

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, OCTOBER 2, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 53

SENATE

TUESDAY, October 2, 2012

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

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

PRAYER

The Chaplain, Reverend W. JAMES PALL, Chaplain of SCI-Dallas, offered the following prayer:

Caring Creator, name above all names, wiper of tears; give, I pray, to this Senate of the Commonwealth of Pennsylvania some sacred moments of quiet before they take on the tasks of the day that are before them. Grace their spirits with Your divine presence that they may continue to show wisdom in their decisions, understanding in their thinking, love in their attitudes, and mercy in their judgments. I pray Your blessing upon these women and men, chosen to lead at this time.

Thank You for preparing us for this day. May You enable us not to withdraw in any way from the challenges that are before us. Help us to know that without Your guidance we can do nothing, but with You, we can do all things. In all our differences, may we be kind. In our agreements, may we be humble. And may Your will be done in and through us in this beloved land. Amen.

The PRESIDENT. The Chair thanks Pastor Pall, who is the guest today of Senator Baker.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDENT 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 BOARD OF TRUSTEES
OF THE PENNSYLVANIA STATE UNIVERSITY

October 2, 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, Kathleen Casey, 1737 H Street, NW, Washington D.C. 20006, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2015, and until her successor is appointed and qualified, vice The Honorable Michael F. DiBerardinis, Philadelphia, resigned.

TOM CORBETT
Governor

BILLS INTRODUCED AND REFERRED

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

October 2, 2012

Senators SMUCKER, WAUGH, YUDICHAK, PILEGGI and BRUBAKER presented to the Chair **SB 1599**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for City Revitalization and Improvement Zones.

Which was committed to the Committee on FINANCE, October 2, 2012.

Senators BLAKE, COSTA, TARTAGLIONE, SOLOBAY, FONTANA, M. WHITE, BREWSTER, SCHWANK, YUDICHAK and FERLO presented to the Chair **SB 1601**, entitled:

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

Which was committed to the Committee on FINANCE, October 2, 2012.

Senators BLAKE, COSTA, TARTAGLIONE, SOLOBAY, FONTANA, M. WHITE, BREWSTER, SCHWANK, YUDICHAK and FERLO presented to the Chair **SB 1602**, entitled:

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

Which was committed to the Committee on FINANCE, October 2, 2012.

Senators BROWNE, SCARNATI, FARNESE, SOLOBAY, RAFFERTY, TARTAGLIONE, PICCOLA, D. WHITE, LEACH, FOLMER, M. WHITE and VULAKOVICH presented to the Chair **SB 1604**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for definitions; and providing for training of school employees in diabetes care and management and for possession and use of diabetes medication and monitoring equipment.

Which was committed to the Committee on EDUCATION, October 2, 2012.

Senators ALLOWAY, FONTANA and HUGHES presented to the Chair **SB 1605**, entitled:

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, extensively revising provisions on practice and procedure and judicial review of administrative adjudications; and establishing the Office of Administrative Hearings.

Which was committed to the Committee on STATE GOVERNMENT, October 2, 2012.

Senators GORDNER, M. WHITE, RAFFERTY, TARTAGLIONE, BREWSTER, EARLL, ERICKSON, HUGHES, FOLMER, MENSCH and WAUGH presented to the Chair **SB 1606**, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in local taxes, further providing for limitation on assessment; and, in consolidated collection of local income taxes, further providing for powers and duties of tax officer.

Which was committed to the Committee on FINANCE, October 2, 2012.

Senators GORDNER, TARTAGLIONE, M. WHITE, BREWSTER, RAFFERTY, EARLL, ERICKSON, HUGHES, FOLMER, MENSCH and WAUGH presented to the Chair **SB 1607**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in local taxpayers bill of rights, further providing for requirements for requests.

Which was committed to the Committee on FINANCE, October 2, 2012.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 728**.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1298**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives informed the Senate that the House has concurred in the resolution from the Senate, entitled:

Senate Concurrent Resolution No. 246.

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:

October 2, 2012

HB 273 -- Committee on Finance.

