagues. It is no exaggeration to say that it will be impossible for any one person to fill her shoes. She is a vital part of my office. She will be greatly missed by all. Deb is here today on the floor of the Senate. Mr. President, I ask that we recognize Deb Gentzler on the momentous occasion of her retirement, and her distinguished 35 years of service to the Senate and the citizens of the Commonwealth of Pennsylvania.

The PRESIDENT pro tempore. Would the Senate and guests of the Senate please rise and recognize Deb Gentzler.

(Applause.)

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

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

Senator COSTA. Mr. President, I am pleased today to introduce a legal intern who is working here in our Harrisburg office with our legal staff, as I said, at the Capitol this summer. Dominic Montagnese, affectionately known in our office as Nick, is a resident of the Brookline area of Pittsburgh, and is a graduate of Duquesne University School of Music, where he was a member of the Sigma Tau Gamma Fraternity and the audio engineering society.

Nick is going into his third year at Duquesne University School of Law, and obviously hopes to pursue a career in public service law. Nick certainly has a bright future ahead of him, and I am very fortunate to have him working here with me and my staff this summer. Nick is part of a program that we implemented 2 years ago with the Duquesne University School of Law to allow some of their law students to work and participate in this government process and be able to provide them very valuable,

practical public service experience. Nick will be concluding his term here over the course of the summer and returning back to law school, as I mentioned.

A special thanks to Dean Ken Gormley at Duquesne School of Law for allowing us the opportunity to partner with them to provide this service not only here in Harrisburg, but also a similar opportunity for a student in the Pittsburgh area in our district office. Mr. President, I ask that we give our friend Nick a very warm welcome.

The PRESIDENT pro tempore. Would the guest of Senator Costa please rise to be welcomed by the Senate.

(Applause.)

## CALENDAR

### PREFERRED APPROPRIATION BILL ON CONCURRENCE IN HOUSE AMENDMENTS

#### BILL ON CONCURRENCE IN HOUSE AMENDMENTS, OVER IN ORDER TEMPORARILY

**SB 1466 (Pr. No. 2335)** -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2012, to June 30, 2013, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2012, to June 30, 2013; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2012, to June 30, 2013, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2012; and to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012, and to provide appropriations from the Motor License Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund for the fiscal year July 1, 2011, to June 30, 2012, 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. 1466?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1466.

On the question,

Will the Senate agree to the motion?

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

Senator PILEGGI. Mr. President, when Governor Corbett made his budget proposal in February of this year, our fiscal outlook was much more challenging than it is today. Although there never seems to be enough resources to meet all of the demands for State funding, State revenues have increased significantly over the past 4 months. This has allowed us to work with the Governor to make some important restorations.

This budget reflects the commitment of the Senate and the General Assembly to investing in education. Funding for the State System of Higher Education is restored to current levels, along with funding for State-related universities, community colleges, Accountability Block Grants for public schools, Pre-K Counts, Head Start, and Pennsylvania public libraries. This budget also increases funding for basic education by adding additional funds for distressed schools.

I am also pleased that this budget allows for the expansion of a successful Educational Improvement Tax Credit Program, and the creation of a new scholarship tax credit program designed to help students who are currently trapped in Pennsylvania's worst-performing school districts. In addition, the budget we are voting on today restores funding for key research programs, county social service programs, and the Keystone Recreation Park and Conservation Fund. The budget before us today is responsible and sustainable. The budget does not increase taxes. In fact, it continues the reduction of the capital stock and franchise tax and completes Pennsylvania's transition to a single sales factor for the corporate net income tax.

Senate Bill No. 1466 proposes to spend \$26,656,000,000 from the General Fund. That is an increase of less than 2 percent from the current fiscal year. It also represents just a 1.7-percent increase over General Fund spending 5 years ago, in fiscal year 2007. Over that same period, the cost of living has increased by 11.7 percent. This is the right budget for our residents and our job creators at this time. It moves Pennsylvania in the right direction.

Mr. President, I would like to acknowledge the hard work done by many people to bring us to this point, members of my staff and Members of the Senate, in particular, Senator Corman and his entire staff, especially Greg Jordan and Anna Fitzsimmons; Drew Crompton of Senator Scarnati's staff; Kathy Eakin and Kelly Phenicie of my staff; and most of all, I thank Donna Memmi Malpezzi, General Counsel of the Senate Republican Caucus, for her hard work on this budget.

Mr. President, I ask for an affirmative vote on Senate Bill No. 1466.

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

Senator COSTA. Mr. President, as was indicated, what we have here before us is the State budget for the next fiscal year. Mr. President, this is not a spending plan that, if I had the opportunity to offer or if my Caucus was creating the budget, we would have offered and presented. It is not a plan that fully respects and reflects our budget priorities. From jobs to schools to the social safety nets, it approaches those spending challenges far different than we would have had, had Senate Democrats been

able to control this process. But, Mr. President, it is a spending plan that includes many Democratic Caucus initiatives and represents the combined work of the Democrats and Republicans on a plan that is far better than the one envisioned by Governor Corbett in his Budget Address back in February. And, Mr. President, that is the good news.

I recall one House Member saying recently that 95 percent of this budget plan is what we here in the Senate passed. And what the Senate passed was a plan that included input from this Caucus. The Senate-passed budget had a spending number of \$27.65 billion, and the plan we are voting on today spends that amount, \$27.65 billion. Let us be clear, I think it is important that we are very clear that getting this Governor to spend more to address key needs in education and social safety programs has, in fact, been very difficult. I am pleased that this budget invests an additional \$775 million into other areas and key programs that help educate our children, and to protect our families, and grow our economy.

The Governor said that the Senate-passed plan a few weeks ago was a ceiling and he threatened to negotiate that number downward. Through the negotiations process, Mr. President, the framework of the Senate plan that we sent to the House through this negotiation has held firm. But let there be no question, we came a long, long way from where the Governor's budget plan had started and we have made great strides since February. The Governor's budget would have severely hobbled higher education, and together we restored in excess of \$267 million back into this budget.

The Governor's budget from February would have flat-lined basic education funds and did nothing for the Accountability Block Grant Program, a very important and successful program throughout this Commonwealth. This budget puts \$100 million back into the Accountability Block Grant Program, \$50 million of which came from our Senate Democratic initiative. The Governor did not have funds for distressed schools, but by working together with our colleagues here representing various areas of the Commonwealth that are struggling as distressed schools, and through our initiative and our work, we were able to restore and add, I should say, \$50 million into this budget for distressed schools throughout this Commonwealth.

The Governor called for cutting human service programs by \$168 million. Mr. President, though we were not successful in putting all of that money back into the budget, we did restore half of those funds, \$84 million. And more importantly, Mr. President, in areas of healthcare, which continues to be a topic of conversation today, the Governor slammed hospitals and specialized services, but working together we were able to restore and put back supplements for hospitals for obstetrics and neonatal care, for trauma centers, for burn centers, and critical care access. Money for the CURE research grant fund, a program funded through the Tobacco Settlement Fund, has nearly been all restored. The Horseman's Fund has been restored nearly fully. The Environmental Stewardship Fund, the Key 93 Program, respectively, have been restored; if not fully, have been partially restored. The HEMAP funding was put back into this budget, another Senate Democratic initiative that was not included in the Governor's original plan.

Mr. President, as we will learn through the course of negotiations later today, we will hear more about funding for the EITC program which will be increased by \$25 million. The creation of

a new tax credit program that will provide \$50 million was introduced and will be part of the Governor's General Fund budget, again, something that was not part of the Governor's plan. These are all good improvements from where we started back in February.

But, Mr. President, we have to recognize and we should be concerned over what is not in this plan, what is not part of this General Fund document that Democrats believe are very, very important. Mr. President, the Governor has refused to fund restoration of the General Assistance line, and my colleagues on the Democratic side have worked hard to make that a high priority throughout this process, but unfortunately, we were not successful along those lines. And that is not fair, nor is it appropriate, and we believe it is mean-spirited.

There are other cuts that will hurt people, for which I personally feel disappointed that we were not able to make full restorations, areas like behavioral health programs, homeless assistance programs, mental health programs, all those programs that were collectively referred to as the Human Services Block Grant which was started in this process. While we have unbundled, for the most part, the Human Services Block Grant Program, there continues to be a 10-percent cut to those programs. Mr. President, this is something that we are very concerned about and will continue to speak about as we go forward over the course of the next several months with regard to implementation of this particular budget.

As I said earlier, if Senate Democrats were drawing this plan, you would not see these kind of cuts or changes to programs that would cut 10 percent from human service programs and would restore what we believe is a very critical program in the General Assistance program. Mr. President, as I indicated earlier, the negotiated plan before us is a significant departure from the plan presented to us in February by the Governor. It is largely a negotiated budget crafted in the Senate and passed by this Senate. It does not do all the things that I would like it to do, and there are a number of places that we could point to successes, but also there are a number of failures that, I believe, are not able to meet the closure. The plan we are about to approve includes dollars to limit the pain that would have resulted from an unintended implementation of the Governor's plan. On balance, Mr. President, given all of this, and given all that is in the plan that I previously mentioned, I plan to support this budget proposal.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, here we are, late in June again. We are just about ready to wrap up our budgetary process, and before I get into some of the meat of the bill, let me just again build upon Senator Pileggi's remarks about thanking some individuals who have done a great job to get us to this point. The executive director of the Committee on Appropriations, Greg Jordan, and assistant executive director, Anna Fitzsimmons, spent a lot of extra hours here over the last 2 or 3 months to get us into this position. A lot of the other Committee on Appropriations staff, Loralee Taylor, Bill Witmer, Tom Diehl, Tom Horan, Russ Miller, Kristi Kreiser, all did a tremendous job. Lord knows, I hope I did not forget somebody, or I will be in big trouble when I get back. But they all did a tremendous job in working very hard to get us to this point. I want to thank them for their commitment to the Commonwealth, their commitment to

the people of Pennsylvania to make sure that we have a budget done on time and in place so that the citizens of Pennsylvania can rest assured. If you are a State employee, you can go to work on July 1, and if you have interactions with State government, all agencies will be open on July 1, which is very important. We have not always met that criteria in the past, but we did this year, and I think we did so in a very responsible way.

Mr. President, this budget reflects the same things, really in the last 4 or 5 years that we have tried to push here, particularly in our Caucus, but reflects spending the amount of money that we have. Whether it was discussing with Governor Rendell, who wanted to spend a whole lot more, or the original proposal of Governor Corbett, which the revenue picture was far different in February and wanted to spend less. This budget reflects what we have. Just as every family and every business has to do, they have a budget reflected upon what they have. We all dream that we had more or wish we had more, but this is what we have. And it makes a significant commitment, significant investments in our future, which I think will be good for Pennsylvania.

One of the significant changes from the original proposal, which was mentioned earlier, is a significant investment in higher education. Higher education last year received a 19-percent cut for State-related universities and an 18-percent reduction for the State system. When that happened--you also have to remember that higher education had been flat-funded for a decade previously to that. So when that happened, my colleague from Philadelphia and I did something fairly unique and unprecedented - we set out across the Commonwealth of Pennsylvania to go visit these campuses on their turf. We went to State College, Pittsburgh, Philadelphia, Millersville, Lincoln in Chester County, to find out, if we are going to continue this relationship with these universities, what is the benefit to the taxpayers? Because any appropriation, Mr. President, is an investment. It is an investment in the future. It is an investment, either you are looking for an economic return or a social return or some sort of return, but it is an investment. And if we were going to continue this relationship, what were the taxpayers getting in return?

What we found at every stop along the way was, this was access. These universities were providing access to people to higher education. Through their public mission, they were finding unique ways to reach out to the citizens of this Commonwealth at an affordable rate so they could better themselves by getting a degree in higher education and making themselves more marketable in the workforce. So when we heard this, we wanted to come back and make a commitment to higher education, but at the same time, with Governor Corbett's initiative, we had to make sure that these universities had a commitment to us and to the citizens of Pennsylvania that they would not be raising tuition at any significant amount. So today, we announced a final agreement with the universities and the Governor for flat-funding, as this year's budget reflects that these universities would be providing historically low tuition. Temple University has already mentioned they will not raise tuition at all. Penn State mentioned today that this is a 35-year low that they are going to be proposing for a tuition increase. Pitt, Lincoln, and the State system are living up to that as well.

I think that is something we can all be proud of in this Chamber that this budget does. This budget is a partnership, not only with these universities but with parents and the students of Pennsylvania, that they are going to have better access to higher edu-

cation because of the commitment that this General Assembly and this Governor has put forward. I know, Mr. President, I sort of get to be the face of higher education, but our Caucus is strong with higher education supporters, my good friend over there from Montgomery County who chairs the State-related caucus here. We have many State system champions here like the Senator from Indiana County, the Senator from Bucks County, and the Senator from Columbia County. This was a caucus-wide decision that it was time to fund a floor here in higher education and develop a partnership. It was because of the good work of my friend from Philadelphia and his Caucus as well that we were able to get to this point.

So this is a good day, a momentous day for education, but there are other parts of this budget that are very important as well. Again, jobs are still the most important thing out there. These budgets would be a lot easier to put together if the unemployment rate was around 3 or 4 percent as opposed to a little under 8 percent. I think Pennsylvania is doing better than most States, but we are still struggling along.

So we live up to our commitment to the business community to stay the course on commitments in the past to eliminate onerous, job-crushing taxes like the capital stock and franchise tax, and fund even further business tax cuts so that the employers of Pennsylvania, and the employers outside of Pennsylvania who may be looking to come to Pennsylvania, know that when we have tough times in State government, we are not going to go to the business community and solve our problems on their backs. This is going to be the place where you are going to want to invest your money and create those jobs because you are going to get a consistency from State government. This is a place that you know when there is an agreement made that the Commonwealth, no matter what kind of difficult times there might be, we are going to live up to our end of the bargain.

So to the job creators and the entrepreneurs all across the country and across the world, Pennsylvania is the place to locate and invest your money, create your jobs, and raise your families, and we made that commitment in this budget and we will continue to do so. To the taxpayers of Pennsylvania, a very modest increase in spending, again, no tax increases, which is very important to the people of Pennsylvania, that those who are out there making difficult decisions to live within their means, State government is doing the same as well. So, that is something else that this budget reflects here today.

So I could go through all the lines, and I will not do that. We were able to, because of the better revenue picture, make significant restorations in basic education and agriculture and economic development and areas of the environment, which I know my good friend from Bucks County is extremely interested in. The Key 93 restoration was very, very important for our park system.

So these are still tough budgets. Doing budgets in a recession is tough duty and you have to make difficult decisions. There are some areas that I think we would have liked to have done better than we did, but again, as every family and every business is doing, you make tough decisions because you can always spend the revenue that you have, not the revenue that you wish you had.

So, Mr. President, I strongly encourage a "yes" vote here today on this budget. Get it out of the Senate and to the Governor's desk so the people of Pennsylvania can move forward and create those jobs and those communities in which all of us want to raise

our families, educate our children, and use the healthcare system that is necessary when it is called upon. So, Mr. President, I strongly urge a "yes" vote on this measure.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, thank you for this opportunity. I think, Mr. President, in the conversation about this particular budget, context is very important. On February 7 of this year, the Governor brought us to the floor of the House of Representatives in a Joint Session to present his budget proposal to the House Members, the Senate, and the Commonwealth of Pennsylvania. He provided his vision of the State of Pennsylvania, and he provided a budget proposal on that day that was essentially what I think everyone considered--and when I say everyone, I mean on both sides of the aisle and in both Chambers--a slash-and-burn budget proposal.

It became very clear that the \$27.1 billion budget proposal that the Governor presented on February 7 was untenable and unacceptable, that even both parties in both Chambers could not find it anyway near a real option for the citizens of the Commonwealth of Pennsylvania, and in fact there were no votes for that budget proposal.

We began our hearing process, both in the House and in the Senate, for over a three- to four-week period. We listened to all the departments and we listened to the correspondence and the e-mails and everything that came to us individually as Members in the collective and also Members in the respective Committees on Appropriations. It again became clear through all of the testimony provided that the Governor's budget proposal was not something that could be considered here in this body and was not something, with a 30-percent cut in higher education, with cuts in funding for basic education, with cuts in funding for economic development and job creation, with cuts in funding for human service programs and mental health programs, with cuts in funding for those who are struggling mightily, the budget proposal that he provided was not acceptable, would not be considered, and had to be improved. So we went through our hearing process, we talked to thousands of people all across the Commonwealth, and then the struggle became how do we make something better out of what was provided on February 7?

So we are here now, Mr. President, after many conversations, many hearings, many meetings with, as I said, thousands of people across the State trying to offer up something which would be better than the slash-and-burn budget proposal that the Governor offered on February 7. We think we have something much more improved than that original offering. The budget proposal of \$27.65 billion that was passed on May 9, even though the Governor tried to push back on that, we were still able to hold to that. There are over \$775 million in restorations into this budget that the Governor offered on February 7. Key restorations in higher education, important add-backs in basic education, money to go to the Accountability Block Grant where we can drive money to school districts that are desperately needing additional State resources, over \$100 million restored in that area. An additional \$50 million going to our growing number of distressed schools across the Commonwealth of Pennsylvania, they so desperately need it, and hopefully this will be the foundation of the conversation that needs to occur to drive additional resources to distressed

schools and all school districts across the Commonwealth as more and more school districts fall closer into that plight.

The tentative budget framework includes a \$25 million expansion for the existing EITC program and allocates \$50 million to create a new targeted EISC program, driving extra dollars into schools that have been struggling mightily for years trying to help those individual students. The budget that we have in front of us today, Mr. President, increases by \$84 million the Draconian cut of \$168 million that the Governor made in his budget proposal on February 7 in the area of our human service programs. We added money back into that area. We added money back into basic education. We added money back into higher education.

The Governor proposed on February 7 that there be rate cuts for our hospitals and nursing homes, not quite understanding, not quite getting the fact that we have an aging population in the Commonwealth of Pennsylvania, already one of the oldest States in the nation, and that the State is getting older. We have an aging population that it would be untenable to cut, by any percentage, funding going to our nursing homes. Clearly, with the healthcare reality that exists in front of us, our hospitals deserve as much support as possible in this budget process. We were able, Mr. President, to drive those dollars back in over the last several months and put money back into those areas of funding.

The CURE research grants of \$43 million, which the Governor cut in his budget proposal on February 7, are provided back into this budget. And we should understand, Mr. President, that when we fund that cancer research program, that area of cancer research, which is hugely important to thousands, if not millions, of people who are suffering from cancer and cancer-related illnesses across the State, across this nation, and across this country, we utilized our investment of cancer research and CURE funding and it draws down an extra \$300 million in Federal spending. So when we spend \$59 million, we draw down \$300 million of Federal spending. That is important. It was important to get those dollars restored not just for the financial impact that it has for the Commonwealth of Pennsylvania for the good, but because of the important research that is done in those areas.

We had a responsibility, Mr. President, to figure out a way to do something that the Federal government does not do. We had a responsibility, Mr. President, to figure out a way to work across party lines, to work across the lines of the House and Senate to try to come together, in a bipartisan manner, try to come up with a budget proposal that much more closely reflects the needs and concerns of the people of the Commonwealth of Pennsylvania, because surely what was provided to us on February 7 by this Governor did not reflect those needs, those concerns.

So with the \$775 million restoration, with the things that come from smart spending and wise spending in our educational programs, for example, by fully restoring the money in higher education, Mr. President, we are able to negotiate with our higher education institutions - Temple University, which announced yesterday a tuition freeze, and Penn State, Pitt, Lincoln and the rest have come on board with a tuition freeze for our students. So by putting the money back in, Mr. President, to our higher education institutions, we were able to negotiate a tuition freeze for those institutions. Those institutions educate several hundred thousand students across all parts of the Commonwealth

of Pennsylvania. Those students have been saddled with huge tuition increases over the last several years, and in fact last year many of those students had to deal with 8- and 9-percent tuition increases. That will not be the case this year, and I thank my own Temple University for leading the way in that process. But we were able to work that out. That is a smart investment, just like the investment in the CURE funding, the cancer research funding, Mr. President. When we invest there, we draw down, as I said earlier, the \$300 million extra in Federal spending. These are smart and wise investments, smart and wise restorations.