HB 2196 and **2270** -- Committee on Aging and Youth.

HB 2428 and **2486** -- Committee on Transportation.

HB 2505 -- Committee on Community, Economic and Recreational Development.

BILLS SIGNED

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

HB 728 and **HB 1617**.

GENERAL COMMUNICATION

ANNUAL REPORT OF THE CONSUMER ADVOCATE FOR FISCAL YEAR 2011-12

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

COMMONWEALTH OF PENNSYLVANIA
Office of Consumer Advocate
555 Walnut Street, 5th Floor, Forum Place
Harrisburg, PA 17101-1923

September 2012

To The Governor, The Attorney General And The Members Of The Pennsylvania General Assembly:

I am pleased to present to each of you a copy of the Annual Report of the Office of Consumer Advocate. This report discusses the major activities of the OCA during Fiscal Year 2011-2012.

If you have any questions concerning this report or the operations of the OCA, please contact me. Also, please do not hesitate to contact our Office in the future if you or any of your constituents need assistance with any utility problems or complaints.

Sincerely,

SONNY POPOWSKY
Consumer Advocate

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

BILLS REPORTED FROM COMMITTEES

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

HB 815 (Pr. No. 4165) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of sexual abuse of children; and providing for the offense of transmission of sexually explicit images by minor.

HB 1324 (Pr. No. 2470)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for settlement of small estates on petition and for estates not exceeding \$25,000.

HB 1405 (Pr. No. 1679)

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, in criminal justice determinations, further providing for incompetence and for procedure.

HB 1769 (Pr. No. 2744)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal laboratory user fee.

HB 1794 (Pr. No. 2472)

An Act providing for HIV-related testing for certain sex offenders; and making a related repeal.

HB 2032 (Pr. No. 4166) (Amended)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of theft of secondary metal; and prescribing penalties.

HB 2275 (Pr. No. 3661)

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, enacting uniform laws on attestation in the areas of unsworn foreign declarations and notarial acts; making editorial changes; making related repeals; and abrogating a regulation.

HB 2285 (Pr. No. 4167) (Amended)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in Pennsylvania Uniform Transfers to Minors Act, further providing for court authorization of a transfer and, in trusts, further providing for pooled trusts for persons with disabilities.

Senator D. WHITE, from the Committee on Banking and Insurance, reported the following bills:

HB 2368 (Pr. No. 4163) (Amended)

An Act amending the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, further providing for definitions, for persons authorized to engage in business of receiving deposits and

money for transmission, for corporations authorized to act as fiduciary, for retention of records and admissibility of copies in evidence, for emergency powers and for acquisitions, and offers to acquire, shares of banks, bank and trust companies, trust companies and national banks; repealing provisions relating to prohibition against certain acquisitions, to legal holidays and to limitation on deposit of Commonwealth funds; further providing for additional powers of incorporated institutions related to conduct of business, for persons bound by bylaws and execution of instruments, for general lending powers, for direct leasing of personal property and for limits on indebtedness of one customer including purchased paper; repealing provisions relating to installment loans including revolving credit plans, to real estate loans, to authorizing certain loans for commercial, business, professional, agricultural or nonprofit purposes including revolving credit plans, to authorizing monthly interest loans for individuals, partnerships and other unincorporated entities, to alternate basis for interest charges by institutions, to charging interest at rates permitted competing lenders, to notice of annual fees and refunds on credit cards of affiliate banks, to authorization of fees for revolving credit plans and to extensions of credit to individuals, partnerships and unincorporated associations; further providing for application of chapter, for actions required, permitted or prohibited in fiduciary capacity, for transfer of fiduciary accounts and for investments; repealing provisions relating to real estate loans; further providing for lending powers and direct leasing of personal property; repealing provisions relating to conditional powers of savings banks; providing for pledges for deposits, limits on indebtedness of one customer including purchased paper; further providing for tentative trusts, for authorized offices, for authorization of new branches, for approval of branch by department and for branches outside Pennsylvania; repealing provisions relating to branches acquired from the receiver of a closed institution or from an institution in danger of closing; further providing for articles of incorporation and for certificate of authorization to do business; providing for organization as a limited liability company; further providing for minimum capital, for classes of shares, for share certificates, for cash dividends, for redemption and acquisition of redeemable shares and statement of reduction of authorized shares, for number, qualifications and eligibility of directors or trustees, for audits and reports by directors or trustees, accountants and internal auditors and for prohibitions applicable to directors, trustees, officers, employees and attorneys; repealing provisions relating to indemnity and immunity of certain directors; providing for standard of care and justifiable reliance; further providing for articles of amendment, for authority to merge or consolidate, for requirements for a merger or consolidation, for mergers, consolidations and conversions of savings banks, for right of shareholders to receive payment for shares following a control transaction, for articles of conversion, for voluntary dissolution prior to commencement of business, for certificate of election for voluntary dissolution and for articles of dissolution; repealing provisions relating to examinations and reports, to examination of affiliates and persons performing bank services, to relationship of institutions and their personnel with officials and employees of department and to additional powers of the Department of Banking; and further providing for penalties and criminal provisions applicable to directors, trustees, officers, employees and attorneys of institutions and for penalties applicable to persons subject to this act.