So we are here now with a budget proposal that does some good, that restores funding back in areas that we were able to determine, in a bipartisan fashion, were important priorities and work best for the citizens of the Commonwealth of Pennsylvania. We do come up short in a lot of areas. We do come up short, unfortunately. The 70,000 people in this Commonwealth, most of whom are temporarily disabled, many of them have permanent disabilities, they will not get the help that they have been getting for years. The kindness of Pennsylvania citizens over the last several decades allowed for a special funding of cash to 70,000 residents across the Commonwealth of Pennsylvania so that they could get \$205 a month to help deal with the cash problem that they had while they dealt with their challenges. They are low-income individuals, many of them women, as I said, just about all of them disabled, some temporarily, many permanently.

Unfortunately, Mr. President, we could not figure out a way to get enough dollars put into this budget to solve their problems, to help them financially. That is a failure here, and we have to figure out a way to help those individuals. If this State has to discontinue the financial assistance to these individuals, we have a responsibility, because they are Pennsylvania citizens too, to figure out another way to try to assist them. And the best assistance for every Pennsylvanian is a good business and a good job. One of the next challenges that we have to address as a legislature is finding work and creating jobs for every citizen in the Commonwealth, especially those who are suffering at the bottom rung of the economic ladder. These 70,000 individuals do not deserve to have their financial resources taken from them, especially, Mr. President, when we are providing hundreds of millions of dollars of tax credits to corporations that have not quite created any new jobs in this economic environment.

So we have to push forward, we have to find work. I hope that July 1, Mr. President, after we leave here, hopefully tomorrow, that on July 1 we will begin an aggressive program of trying to create job creation initiatives all across the Commonwealth so that we could put people to work, especially target those in this particular constituency who are losing this help that we have historically provided to them. If there is any mission that we need to be about, it needs to be the mission of expanding opportunities, creating jobs for all of Pennsylvania's citizens, and not leaving some of them behind.

So, Mr. President, clearly, clearly, this is not a budget that our Caucus would have offered up if we were in charge. Clearly, this is not a budget that we would have introduced if we were in charge of this process. Clearly, Mr. President, the budget offered by the Governor on February 7 of this year in his budget proposal clearly was deficient across the board and there was no other option available to us but to try to figure out a way to make improvements. We did so by adding \$775 million back into this budget in areas that are vitally important to every citizen in the

Commonwealth of Pennsylvania. There is much work that still has to be done. Hopefully, we will have learned a lesson by being able to walk across the aisle, work together in a bipartisan fashion, and use the lessons learned from this particular process going forward, that we will reject the potential tyranny of the Majority and figure out a way where we can find common ground to solve the problems of the people of the Commonwealth of Pennsylvania. I think it is reflected in great parts in this budget. It is not perfect, but it is clearly a step forward from what was offered to us on February 7, Mr. President. Thank you very much.

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

Senator STACK. Mr. President, when I look at this budget, I do see improvements, as the first couple of speakers have talked about, from perhaps its initial inception, but let us be honest, we can do better, a lot better. If we are going to be giving hundreds of millions of dollars in tax breaks to Royal Dutch Shell, if we are going to allow outsourcing of Pennsylvania jobs, we should be a little fair. At least let us not be shamefully unfair to our most important asset, also known as the citizens of Pennsylvania. Instead, this budget makes harsh cuts to services that help our most vulnerable citizens, and it does not invest in infrastructure funding which the Governor's own commission has said would create jobs and prevent buckled roads and catastrophic bridge collapses.

The Governor is also not listening to the citizens who are the boots on the ground when it comes to human services funding. Instead, mental health and homeless assistance budget cuts will clearly result in more people living on the streets, less productive citizens, and more welfare spending, more welfare spending, not less. Failing to fund the adultBasic program and cutting child care services funding will mean that one illness, one missed day of work, could cost people their job, or even worse, their life. Yes, it could lead to more welfare spending, Mr. President, not less. While basic education and higher education levels were funded at a kept level, our students and their parents are still reeling and dealing with local property tax increases and back-door tax increases for higher tuition and passed-on costs across the board. So the spending on education this year is not good enough. We can talk about restorations, we can talk about returning it to a level that it was before, but it is still far from good enough. We are not investing in another great resource in Pennsylvania, our young people.

What about our senior citizens? How are they being treated in this budget? Well, if you listen to AARP, the answer is also not very well. According to AARP, Pennsylvania ranks 39th nationally in its support of home- and community-based services, 39th, Mr. President. Now, the home- and community-based services, if folks are not aware of it, those are the things that keep older Pennsylvanians independent and in their homes instead of in nursing homes. I thought that is what we wanted to do. But in this budget, Mr. President, we are apparently not getting that right. Once again, on our older people in Pennsylvania, not doing a good enough job.

So while Pennsylvanians are dealing with the pain of higher local property taxes, mega-corporations are having a field day. This budget does not adequately tax Marcellus Shale drilling, does not close the Delaware loophole, and Royal Dutch Shell, a huge foreign company with record profit levels, gets a massive tax break. We need to be business-friendly, Mr. President. I have

worked to make us more business-friendly, but the relationship in this case is ridiculously one-sided. On top of all this, we are still doing nothing to address our transportation and infrastructure crisis. Two different governors in two different political parties over the last 6 years had commissions study the issue. Both commissions, comprised of public and private officials, have said the same thing: invest in our infrastructure now before it is too late. We are coming up on too late very, very soon, Mr. President. The message was clear, investments in infrastructure mean investments in our safety and our economy. If we invest in fixing our roads and bridges, we will be safer, we will create jobs, and we will be attractive to business, and attractive in one of my favorite terms--in a fair and balanced way--not with a complete giveaway.

So, Mr. President, I am voting against this budget, and I cannot see how I could do anything other than that. We can do so much more, Mr. President. We can grow our economy, we can help those who need a hand up, and we can move us forward toward a better future for all of us, even the little guy. And the more I look around the State, the more I realize most of the people in this State are the little guy. But the budget I see today does not reflect that, Mr. President. It does not invest in our greatest resource, our citizens. Instead, it caters to business, not small business, but super-rich foreign-owned companies at the detriment of our people. It has cuts that will force local property tax increases, and detrimentally impact programs and services for years. We should do better, Mr. President. We could have done better. We did not. That is a shame.

Thank you, Mr. President.

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

Senator KITCHEN. Mr. President, once again, the budget has been balanced on the backs of our most vulnerable citizens - the children, the elderly, and individuals with intellectual disabilities. All of them are falling through the widening hole in our social net that is supposed to help them. They remain on waiting lists for services, they watch helplessly as important programs are taken away, and you do not have to tell them that times are tough, because they live it every day. These are the people whom we are supposed to protect and help.

Some people do not even know that they are being denied services yet, people like Steven Schwartz of Philadelphia, about whom columnist Monica Yant Kinney wrote in yesterday's Philadelphia Inquirer. Steven is 49 years old. He is severely autistic and mentally retarded. He does not understand waiting lists and budgetary issues. He is completely reliant on his mother, social service providers, doctors, and the State. His mother is aging and has dementia. She is no longer able to care for him. Waiting lists and the elimination of services prevent him from receiving crucial services, and now the State has let him down with this devastating budget. He is currently in the hospital for an infection, and when he gets out, he will have no place to go. Steven Schwartz is a victim of the bottom line that this administration is just bent on achieving. Budget cuts and cuts to services may decrease numbers, but they increase waiting lists. They strain other State agencies, and they end up forcing people into services that are ultimately more costly for Pennsylvania.

Let me give you another recent example. The Area Agencies on Aging provide home- and community-based services to older Pennsylvanians. They help seniors and their families understand

their care options and point them to both governmental and non-governmental services. They are a valuable resource that seniors can turn to so that they can have a better quality of life. Unfortunately, changes that are being made to the program will have a negative impact on all Pennsylvanians, and most importantly, it will hurt the seniors who rely on the Area Agencies on Aging. They will see a reduction in the services that allow them to remain in their home and in the community. That is what seniors want, Mr. President, they want to be as independent as possible and stay in their homes. They do not want to lose services and end up in a nursing home.

This administration is cutting funding to the very services that save taxpayers dollars and keep budget dollars down. Here is what this budget does: it eliminates the General Assistance cash grant program impacting nearly 70,000 disabled adults, domestic violence survivors, and children in care of non-relatives; a \$6.6 million cut to child care services which help lower-wage families afford daycare; a 10-percent cut to the Human Services Development Fund which helps local communities afford much-needed services to the vulnerable; a \$142-million cut to GA outpatient Medical Assistance recipients and an \$18-million cut to GA inpatient Medical Assistance recipients; a 10-percent cut to the county allocation portion of mental health funding; a 10-percent cut to behavioral health; a 10-percent cut to the intellectual disabilities community; and a 10-percent cut to homeless assistance.

Each reduction creates another tier in Pennsylvania's ever-weakening social safety net. By making short-sighted changes, the State is taking a step backward to save a few pennies now, but I guarantee we will feel the impact in future budgets. Our seniors and our future seniors, our most vulnerable deserve better treatment than this. We need to give our fellow citizens a hand up and a chance at a decent quality of life. We not only have a sworn obligation to serve our constituents, we have a moral obligation to serve them as well. Pennsylvanians deserve better. Steven Schwartz deserves better.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, I first want to commend the thousands of Pennsylvanians who took the time to come to Harrisburg over the past 5 months for their persistence and determination in moving this budget from where it started in February to where it sits today. I also want to thank some of my colleagues on the other side of the aisle for recognizing the Governor's proposal for what it was and understanding the potential impact on our most vulnerable citizens. The writer Pearl Buck said, "Our society must make it right and possible for old people not to fear the young or be deserted by them, for the test of a civilization is the way that it cares for its helpless members." Despite the efforts of citizens and the understanding of my colleagues, this budget fails the test and allows our seniors to fear being deserted by the government they supported throughout their lives.

This budget takes its pain and payment from working families, minimum-wage workers, the nameless, the frail, and the



seniors who are struggling to live at home. This budget makes promises and it pays the powerful, the privileged, and the faceless corporations that live in mailboxes in Wilmington, Delaware. That is unacceptable. I have heard colleagues call this budget responsible, and I can only say that we have different definitions of responsibility. This budget ducks responsibility. This budget leaves struggling school districts, low-paid social workers, and county officials holding the bag. That, Mr. President, is trading responsibility for cynicism.

I would like to say that this budget is a "blue light special" for big business, but I cannot do that because I would have to pay a royalty to a mailbox in Delaware. We are all paying for those mailboxes in Delaware, Mr. President. Our students are paying, our homeowners are paying, and our college graduates are paying. That is tough. At the same time, the sick are paying, the poor are paying, and the disabled are paying. Somewhere out there in the next few months, somebody's grandmother will lose her home care and pay for those mailboxes for the last days of her life. This is not responsibility. That is tragedy.

If you think Walmart needs a break today, then stand up and say "aye." If you think minimum wage is a good living for someone feeding and caring for people with mental and physical difficulties, stand up and say "aye." If putting seniors into nursing homes is what you call welfare reform, stand up and say "aye." If you think the last generation and the next generation should pay for the politics of this generation, stand up and say "aye." In deference to Walmart and Chesapeake Energy, for the sake of those seniors who want to live and die at home, in honor of those who came before us, and in support of those who come next, I will be voting "no."

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, good to see you back at the podium there, as always. Mr. President, this time every year I always have an opportunity to sort of reflect on many different things, budget season and the culmination of a year's work. As part of the Committee on Appropriations, I am privileged to be a part of that and honored that I get to work on the budget and start the process early on in February, after the Governor gives his address. But for me, one of the reasons that I reflect upon—one of the reasons that I wanted to come here was to be a part of the process and to be a part of what I believe, and probably some people think of it as a naive position, but is to do what I can to make people's lives better. My thought is always when I leave here in June, or sometimes in July, have we as a whole, as a body, have we done something that truly makes the people whom we represent, the people who sent us here, have we done something that truly makes their lives better? Have we helped them in some way or shape in what we have done, not just in this process but in our entire process that culminates with a budget vote as part of our obligations? And although sometimes I get frustrated with this process and I condemn this process because I think it is inherently unfair and it does not work the way it is supposed to, this budget season and these last weeks, and specifically this week—although many times it has filled me with negativity and despair—there are portions of this week that I do think are important and significant for me because it is because of this process that we are forced, for a lack of a better term, to

come together as a body. We are forced to work together, to spend time together, and it is times like this when I get to witness my colleagues at their best.

Something comes to mind, my delegation leader, Senator Kitchen, over the last 24 hours, watching her fight these devastating cuts, the 70,000 folks who are looking despair right in the eyes, and to see the way that she has taken up that mantle, has made it her business to be involved, and made it her will that she is there fighting. When I watch folks like her, when I watch folks like our chairman of the Committee on Appropriations, Senator Hughes, as well joining into that fight, and on, and on, and on. That is some of the process in this building that I believe is important, and it forces us to come together and forces us to work together, and for that I am proud. I am proud that I am part of a delegation headed by Senator Kitchen. I appreciate all of her work and her dedication.

I have heard many of the comments both for and against this budget, and, Mr. President, unfortunately, I am not persuaded that this is a budget that is good for Pennsylvania, not just for Philadelphia, Mr. President, but good for Pennsylvania. I do not believe that this budget and the way that this budget came together truly and honestly helps those whom we were sent here to protect and to serve. I heard a speaker earlier talk about our obligations as elected officials, and she was right. This is not just an obligation, an oath, but it is a moral obligation, an obligation to insure that everything that we do, that every vote we make, that every decision that we undertake is made for the betterment of the people who sent us here and to make sure that we make their lives better. There are serious, serious problems, Mr. President, with this budget, despite any assertions to the contrary on both sides of the aisle.

This budget is nothing more than a set of priorities. Everyone says that: Budgets are priorities. You fund some, you do not fund some. Look at the numbers, and anybody in this building, on either side of the aisle and in either Chamber can make an argument for or against something. That is what they are trained to do, and they are very good at it. And many speakers before me, more eloquent than I, more experienced than I, more learned in the ways and means of this building and of this process, have articulated why they want to support this budget and why they believe it is in the best interests of the people of Pennsylvania. I could not, Mr. President, I could not disagree more.

I look at this budget like I have said over, and over, and over again. The culmination of our work here in this building, in this body, the culmination of priorities, an agenda set forth by this administration and then undertaken and steered by the Majority party who runs this place, Republicans. They steer this ship, and they take their directions from the administration. The priorities that are directed to them, I believe, Mr. President, with all due respect, are significantly misplaced.

One of the issues that continues to stick out in this budget is the \$150 million hole, the failure to restore that General Assistance Transition Grant. I do not understand, at a time when people are at their most needy, are at their most desperate, why would you go after them? Why would you take away their last bit of safety net? These are women and children, abused women and children without custodial parents. For \$200, Mr. President, for \$200, that is really what we are talking about here. Why would we go after those folks? Why would we need to impose an

additional hardship at a time when we, as elected officials, I believe, should be doing everything we possibly can to make their lives better?

This is a painful cut. This is a painful cut that not only will affect these families but also will have its effect on the municipalities that will have to cope with the additional stress and burden that is going to be entered into because of these cuts on those folks whose safety net is being taken away. And on top of that, we have heard it before, 10-percent cuts to human services programs, including behavioral health, homelessness assistance, mental health funding, which will further hurt the citizens of Pennsylvania. I do not use that word lightly, hurt the citizens of Pennsylvania, because that is what it will do. These are not cuts that are just there to save a few dollars here or there; rather, these are cuts that will significantly hurt people. Child care services, already cut in the Governor's proposed budget, would only have original cuts restored.

So, Mr. President, please, when we talk about these restorations, many of these restorations are cuts that have previously been administered. And they are only being restored right now to further other means and purposes. This is nice to see, I understand that, but for many mothers and dads, this is an essential service, and we should be doing more, not less, but more to help our children.

Mr. President, this budget does not restore \$36 million in student grants to the Pennsylvania Higher Education Assistance Agency. I have talked about this earlier in this budget season, and I think this was a major failure. The agency is going to have to dip into its own savings account to offset this cut in order to support and continue to help students in need of financial support. Again, we should be doing everything we possibly can as elected officials to give students across Pennsylvania each and every opportunity to succeed. These types of cuts simply do not get the job done.

I understand again that we have a tough list of what needs to be funded and what does not. And I do not think, Mr. President, I do not believe that we are doing all that we honestly can, particularly with the social safety programs and restoring the basic education cuts. Yes, speakers before me have talked about these restorations. They have talked about why, in their opinion, they believe there is enough here to support this budget. Again, I could not disagree more. But the reality has to come to bear at some point, Mr. President. The reality has to come to bear that the party that I represent, that I come from, is the Minority party here, the Senate Democrats, and we continue to be put into positions year after year, opportunity after opportunity, to make difficult and tough budget cuts and tough budget votes because, once again, the Majority has attached their priorities and their initiatives to things that we just simply, simply cannot support.

So, Mr. President, we will again leave this building, we will go home to our districts, we will spend time working over the summer months, and hopefully Members will have opportunities to catch up with their families. Then we will come back again, and Mr. President, this process will begin all over again. When we return in the fall, I will again be renewed with that sense of opportunity and enthusiasm that we can make this right once again, because that is one of the fires that has always and will always continue to burn inside of me. The reason why I truly, truly love the opportunity and the privilege I have been given to represent the people of the 1st Senatorial District. I love this job,

I love doing this job, and I stand firm in my belief that there will come a time when the priorities of this administration will come into play, will come into uniformity with those priorities that we believe are in the best interests of the people of Pennsylvania. But until that time, Mr. President, until that time, I will not give this administration the privilege of my vote in support of their agenda. Once again, Mr. President, I will be voting "no." Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Washington.

Senator WASHINGTON. Mr. President, I would like to submit my remarks for the record, please.

The PRESIDING OFFICER. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentlewoman from Philadelphia, Senator WASHINGTON:)*

Mr. President, I rise today with a disturbed spirit, and I will be a "no" vote for the state budget. Unfortunately, Mr. President, this budget is inadequate at best and cruel at worst. This budget forsakes the least of these, the most vulnerable members of our community, cutting vital services and initiatives, all while giving big business more and more sweetheart deals.

The restorations for basic education, the Accountability Block Grants, and \$50 million in assistance for distressed schools are not enough to counter the cruel cuts that were made in last year's budget. The cuts that Governor Corbett initially proposed would have been devastating. As our schools continue to struggle, we must continue to do more to insure a promising future for our students. We are not doing that.

Mr. President, Pennsylvanians are forced to prepare for another year of drastic budget cuts, with many of them coming to vital health services including home care, women's health services, and child healthcare. Thankfully, the Supreme Court upheld the President's Affordable Care Act. Without Federal assistance to fund affordable care, the cuts that are made to Medical Assistance and other healthcare programs would prove to be disastrous for many families.

Under the Department of Public Welfare's Act 22 authorization, providers of home care for seniors will switch from a care management system to a service coordination system. What does that really mean? I worry that this change, alongside other cuts made to Area Agencies on Aging, will cause our seniors and their families great confusion as they attempt to navigate the world of elderly healthcare. In the wake of these cuts, providers will no longer have the capacity to offer these services to seniors. And counties, whose budgets are already stretched beyond their means, will not be able to provide any more assistance. What does that really mean?

So, Mr. President, if we reverse course and cut these programs like Area Agencies on Aging, the responsibility for the elderly will fall on the State. Administering these extra costs will cost the State so much more in future budgets than funding them this year. Does the administration understand this? Short-term cuts, creating long-term expenses. This is bad math.

Sadly, this budget does not just neglect seniors. It also turns its back on the working poor and disadvantaged in my district and across the State. Many necessary public welfare programs have been slashed and face being rolled into the Human Services Block Grant. Under the block grant proposal:

1. mental health
2. intellectual disability programs
3. child welfare grants
4. homeless assistance
5. drug and alcohol programs
6. behavioral health services
7. and the Human Service Development Fund are rolled into one line item.

What does that really mean? The Governor has argued that this will

allow counties to deliver the funding where it is needed the most. Unfortunately, this also comes alongside a 10-percent cut to these services. I worry that this initiative will only create more barriers to these folks' recovery and success.

Additionally, Mr. President, this budget slashes funding to vital General Assistance programs, including gutting the cash assistance program with a \$150-million reduction in funding. These programs were created and funded during the Depression and have helped hardworking Pennsylvanians who have no financial safety net through every recession since then. Just \$205 a month for temporary cash assistance can mean the difference between a family staying afloat or losing everything. How can we justify this unprecedented disregard? Inadequate at best. Negligent at worst. Hardworking individuals, many of whom have unexpectedly fallen on hard times, depend on this temporary assistance as a hand up. How will they make ends meet now that this administration has turned its back on them? Last evening, my Democratic colleagues made one last attempt to restore funds to General Assistance and human services initiatives. Again, we were shot down along party lines. What does that really mean?

Well, Mr. President, it pains me that we were unable to have a voice in much of these closed-door negotiations. I have heard the Governor speak about how we all have to share in the pain as these cuts are made. This morning, the House is taking up the proposal for tax breaks for Shell Oil, another sweetheart deal for big energy atop the break the Administration gave to the Marcellus Shale drillers. To make matters worse, this budget includes another \$375 million in cuts for businesses. It does not sound like the pain is being shared by those in the executive suites of oil companies. What does that really mean? Yet, Mr. President, this administration is content to strip 70,000 Pennsylvanians off of the General Assistance benefits they need just to make ends meet.

Throughout this process, Mr. President, the Democratic Caucus has been silenced by this administration, and our constituents will surely suffer for it. This budget will cause a disproportionate amount of pain on a portion of our society that is already hurting far too much. At one point in my life, I was able to lift myself out of hard times thanks to the very programs you seek to cut today. My heart breaks for those who will not have the same resources available that allowed me to become successful today.

Mr. President, I have grave concerns about the course that the Governor has set for Pennsylvania. With a projected \$400 million year-end surplus, I refuse to believe that the administration has no choice but to inflict this kind of pain on our children, our seniors, and the poor. Our economy cannot turn the corner if we continue to move backward. We will not prosper when so many hardworking Pennsylvanians face ever-increasing obstacles to their success.

I urge a "no" vote on this budget. Inadequate at best and cruel at worst, this budget neglects the least of these in my district and throughout Pennsylvania.

Thank you.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, I too have remarks that I would like to formally submit for the record.

The PRESIDING OFFICER. 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 Washington, Senator SOLOBAY:)*

Mr. President, I have heard a lot of comments and read a lot of newspaper articles saying this budget is responsible and it contains no tax increases. That kind of message has a nice ring here in Harrisburg. But, in a couple of days, we have to go back home and face the people who know better. Back home, they do not see a difference between a budget that contains no tax increases and a budget that raises taxes. Make no mistake, voting for this budget is voting to raise taxes.

After years of meager progress in assuming our constitutional obligation to education, this budget again continues shifting the burden of preparing students for the new economy on property taxpayers. After

decades of meager progress in preparing our mentally-challenged citizens to live in our homes and in our communities, this budget walks us back toward the sad days of confinement and institutionalization.

It may be impossible for me to stand here and make my colleagues sad about these choices, so I will attempt to appeal their sense of fiscal restraint and responsibility. Many of the cuts contained in this budget come to programs that are among the most cost-effective and responsible public projects we have created. You do not have to care whether the sick, the elderly, and the disabled live with independence and dignity. But you should care that independence and dignity cost less than the old way. You do not have to feel a responsibility or obligation to the generation that came before us, who fought wars, and created communities. But you should feel a responsibility to taxpayers who want us to spend money wisely. You do not have to feel a responsibility or obligation to the generations that come after us. But you should feel a responsibility to the Constitution to provide a thorough and efficient system of public education. This budget does not do that. This budget covers backslides. That is all.

Mr. President, I do not have a problem making tough choices voting for a tough budget that reflects a difficult economy. But this budget simply dodges tough choices and responsibility, sending it down the line to local governments, school boards, hospitals, and local agencies struggling to provide care for those who cannot care for themselves. My problem is not that the budget is tough. My problem is who it is tough on. Combined with the administration's unilateral changes in how we provide services for struggling seniors, this budget is tough on the elderly, the sick, and the poor. If you know someone who is all three - elderly, sick, and poor - at the same time, this budget is bad news for you.

At the same time, this budget is good news for big corporations with slick accountants and a hundred mailboxes in Delaware. It is good news if you are a Walmart lawyer. If you get minimum wage for helping mentally-challenged adults take a shower in a group home, this budget is bad news. This budget is good news if you do corporate accounting. It is bad news if you do the cooking, cleaning, and banking for a local senior center. If you have a degree in political science, this budget means opportunity. If you have a degree in social work, this budget is just mean.

Mr. President, I do not have any problem taking steps to make Pennsylvania more business-friendly, and I fully support the Governor's aggressive recruitment of Shell Oil and other job creators. We need to encourage new jobs in a new economy. But those investments can be made without putting the cost on the generation that created and supported the old economy. When we recognized the need to eliminate fraud and waste in our welfare system, I do not think we were talking about moving frail senior citizens out of their homes and into nursing homes so we can keep an eye on them.

I commend my colleagues on the other side of the aisle who helped walk the Governor back from his original proposal, and I acknowledge that we have made progress as we moved from budget rhetoric to budget reality. But I cannot go home and tell these senior citizens and social workers that they were sacrificed in the name of welfare reform. That is why I will be a "no" vote.

#### BILL OVER IN ORDER TEMPORARILY

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request that Senate Bill No. 1466 go over in its order temporarily.

The PRESIDING OFFICER. Without objection, the bill will go over in its order temporarily.

#### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

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

The PRESIDING OFFICER. For the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately, without objection, the Senate stands in recess.

### AFTER RECESS

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

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

### BILLS REPORTED FROM COMMITTEE

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

#### **HB 761 (Pr. No. 3883) (Amended) (Rereported)**

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for exclusions from tax, for time for filing returns, for time of payment, for assessment and for collection of tax; in personal income tax, further providing for returns of married individuals, deceased or disabled individuals and fiduciaries, for requirements concerning returns, notices, records and statements, for assessment and for additions, penalties and fees; in corporate net income tax, further providing for definitions, for extension of time to file reports, for changes made by Federal Government and for assessments; in insurance premiums tax, further providing for definitions and for imposition of tax; in realty transfer tax, further providing for definitions, for excluded transactions, for documents relating to associations or corporations and members, partners, stockholders or shareholders thereof, for acquired company and for assessment and notice of tax and review; in cigarette tax, further providing for definitions; in research and development tax credit, further providing for limitation on credits and for termination; in film production tax credit, further providing for definitions, for credit for qualified film production expenses, for carrying and assigning credits and for limitations; repealing the educational improvement tax credit; providing for a resource manufacturing tax credit, for a rehabilitation of historic structures tax credit and a community-based services tax credit; in tax credit for new jobs, further providing for definitions, for application process and for tax credit; in neighborhood assistance tax credit, further providing for definitions and for tax credit; in malt beverage tax, further providing for assessment by department; in inheritance tax, further providing for definitions and for transfers not subject to tax; in procedure and administration, further providing for petition for reassessment and for petition procedure and providing for compromise by secretary; in general provisions, further providing for petitions for refunds and providing for administrative bank attachment for accounts of obligors to the Commonwealth; making related repeals; abrogating a regulation; and providing for applicability.

#### **HB 1261 (Pr. No. 3884) (Amended) (Rereported)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of the Department of Public Welfare, providing for county human services consolidated planning and reporting; in public assistance, further providing for definitions, providing for cessation of the general assistance cash program and the continuation of the general assistance-related medical assistance programs, further providing for establishment of RESET, for determination of eligibility, for failure to comply with employment and work-related activity requirements and for medically needy and determination of eligibility; in children and youth, further providing for definitions; in nursing facility assessments, further providing for time periods; in kinship care, further providing for definitions and for Kinship Care Program, providing for Subsidized Permanent Legal Custodianship Program and for permanent legal custodianship subsidy and reimbursement; providing for Human Services Block Grant Pilot Program; and making related repeals.

#### **HB 1363 (Pr. No. 3837) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for certain circumstances in which strikes are prohibited, for continuing professional development and for program of continuing professional development.

#### **HB 1901 (Pr. No. 3885) (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 rating system and 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; providing for disclosure by school entities of certain interscholastic athletic opportunity information; 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.

#### **HB 2438 (Pr. No. 3659) (Rereported)**

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.

### CONSIDERATION OF CALENDAR RESUMED

#### **SB 1466 CALLED UP**

**SB 1466 (Pr. No. 2335)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Calendar, by Senator PILEGGI.

**PREFERRED APPROPRIATION BILL ON  
CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 1466 (Pr. No. 2335)** -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2012, to June 30, 2013, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Revenue Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2012, to June 30, 2013; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2012, to June 30, 2013, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2012; and to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012, and to provide appropriations from the Motor License Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

And the question recurring,

Will the Senate agree to the motion to concur in the amendments made by the House to Senate Bill No. 1466?

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I need to collect my thoughts after taking a recess and sitting in the meeting of the Committee on Appropriations there, but I believe at this point in time, as a Democrat over here, I am going to be a minority within the Minority voting with the Majority, and I am going to be supporting this particular budget.

I come from west central Pennsylvania, an area known as Appalachia. I think that term is pretty accurate of what people's perception is out there. Philadelphia does not have a monopoly on poor people, Pittsburgh does not have a monopoly on old people, and Pennsylvania certainly is a diverse mix of urban, rural, rich, and poor. Governor Corbett 2 years ago ran on a campaign of promising not to raise taxes. He has kept that promise, and over the past 2 years, we have agonized over our budgets to make sure that they are complete, they are balanced, and they are on time. It looks like that is going to happen.

I am not so sure that if the world was different and a Democratic Governor was elected that we would have any alternative of having more taxes. I think whether you are coming from the urban areas of Pennsylvania, the suburbs of Pennsylvania, or rural Pennsylvania, there is a tremendous pressure politically not to raise taxes, and I do not think even if he were a Democratic Governor we would be able to. Perhaps, if the Democrats were in control, we would have changed some of our priorities. Perhaps within the budget, we would have been able to find a few hundred thousand dollars more in certain business taxes that have been given out. But in every budget, decisions and priorities have to be made.

We are fortunate that as we come out of this recession, we were able to restore some significant funding back to basic education and to higher education. I do realize that my county commissioners are going to be under pressure because of the 10-percent cut that they are experiencing in human services. But once again, we come to the reality that we can only spend as much as we have. For a lot of people, this budget will be a weeping and gnashing of teeth, and for some of them it is the right-sizing of government. I think it is both. I am not going to jump up and down and do the Snoopy dance and say how wonderful this is, but I do think it is wrong to jump up like Rumpelstiltskin and say how terrible it is. If situations were reversed, I think it is so easy to sit at this pulpit and say, I can vote "yes" or "no."

I have been through a number of budgets in my life. I consider myself one of the 85 percent of Pennsylvanians. I am neither from the far right, nor am I from the far left. And I think most people are sympathetic to the social needs of society, they want to make sure that those who truly get help receive the help. They want to make sure that the children are educated, but they also underestimate the fact that we have to live with the fact that we just cannot tax our way out of circumstances. We have become a very cruel society sometimes as this lingering recession comes through and the middle class looks down to those below them, and while those at the top of the food chain sort of stir that pot. But I think we have a fair budget. I think we can justify the budget.

Are there things that I would have done differently? Certainly, but in the aggregate, I feel very confident that my Leadership had the opportunity to negotiate the numerous different perceptions that my Caucus has and to try to put those in a package and negotiate with their Republican counterparts. I think they acted in good faith. I do know they are in the Majority, but when all the dust settles, I think this is a fair, appropriate budget. We need to finance our society for the next 12 months. It is time to turn the page and let us move forward with this, and hope that we continue to improve the economy so that we can restore some of those funds that had to be reduced over the past 2 years.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, let me be the first Rumpelstiltskin to rise back to the podium and speak in opposition to this budget. First of all, I do want to state very clearly a "thank you" to all of the staff who have worked, especially in the last month, on both sides of the aisle, the professional staff. It is not an easy task and I do respect their talent and acumen, regardless of what part of the aisle they are from, what political party, they have worked together in an esprit de corps to produce some very

important documents, one of which we are voting on today, the general operating budget, but that holds true for the Fiscal Code, the Welfare Code, and all the other votes that we need to take to finally move our Commonwealth forward.

So I do want to thank all the staff. I do want to, once again, thank the staff of the LRB, those invisible folks who seem to exist on the top floor, they come out every once in a while, and I do not know them all by name or face, but having reviewed what has to be thousands of sheets of paper through this past year, I want to thank the LRB staff, Legislative Reference Bureau staff, for their hard work throughout the year, and especially during the budget crunch time.

I do also, most importantly, thank the thousands of individuals who have raised their voices across our Commonwealth since the Governor's initial Budget Address, the Draconian Budget Address of February of this year, where the Governor proposed a budget with further reductions in excess of \$517 million. So I do thank those folks who traveled by bus, by car, and who walked here. I thank those folks who live outside as part of the Occupy Harrisburg Movement, because they are the crises of conscience that we need to deal with when we grapple with what the final document needs to be, how it is going to meet or not meet the needs of all of our residents across the great State. So those folks deserve a lot of credit for emailing, letter writing, postcards, and physically appearing at the Capitol over the last couple of months to express, in no uncertain terms, their vision, their passion, and their concern about the inadequacies of what we are about to vote on.

I do believe very strongly that the Governor in particular and this administration owe a deep apology, that I have yet to hear, to those men and women who came, who suffered, and who have the reality of physical disabilities, who were in wheelchairs and could not proceed with their democratic right to communicate with the Governor when elevators were shut off during various protest activities here in the State Capitol over the last couple of months. I find that reprehensible, I find that to be undemocratic, if not unconstitutional, to limit the free will of the people to speak and to confront—in a peaceful way, I use the term confront—those individuals who are making life-and-death decisions for them. So I have yet to hear an apology, but I think it was completely inappropriate for individuals who came here and wanted to be able to go to the Governor's Office. I do not dispute that once that doorway closes, it is the Governor's domain and there has to be orderly conduct, that one cannot engage in blocking ingress and egress, or engaging in civil disobedience, unless they are willing to suffer the consequences. But I believe that one day, and other days subsequent to that, most folks who were in wheelchairs basically wanted the opportunity to physically arrive at the front door of the Governor to submit a petition of the people. How bad and how far have we strayed from our democratic values and the right of the people to be heard when the Governor shuts down the elevator, shuts down the stairwells, and basically gets a locked door security mode mentality? I personally find that reprehensible, and to this date and I do not believe I have heard an apology from the Governor or his administration.

I would be remiss to indicate that I cannot, in good conscience, vote for this budget. I will be a "no" vote. It really does not in any manner approach the obligations that I feel that I have to best represent the varied constituencies that make up the 38th State Senatorial District, whether it is those neighborhoods that

are wealthier by income or profession or functionality of the municipality, or those who struggle every day to make ends meet and try to run municipal governments and local school systems under the gun. So I cannot vote for this budget.

When we look at this budget, and I will not try to repeat all of the different elements that have been expressed by the eloquence of my colleagues, but certainly first and foremost, the misguided and mean-spirited cuts in the public welfare budget without any effective notification or even any plan for local municipalities in the nonprofit sector - the Catholic community, the religious community that we rely on to provide services to those who are most in need in our society- to basically throw those folks off of the minimal amount of temporary General Assistance I find not only Draconian but morally repugnant.

The chairman of the Committee on Appropriations, and I mean this respectfully, spoke earlier and he talked about this is what we have. He used the phrase, "this is what we have." We have to put this together like a family budget. A family has to struggle each and every day to make their ends meet with the relative resources that they have. None of us on this side of the aisle dispute that, but when we talk about this is what we have, I am a little bit perplexed because on its surface, it seems illogical and superficial to make that comment. Certainly, the Governor argued in February that this is what we have, and his vision was a budget that has \$517 million less in an operating spending plan. Lo and behold, because of the voice of the people, because of the self-interests of many in this Chamber, all of a sudden we found in excess of \$700-plus million.

So, you know, the point being, it is simplistic and superficial to say this is what we have. No, it is not what we have. What we have is based on what we think are our needs, what our capabilities are, what our priorities are. Apparently, the Governor was adamant that this is what we have, and it was \$517 million less. All of a sudden, given the geographical representation of the Leadership of the Senate, lo and behold, money is found for higher ed, certainly Penn State included. If I had my druthers, obviously I would like to see higher ed fulfilled and put back to the original appropriations of a year and a half ago. That is not going to happen, even though this budget does restore some important parts of those allocations. But if I had to weigh the priorities, Mr. President, I would argue strenuously that out of all the multimillions of dollars we are funding to Penn State, Pitt, and the other universities and institutions, I would choose to, if I had to, skim off the top, take a new approach to what those priorities are and fully fund the General Assistance program, which is roughly \$150 million.

My point is that it is simplistic to say that this is what we have. What we have is based on our decision to expand the resources that we have, the resources that we care to generate, and how we define the priorities of what our respective districts and the constituencies that we represent are requiring of us as leaders and as elected officials here in the Senate. I identify myself with all the earlier comments about the nature of these budget cuts in General Assistance. I very much resent the simplistic, racist, and xenophobic comments that are often made when you see articles in the paper and you see individuals commenting, you know, throw the bums off welfare, tell them to go get a job, quit using drugs and alcohol. You know, this budget and those kinds of cuts from the Department of Welfare cater to the bottom-line sensibilities of some individuals who think that they will never have a

problem. There, but for the grace of God, go I. I would argue that every single family in this Commonwealth, regardless of class, race, or income status, professional background, geographical location, has one or more family members who are part of the human service world, the network of delivery of vital services, from autism to child care. I could go on and on. Every single family has somebody in their household, immediate household, or their immediate extended family who is badly in need of that safety net that this Commonwealth decides is a priority and that we, in past administrations, have attempted to fund adequately.

The Draconian cut in General Assistance is not about money, because we have money. It is about ideology and philosophy. It is about a conservative right-wing Libertarian who happens hold the position of Secretary of Welfare. It is about a Draconian list of demands that have been formulated by right-wing conservative think tank organizations that have given Republican Governors their roadmap for what they want done, from voter suppression, to the cuts in General Assistance, and I could go on and on and name each one of those categories. It is a very conspiratorial, very dedicated, a very clear attempt at running their game plan, and so far with this Corbett administration, it seems to be working. I want to point to each and every colleague and ask you, how will you deal with the reality of these human service budget cuts? Why any commissioner would accept, I do not care what county they hail from, why any commissioner would accept this notion of block-granting the Human Services Development Fund. That is the beginning of the end of the State government commitment to put money back into county government for the broad-based human service world. If they cannot see that, God help them. Because the fact of the matter is, this is ill-thought-out. It is all about ideology. It is about budget cutting and it is about returning obligations down to local governments.