HB 2369 (Pr. No. 3774)

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, further providing for general scope of supervision and exercise of discretion, for assessment of expenses of department upon institutions, for disclosure of information forbidden, penalty and exceptions, for examination of corporations or persons affiliated with institutions and for orders by department; and providing for implementation of the Consumer Financial Protection Act of 2010.

HB 2370 (Pr. No. 3763)

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, further providing for residential mortgage interest rates and for effect on inconsistent acts.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave Senator Piccola.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Piccola.

Senator Solobay requests legislative leaves for Senator Hughes and Senator Williams, and a temporary Capitol leave for Senator Yudichak.

Without objection, the leaves will be granted.

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of June 26, 2012, June 27, 2012, and June 28, 2012, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 26, 2012, June 27, 2012, and June 28, 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	Vulakovich
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Rafferty	Washington
Blake	Folmer	Robbins	Waugh
Boscola	Fontana	Scarnati	White, Donald
Brewster	Gordner	Schwank	White, Mary Jo
Browne	Greenleaf	Smucker	Williams
Brubaker	Hughes	Solobay	Wozniak
Corman	Kasunic	Stack	Yaw
Costa	Kitchen	Tartaglione	Yudichak
Dinniman	Leach	Tomlinson	
Earl	McIlhinney	Vance	
Eichelberger	Mensch	Vogel	

NAY-0

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

The PRESIDENT. The Journals are approved.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

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

Senator BAKER. Mr. President, it is my honor to rise to introduce and acknowledge our guest Chaplain today. It is the Rever-

end Jim Pall, who resides in Dallas, Luzerne County, with his wife, Susan Stackhouse Pall, and they have three sons, Jonathan, Mark, and Garrett. Reverend Pall is the senior-most State prison chaplain in the Commonwealth of Pennsylvania. He is now in his 26th year as the chaplain at State Correctional Institution at Dallas. He also serves as a full traveling elder of the Susquehanna Conference of the United Methodist Church, and a part-time minister with the Huntsville United Methodist Church. But more than 28 years ago, just about that, Reverend Pall officiated at my wedding to my husband, Gary.

Also joining Reverend Pall today is his son, Garrett, who is our guest Page. He is a 7th grade student at the Dallas Middle School. He is involved in Back Mountain Youth Soccer, he is a musician, he likes to play the drums, and he is a talented master of illusion and magic. One day, he hopes to be a computer programmer. So I ask my colleagues to welcome our guest Chaplain, Reverend Jim Pall, and his son, Garrett, to the Senate Chamber.

The PRESIDENT. Would the Senate join me in welcoming Senator Baker's guests with our usual warm welcome.

(Applause.)

**GUEST OF SENATOR RICHARD L. ALLOWAY
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, I rise today to welcome in the gallery, Katie Thompson, a junior at Littlestown High School. She is up here today shadowing yours truly as part of her senior project. Since we all know I am a hardworking Senator, I am keeping her on her toes today. So please welcome Katie.

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

(Applause.)

**GUESTS OF SENATOR WAYNE D. FONTANA
PRESENTED TO THE SENATE**

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

Senator FONTANA. Mr. President, I rise on behalf of Senator Costa and myself, and I would like to recognize some guests today who are in the gallery. Mr. President, these individuals are part of an organization called PA NanoMaterials Commercialization Center, which is located in my district in Pittsburgh. PA NanoMaterials works to develop novel nano-enabled products and processes. Dr. Hermans-Blackburn is the executive director of the center, and the others who are up in the gallery who have also joined us today are board members. Their names are: Mr. Patrick Stewart, Mr. Steve Winber, Dr. Luis Fanor Vega, Dr. Robert Kumpf, and Mr. Brian Kennedy. Mr. President, I ask the Senate to welcome these guests with its usual warm welcome.

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

(Applause.)

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

The SECRETARY. Permission has been given for the Committee on Labor and Industry to hold an off-the-floor meeting today in the Rules room to consider nominations to the Workers' Compensation Appeal Board. Additionally, permission has been given to add Senate Bill No. 1532 to the agenda for today's off-the-floor meeting of the Senate Committee on Appropriations.

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Labor and Industry also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator SOLOBAY. Mr. President, after the announced committee meetings, the Senate Democrats will also caucus in the Senate Democratic Caucus room.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, to be followed by a meeting of the Committee on Labor and Industry, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

CALENDAR

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

**SENATE CONCURS IN HOUSE AMENDMENTS
TO SENATE AMENDMENTS AS AMENDED**

SB 1546 (Pr. No. 2434) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 1996 (P.L.403, No.58), known as the Community and Economic Development Enhancement Act, codifying the State Tax Equalization Board Law into the act; further providing for creation of board, for membership, for general powers and duties and for common level ratio; providing for publication of information by board funding contingency; and making a related repeal.

On the question,
Will the Senate concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to Senate Bill No. 1546?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate amendments, as further amended by the Senate, to Senate Bill No. 1546.

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

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

Senator COSTA. Mr. President, I will be brief. Senate Bill No. 1546, on two occasions, was amended in the Committee on Rules and Executive Nominations in June and again here recently. The amended language that was removed from the legislation would have addressed a very important issue that has been going on in Allegheny County for a number of years, and that is the issue of reassessments in our county, and a problem, Mr. President, that is actually taking place in a number of other counties. While we proceeded down a path, we are far into a process which includes a court order, other counties are not necessarily there yet. But at the end of the day, there were two very important amendments that were put into the bill in the House that were, again, stripped out here in the Senate, and they would have provided a moratorium on property tax reassessments.

Mr. President, I think it is unfortunate that is the case. We think that what is being done in Allegheny County relative to property tax reassessments has been something that has been detrimental to our county. It has placed Allegheny County against our surrounding counties across the Commonwealth that have not done proper reassessments for a number of years, and we are at a disadvantage. That is why we were hopeful that the language would remain.

Mr. President, it is my intention to support Senate Bill No. 1546. I know the good work that Senator Gordner has done on this bill for a period of time, and it is something that is necessary, but I would be remiss if I did not stand up and provide remarks that were very, very disappointing. On two occasions, along party lines, amendments were presented in the House, significantly and overwhelming numbers in the House adopted it, and on both occasions were stripped out here. It is very disappointing that we cannot get to a point that we can address moratoriums on reassessments, not only in Allegheny County but across this Commonwealth.

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-49

Alloway	Erickson	Piccola	Vulakovich
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Rafferty	Washington
Blake	Folmer	Robbins	Waugh
Boscola	Fontana	Scarnati	White, Donald

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

NAY-0

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

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

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

**SENATE CONCURS IN HOUSE
AMENDMENTS AS AMENDED**

SB 444 (Pr. No. 2433) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definitions and for games of chance permitted; providing for major league sports drawing; further providing for registration of manufacturers, regulations and for licensing of eligible organizations to conduct games of chance; providing for applicability; and further providing for distribution of proceeds and for enforcement.