Look at what happened to the budgets cuts for basic ed. We said it a year ago in the first budget of the Corbett administration. He wants to tout no taxes. We are going to lower the tax burden, knowing full well that hundreds of school districts across the Commonwealth had to eat that reduction in basic school ed by raising the millage rate, dipping into the reserves, and laying off thousands of teachers and other professionals who are needed both in charter public schools, public schools, and the like. I could go on and on. This is not a budget that is appropriate for me as an elected official from the 38th Senatorial District to vote on. With all due respect, I ask for a "no" vote on this budget. Thank you.

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

Senator MENSCH. Mr. President, given that the debate has gone on for a while, I will be very short. But I want to put some things in context, if I may. I want to correct some of the perceptions and conceptions that have been created relative to the very large investment that the State is encouraging for the Shell Oil Company to make in the State of Pennsylvania. Let me tell you why. We hear the vilification all the time that Shell is a big business. It may come as a surprise to many people in this room, but Pennsylvania, the State of, is a very big business - \$27 billion. I think when we vilify large business, it would be interesting if we could keep within context the fact that we, too, are a very large business and we have the same responsibilities that Shell does.

Now, how does a business, the State of Pennsylvania, improve? Every business has three ways. First of all, you improve net revenues. Secondly, you control your operating expenses. Or thirdly, you justify your investments and assets. This budget takes a step toward improving net revenues, and it does that by encouraging new industrial investment in the State of Pennsylvania, investment that we have not seen for at least a decade. It is going to bring 10,000 new jobs to the State of Pennsylvania. It is going to bring uncounted billions of dollars of new revenue into the State, and it is going to bring hundreds of millions, perhaps billions, of dollars in new tax revenue to the State of Pennsylvania. It is an extremely important first step for the reindustrialization of the State of Pennsylvania. Manufacturing is a very large part of our GDP already, but this can make it substantially greater and can again begin to provide economic growth for the State Pennsylvania.

There was a time in the 1960s when Pennsylvania had the fifth-largest economy in the world. We are nowhere near that today. We have a chance to begin to recover economically for our State. We hear a lot about the cuts that are being made to our budget. Well, if you want to cure some of the cuts that are being made, let us bring more revenue into the State. We do not have to raise taxes. We need more disposable income into our State that we can tax.

So, in closing, let me just put the Shell comments in context. We hear it is a large business, the third-largest business, huge revenues, yada, yada. The reality is, the numbers that people are talking about are gross receipts. They are not profit. Shell is a large company. They have operations all over the world. It should be expected that they are going to have large receipts. But when you take the measure that really counts, and that is net profit, you realize that Shell has a net profit of 7.04 percent for the year of 2011. Put that in further context. Let us compare it to two companies with which we are all very familiar in this room. I am not picking on any companies in particular, but I thought, these are two with which we all are very familiar. Microsoft. We all use their software, I am sure. Do you know what their net profit is? Compared to Shell's 7 percent, Microsoft's net profit is 29 percent. I do not hear any hew and cry about that.

How about Apple? Another company that most of us use their products - cell phones, iPads, or otherwise. Their net profit is 29 percent. Again, almost identical to Microsoft's. Those are their net profits for 2011. So the next time that we say that it is obscene profits, I would like to see and hear the same complaints about other companies that have substantially greater percentage of net profit margin. I think it is disingenuous that we want to characterize one company and we leave all those other companies alone. If we are going to be insightful, if we are going to be accurate in our argument, then, indeed, let us use the proper data.

Mr. President, I rise to support this budget because I do believe it takes an extremely important first step toward new economic development in our State. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, I ask for the courtesy to submit my remarks for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentleman from Luzerne, Senator YUDICHAK:)*

Mr. President, the budget before the Senate today fails Pennsylvania's citizens in many ways. Primarily, the budget, despite restoration efforts, makes no gains on the billions of dollars in cuts to education. The billions of dollars in cuts that carry over from last year's budget into this year's budget means the tax bills and tuition bills will be higher for Pennsylvania taxpayers. Failing to win the education race, the race to have the most highly educated and skilled workforce, sets Pennsylvania up to lose the job race.

For 25 straight months, northeastern Pennsylvania has endured the highest unemployment rate in all of Pennsylvania. I do not see how this budget is going to help us break the cycle of chronic high unemployment in northeastern Pennsylvania. The budget fails to invest in the people of Pennsylvania; it fails to invest in the future of Pennsylvania, and it settles for the status quo.

There is no education investment strategy in this budget. There is no infrastructure investment strategy to build our roads and bridges while putting thousands of Pennsylvanians back to work. There is no significant disaster relief in this budget to help northeastern Pennsylvania recover from recent natural disasters, that funding relief for flood victims was a bipartisan package of bills that passed the Senate, but that much-needed funding is not part of this budget.

Failing to invest in education, in our transportation systems, and in our flood recovery efforts is where this budget fails Pennsylvania's taxpayers who deserve better. I encourage a negative vote on this budget that fails Pennsylvania.

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

Senator CORMAN. Mr. President, in closing for this debate, I want to again thank all the Members for their support during this process. The Senate took the lead, for a rare occasion, by passing a budget back in May to jump start this process reflecting the revenues that we have. The Independent Fiscal Office was a tremendous roadmap for us to be able to craft this budget, and I want to thank all the Members of the Senate Republican Caucus, as well as the Senate Democratic Caucus, for working together to put a budget in place on time, even earlier than on time. Hopefully, the Governor will sign it before midnight on June 30. I feel confident that he will.

Again, it is a budget that is not perfect by any stretch of the imagination. It would be perfect if we were at about 2-percent unemployment and we had lots of revenue to do further tax cuts and to do further expenditures to help areas of interest to the Members. But it does reflect the revenue that we have, and that is the most important thing. As I have said before, whether you are a business owner or a family trying to meet your monthly budget, this budget reflects the revenues that we have and I think makes strategic investments. So I want to thank the Governor and the administration for its hard work in crafting this together, along with the House and Senate. I strongly urge an affirmative vote.

Thank you, Mr. President.

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

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

#### YEA-32

Alloway	Eichelberger	Piccola	Vance
Argall	Erickson	Pileggi	Vogel
Baker	Folmer	Pippy	Ward
Browne	Gordner	Rafferty	Waugh
Brubaker	Greenleaf	Robbins	White Donald
Corman	Hughes	Scarnati	White Mary Jo
Costa	McIlhinney	Smucker	Wozniak
Earll	Mensch	Tomlinson	Yaw

#### NAY-17

Blake	Ferlo	Schwank	Williams
Boscola	Fontana	Solobay	Yudichak
Brewster	Kasunic	Stack	
Dinniman	Kitchen	Tartaglione	
Farnese	Leach	Washington	

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.

#### RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room immediately.

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

Senator HUGHES. Mr. President, I request that the Democratic Caucus to go to caucus also.

The PRESIDENT. For purposes of 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.

#### HOUSE MESSAGE

#### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1551**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

#### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR

#### NONPREFERRED APPROPRIATION BILL LAID ON THE TABLE

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



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

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

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

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

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

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

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

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

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

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

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

NONPREFERRED APPROPRIATION BILL  
LAID ON THE TABLE

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

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

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

BILL OVER IN ORDER

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

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 48 (Pr. No. 3846)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 254 (Pr. No. 3874) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for display of registration plate and for learners' permits; providing for automated red light enforcement systems in certain municipalities; and further providing for specific powers of department and local authorities.

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-34

Table with 4 columns of names: Alloway, Argall, Blake, Brewster, Browne, Brubaker, Corman, Costa, Erickson, Farnese, Fontana, Greenleaf, Hughes, Kitchen, Leach, McIlhinney, Mensch, Piccola, Pileggi, Pippy, Rafferty, Scarnati, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Washington, Waugh, White Donald, Williams, Wozniak, Yaw, Yudichak

NAY-15

Table with 4 columns of names: Baker, Boscola, Dinniman, Earll, Eichelberger, Ferlo, Folmer, Gardner, Kasunic, Robbins, Schwank, Vance, Vogel, Ward, White Mary Jo

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 864 (Pr. No. 3875) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Pedalcycle and Pedestrian Advisory Committee.

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, 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.

LEGISLATIVE LEAVE

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

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Corman.

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Corman. Without objection, the leave will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL OVER IN ORDER TEMPORARILY

HB 869 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILLS OVER IN ORDER

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

BILL LAID ON THE TABLE

SB 1091 (Pr. No. 1277) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 1135, SB 1184, SB 1303, HB 1478, HB 1588, HB 1617, HB 1682 and HB 1749 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1893 (Pr. No. 3877) -- 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 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: 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.

HB 2349 (Pr. No. 3476) -- The Senate proceeded to consideration of the bill, entitled:

An Act redesignating the bridge on State Route 322 over North Fork Creek in Brookville Borough, Jefferson County, as the Purple Heart Memorial Bridge of Jefferson County.

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: 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.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 327 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 338 (Pr. No. 2264) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the National Human Trafficking Resource Center Hotline Notification Act; imposing duties on the Department of Labor and Industry; and prescribing penalties.

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

SB 338 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 338, Printer's No. 2264, 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 AMENDED

HB 728 (Pr. No. 3576) -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question, Will the Senate agree to the bill on second consideration?

Senator VANCE offered the following amendment No. A12728:

Amend Bill, page 1, line 6, by inserting after "prohibitions":  
; and providing for signage requirements for retail service stations

Amend Bill, page 5, by inserting between lines 20 and 21:  
Section 1.1. Section 7 of the act is amended by adding a subsection to read:

Section 7. Retail service stations.

\* \* \*

(c) Signage.--The department shall, by regulation, implement standards for signage to be placed in the area of a retail service station where gasoline, diesel fuel or kerosene is dispensed. The department shall require that the signs shall be conspicuously posted and include warnings or notices related to:

(1) smoking prohibitions;

(2) requirements for the use of hold-open gasoline-dispensing or hold-open diesel fuel-dispensing nozzles;

(3) portable container use and specifications;

(4) static electricity hazards; and

(5) other safety hazards as determined by the department through regulation.

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.

#### BILLS ON SECOND CONSIDERATION

**HB 1026 (Pr. No. 3876)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for oaths and acknowledgments, for senior judge operational support grants and for expiration of provisions relating to access to justice.

Considered the second time and agreed to,

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

**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.

Considered the second time and agreed to,

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

#### BILL OVER IN ORDER

**SB 1484** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILLS REREFERRED

**SB 1508 (Pr. No. 2307)** -- 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 community colleges, further providing for financial program and reimbursement of payments; establishing the Pennsylvania Community College Affordability Task Force within the Department of Education; and providing for its powers and duties and for administrative support.

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

**SB 1513 (Pr. No. 2156)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for Lake Erie fishing permits.

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

**SB 1532 (Pr. No. 2219)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

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

**SB 1544 (Pr. No. 2262)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 28, 1923 (P.L.458, No.250), entitled "An act authorizing the Department of Forestry, with the approval of the Governor and Attorney General, to lease for periods of not more than fifty years, on terms, conditions, and stipulations expressed in each lease, any portions of the State forests for dams, reservoirs, canals, pipe lines and other water conduits, power houses and transmission lines, for the development of water power, for steam raising and condensation, and for the generation and transmission of electric energy," providing for wind, solar and other renewable energy projects.

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

**SB 1552 (Pr. No. 2256)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax.

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

**SB 1572 (Pr. No. 2322)** -- The Senate proceeded to consideration of the bill, 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 employees (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.

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

**HB 1767 (Pr. No. 3481)** -- The Senate proceeded to consideration of the bill, entitled:

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

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 1847** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS REREFERRED

**HB 1857 (Pr. No. 3825)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**HB 2022 (Pr. No. 3789)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the Pennsylvania Business Permitting Portal; creating the Pennsylvania Business Permitting Portal Advisory Committee; providing for cooperation between the committee and Commonwealth agencies and for preservation of Commonwealth agency authority; and providing for upgrades to information technology systems.

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

**HB 2043 (Pr. No. 3660)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of Municipal Police Officers' Education and Training Commission.

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 2060** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

**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 licensure, for renewal of license, for injunctions and for appeals.

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

BILL ON SECOND CONSIDERATION, AMENDED

**HB 2199 (Pr. No. 3482)** -- The Senate proceeded to consideration of the bill, entitled:

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.

On the question,  
Will the Senate agree to the bill on second consideration?  
Senator RAFFERTY offered the following amendment No. A12875:

Amend Bill, page 1, line 3, by striking out "AND for duty of driver in emergency response areas" and: inserting:

; and providing for obedience to traffic control devices warning of hazardous conditions

Amend Bill, page 2, by inserting between lines 7 and 8:

3111.1                      Obedience to traffic control devices warning of hazardous conditions.                      2

Amend Bill, page 3, lines 2 and 3, by striking out all of said lines  
Amend Bill, page 4, lines 19 through 30; page 5, lines 1 through 29, by striking out all of said lines on said pages and inserting:

Section 2. Title 75 is amended by adding a section to read:  
§ 3111.1. Obedience to traffic control devices warning of hazardous conditions.

(a) The driver of any vehicle, unless otherwise directed by an emergency service responder, shall not drive past, around or through a sign or traffic-control device closing a road or highway due to an existing or potentially hazardous condition.

(b) Penalty.--Any person violating this section commits a summary offense and shall, upon conviction, pay a fine of not more than \$250 unless the violation results in the utilization of the services of a first responder or emergency medical or rescue personnel, including towing services, in which case the fine shall be increased to not less than \$250 nor more than \$500.

Amend Bill, page 5, line 30, by striking out "(D.1)" and inserting:

(c)

Amend Bill, page 6, line 1, by striking out "SUBSECTION (a)(3)" and inserting:  
this section

On the question,  
Will the Senate agree to the amendment?  
It was agreed to.

On the question,  
Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.  
Ordered, To be printed on the Calendar for third consideration.

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**HB 2224 (Pr. No. 3495)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 15, 1959 (P.L.1772, No.670), entitled "An act providing for the orderly disposition of properties situate within political subdivisions and donated, or otherwise dedicated or offered for dedication, where no formal record appears as to acceptance by the political subdivision, as public parks, squares or similar uses and public buildings, and no longer necessary or practicable for such purposes, and granting orphans' courts jurisdiction with respect thereto," further providing for purchase or condemnation of property.

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 ON SECOND CONSIDERATION

**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.

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

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 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.

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

RECESS

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

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

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

AFTER RECESS

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

SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE,  
OVER IN ORDER TEMPORARILY

**HB 761 (Pr. No. 3883)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for exclusions from tax, for time for filing returns, for time of payment, for assessment and for collection of tax; in personal income tax, further providing for returns of married individuals, deceased or disabled individuals and fiduciaries, for requirements concerning returns, notices, records and statements, for assessment and for additions, penalties and fees; in corporate net income tax, further providing for definitions, for extension of time to file reports, for changes made by Federal Government and for assessments; in insurance premiums tax, further providing for definitions and for imposition of tax; in realty transfer tax, further providing for definitions, for excluded transactions, for documents relating to associations or corporations and members, partners, stockholders or shareholders thereof, for acquired company and for assessment and notice of tax and review; in cigarette tax, further providing for definitions; in research and development tax credit, further providing for limitation on credits and for termination; in film production tax credit, further providing for definitions, for credit for qualified film production expenses, for carrying and assigning credits and for limitations; repealing the educational improvement tax credit, providing for a resource manufacturing tax credit, for a rehabilitation of historic structures tax credit and a community-based services tax credit; in tax credit for new jobs, further providing for definitions, for application process and for tax credit; in neighborhood assistance tax credit, further providing for definitions and for tax credit; in malt beverage tax, further providing for assessment by department; in inheritance tax, further providing for definitions and for transfers not subject to tax; in procedure and administration, further providing for petition for reassessment and for petition procedure and providing for compromise by secretary; in general provisions, further providing for petitions for refunds and providing for administrative bank attachment for accounts of obligors to the Commonwealth; making related repeals; abrogating a regulation; and providing for applicability.

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

On the question,  
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, we have an opportunity today, an opportunity that may never come again. What we have before us today is an opportunity to pass a bill that means thousands of jobs for Pennsylvanians all across the State. This bill provides a performance-based tax credit that will be used for purchasing ethane and for using ethylene-manufactured goods. We have the ability, by passing this bill, to stand up for jobs in the Commonwealth, good-paying jobs, jobs that will sustain families by providing a lifeline to communities all across the State who have suffered as a result of the steel mills closing down years ago.

In mid-March, Shell Chemical announced that it signed a land option agreement to potentially build a \$4 billion ethane cracker plant in Beaver County, located in my district. They did not say they would build the plant, they said they would potentially build the plant. This bill will help seal the deal. The tax credit before us will say to Shell, we want you to come, and we want the jobs you are bringing with you. The Shell project will be the largest economic development project in southwestern Pennsylvania in more than a decade. Ever since taking office, Mr. President, my number-one obligation to the people who elected me was to work hard to bring jobs to my district, and now, Mr. President, we have an opportunity to do that just that, by passing this legislation which provides for the resource manufacturing tax credit.

The tax credit means jobs for the people of my district and jobs for the people of Pennsylvania. We have a once-in-a-lifetime opportunity that will allow us to transform Pennsylvania back into the manufacturing powerhouse it once was. The construction of an ethane cracking facility in my district would create upwards of 10,000 jobs, and thousands of spinoff jobs for related industries that will spring up in the vicinity of the plant and across Pennsylvania to avail themselves of inexpensive and plentiful raw materials that will be transformed into many of the products we use every day - pool liners, trash bags, sealants, carpet backing, insulation, detergent, food packaging, bottles, footwear, clothing, and the list goes on and on.

If you travel around the country, you will inevitably meet a lot of people who used to be from Pennsylvania. When the mills closed down, they left. This bill provides us an opportunity to bring those people back. I stand before you today to ask for your support. This bill means jobs, jobs, jobs. This is not a tax credit bill, this is a jobs bill. Let us rebuild Pennsylvania together. I ask that you all stand with me and support the hardworking families of Pennsylvania.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I have some difficulties with this bill because it does not represent a total economic development program for the Commonwealth. Let me explain why. As someone from the southeast, we have an industry, biopharma, which is at the very center of the economic engine of this Commonwealth. This industry is losing its strength in our region and throughout the State. When we have asked the State, the Governor, the Secretary of Community and Economic Development for

assistance, we have not received that assistance, and it is hard for us to vote for a bill which limits the economic development program throughout the Commonwealth.

Let me just read you some statistics so that you will understand what is happening to biopharma in southeast Pennsylvania, and I say to my other Senators from southeast Pennsylvania, that the very basis of our prosperity is in peril. Let me show you some things. In terms of the number of establishments for bioscience in the last 8 years, Pennsylvania has dropped 11.1 percent, while the rest of the United States has grown 12.8 percent. In terms of employment and unemployment, while the United States has a 1.4-percent drop in biopharma, Pennsylvania has a 6.9-percent drop in terms of employment. Pennsylvania is also lagging behind in increases of those who work in this industry.

So I understand what is occurring here. If the administration had been willing to say, we have a diverse State, let us have an economic development program that helps southeast Pennsylvania in this crucial industry. We are one of the top biopharma industries in the world, and this is vast, and we can hear the air going out of that industry as we sit here today, similar to what happened to steel and other industries. If the administration had said, yes, we are going to do the cracker plant in southwest Pennsylvania, but we are also going to have programs that assist those of us in the rest of the Commonwealth; if we were going to help agribusiness in the middle, bioscience in the southeast, and Marcellus Shale with the wet gas in the southwest, I would stand here today in total support of the bill. But that is not what has occurred. And so thus, I must regretfully, representing my constituency and the interests of my region, vote against this bill, Mr. President.