On the question,

Will the Senate concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 444?

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House, as further amended by the Senate, to Senate Bill No. 444.

On the question,

Will the Senate agree to the motion?

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

Senator SOLOBAY. Mr. President, the small games of chance legislation which we are voting on has been something of quite controversy since the original House bill was voted on back in early spring. We have had many opportunities to look at this, and I understand through the process we attempted some amendments yesterday with Senator Kasunic to try to help straighten out some of the concerns and overburdens that many of the organizations who utilize small games of chance are having. Although those were not successfully put in, some of the things that were changed and added have helped the bill come to a little better usage, if that is the word I want to use. Also, the commitment from Leadership to turn around during the next Session and look at trying to update and correct some of the other necessities that we are finding out folks are having trouble with.

So, although I am not happy we were not able to get all those in, I will vote in the affirmative on concurrence for this bill with the help and hope that we will be able to straighten out some of the additional problems.

LEGISLATIVE LEAVE CANCELLED

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

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-46

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

NAY-3

Brubaker	Earll	Smucker
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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 inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 135 and **HB 156** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 201 (Pr. No. 2384) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for coverage of prescriptions.

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 Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, the current version of Senate Bill No. 201 is a compromise aimed at resolving the long-standing concerns retail pharmacists, many which are

mom-and-pop operations in our towns, have over not being able to fairly compete with the mega-pharmacy benefit managers. This bill, in its original form, was a bit more complicated. Over the summer, we worked on an amendment with pharmacists, the Blues, Senator Pileggi's office, Senator Scarnati's office, Senator Don White's office, and my office. We have had a chance to interact with my colleagues on the other side of the aisle, Senator Stack, Senator Farnese, Senator Costa, and others regarding this piece of legislation. There is a lot of misinformation out there, and quite frankly, I am disappointed with some of the groups that have been putting out this misinformation.

This bill essentially evens the playing field, nothing more. The local pharmacists and pharmacies who want to participate in this program must accept the same terms and conditions as the mail order pharmacies have with the contracts with the insurers, exact same terms and conditions. It gives the consumer, the customer, a chance to decide whether or not he wants to order his prescription drugs through mail order, or go to the local pharmacy to have his prescription filled. That is all this bill does. This bill does not limit the use of mail order pharmacies in any way, and it does not impact the PBMs in any way. But rather, it requires insurance companies to make certain the network pharmacies have the opportunity to meet the same terms and conditions as a mail order.

Additionally, the union complaints that have been coming in are driven by their self-insured policies. By virtue of them being self-insured, they are not bound by laws such as Senate Bill No. 201. They are not bound by laws such as Senate Bill No. 201 due to their exemption under the Federal ERISA law.

Mr. President, this is a piece of legislation that was worked on very hard. I think it will be good for local businesses here in the Commonwealth of Pennsylvania and benefit those individuals who choose to go to local pharmacies to have their prescriptions filled. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, would the maker of the bill be willing to stand for brief interrogation?

Senator RAFFERTY. Mr. President, I would.

The PRESIDENT. The gentleman indicates he will. You may proceed.

Senator FARNESE. Mr. President, first off, let me applaud the work of my good friend, Senator Rafferty, on this legislation. I know he spent a significant amount of time on it and I thank him for his efforts and all those whom he has mentioned and those stakeholders who have come forward with him. I understand the intent of the legislation and I understand what my colleague has articulated, but there have been some concerns that were brought to my attention, Mr. President. The language contained within Senate Bill No. 201 is not specifically clear enough to insure the intent of the legislation, and the intent of the legislation is focused on those pharmacies that currently have a network agreement or will have a network agreement at some point in the future.

This concern has been raised by myself and by several stakeholders, including pharmacy benefit managers and organizations representing millions of hardworking Pennsylvanians. So therefore, Mr. President, I offer the following questions to the maker of this bill. Number one, will this legislation lead to increased

costs to health insurance policies or will it result in higher prescription drug costs for Pennsylvanians?