Finally, Mr. President, I have stood here time and time again and have asked that the issue of pipelines, as they go through the rest of the Commonwealth, not only in terms of their safety, but in terms of the damage they do to the environment, in terms of environmental easement, be addressed, and we have not, as a legislature, even tried to address those issues. So from the point of view of a suburban southeast Senator, I must say that I regretfully have to vote against this because it is not a real economic development program in which all regions of our Commonwealth can stay and prosper. I only wish that this administration, that this Governor, that this Secretary had listened to the report of the bioscience commission in which there were administrative representatives representing the leadership of the bioscience industry. Because if they had, and this was also in our budget, then we could sit here today knowing that the southeast prospers as does the southwest, and all of Pennsylvania together.

Thank you, Mr. President.

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

Senator BAKER. Mr. President, my district is as far away as any from the prospective site of the ethane refinery, so the natural assumption is the chances of economic benefits working their way into our area are pretty remote. But it turns out that this project is a winner for just about every part of Pennsylvania.

In northeastern Pennsylvania, there are dozens of plastic manufacturers, nearly 40 in Luzerne and Lackawanna Counties alone, who now must bring raw material down from Canada or up from the Gulf of Mexico. Being able to acquire it from just across the State cuts shipping costs and time. A firm that can cut costs becomes more competitive on the prices for its products,

and more demand means more direct and indirect jobs. One of the companies standing to benefit in this fashion is Procter & Gamble. Located in Mehoopany, Wyoming County, P&G employs more than 4,000 direct and indirect workers in every senatorial district within a six-county radius. So when you think about it, citizens who live in Senator Gordner's district, Senator Blake's district, Senator Yudichak's district, and Senator Yaw's district all work at the P&G plant in my district. It is an economic engine in our region contributing to the local economy, helping families buy homes, send their kids to college, investing in our communities through the United Way, and other charitable giving.

The plant has already saved money by powering its operations with its own natural gas wells, 10 billion cubic feet of gas a year no longer piped 1,500 miles from the Gulf of Mexico. The plant, having the ethylene for Pampers and other products closer to home, adds to the savings, positioning them to expand and create even more jobs.

Another example is the PepsiCo company plant in Mountain Top. It is a production plant in Luzerne County, also in my Senatorial district which produces Gatorade for distribution throughout the entire northeastern United States. Recently, a bottle manufacturer co-located next door to this facility to improve efficiency in costs. Companies are more likely to expand profitable, competitive, productive locations, and these two regional employers are better positioned and better poised for future growth and future viability.

Over the years we have seen multiple economic strategies launched in countless incentives and assistance programs offered to jump start job creation. Few have had any hope of yielding the immense economic payoff anticipated for this project. So we can act decisively to insure a better economic future for all of Pennsylvania. I urge an affirmative vote.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, for the benefit of my constituents and certainly the public listening, this is a vote on House Bill No. 761, the Tax Code, and I know there has been a lot of focus right now on the issue of the plant that hopefully will be built in Beaver County. But this bill represents the work product in a bipartisan fashion of both the House and the Senate of some 25 different amendments to the Tax Code, all separate and distinct and not necessarily related to each other. So within these 25 amendments, certainly there has been much discussion, and my colleagues previously had spoken about the economic development opportunity present with the so-called cracker plant.

I do want to point out some other important aspects of this bill. Certainly, the issue that I have long fought for in the last couple of years that enjoyed both legislative support in the House and Senate and certainly my colleagues in the Majority, was the elimination of a loophole as it relates to the realty transfer tax, a loophole that, at least in the city of Pittsburgh and elsewhere, resulted in many large purchases of fairly significant commercial properties. An example would be the recent sale of the USX towers, a 50-plus story building. Basically, through a lucrative loophole, the individuals purchasing the building found a way to avoid paying the realty transfer tax. So we are talking about several million dollars that went out of the State Treasury, as well as the local city government treasury and the school district. Fortu-

nately, in this bill there is an explicit narrative here that would no longer allow that loophole to exist.

As a previous prime sponsor, under the Rendell administration, of both the film tax credit and the R&D tax credit, obviously I am pleased that the Majority, in a bipartisan fashion, have extended and improved both the film tax credit--which unfortunately would have been sunsetted. It is clear from the previous budget that the Governor himself became wedded to the importance of the film tax credit and all that it represents for our Commonwealth, least of which is meaningful job opportunities, not just in Allegheny County and Pittsburgh, but throughout the State. So I am clearly pleased that various amendments here relate to the film tax credit, extending it past the sunset and also recognizing an opportunity with the 31st Street Sound Studio, technically it is in my district but Senator Fontana, to his credit, has done a lot of work with the owners and operators and has directed some resources and been very active on this issue. The Sound Stage is very important to the vibrancy of the film industry throughout our State, and certainly our region.

I do want to thank other colleagues who took the initiative for the last several years, where there has been debate about the importance of the Historical Tax Credit--I wish it were more than \$3 million--and the other tax credit that provides opportunities to community-based nonprofit providers. Those are a smaller group of agencies that are singularly providing very vital services in the human service field, and I believe there will be an equal \$3 million tax credit which folks can potentially access.

On the plant itself, again, I would reiterate my concern and my continued outrage about Act 13, which is woefully inadequate as it relates to environmental protections and as it relates to the woefully inadequate tax and income that is being collected under the Marcellus Shale drilling that is certainly underway and certainly will be expedited and increased in the days, weeks, and years to come.

And thirdly, although it is a case right now before the Commonwealth Court, I reiterate my concern about Act 13 and the poor judgment in overruling local jurisdiction as it relates to zoning and land use. I do differentiate a vote in this bill as it relates to economic investment. Senator Vogel, to his credit, and others have talked about what would be the best way to provide that credit over the life of the next 20-plus years. I think it is a prudent investment. I have been in office 25 years. When I first was elected, I was looking at a steel mill in South Side on Second Avenue. It has taken six mayors to transform the economic development, the business, and the vibrancy of the city of Pittsburgh. It has happened over a long period of time. This so-called cracker plant may begin with the initiative here today in the Senate and the House and with this Governor, but the timeline is probably going to be extensive and could go into some future administration.

I do think we need to start the clock ticking, provide the economic developmental tool to this Governor in a nonpartisan fashion so that there could be appropriate, constructive, and prudent negotiations with Royal Dutch Shell and what this economic opportunity means. That discussion and that arsenal of an opportunity and the arsenal of the tool box for economic development needs to be in place now. I know there are people who are commenting, why are we doing this now? We are talking about a plant and a decision that has not even been made yet and may not be made for several years. But that process begins now and it



needs to begin in earnest. I certainly do support and differentiate the non-wisdom of Act 13 versus what I do consider a prudent and appropriate investment for a tremendous amount of economic development.

I will close with just one reminder. I will not start naming every project, but in the time I have been here in the Senate, we have, through public subsidy or through bond indebtedness, subsidized over \$5 billion, with a "b," \$5 billion of economic investment. So the \$1.4 billion as proposed, or whatever it ends up being, is really not inconsistent with all the other energies that have come before us.

With that, thank you, Mr. President.

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

Senator STACK. Mr. President, I am not going to speak for a long time. I appreciate what many of the Members are talking about. I just have to say that frankly, as a Member of the Pennsylvania Senate, elected by and representing about 280,000 people, I feel I have a duty to be as informed as I possibly can be on something this monumental, significant, and long-term in this State. Frankly, Mr. President, I do not know all that much more about what we are trying to do here with regard to the Tax Code and the ethane cracker plant than I knew a couple of weeks ago when I first saw this story from Pete DeCoursey on Capitolwire that uncovered the fact that Governor Corbett was conducting negotiations on this issue.

I know as we have gone forward with this, my friends and colleagues on the other side also felt they needed a lot more information both in the House and Senate, and folks have hustled in the whirlwind that we go through when we are trying to pass a budget to get all the information possible. All I can tell you is that I have supported tax credits in the past with the film tax credit. I am supportive of trying to encourage businesses to come here and invest in Pennsylvania, but usually, there has to be a very tight verification of what the deal is. What is the business offering, what is the Commonwealth offering, and what are the verifications for performance? That also goes with this whole concept of reform that many of us have been championing these last several years here. The whole concept of openness, transparency, making sure that the taxpayers and the people across the State know what we are doing, how we are doing it, and why we are doing it. That is an important issue in this State, and on this issue I do not believe we are coming even close to becoming open or transparent.

So my problem with this legislation is not with its intent. It is with the fact that the information available is not to the level that I think any taxpayer at home would want me to have in order to vote for a piece of legislation which proposes to bind the Commonwealth for a quarter century. I have heard many different promises with regard to jobs. And you have to be careful about promises in the legislature or in business, and you have to verify. But I have heard anything from 400 jobs, to 10,000 jobs, to 20,000 jobs, to more, to less. I have not seen anything that certifies that those jobs will be Pennsylvania jobs, certifies that those will be quality jobs, life-fulfilling, economy-sustaining jobs. And I am not satisfied that Royal Dutch Shell will be held to a standard where they must stay in Pennsylvania and carry out whatever proposed obligations we are putting on them.

I believe in jobs, and I believe that you make a pact with businesses to bring jobs to Pennsylvania. But when you cannot verify

exactly how many jobs we are talking about, yet on the other side of the relationship, a business gets to verify what their tax package will look like but we do not really know what we will get, that is an unfair deal. That is not a good deal for the people of Pennsylvania. So until I get more information, until I really feel that we are going to get those jobs, that the people of Pennsylvania really are going to benefit, I cannot support this legislation, Mr. President. Thank you.

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

Senator MENSCH. Mr. President, let me start out with a very simple premise. Governments do not create economy, governments enable economies. That is called tax policies. Government does not have a product or service to sell. We do not make any money by ourselves, and the only way we get any money is when we tax somebody, whether it is a business or an individual. So, it is incumbent on us to envision methodologies, programs, and ideas that we can, as a State, make investments toward so that the private sector can bring us new taxable economy. That is what this cracker deal is all about. It is about bringing new jobs, it is about bringing new economy to the State.

When I look around my area, and I live in Montgomery County, I think back to all the companies that used to be there: Bethlehem Steel, United States Steel, Firestone Tire, Kiwi shoe polish, Mrs. Smith's Pies, and Mayer Pollock, who, by the way, erected the Golden Gate Bridge for Bethlehem Steel. We had great economic power in our State at one time. We do not today. We are suffering, we are suffering dramatically, and we have a chance here to bring new jobs to our State. We want to somehow politicize this. It is inappropriate to do that. We are hurting all of our citizens when we do that.

I heard an argument earlier about a very parochial attitude toward this development. What is this going to do in my district? Let me tell you what it is going to do in everybody's district. It is going to improve our economy for all of us. If you are worried about deliverables from State government today as new funding or funding in existing programs, you are going to want more taxable income in your district. If you want to see the government expand its spending, you are going to want more economy in the State that can be taxed. That is what the cracker plant will do. But, it is not only about one plant being developed by Shell. We are talking about tens of thousands of jobs that will be created upstream in the oil fields and downstream in the manufacturing, distribution, and the sales of these products. It is an incredible opportunity for our State and it is one very worthwhile for us to invest behind.

To go back to what I said before, we do not sell a product, and we do not sell a service. To get a dollar, we need to tax somebody, and the best solution is to bring more taxable money and more taxable individuals into our State. Take people off of unemployment and give them new jobs, bring more citizens into this State, if that is what is necessary. Let us expand our economy and we can expand the positive welfare of all of the people within our State.

This is not just about my district. This is about Pennsylvania not needing to be competitive district to district or county to county. We do not even need to be competitive State to State. We need to be competitive with the international market. Pennsylvania has the highest, the highest corporate net income tax structure in the world. Pennsylvania used to be second to Japan.

Japan lowered their corporate net income rate in February. We now stand alone as having the single highest corporate net income tax rate, and we have the highest corporate tax structure with the single sales factor, which hopefully we fix with net operating loss carryforwards limited, with capital stock and franchise tax, and with a corporate net income. We have the highest structure in the United States, in the world, and we disincentivize businesses from coming here. We now have an administration with an initiative to bring these jobs back to Pennsylvania, bring jobs back to Pennsylvania. This is an incredibly worthwhile investment by the State, and I stand in full support of House Bill No. 761.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I have been in the Senate for about 13 years now, and in the House for 4 years, and one of the things that I consistently said was that we need to make things in this country and this State, that manufacturing is important, and it resonates with people because, as you talk to individuals across the State, you will see that people say, what are we making here in this State? Are we becoming a service-oriented economy? If that is the case, we are not going to have the good-paying jobs out there, and we are not going to be able to compete globally. So when I saw this bill, and actually learned more about it, I thought, well, let us get into the details, and let us see what this manufacturing tax credit is really going to do.

This credit for Shell to build a chemical ethane cracker plant is a huge investment, some might say a huge risk. But with huge risks come huge rewards. I was a little cautious when I first heard about the language, but became more confident as I read more and more about this tax credit and about the Shell company, knowing that they probably would build a state-of-the-art facility. And why this is important to me, Mr. President, is because I grew up as a steelworker's daughter. I grew up in the city of Bethlehem where Bethlehem Steel was, where most of the people worked in the city of Bethlehem and the Lehigh Valley. And I will tell you what, it was a robust town, men and women working very hard, proud of what they were doing by making steel and building this country.

Now, Bethlehem Steel is no longer around, but I can tell you that some of those men and women actually worked so hard to put their sons and daughters through college. That is kind of what I wanted to say today was, my father, a steelworker, when he was in high school, he actually got straight A's in practically every class he was involved with. And sometimes they would give him a 0 because, especially in math, he would never get a single problem wrong. He applied to Lehigh University, but because his family had no money, he could not attend. My father worked at the Bethlehem Steel plant with a good, solid-paying job, and he made sure that his daughter, if she was smart enough, would never be denied college because he could not afford it. Well, I went to Villanova University and got a master's degree, and now I am a Senator. So what does that say?

Anyway, the whole point of this story is, we have an opportunity today with the biggest manufacturing tax credit I have ever seen, it is going to bring good-paying jobs to this Commonwealth. What about those families? Maybe there is going to be a child or two whose family never went to college and one is

going to be able to go now. The families are going to be happy. This State is finally going to become on record as one of the biggest job creators as compared to other States. That is fascinating, and I am enthusiastic about this, and I hope it works out. I know it will. When all those jobs are created, I probably will be one saying to the naysayers that I told you so.

Mr. President, I just want to say enthusiastically that, I think, this is one of the best pieces of legislation I have seen. I am proud to be part of the Senate today.

Thank you, Mr. President.

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

Senator BLAKE. Mr. President, I am delighted to rise and join some of my colleagues on the discussion of House Bill No. 761, the Tax Code. I want to express thanks, also, to my colleague from northeastern Pennsylvania, Senator Baker, for her comments tonight. There are a few things that I would like to say, and I will not take up too much time, Mr. President. When I was on the campaign trail running for this Senate, one of the things I talked an awful lot about was the competitive landscape that Pennsylvania faces with respect to this new energy economy that is surrounding natural gas extraction. It is clear in my mind that one of the elements of my prior dialogue was to keep energy in Pennsylvania, that the energy not exit the State, and that the wealth associated with that energy not exit the State, as we saw in the northeast during the coal era.

So, I rise in support of House Bill No. 761 for all the reasons that have been articulated on this floor in support of the bill. It will keep the energy here. There are a couple of important things I would also like to echo and share some of the commentary of Senator Mensch. It is not about me, it is about us. When the taxpayers sent \$35 million to northeastern Pennsylvania to build a new medical college, I am not sure of the reaction of the people in Allentown, McKeesport, or Pittsburgh, but I can tell you we appreciated that investment. We are getting an enormous return on that investment, and we will continue to get a return on that investment.

I had a chance to meet with Secretary Meuser and Secretary Walker about this project, trying to get to the bottom of the intention here. A couple of things strike me. First of all, the fiscal impact of this decision will have no budgetary impact on the Commonwealth before 2016 or 2017. It is a performance-based tax credit that will not have any fiscal impact on the budget until after perhaps a billion dollars' worth of investment has occurred and maybe 2,500 jobs are already created in constructing this plant. We are in competition with the world. We are in competition with the nation. As my colleague Senator Baker said, we have a cluster of plastic manufacturers in northeast Pennsylvania who do ship their products from the Gulf. If we do not keep the energy here, it will go in pipelines to Ontario, Canada, or to the Gulf, where the infrastructure to deal with ethylene and plastic manufacturing and the resins that are produced will go, and with it will go the jobs, as well as the tax revenues.

Again, it is not about me, it is about us. Economic growth, job growth, investments that generate tax revenue in Beaver County is every bit as meaningful as economic growth and job growth in northeast Pennsylvania for our General Fund. The labor community in southwest Pennsylvania has also come out in great support of this, and I think that is not insignificant. I think that

is important. I think it means that the eyes will be on this company to guarantee that they are Pennsylvania jobs that are being created.

So I rise in support of this effort because I do think it is performance based. You cannot use a tax credit unless you have a tax liability, and you do not have a tax liability unless you are spending, investing, building, or hiring in Pennsylvania. It is that simple. So I do believe this is good public policy, and as Senator Ferlo said, it certainly does not deviate far from past policy in terms of the Commonwealth playing an active role in economic development.

I also want to point out a few other very important issues related to this Tax Code bill. There are other features of it that are very beneficial for the Commonwealth, beneficial for other industries, beneficial on other fronts. Our agricultural community will benefit from some of the provisions of this bill. Our volunteer firemen and fire companies locally will benefit from some provisions of this bill. There are other issues in the Tax Code that are very important to Pennsylvanians, and I support them.

One particular provision, and I need to extend my thanks to the Republican Majority for their consideration, involves the revamping of the job creation tax credit, which benefits employers statewide. In this Tax Code, a provision that was introduced as part of the Pennsylvania Works jobs plan by the Democratic Caucus is a revamping of the job creation Tax Code. That administrative fix that is in this code will make that job creation tax credit a little more generous to Pennsylvania small businesses that hire people off of unemployment. It will also expand the ability for employers to use the tax credit, meaning that historically it was only available to small businesses that had 50 employees or less. The administrative fix in this bill expands eligibility to companies that have 100 employees or less, getting us closer to the definition of small business that the Small Business Administration uses. Finally, it deals with an administrative fix that goes back some years between an interpretation of a statute between the Auditor General and DCED.

There are a lot of positive provisions in this bill, Mr. President. I rise in support of it. It is good for Pennsylvania, and I encourage a "yes" vote. Thank you.

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

Senator M.J. WHITE. Mr. President, I am excited to support this tax bill. As with the Tax Code or any code bill, there are things in it for people to love and for people to hate. But in this one, the tax incentives for the new Shell cracker plant in western Pennsylvania are one of the most exciting things I have seen in my 16 years in this body. It is a game changer for Pennsylvania today, tomorrow, and for my grandchildren. I ran again this time because of the Marcellus Shale opportunities. It is huge. It turns Pennsylvania into an energy exporting State once again. I come from an area where, 150 years ago, we were the oil and gas capital of the world. Today we are not, but the advent of the wet gas, particularly, the gas in western Pennsylvania, is transforming my communities.

The big issue for this cracker plant, frankly, when they made the decision to come here, I was talking to an executive of a company who has four cracker plants all down in the Gulf Coast, and she--the president of the company is female--said to me she was interested that they were going to build a cracker plant away

from the refining complexes. Well, of course the reason is obvious: there are other uses for this gas as a feedstock for innumerable businesses, as Senator Baker pointed out. They are putting it up in the center of the area where this gas is being produced, and their big concern is that there is enough of this gas to sustain this plant for years into the future. That is what we are talking about here, Mr. President, the future.

This is, as I said, a game changer, a global change in Pennsylvania's future economy. I am excited to support it, not just pleased to. When Senator Baker pointed out, correctly, that the--this is a new industry here, not just a new business or factory, and this will benefit every manufacturer in the State. I urge its support. Thank you.