Senator RAFFERTY. Mr. President, the answer to the question would be no, it will not. We are very clear and specific in the language. They must accept the same terms and conditions as under contract with the health insurance. The fiscal note out of our Committee on Appropriations was zero impact. There will be no increase.

Senator FARNESE. Mr. President, one last question, if I may. Is it your understanding that Senate Bill No. 201 is limited to only pharmacies, only pharmacies that currently have network agreements or who will enter into network agreements as a result of this legislation?

Senator RAFFERTY. Mr. President, yes, that is correct. The gentleman from Philadelphia County is correct, it is limited only to those pharmacies or those who will enter into the network agreements at the same terms and conditions.

Senator FARNESE. Mr. President, thank you, that is all.

Senator RAFFERTY. Mr. President, thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 657 (Pr. No. 671) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer"; and further providing for reimbursement of expenses and for payment of certain county costs.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

SB 991 (Pr. No. 2413) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for automatic renewal provisions in certain service contracts.

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

NAY-0

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

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

BILL OVER IN ORDER

HB 1121 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

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

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

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

NAY-0

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

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

BILL AMENDED

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

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

On the question,
Will the Senate agree to the bill on third consideration?
Senator KITCHEN offered the following amendment No. A13195:

Amend Bill, page 4, lines 24 through 27, by striking out "TAX AUTHORIZED BY THE CITY OF THE " in line 24, all of lines 25 and 26 and "HIGHEST YIELD OF THE TAX" in line 27 and inserting: yield on taxes based on assessed values of real estate authorized by the city of the first class or county of the first class for the school district of the first class, as estimated and certified by the director of finance of the city of the first class, is equal to an amount equal to or greater than the highest yield of the taxes based on assessed values of real estate

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 THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1352 (Pr. No. 2414) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for title of act, for short title, for declaration of policy, for definitions, for creation of board, appointment and term of members and officers, for powers and duties of board, for license required and persons and practices not affected and exclusions, for requirements for licensure, for application and fees, for examinations, for refusal to issue and revocation, for requirement of a medical examination, for renewal fees and records, for limitation of renewal time and new license and for certification to the board; providing for use of title; and further providing for enforcement of certification to board, for impaired professionals, for penalties, for injunction against lawful practice and for appropriation.

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

NAY-0

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

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

SB 1402 (Pr. No. 2415) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the definition of "fishing," for organization of commission, for deputy waterways conservation officers and for volunteer program; providing for damage to property; further providing

for control of property, for powers and duties of waterways conservation officers and deputies and for enforcement of other laws; providing for unlawful use of computer and for liability for conduct of another and for complicity; further providing for suspension of privileges pending payment of penalties, for misuse of property and waters, for littering, for possession and display of licenses, for lost fishing licenses, for institutional licenses, for exemptions from license requirements, for eel chute licenses, for net permits, for boat and net licenses for boundary lakes, for penalties, for fees, for boating education, for general boating regulations, for chemical testing to determine amount of alcohol or controlled substance and for period of registration; providing for unauthorized operation of boats, for permitting violations and for duties of operators involved in boating accidents; and making editorial changes.

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

NAY-0

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

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

SB 1591 (Pr. No. 2380) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, in regulation of medical professional liability insurance, repealing provisions relating to reports to commissioner and claims information.

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-47

Alloway	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Vulakovich
Baker	Folmer	Rafferty	Ward
Boscola	Fontana	Robbins	Washington

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

NAY-2

Blake Ferlo

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

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

BILLS OVER IN ORDER

HB 1682, HB 2043, HB 2116 and HB 2224 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2324 (Pr. No. 3399) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 29, 1953 (P.L.1034, No.270), known as the Public Auditorium Authorities Law, further providing for competition in award of contracts.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

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

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.

BILLS OVER IN ORDER

HB 2366, HB 2371, HB 2372 and HB 2460 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 84, SB 709, HB 1417 and SB 1495 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1548 (Pr. No. 4148) -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating child labor; conferring powers and duties on the Department of Labor and Industry and the Department of Education; imposing penalties; and making a repeal.