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

Senator FARNESE. Mr. President, very briefly, I was not going to rise, but I heard the comments of my good friend from Beaver County who started off the discussion tonight, and I heard him say something along the lines that we have a unique opportunity; an opportunity today to create jobs and create development, and to move Pennsylvania forward; an opportunity to really do something here in this Chamber, do something that we were sent here to do for the people we represent. I thought about that. Mr. President, the truth of the matter is that we had that opportunity many, many times in this building, many times on this floor. We had that opportunity last year when the Senate Democrats wrote out a plan known as PA Works. We had it again this year when we rolled out plan, after plan, after plan that talked about ways that Pennsylvania can move forward with no tax increases, no expenses to our citizens, and to quote what one of the earlier speakers said, allow government to enable economy.

Mr. President, government can enable the economy in many ways. It can enable the economy by giving huge tax breaks and incentives to the cracker plant, which I am going to be supporting today because I believe in this program. But let us not kid ourselves, Mr. President, there are many ways to create jobs, and there are many ways that government can enable an economy. Here is a secret that maybe a lot of people do not want to admit: Not all those ideas come from one side of the aisle. Sometimes those types of ideas come from this side of the aisle. Would it not be great if we could work in a bipartisan way to do exactly what the gentlemen from Beaver, Bucks, and multiple other counties characterized as government enabling the economy? Would it not be great if we could work together on many different ideas to do just exactly that?

So there is going to be a lot of support on both sides of the aisle for this because we believe in it, we believe it is good for Pennsylvania, but do not kid yourself, Mr. President, do not kid yourself. Many opportunities arise in this room. Many opportunities arise in this room for job creation, for job development, and to move Pennsylvania forward. This is one of them, and there have been many, many, many others. I hope when we return in the fall, and as we look forward to our next budgetary process, that when this side of the aisle comes forth with those kinds of ideas, I hope there is the willingness and the eagerness to support those with the same type of willingness and eagerness that you see on this side of the aisle to support this.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I appreciate the opportunity to speak on this. You know, most folks who are listening to this back at home or when I try to explain it really do not understand how complex budgeting is here in the State Capitol. They think there is one big budget bill and we vote on it and then that is the end of it, but in reality, that is not the case. Of course here we are discussing House Bill No. 761, which is the Tax Code. Also, it has very key and important parts in our budget that we really must consider very carefully.

This bill, perhaps as its centerpiece, has the tax credit for the plant which will utilize the natural gas we are extracting throughout Pennsylvania and use it to make it into very valuable components that we can use in manufacturing. In fact, some of that manufacturing occurs in my district too. But even if it did not, I would be in support of this. I really want to be careful to say that I do not want to be parochial about this, I care about all Pennsylvanians. I want everybody to have a good job, if possible. I truly believe that this program or project will create many, many jobs and will get us back into the manufacturing game in a way that we have not been. I do not believe that we are not in manufacturing in Pennsylvania, but this will certainly enhance our economic capability here in the Commonwealth.

But there are other items in this Tax Code that I think attention needs to be drawn to, and especially for me as Minority chair of the Committee on Agriculture and Rural Affairs and representing a county where agriculture is the number-one industry. The items I am calling attention to include legislation that exempts from the inheritance tax all transfers of agriculture properties between family farms. That is huge. This is something that farmers back in my district have been talking about for a long, long time. It is incredibly difficult to get started in farming. The capital costs that you need in order to be able to purchase the equipment, or get the livestock, if that is the enterprise that you are going to be in, all of the aspects that you could possibly imagine to start a family farm are quite costly and extremely difficult for young farmers, or farmers of any age who are interested in getting into that business. This aspect of House Bill No. 761 will really be welcomed by that community. It also exempts family farm partnerships from the real estate transfer tax. Yes, that will have some impact on our counties; however, if we can support the agriculture industry, if we can keep those farms strong, I think that is a tradeoff that we need to be willing to take.

Another piece of this bill which I am very happy about and something I have actually been advocating for long before I even came to the legislature is the tax credit for historic commercial properties. This is something that could help revitalize small communities throughout Pennsylvania. I know that there are communities in my district where small business owners are interested, or, because of building codes, have to upgrade old buildings to try to perhaps start a small shop or small manufacturing facility, yet they do not have the funding to be able to do it. This tax credit will really be beneficial. I think we are going to see the impacts of that on our communities for years to come. Believe me, our small rural communities, our main streets really need that kind of assistance.

One thing that I learned from my predecessor, Senator O'Pake, he always used to say to me, you have to look at a bill and you have think, how many people does it help? Does it hurt

or does it help? Are there more people who will be helped by this legislation? I believe in the case of House Bill No. 761, a lot of people are going to be helped. This is something that I am more than willing to support. We need more jobs. Jobs will always be something that I talk about, and I think all of us will talk about. So I am hopeful to see this move forward.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, I wish I could be as magnanimous as my previous counterpart and suggest that I am not going to be parochial. I am going to be parochial. While I am concerned about the welfare of the Commonwealth with regard to jobs, there are a number of refineries that constituents of mine who have been there for generations are now finding themselves unemployed. Sunoco and its decision to move on has had not just a minor effect upon Marcus Hook or the southwest Philadelphia community, but it had a major impact upon proud Philadelphians and Delaware Countians who have, for their lifetimes, similar to Senator Boscola's father, been employed in a particular way. Generations had found fertile ground if they were not able to go on to college and did not have the opportunity, were able to feed their families and provide a stable background.

This new industry, which is arriving in waves, in titanic waves to the shores of Pennsylvania, will find itself to southeastern Pennsylvania for a while, which is said, what is the benefit of this new industry? Well, literally, this tax credit is not just about shale or a shale company, it is about the cracker industry and what it can do for all of Pennsylvania. So while many people line up to this mike in very familiar territory, I want people to understand that those of us who argue at this mike for the least of us are also going to be joined at this mike when it comes to industrial outcome and a robust economy. It is not the government which will put us back on our feet, it is the private sector, and we have to embrace that. I received phone calls from all parts of our community - union, private sector, those who are unemployed, those who are employed, engineers, and high schools - all having the hope that this industry will land in some part of southeastern Pennsylvania and provide the same hope that the Marcellus Shale wave has presented to western Pennsylvania.

I am delighted to see that there is an opportunity not just for one segment of Pennsylvania, but for all of Pennsylvania. That in fact we, like Oklahoma, can become the centerpiece of an energy industry, which is what will prevent us from being so dependent upon foreign shores across this country. So I hope that today's vote will not just be a symbolic one, but in fact a new start of how we collectively, bipartisanly, and creatively can carve out an economy for all of Pennsylvania regardless of where you live. So I too line up to support this particular piece of legislation.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I also rise to lend my support to House Bill No. 761, as we know is the Tax Code bill. Mr. President, as some of my colleagues, and Senator Schwank in particular, recognized and referenced that through this budget process, there are a lot of other bills that are a major part of the implementation of the budget, but also matters that must be addressed before we take our summer recess that are very, very

important to this Commonwealth outside of the General Appropriation bill which we adopted earlier today. Mr. President, this is very much one of those bills. There has been a lot of talk about what we refer to as the cracker facility tax credit, the Shell tax credit, and I do not want to lose sight of some of the other bills that are parts and pieces of this Tax Code and I think are beneficial to Pennsylvania.

Senator Schwank spoke about the inheritance tax issue and the realty transfer tax issue with respect to agriculture and how important they are. I know that Senator Blake has been working on tax credit language that is encompassed in this bill. Senator Ferlo has spoken about realty transfer tax to avoid a loophole that is there, and the list can go on. There are a number of those types of things contained in this bill that are very, very important to allow us to go back into our communities and let our folks know that we have been working to address these issues.

But as relates to the tax credit program, I am a supporter of the concept and will be voting in the affirmative, as I stated. As I see it, Mr. President, in this General Assembly and in this Commonwealth and in our roles, and I have said it before, we have a choice. We can stand up and make investments to try to facilitate investments of others and by others in our regions, or we can sit back and we can manage decline. In this particular case, we think it is imperative that we work together with the industry that is developing in the southwestern part of the State, and look at the things that can be done with respect to the use of this tax credit. A lot has been said about the downstream benefits, the subsequent establishment and creation of industries in southwestern Pennsylvania that we hope, and I strongly believe, will take place as a result of the tax credit proposal, and the program that will allow that to take place. But in order to make it work, we also need to have upstream incentives, and that is exactly what is going to take place, I think as Senator Mary Jo White referenced earlier, how important it is to be able to use the resources that are going to come out of the ground in southwestern Pennsylvania and in a tri-State area, to be able to drive those resources to this facility to allow the sustainability of the subsequent manufacturing firms and industries that would be created there.

At the end of the day, this is going to create jobs, first and foremost in the construction industry for the next several years, talking about 5,000 to 6,000 to 10,000 jobs. In fact, it was reported that we will have 10,000 people at a peak time working on this facility. Let us stop and think about what that means, 10,000 people they say will be working on this facility getting it ready. That is a pretty significant number of individuals who will be employed from across our region, and that is something that is a benefit to this. But the upstream and downstream benefits in particular are something we need to look at. The number of jobs created at the Shell facility in and of itself I think will be 400 to 500. Those will be good paying, family sustaining jobs. What I imagine and what I heard are positions like chemists, chemical engineers, mechanical engineers, and the like. But more importantly, the secondary industries that will be created. They will become -- our universities and our colleges and our apprentice programs and the trade unions will become the feeder system to be able to put folks to work in those industries and in this facility, and that is what I am excited about.

So for a number of reasons that I have articulated, I stand here to lend my support to a program that I believe will revitalize, and as Senator White indicated, will be a global game changer for

southwestern Pennsylvania and hopefully it will spread across this wonderful and beautiful Commonwealth.

Thank you, Mr. President.

The PRESIDENT. For a second time, the Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, let me be brief, which is not easy for me. I sat here and listened to this debate. I rose in opposition because I believe our industry in the southeast is really being hurt - Bucks, Montgomery, Chester Counties. I will vote for this bill, after I listened to this debate, but I vote for it in the hope that my other southeastern Senators, under the leadership of Senator Pileggi, will rise to help this industry in the next year.

So when we come to this debate, hopefully western Pennsylvania will prosper by this, but hopefully we will, as a body, also unite in helping that industry in the southeastern part of the State, which is at the absolute core of our economic prosperity in the southeast. You know, whether I am talking Bucks County, Chester County, Montgomery County, or the Lehigh Valley, a loss of this industry--and we are losing, if you look at the statistics, Pennsylvania is now one of the only seven States that is losing establishments and is losing employees in the United States. The rest of the United States is taking our companies from us, and this is hurting us. So I will support this bill. But again, I do so in the spirit and the hope, Mr. President, and you are from our region as well, that together we will help our region.

Finally, let me say, I hope that this debate ends once and for all the rhetoric I sometimes hear from my Republican brothers and sisters to just let the free market economy work. Hey, listen, tax policy that Senator Mensch speaks about, what we are doing today, choosing winners and losers, is part of the global economy, is part of the economics that is played both in the United States and globally. So let us end the rhetoric that somehow we just amazingly allow this free market economy to work, because that is not what we are doing today. We are choosing a winner and using our tax credits. I am not saying it is wrong, it is the way the economy works, but after this vote, it will be very unfair for my Republican colleagues to continue the rhetoric that it is an unabashed free market economy. But I will support this.

Thank you, Mr. President.

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

Senator SOLOBAY. Mr. President, I am glad to hear my colleague from the southeast and his pronouncement here right before me. I contemplated whether or not I would bring remarks to the floor, but I look at this as another opportunity to maybe advance something that we can talk about and look at in the fall and maybe as time moves forward.

You have heard through the Tax Code bill all the different things that are going to be affected and the things that are going to be helpful from not only the cracker tax credit portion but the agricultural side of things, other business-related things, the film tax credit, agriculture, as well as some of the historical property and the things that will be benefitted by this Tax Code.

One other thing that we are kind of missing which I wanted to talk about is another opportunity through this whole option that may be coming about is the opportunity for us to finally look at alternative fuel opportunities away from the liquid gas that we have been doing for many, many years. The natural gas, whether it be compressed natural gas or liquid natural gas, is going to

open up many, many opportunities for us, and it is going to be very beneficial in a lot of different ways. Number one, it is going to be price. If you look across the State, we are still paying anywhere from \$3.20 to in some cases \$3.60 to \$3.70 per gallon of gasoline. At the cost of what natural gas is right now and its development as it moves forward, it can be 50 percent less than that. Not only is it going to be less in cost for us to save all of ourselves and our pocketbooks, but also the air quality opportunities it is going to provide.

If you look at the diesel vehicles that pass through our Keystone State, because you cannot get anywhere on the East Coast without coming through Pennsylvania, and the number of trucks that cross our highways utilizing diesel fuel, the air quality issues that occur because of that, we can cut drastically the air emissions that come from these vehicles by the use of liquid natural gas. This also, with the liquid natural gas, the compressed natural gas as a transportation fuel opens up other options for us when it comes to jobs and opportunities across this Commonwealth.

So I hope that as we look forward with the Tax Code and all the opportunities we have made available through that, that we would also look through the summer and the fall, as a lot of companies are showing great interest to come to Pennsylvania and look at utilizing our resource that we have here in Pennsylvania to help not only improve air quality but also make things much better economically for our pocketbooks as well as for job opportunities.

Thank you, Mr. President.

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

Senator BRUBAKER. Mr. President, I am delighted to stand in support, not only support but enthusiastic support, of this Tax Code bill. This is the first Tax Code bill that we here in the State Senate have done in the last 5 years. I listened as intently as I could to each of the speakers, Republican and Democratic Members, and it is perfectly clear that when the roll call is taken in an hour or so that this will receive strong bipartisan support.

There is an awful lot of discussion about a facility that will utilize the State's natural gas resources, but I wanted to speak very briefly about some of the other provisions of this Tax Code bill, and there are 24 of those. I would mention many of the Members by name, but of course we have a rule here on the Senate floor that we are not to mention Members by name. But many Members here now have stood up and not only complimented certain provisions of this, but other provisions as well.

So there are 24 separate provisions. I will not name all 24, but I would like to name a few. There is a provision that right-sizes the egg processing exemption. There is a component of this that deals with volunteer firefighters. There is a provision that deals with wrapping and packaging supplies, monthly filing requirements, joint return for surviving spouses. Mr. President, that is when a spouse dies, the remaining spouse may joint file within a year post that death. There is a provision for estimated tax payments to make it easier for our companies to comply with our complex tax law. There is a single sales factor, Mr. President, that many of our companies have been asking for for a long time that takes the 90-percent rule and moves it to 100. There is an extension to file reports. There is a family farm exemption which a number of Members have spoken about. There is a provision here that helps to level the playing field between stepparents and biological parents. There is a provision that deals with whole-

saler requirements specific to how we market cigarettes in this Commonwealth. There is a provision to right-size the TRC. There is a provision on the film tax credit which adds additional definitions for companies that want to gain access to that credit. There is a provision that deals with qualified production expenses. We heard a lot about the resource manufacturing tax credit. There is a provision that specifically is in here to enable new job creators to gain access to new employees, a neighborhood assistance tax credit, a family farm exclusion, and an adjustment tax credit is in here as well. And of course, very late in the negotiations came the historic tax credit, which I strongly support, and the community-based services.

Mr. President, those are a few of the many, many components of this complex Tax Code, the first one in 5 years, and I will be voting enthusiastically supportive of this to enable Pennsylvania employers to continue to be more efficient and productive here in Pennsylvania employing our great people.

Thank you, Mr. President.

#### BILL OVER IN ORDER TEMPORARILY

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

Senator PILEGGI. Mr. President, I request that House Bill No. 761 go over in its order temporarily.

The PRESIDENT. Without objection, the bill will go over in its order temporarily.

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE, OVER IN ORDER TEMPORARILY

**HB 1261 (Pr. No. 3884)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of the Department of Public Welfare, providing for county human services consolidated planning and reporting; in public assistance, further providing for definitions, providing for cessation of the general assistance cash program and the continuation of the general assistance-related medical assistance programs, further providing for establishment of RESET, for determination of eligibility, for failure to comply with employment and work-related activity requirements and for medically needy and determination of eligibility; in children and youth, further providing for definitions; in nursing facility assessments, further providing for time periods; in kinship care, further providing for definitions and for Kinship Care Program, providing for Subsidized Permanent Legal Custodianship Program and for permanent legal custodianship subsidy and reimbursement; providing for Human Services Block Grant Pilot Program; and making related repeals.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator VANCE. Mr. President, there has been a lot of talk about some of the things contained in the Welfare Code, and I

would like to set the record straight. First of all, there has been a lot of talk about block grants. It has been amended so that only 20 counties may apply. No county would be forced to do a block grant unless they choose to do so. It will be phased in over 5 years. It will give counties a great deal of flexibility. There have also been some unfair things that have been said. Block grants do not impact behavioral health choices, early intervention, or ID waivers. Before a county could opt into such a block grant, they would have to hold two public hearings for the families, consumers, or anyone interested who believed they would be served by these block grants. This is a pilot program. I have heard it said, well, how could it be a pilot when there are 20? It is a maximum of 20 counties. Again, I repeat, counties would have to apply to be part of this block grant.

The next part of the bill is phasing out cash assistance. None of us do this with a joyful heart, but I think we have to realize that economically, times are very tough. When the Federal healthcare bill passed, there was something put in there called an MOE, maintenance of effort, so that we could not change any Federal healthcare plans that were in conjunction with the State. So we were faced with cutting State-only programs. We are cutting cash assistance, but I want to make sure that everyone realizes that we are not cutting the medical benefits that go with cash assistance. And if they are eligible for food stamps, that also will remain. It is a very fine balance in which we are tasked to do. We have many families in the community who have lost their jobs, who have no healthcare. We cannot afford to burden them further.

I also want to talk about the number of people who are on cash assistance; 96.8 percent, and I want to repeat that figure, 96.8 percent of cash assistance are childless adults, and most are men. I have heard other things said, so I just want to clarify that is true. Because of the concern that cash assistance recipients did not have enough notice, there will be a 30-day pause. They will receive their cash assistance July 1, and it will not go into effect until August 1, and this was also a change.

There are other things in this Welfare Code bill that I think are worth noting. There is the nursing home assessment, and that is very much agreed to. There is a universal work and engagement. Right now, we do not have any solid standards for work. This will be the same work standards as are necessary for unemployment compensation. And one thing that has been talked about almost not at all, which is a very outstanding part of this bill, is fostering connections. A child that is placed in foster care that is moved to sometimes five or six homes in their young life, by the time they reach 18 they are automatically out of foster care with no support system. Because they are Title IV Federal dollars, we are able to gain money from the Federal government, about \$4.5 million, to enable these kids to have a shot at life and to grow to be a little bit more of an adult before they are thrust into the real world. I think overall this is a very balanced, good bill, and I ask for your support.

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

Senator DINNIMAN. Mr. President, every day we start our Session here with prayer. We do that so that we can make sure that in anything we do and any dialogue we have, that we are respectful to the humanity of each and every person. As a result of this Welfare Code bill, within 1 month, 70,000 people who are dependent on a very meager amount from the State will no lon-

ger be able to receive that amount. How much does a person on cash assistance, a tradition, by the way, which goes back to the time of the Great Depression, how much does that person get? That person gets \$205 a month. Now, for most of us listening or many of us listening, that does not seem like very much. But if you are poor, if you are living day to day to survive, that is the difference of whether you eat or you do not eat. That is the difference of whether you might be thrown out of your room that you might have in a rooming house.

This supplemental cash assistance has been a tradition in our State since the Great Depression. In bad times and in good times, in poor economies and in prosperous economies, in war and in peace, we have always recognized that we are not going to let anyone be on the street. We have always recognized that we in Pennsylvania are one family, that we have a responsibility to each other. Ultimately, we are not going to be judged. Earlier, we were talking about being prosperous and what we do for the economy, and that, by the way, is very important. It is far better to be rich than to be poor, correct? But we are not going to be judged by history or by our God about how wealthy we are, or were, or will be. We are going to be judged by whether we are decent people, good people, people of faith, who understand that it is our obligation to make sure that each and every person has a chance to share the harvest when we are blessed with that harvest.

I rise on behalf of, I believe, my whole Caucus, or certainly 99 percent of my Caucus, to express my concerns to you, and to ask the other side of the aisle to think about this. We do not have to eliminate a meager \$205 that many people use to survive on from day to day. When the Secretary of Welfare came into our caucus to talk about this issue, we asked, Senator Williams, my colleague, essentially asked him if we could find \$150 million that this costs, would you then support this bill? We could not get an answer. So my friends, this is not just about budget cutting, it is more about an ideology, an ideology that fails to recognize the humanity of poor people.

And finally, let me say, Mr. President, in this regard, that we have no plan, no plan whatsoever of what we are going to do and how we are going to help these people. I thank the Majority for making sure that this is expanded one more month, since people were not given notice. But even when August comes, we said to the Secretary of Welfare, do you have a plan, as people go into the street and we need more homeless shelters? Do you have a plan to increase food programs for those who need it? Do you have a plan to help the drug addicts--and some of these people are people who are on drugs and alcohol--when they leave so that they stay in their programs and do not hurt themselves and hurt others in their community? And the answer we heard back from the Secretary of Welfare is, no, we do not have a plan. This is irresponsible.

So I rise on behalf of my Caucus to urge us to realize that every single person is of value to us. And that as we go to help Shell Oil, and as we go to restore the economy, and as we in many ways when we help some of these companies engage in what some would call corporate welfare, that we do not forget the welfare of each and every person. Finally, Mr. President, when William Penn established this colony, when he established this community that we now call Pennsylvania, he did so in the sense and good Quaker values that we recognize the dignity of each person, we recognize that the spirit of God exists in each

person, we respect each person, and we do what we can as one family in Pennsylvania so that as brothers and sisters everyone will be given some opportunity to share in the harvest.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, the question is why? The question is why? Why, why, why in this State of plenty, where new dollars have come in, with a deficit that we thought would be the issue of the day does not exist, where the creative and great minds of the Members and the senior staff of all four Caucuses could have figured out a way to provide some help for these individuals who this Welfare Code determines and is determined to cut off of assistance, why? We do not have to do this.

Mr. President, we do not have to cut these people from the rolls. We do not have to eliminate support for these individuals. There are 70,000 people. They are all Pennsylvania citizens, 96.8 percent of these individuals, Mr. President, are suffering from some kind of disability. It may be a temporary disability, it may be a permanent disability. Why do we need to, at this point in time, make the decision to eliminate the support that they need? They get \$205 a month. Not \$205 a week, they get \$205 a month; 4 weeks; 30 days. Most of them have a pretty significant healthcare reality that they are dealing with. That is why they are disabled, 96.8 percent of these individuals are disabled. Why? Why?

There are resources available to provide some assistance for these folks. We were fortunate to negotiate between the administration and our Republican colleagues an extension and not implement the cut effective immediately, effective today. We were fortunate to implement an extension, we negotiated, we worked on that collectively. But we need to have more compassion than that to help these individuals who deserve our help. They are Pennsylvania citizens too. They are part of this Commonwealth. There was a compromise program offered up, crafted by some of the best minds of the Commonwealth that would have cost \$40 million to put in place that would have provided a foundation of help, a foundation of support for these Pennsylvania citizens, these 70,000 Pennsylvania citizens who now, at this time, this administration chooses to look the other way. We have the financial capacity with a bit of creative, with a bit of ingenuity, with the excellent minds that exist in this building and outside this building to figure out a way to help out these individuals.

These individuals, once they lose our assistance, once they lose our support, will more than likely aggressively wind up in the emergency rooms of our hospitals throughout the Commonwealth of Pennsylvania. Those emergency rooms will have to take on the quality of care needed to provide for these individuals. They will be the place where folks will turn to, because these folks do not have too many other places to turn to.

The housing that they live in is minimal. Whether they will be able to maintain that housing is in question. Their circumstances are dire. They will wind up in emergency rooms, they will wind up in the emergency room of Temple University Hospital, the largest emergency room provider in the State. They will wind up in the emergency room of the Hospital of the University of Pennsylvania. They will wind up in the hospital rooms of Pittsburgh's hospitals and Children's Hospital of Pennsylvania. They will wind up in the hospital rooms of Thomas Jefferson University Hospital, who to this very day, at this very minute, is trying to

bust the union that they are negotiating a contract with. Just as an aside, all of the other hospitals have settled on that contract negotiation, but Thomas Jefferson appears to be trying to bust that union. We stand in support of those workers there. We want them to get a good contract. We stand in support of them.

But that is where these folks will wind up. That is where these folks will wind up. They will wind up putting an increased financial burden on the Commonwealth of Pennsylvania. My mama always talked about a philosophy of penny-wise but pound-foolish. We may be penny-wise by eliminating this form of assistance, but we are certainly pound-foolish in terms of the amount of money that these folks, in their desperation, we will have to provide services for. It will cost this State more to help them down the road than we are providing assistance for them now. Why? Mr. President, why? We have the resources available.

The deficit, the shortage that used to be, does not exist anymore. We have the resources available. Do we have the compassion, the caring, the concern to figure out a way to help these individuals? I dare say, Mr. President, that if we are in a job-creating Commonwealth, if we are in a job-creating State, if we are aggressively pursuing job creation, then there would be an easier way to provide a transition for these individuals into something that would take them out of their circumstance, take them out of poverty, and put them on the path of self-sufficiency.

But on the other hand, we do not have an aggressive job-creation State going on. We do not have an aggressive job-creation program. We are getting a Shell plant that will hopefully create several thousands of jobs, but that is insufficient. That is not enough. We need to be doing more in terms of creating jobs, and that is where these folks could transition themselves to. We are not doing that there, and since we are not doing that there, how can we abandon these 70,000 people on this side of the equation? They are Pennsylvania citizens too. So the question is, why, Mr. President? The dollars are available. The help is in place. We can do this if we put our minds to it. If we say we are compassionate, if we say we are concerned, if we say we care about the least of these, now is the time for us to rise up to the occasion and step up with these great minds and great thoughts and great ideas that are within our grasp and can be done.

Why, Mr. President? Why? Why do we leave our brothers and our sisters on the side of the road while everyone else goes along? Why do we create hundreds of millions of dollars of tax breaks for the largest corporations in the Commonwealth when they do not respond with a job creation program that can help all Pennsylvanians? We are going to grow the economy and find a soft landing for these individuals, these Pennsylvania citizens too. Why do we walk away? Why? We can do better. We should do better. We must be our best selves and not abandon these individuals who are Pennsylvania's citizens too.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, initially, I was not going to speak. I was not going to speak because, frankly, all too often when we have these conversations, people sort of get pigeonholed. And of course when I stand up at the mike coming from Philadelphia County, I think people think that this discussion is relegated to people in a particular demographic. What was not talked about tonight was the fact that many of these Pennsylvani-



ans, 70,000, come from all parts of Pennsylvania. They are not just Democrats, they are not just men. They are not just urban. They are Pennsylvanians from some of the unfortunate -- Pennsylvanians who lost their opportunity to move ahead in life.

I also want to remove any perspective that would suggest that whether you are a Democrat or a Republican, if you are on this floor, that you are not compassionate with the plight that these people find themselves in. I am quite clear that everyone in this body is struggling with this decision. I am also quite clear that those of us who have to make these decisions are affected by the pain that may result from this action. But I was struck by what I have heard on a number of occasions now that the demographic is largely men, and single men. The face of poverty always evolves.

Some of the Members on this floor knew my father, who came from very humble beginnings. While I will tell you that he never received cash assistance because my grandmother made it very clear that we were going to provide a way of life even in the most meager and humbling moments, that they were not going to be dependent upon anyone other than their own industry. But the face of poverty changed even from that moment of inspiration where it produced a child born into poverty that worked his way based upon his mind and his physical gifts to arrive at the Pennsylvania Senate with a degree in law and served this State and nation in ways that many of the people on the floor became friends with him. But if he were here today, he would tell you that to say that, now, the large part of the cash assistance program is men and they are all single, that the consequences to that individual is less than if it would happen to be a woman and she were a mother. Then we are sort of missing the point. Yes, they may be men, and yes, they may be single, but it does not necessarily mean that those men do not have children. Frankly, many of them do have children. And frankly, many of those men whom we are talking about are struggling with demons that many of us do not have, but that does not remove the dignity that they have housing and a place to bring their child to visit them.

Yes, the face of poverty has changed, and yes, they may be men, but I do not think that should be a factor in how we deal with poverty, because what we have now discovered is the evolution of poverty has nothing to do with one's gender, one's ethnicity, or in fact even where they reside in Pennsylvania. The consequence of poverty, in this economy, is that there are few places that one could go to receive relief. My father and my grandmother could tell you, yes, there was a place, a church or a charity, whether it be Catholic, Jewish, or a Baptist church, there was a place of salvation and protection that would take up these individuals. Those places are dwindling. There are less resources of charity. There are less places of faith. And frankly, there are less individuals who are inclined to help people who find themselves in these conditions.

So, while I respect everyone who is making an argument on both sides, because I do not think it falls on deaf ears. I think that is why the extension occurred. But I would suggest to you that I am looking toward one individual, that is the Secretary of the Department of Welfare, who, in a \$26 billion budget, decides to remove a \$154 million program, which is less than 1 percent of that budget. Then when presented with the question of if we could find the revenues, would you return the program, he did not want to commit.

There is not a person on this floor who if I said to them, we have the revenues to support the program, that they would argue with me about restoring the program. I think everybody finds value in providing dignity to one who is trying to get to an even landing in our society. So I do not take exception with anyone who has a different opinion tonight or will vote in a different way. What I do take exception to is the Secretary of the Department of Welfare for even allowing it to get this far. I believe that when he presented to me and to others that it was about the money, and then when he was challenged on the money, he retreated. This is about what he believes the department should change into and morph into. He truly believes that these individuals have a different way to land. He believes that they are all men and single, that they have different options. The truth is that, frankly, the 90-some percent whom we talked about do not have those options. If they did, they would be doing something else. The face of poverty has changed, and the way we treat it has to change. It cannot be with some philosophical perspective or ideological perspective, it has to be with a very practical perspective, and yes, buffered with compassion.

So while I close out my remarks tonight, I stand with all Senators on this floor that we have a responsibility to deliver to the least of us. This program does not represent all of us, it does represent the least of us. So yes, of course I am going to vote against it, but I would lean upon one's charitable heart as they struggle with this decision tonight, that it is not about just one urban community, whether they are a man or a woman or are from Philadelphia or Delaware County, it is about all of Pennsylvania, and about the statement and message we are sending across Pennsylvania. I would hope that we would arrive at a different perspective than the Secretary of the Department of Welfare, that we would decide that we cannot support this measure, that we should amend it out, find the revenues which we have to return it to those individuals who will be depending upon it in the winter, when they will most need housing and this meager contribution we are making toward them.

Thank you, Mr. President.

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

Senator VANCE. Mr. President, I want to repeat that we mentioned childless adults. Childless adults. Most other States that have gotten rid of this assistance have gotten rid of the healthcare as well. They have left nothing for the cash assistance recipients. We are keeping the healthcare. Earlier speakers talked about going to the emergency room without healthcare, not true. They do have healthcare, and we need to remember that. Also, if they were eligible for food stamps, they will have food stamps. If they have a significant disability, they are eligible for SSI.

We were asked, the question is why? I believe that we are charged with taking care of the very most vulnerable of our population. We need that. On the other hand, Pennsylvania taxpayers already pay more than 40 cents on each of their tax dollars for welfare programs, and we cannot continue to sustain this. I ask the Members for a positive vote.

Thank you, Mr. President.

#### BILL OVER IN ORDER TEMPORARILY

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

Senator PILEGGI. Mr. President, I request House Bill No. 1261 go over in its order temporarily.

The PRESIDENT. Without objection, the bill will go over in its order temporarily.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE,  
OVER IN ORDER TEMPORARILY

**HB 1901 (Pr. No. 3885)** -- 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 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 rating system and 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; providing for disclosure by school entities of certain interscholastic athletic opportunity information; 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.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Piccola.

Senator PICCOLA. Mr. President, I urge a positive vote on concurrence in the amendments to House Bill No. 1901. This is what has been traditionally called in the budget season this time

of year the omnibus School Code bill. Under recent custom, this bill contains technical revisions to existing school law, along with some budget-related items that determine the formulas with which we drive out education dollars and other budget-related items. But the great bulk of this bill contains policy items that have been vetted and aired in one or both Chambers of this General Assembly.

This is a process that we established about 4 years ago, and it has worked quite well. There are approximately six items in that category that were aired here in the Senate over the last year or so, and I am not going to spend any time talking about those, but there are about four items that have been passed by the House of Representatives that have not received a great deal of attention here in the Senate, and so I would just like to briefly mention those as I urge a positive vote on this bill.

The first one is contained in House Bill No. 139, which allows school districts to be reimbursed for the building improvements where school districts do not remove a modular classroom. Apparently, there was a glitch in the law that punished school districts that retained those modular classrooms, and they did not get reimbursement for completing the project that they were used for initially.

There is a second section that allows for intergovernmental agreements for school security and safety. This was embedded in House Bill No. 2316. It allows school districts to enter into agreements with other political subdivisions to provide for school security and safety.

There is a provision in this legislation that provides for the streamlining of the bidding process embedded in House Bill No. 1901. This is the underlying subject of this bill. It allows school districts, in the event of an emergency, to advertise for bids to repair or replace a school plant, and with approval of the school board, proceed to make the necessary repairs or replacements without obtaining the approval of the Secretary of Education.

The largest piece that was passed by the House of Representatives that is contained in this bill is a revision to the teacher evaluation section of our School Code. Teacher evaluation has been a difficult issue for probably over a decade. It is a very inadequate system that we have in Pennsylvania presently, and it has been the subject of legislation here in the Senate as well as in the House, and the Governor has made several recommendations. The provisions that are in this bill generally provide for about 50 percent of the teacher evaluation to be based upon objective criteria. They are set forth in great detail, and if there are any questions, we can discuss those in detail, but they really mirror in significant ways the pilot project that the Department of Education is field testing in various school districts around the Commonwealth. This is a good provision in this bill, and it has been worked on very hard with all of the interested parties, including the school boards, the teachers' unions, and the Department of Education. I think this is a very major step forward because teacher evaluation is inadequate in this Commonwealth at the present time, and we can do so many things in terms of driving forward academic achievement if we have a serious and competent teacher evaluation system. This bill will provide for that.

Mr. President, I urge that the Senate vote in the affirmative on House Bill No. 1901.

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

Senator DINNIMAN. Mr. President, first, I want to thank Senator Piccola, the chairman of the Committee on Education, who has worked very hard and has worked with both sides of the aisle to get the best possible bill we can on education. Senator Piccola and I, when I joined the Committee on Education with Senator Piccola as the Majority chair, we both agreed that education should be a nonpartisan or a bipartisan issue. It is too important to this Commonwealth.

Really, at this moment in time, we have three issues, and it really is up to the Governor and the House. We in the Senate have made our decisions. These issues involve the following: it involves whether we are going to have a clear statement from the Governor's Office in relationship to teacher evaluations in our charter schools. It might be a different type of teacher evaluation. It might be part of what is on the application process itself, where in order to get a charter and have it renewed, you state how you are going to evaluate your staff. You associate it with what we call the academic matrix that is now part of the charter school establishment.

So I have an amendment in relationship to teacher evaluation to insist that it be in charter schools as well, but if the Governor's Office and if the Secretary of Education can assure us by letter, in writing, that there will be a process put into place, then it is not necessary to do the amendment. Senator Piccola and I both agree that some form of a teacher evaluation should be in the charter schools, and we have the means to do it. So we await the Governor's Office on that matter.

Now in terms of charter schools and in terms of EITC, we have worked out many fine things here. We have worked it out with certainly PSEA, PFT, and other groups have had their input, as well as the School Boards Association. In this matter, we await the House. In terms of its final decisions on a charter bill, we have worked out what I think is a fine compromise on any type of statewide authorizer in terms of charters, which still allows a significant degree of local control. We are also supportive of EITC and we are supportive of the special version of EITC for some of the students in the poorest districts. But when we hear from the House later today, hopefully, the sooner the better, then we can proceed on the whole School Code.

So, I hope that I can rise along with Senator Piccola, once we hear from the Governor, and once we hear from the House, and say, you know, this is the best we are going to get and let us move forward with the education of young people in the Commonwealth.

Thank you, Mr. President.

#### BILL OVER IN ORDER TEMPORARILY

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

Senator PILEGGI. Mr. President, I request that House Bill No. 1901 go over in its order temporarily.

The PRESIDENT. Without objection, the bill will go over in its order temporarily.

#### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR RESUMED

#### HB 869 CALLED UP

**HB 869 (Pr. No. 3847)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 4 of the Third Consideration Calendar, by Senator PILEGGI.

#### BILL AMENDED

**HB 869 (Pr. No. 3847)** -- 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 and for use and display of illuminated signs.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MENSCH offered the following amendment No. A12884:

Amend Bill, page 2, lines 3 through 30; page 3, line 1, by striking out all of said lines on said pages and: inserting:

Section 2. Section 4307(g) of Title 75 is amended and the section is amended by adding a subsection to read:

§ 4307. Use and display of illuminated signs.

\* \* \*

(f.1) Illuminated decal.--A vehicle may display a single illuminated decal in the corner of the rear window so as not to interfere with the driver or unduly distract a driver of another vehicle upon the highway or trafficway.

(g) [Definition.--As used in this section, the term "food delivery vehicle" means a vehicle engaged in the transportation or conveyance of food products or items from their place of origin or production to a place of delivery, which vehicle may make intermittent stops that are customary in the routine conduct of the business for which the transportation occurs.] Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Food delivery vehicle." A vehicle engaged in the transportation or conveyance of food products or items from their place of origin or production to a place of delivery. The vehicle may make intermittent stops that are customary in the routine conduct of the business for which the transportation occurs.

"Illuminated decal." A battery-powered device measuring no greater than six inches in width and six inches in height with an illumination source not designed to project light beyond the vehicle, but only to provide backlighting for a graphic.

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.

#### PERMISSION TO ADDRESS

The PRESIDENT. Without objection, the Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, I thank you for this opportunity to speak a little bit about House Bill No. 1893, Representative Vulakovich's bill that makes it clear that Internet cafes are illegal in Pennsylvania. I first want to thank the district attorneys of this Commonwealth, the State Police, and the Attorney General for their support of this legislation and their efforts to crack down on this illegal activity. Let us be perfectly clear about this, prosecutions are underway in the city of Philadelphia to shut down these operations. Charging under the existing Crim-

inal Code, we believe that it is now illegal. These cafes are 24-hour operations located in shopping centers and strip malls, with banks of computer terminals offering access to playing gambling programs with the purchase of Internet time or phone cards. Once you sign onto the terminal, you play casino games and receive cash pay-outs. The use of the Internet or phone cards is not the business of this place, it is gaming.

What House Bill No. 1893 is intended to do is specifically describe and erase these illegal gambling sites that masquerade as Internet cafes. In 2004, we passed legislation to heavily regulate gaming in the Commonwealth. After companies went through a thorough background check of principals and the people who work for them, paid \$65 million for a license and invested hundreds of millions of dollars in their establishments, and they paid their communities a local share, paid over a billion dollars into the horsemen's fund, billions of dollars into the tax reduction, economic development, fire company funds, and redevelopment. They have truly been a great citizen and a great operation in Pennsylvania. These Internet cafes have now come into these towns to compete for that gaming customer. Make no mistake, the person who goes into an Internet cafe knows what they are going in to do, they are going to play games of gaming. They are paying money to go in and play games of gaming and they expect winnings back for that. That is gambling. No mistake about that. This is not McDonald's, these are not sweepstakes, like these operators would like you to believe.

State, local, and Federal law enforcement across the United States will tell you this is an illegal gaming facility. States are moving to ban them, law enforcement are concerned about organized crime and money laundering. Florida has 1,200 in strip malls now. They target the poor neighborhoods and accessibility of the elderly who cannot drive. This is not just a national scheme, but an international scheme, and a very clever way to break into the gaming industry in Pennsylvania without having any background checks, without paying any upfront fees, without paying any taxes, or without helping and supporting their local communities.

It is very, very important that we pass this, and I want to thank the Senate for a unanimous vote on this to get it out. It is extremely important that we get this over to the House and the House acts on this right away. They are putting one of these in in Pennsylvania every day. To delay this means that we will just keep building more and more and more of these. They do not pay taxes, they do not contribute. At a 60-percent tax rate, the gaming industry in Pennsylvania, we, the State, are the biggest partner. We take 60 percent of those revenues and distribute them out as I described to you earlier. We cannot allow these illegal operators to come in and undermine something we so carefully crafted, something that many people who did not agree with the gaming bill that we passed were critical of, people who did not know what their background was, where the money was coming from, we do not even know where these computer programs that drive these games come from. They are totally unregulated, operating under the radar screen, and our law enforcement have asked for additional help and language. It is important that we get this to them. I thank the Senate for their consideration and thank them for the unanimous vote, and I implore the House to move on this bill immediately.

Thank you, Mr. President.

## RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Rules room.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber immediately.

The PRESIDENT. For purposes of Republican and Democratic caucuses, without objection, the Senate stands in recess.

## AFTER RECESS

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

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

## LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I request temporary Capitol leaves for Senator Scarnati and Senator Pileggi.

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

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

The PRESIDING OFFICER. Senator Browne requests temporary Capitol leaves for Senator Scarnati and Senator Pileggi.

Senator Costa requests a temporary Capitol leave for Senator Leach.

Without objection, the leaves will be granted.

## SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1 RESUMED

### HB 761 CALLED UP

**HB 761 (Pr. No. 3883)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of Supplemental Calendar No. 1, by Senator BROWNE.

### BILL ON FINAL PASSAGE

**HB 761 (Pr. No. 3883)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for definitions, for exclusions from tax, for time for filing returns, for time of payment, for assessment and for collection of tax; in personal income tax, further providing for returns of married individuals, deceased or disabled individuals and fiduciaries, for requirements concerning returns, notices, records and statements, for assessment and for additions, penalties and fees; in corporate net income tax, further pro-

viding for definitions, for extension of time to file reports, for changes made by Federal Government and for assessments; in insurance premiums tax, further providing for definitions and for imposition of tax; in realty transfer tax, further providing for definitions, for excluded transactions, for documents relating to associations or corporations and members, partners, stockholders or shareholders thereof, for acquired company and for assessment and notice of tax and review; in cigarette tax, further providing for definitions; in research and development tax credit, further providing for limitation on credits and for termination; in film production tax credit, further providing for definitions, for credit for qualified film production expenses, for carrying and assigning credits and for limitations; repealing the educational improvement tax credit, providing for a resource manufacturing tax credit, for a rehabilitation of historic structures tax credit and a community-based services tax credit; in tax credit for new jobs, further providing for definitions, for application process and for tax credit; in neighborhood assistance tax credit, further providing for definitions and for tax credit; in malt beverage tax, further providing for assessment by department; in inheritance tax, further providing for definitions and for transfers not subject to tax; in procedure and administration, further providing for petition for reassessment and for petition procedure and providing for compromise by secretary; in general provisions, further providing for petitions for refunds and providing for administrative bank attachment for accounts of obligors to the Commonwealth; making related repeals; abrogating a regulation; and providing for applicability.

And the question recurring,  
Shall the bill pass finally?

#### RECONSIDERATION OF HB 761

**HB 761 (Pr. No. 3883)** -- Senator COSTA. Mr. President, I move to reconsider the vote by which the bill was agreed to on third consideration.

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?

#### AMENDMENT OFFERED

Senator STACK offered the following amendment No. A12888:

Amend Bill, page 78, by inserting between lines 20 and 21:  
Section 1711-G. Annual reporting.

(a) Duty to submit.--A recipient of a tax credit under this article, as a condition for continued eligibility for the tax credit, shall submit an annual report to the DCED that contains the information listed in subsection (b).

(b) Contents of report.--The annual report shall contain the following:

(1) The total number of jobs directly created by the recipient in this Commonwealth during the immediately preceding year.

(2) A description of the jobs created under paragraph (1) as full time or part time in nature.

(3) A description of the types of jobs created under paragraph (1), including, but not limited to, construction, manufacturing, laborer, technology or other job description.

(4) The average, highest and lowest wage levels for each job type under paragraph (3).

(5) A listing of the total number of residences by political subdivision of each person employed in a job created under paragraph (1).

(6) A listing of the following information on all public assistance in the form of loans, grants or tax subsidies that the recipient received from the Commonwealth or any political

subdivision in the immediately preceding year:

(i) The name of the program that provided the public assistance.

(ii) The total amount of public assistance received in the year.

(iii) The total amount of public assistance received from each program.

(iv) Any other information required by the department by regulation.

(c) Form.--The DCED shall develop and distribute a reporting form for compliance with this section.

(d) Availability.--The DCED shall make available all annual reports filed in compliance with this section on its publicly accessible Internet website.

Amend Bill, page 78, line 21, by striking out "1711-G" and inserting:

1712-G

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

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

Senator STACK. Mr. President, this amendment simply changes the requirement in the cracker plant legislation allowing for annual reports on job creation to DCED, as opposed to once every 10 years, or around that area. So an annual report on job creation. I will submit my remarks for the record.

The PRESIDING OFFICER. 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 Philadelphia, Senator STACK:)*

Mr. President, this amendment would change the reporting qualifications under Section 1711-G. Under this section, DCED would update the General Assembly one time on the amount of jobs this tax incentive program has created 10 years after the incentive has kicked in.

This amendment requires a recipient of a resource manufacturing tax credit to file annual reports with DCED regarding: 1) jobs directly created by the recipient in the preceding year, and 2) all public assistance (loans, grants, and tax subsidies) received from the Commonwealth and any political subdivision. It requires DCED to prepare and distribute a reporting form. It also requires DCED to post the annual reports to its publicly-accessible Web site.

The current language requires a one-time progress report from DCED to update the public on the success of this large tax break. I feel it is more appropriate to have annual reports, just as our State agencies, State universities, many State programs, and other entities must file.

I ask that my colleagues on both sides of the aisle support this amendment, which would provide, yet again, more transparency and openness in our governmental operations.

Thank you, Mr. President.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDING OFFICER. Senator Leach has returned, and his temporary Capitol leave is cancelled.

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

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

YEA-20

Blake	Farnese	Kitchen	Tartaglione
Boscola	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Wozniak
Dinniman	Kasunic	Stack	Yudichak

NAY-29

Alloway	Erickson	Pippy	Ward
Argall	Folmer	Rafferty	Waugh
Baker	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Yaw
Corman	Mensch	Tomlinson	
Earll	Piccola	Vance	
Eichelberger	Pileggi	Vogel	

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,  
Will the Senate agree to the bill on third consideration?  
It was 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-43

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

NAY-6

Folmer	Kitchen	Tartaglione	Washington
Hughes	Stack		

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.

**HB 1261 CALLED UP**

**HB 1261 (Pr. No. 3884)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of Supplemental Calendar No. 1, by Senator BROWNE.

BILL ON FINAL PASSAGE

**HB 1261 (Pr. No. 3884)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of the Department of Public Welfare, providing for county human services consolidated planning and reporting; in public assistance, further providing for definitions, providing for cessation of the general assistance cash program and the continuation of the general assistance-related medical assistance programs, further providing for establishment of RESET, for determination of eligibility, for failure to comply with employment and work-related activity requirements and for medically needy and determination of eligibility; in children and youth, further providing for definitions; in nursing facility assessments, further providing for time periods; in kinship care, further providing for definitions and for Kinship Care Program, providing for Subsidized Permanent Legal Custodianship Program and for permanent legal custodianship subsidy and reimbursement; providing for Human Services Block Grant Pilot Program; and making related repeals.

And the question recurring,  
Shall the bill pass finally?

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

YEA-31

Alloway	Eichelberger	Pileggi	Vogel
Argall	Erickson	Pippy	Ward
Baker	Folmer	Rafferty	Waugh
Boscola	Gordner	Robbins	White Donald
Browne	Greenleaf	Scarnati	White Mary Jo
Brubaker	McIlhinney	Smucker	Wozniak
Corman	Mensch	Tomlinson	Yaw
Earll	Piccola	Vance	

NAY-18

Blake	Ferlo	Leach	Washington
Brewster	Fontana	Schwank	Williams
Costa	Hughes	Solobay	Yudichak
Dinniman	Kasunic	Stack	
Farnese	Kitchen	Tartaglione	

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.

**HB 1901 CALLED UP**

**HB 1901 (Pr. No. 3885)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of Supplemental Calendar No. 1, by Senator BROWNE.

BILL ON FINAL PASSAGE

**HB 1901 (Pr. No. 3885)** -- 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 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 rating system and 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; providing for disclosure by school entities of certain interscholastic athletic opportunity information; 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.

And the question recurring,  
Shall the bill pass finally?

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

YEA-47

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

NAY-2

Costa	Tartaglione
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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.

PERMISSION TO ADDRESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I just wanted to say to the body that we did get the letter from the Governor's Office assuring us that we will have an evaluation process for charter school teachers.

Thank you, Mr. President.

UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEE

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

SB 9 (Pr. No. 2348) (Amended) (Rereported) (Concurrence)

An Act requiring identification of lawful presence in the United States as a prerequisite to the receipt of public benefits.

SB 351 (Pr. No. 2326) (Rereported) (Concurrence)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, further providing for Good Samaritan civil immunity for use of automated external defibrillator and for nonmedical good Samaritan civil immunity.

SB 367 (Pr. No. 2349) (Amended) (Rereported) (Concurrence)

An Act providing for indigenous mineral resource development; and imposing powers and duties on the Department of General Services and the State System of Higher Education.

SB 1174 (Pr. No. 2350) (Amended) (Rereported) (Concurrence)

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, further providing for appointment of members of authority, for qualifications, tenure and compensation of members of authority and for organization of authority; and providing for whistleblower hotline, for requirements regarding tenants and landlords in cities of the first class and for reporting by authorities in cities of the first class.

SB 1301 (Pr. No. 2334) (Rereported) (Concurrence)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, providing for cities and counties of the first class, further providing for definitions and for administration and procedure and providing for applicability.

SB 1386 (Pr. No. 2247) (Rereported) (Concurrence)

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for the Department of Environmental Protection; and repealing control of volatile organic compounds from gasoline-dispensing facilities.

**SB 1551 (Pr. No. 2332) (Rereported) (Concurrence)**

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in scenic byways, providing for the designation of the 8.6 mile U.S. Route 202 Parkway between State Route 63 (Welsh Road) and State Route 611 in Montgomery and Bucks Counties as a scenic byway; and designating a bridge on that portion of U.S. Route 202 Parkway over Pennsylvania Route 309, Montgomery Township, Montgomery County, as the Chief Richard J. Brady Bridge.

**SENATE RESOLUTION ADOPTED**

Senators KASUNIC and COSTA, by unanimous consent, offered **Senate Resolution No. 341**, entitled:

A Resolution designating the week of July 22 through 29, 2012, as "Nine for Nine Tenth Anniversary Remembrance Week" in Pennsylvania, commemorating the tenth anniversary of the heroic and unyielding efforts of those persons involved in the rescue of the nine coal miners trapped in the Quecreek coal mine, Somerset County, from July 24 through 27, 2002.

On the question,  
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, I rise today to remember the miracle that took place at the Quecreek Mine in Somerset County, located near the town of Sipesville. I am honored today, Mr. President, to commemorate the Quecreek rescue by virtue of this "Nine for Nine Tenth Anniversary Remembrance Week" resolution. Mr. President, many of us will never, never forget that after a 3-day struggle to survive, nine miners escaped the terrible mine flood. It truly was a miracle.

In fact, Mr. President, I remember this very day myself when I went up to the scene and was in the headquarters of the rescue squad, and I was asked if I would be willing to go up to the Sipesville fire hall and talk to the family members who were anxiously awaiting reports on their loved ones, whether they were still alive or they had been found, and trying to determine just exactly what had happened and how they were going to get those men out of that mine. As I parked my car, Mr. President, and started walking toward the fire hall, it dawned on me, what am I going to say? How am I going to console these folks who are there grieving and concerned about their loved ones and what may have happened to them or what tragic ending may have occurred.

Having lived in the coal fields all my life, Mr. President, I realized exactly what they were going through and how they were agonizing. I was thinking, what can I say? What can I do to help ease their burden? I stopped in the middle of that parking lot, Mr. President, and actually broke out into a cold sweat. I was nervous and concerned because I did not know what I would say. At that moment, at that moment, Mr. President, another car pulled in, and a gentleman got out and approached me. He indicated to me that he was there to do the same thing I was going to do. He informed me that he was a pastor at one of the local churches. I told him of my dilemma. I asked him for advice and direction. He looked at me and said, you know what we are going to do, we are going to go in there hand-in-hand, arm-in-arm, and what we are going to do, we are going to pray. We are going to go in there with the families and join with them and we are going to pray for a miracle to happen.

Immediately my mind eased and we went in and we prayed. Families gathered around, and I can still see the faces, I can see the tears, I can see the agony. It was a scene that I will never forget. But they did not give up hope. They did not give up, and they were not going to let go. Their husbands, their fathers, and their relatives were trapped inside that mine, and they were not, they were not going to be denied.

Mr. President, the nine miners survived. I think it is only right to thank the many individuals who worked around the clock to make sure that rescue was possible. The miners themselves survived because of their faith and their reliance on each other, and their undaunted will to live. The people who earn their living underground are a tough breed. Believe me when I tell you that nothing, nothing was going to stop these men from surviving, and nothing was going to stop the rescue workers from saving them.

Since that event captured the attention of the world 10 years ago, I am proud to stand here and say that I helped craft the legislation designed to prevent the same kind of catastrophe from ever happening again. Along with my colleague from the other side of the aisle, Senator Mary Jo White, who played a significant role, and each and every one of the Members of this fine body who supported that legislation and created the safest and the best piece of mine safety legislation in this entire country.

Mr. President, Quecreek is a story of raw courage, and undoubted faith even against hope, and the struggle to survive. Today, Mr. President, in commemoration of the rescue of the nine trapped miners from within the deep bowels of the earth on the Arnold Farm, I want to again thank all those men and women who participated in the rescue. I thank them from the bottom of my heart. I thank the emergency workers and the government officials, especially our own Pennsylvania Deep Mine Safety Team that was there, and participated in that and actually located those men underground. I want to also reiterate my support and gratitude to former Governor Mark Schweiker, who made sure the rescue attempt had every State resource available and at its disposal. His tireless role in this rescue is one of his crowning achievements of his time in the Governor's Office.

Mr. President, I would like to especially acknowledge and ask that we here in the Senate give a round of applause to the Quecreek Nine who demonstrated courage, strength, and dedication and survived an unforgettable, terrifying event. These men descended 240 feet into the depths of the earth for a day's work, and they emerged from a trying experience knowing a little more about themselves, about their reliance on each other, and having a greater appreciation for the gift of life and their loved ones. We can thank God above that today's commemoration speaks to their courage, joy, and selflessness. Today we observe and remember the miracle of the safe rescue and return of the Quecreek Nine. It was truly "9 for 9." Truly, a miracle happened in Somerset County.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair thanks the gentleman from Fayette County for his very moving remarks.

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 Edwin Hamilton by Senator Alloway.

Congratulations of the Senate were extended to Carl Wolter III, Andrew Dohmann, Mark Elvin Schlegel and to The Schuylkill Center, Genesis Healthcare by Senator Argall.

Congratulations of the Senate were extended to Kyle Robert Teune and to the Luzerne County Fair by Senator Baker.

Congratulations of the Senate were extended to the Mount Zion African Methodist Episcopal Church by Senators Dinniman and Brubaker.

Congratulations of the Senate were extended to Zachary R. Cober by Senator Vance.

Congratulations of the Senate were extended to Mr. and Mrs. Jack E. Corbett, Mr. and Mrs. Charles Rithman, Mr. and Mrs. Harold Rugh and to Mr. and Mrs. Donald Schrecengost by Senator M.J. White.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, JUNE 29, 2012

Off the Floor	APPROPRIATIONS (to consider House Bills No. 761, 1261, 1330, 1363, 1901 and 2438)	Rules Cmte. Conf. Rm.
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 9, 351, 367, 1174, 1301, 1386 and 1551)	Rules Cmte. Conf. Rm.
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SATURDAY, JUNE 30, 2012

Off the Floor	APPROPRIATIONS (to consider House Bills No. 1330 and 1830)	Rules Cmte. Conf. Rm.
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 637, 1115, 1122, 1123, 1124, 1125, 1126, 1263, 1546; and certain executive nominations)	Rules Cmte. Conf. Rm.
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THURSDAY, JULY 12, 2012

10:00 A.M.	JUDICIARY (public hearing to receive testimony relating to juvenile lifers)	Hrg. Rm. 1 North Off.
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THURSDAY, JULY 26, 2012

10:00 A.M.	FINANCE (public hearing on Senate Bill No. 1400)	Hrg. Rm. 1 North Off.
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**HOUSE MESSAGES**

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 637** and **SB 1546**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**HOUSE CONCURS IN SENATE BILLS**

The Clerk of the House of Representatives returned to the Senate **SB 1465** and **SB 1535**, with the information the House has passed the same without amendments.

**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 208**, **HB 970**, **HB 973**, **HB 1539** and **HB 1908**.

**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 29, 2012

- HB 1643, 2460** and **2467** -- Committee on Transportation.
- HB 1718** and **1719** -- Committee on Local Government.
- HB 1980** -- Committee on Education.
- HB 2348** -- Committee on Finance.
- HB 2368, 2369** and **2370** -- Committee on Banking and Insurance.

**GENERAL COMMUNICATION**

**ANNUAL LIST OF EDUCATIONAL ORGANIZATIONS RECEIVING CONTRIBUTIONS FROM BUSINESSES**

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Revenue  
Harrisburg, Pennsylvania  
17128-1100

June 30, 2012

Mr. Mark R. Corrigan  
Secretary of the Senate  
Senate of Pennsylvania  
462 Main Capitol  
Harrisburg, PA 17120

Dear Mr. Corrigan:

In accordance with the provisions of Act 4 of 2001, the Department of Revenue is to provide a list of all Scholarship Organizations, Educational Improvement Organizations and Pre-Kindergarten Scholarship Organizations receiving contributions from business firms granted a tax credit to the General Assembly June 30 of each year.

The enclosed lists represent the organizations in each category and the total tax credit granted.

If you have any questions, please contact me at (717) 783-3680.

Sincerely,

DANIEL MEUSER  
Secretary of Revenue

The PRESIDING OFFICER. This report will be filed in the Library.

### BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President in the presence of the Senate:

**SB 1465, SB 1466, SB 1535, HB 208, HB 970, HB 973, HB 1055, HB 1307, HB 1525, HB 1539, HB 1908, HB 1934 and HB 2345.**

### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Saturday, June 30, 2012, at 9 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 8:50 p.m., Eastern Daylight Saving Time.