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

BILLS OVER IN ORDER

HB 1718 and HB 1719 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1813 (Pr. No. 4149) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 31, 1945 (P.L.1198, No.418), known as the Surface Mining Conservation and Reclamation Act, further providing for mining permit, reclamation plan and bond; and providing for land reclamation financial guarantees.

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

BILL REREFERRED

HB 2159 (Pr. No. 3777) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 13 (Commercial Code), 30 (Fish) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, revising secured transaction provisions relating to definitions, to control of electronic chattel paper, to location of debtor, to perfection of security interests in property subject to certain statutes, regulations and treaties, to continued perfection of security interest following change in governing law, to interests which take priority over or take free of security interest or agricultural lien, to priority of security interests created by new debtor, to discharge of account debtor, notification of assignment, identification and proof of assignment, restrictions on assignment of accounts, chattel paper, payment intangibles and promissory notes ineffective, to restrictions on assignment of promissory notes, health-care-insurance receiv-

ables and certain general intangibles ineffective, to contents of financing statement, record of mortgage as financing statement, time of filing financing statement, to name of debtor and secured party, to effect of certain events on effectiveness of financing statement, to duration and effectiveness of financing statement, effect of lapsed financing statement, to what constitutes filing, effectiveness of filing, to claim concerning inaccurate or wrongfully filed record and to collection and enforcement by secured party; providing for transition provisions for 2012 amendments; imposing duties upon the Department of State and the Department of Transportation; and making editorial changes.

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

BILL ON SECOND CONSIDERATION

HB 2293 (Pr. No. 4150) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

HB 2331 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

HB 2485 (Pr. No. 3784) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, in transfers of funds, further providing for exclusion of consumer transactions governed by Federal law; and making an editorial change.

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

REAL PROPERTY DISPOSITION PLAN No. 1 of 2012, RESOLUTION A, ADOPTED AS AMENDED

Senator PILEGGI, without objection, called up from page 8 of the Calendar, **Surplus Property Disposition Plan No. 1 of 2012, Resolution A**, entitled:

Resolved, That Real Property Disposition Plan No. 1 of 2012, transmitted by the Governor under The Administrative Code of 1929 to the General Assembly under date of June 15, 2012 which is incorporated herein by reference be approved.

On the question,
Will the Senate adopt the resolution?

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

Senator PILEGGI. Mr. President, I move that the Senate adopt Real Property Disposition Plan No. 1 of 2012, Resolution A, approving the plan except as to the 166-acre tract in Greene Township, Franklin County, known as the Scotland School For Veterans' Children.

The PRESIDENT. Senator Pileggi calls up Real Property Disposition Plan No. 1 of 2012, Resolution A, and moves that the Senate approve the plan in part. Excluded from approval would be the 166-acre tract in Greene Township, Franklin County, known as the Scotland School For Veterans' Children.

The Chair rules that the question is divisible as of right, and as suggested by the Majority Leader. Therefore, our first vote will be on adopting the resolution without the parcel relating to the Scotland School For Veterans' Children. After that vote, we will take another vote on whether or not to adopt and approve the plan as to the Scotland School For Veterans' Children.

On the question,

Will the Senate agree to the motion to adopt Real Property Disposition Plan No. 1 of 2012, Resolution A, except as to the Scotland School For Veterans' Children parcel?

Senator PILEGGI offered the following amendment No. A13534:

Resolved, That Real Property Disposition Plan No. 1 of 2012, transmitted by the Governor under The Administrative Code of 1929 to the General Assembly under date of ~~June 15, 2012 which is incorporated herein by reference be approved:~~ JUNE 15, 2012, AND MODIFIED BY LETTERS OF THE SECRETARY OF GENERAL SERVICES TO THE MAJORITY LEADER OF THE SENATE AND THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES UNDER DATE OF SEPTEMBER 28, 2012, WHICH IS INCORPORATED HEREIN BY REFERENCE BE APPROVED; AND BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION AND THE SECRETARY'S LETTERS BE PUBLISHED IN THE JOURNAL OF EACH CHAMBER.

September 28, 2012

The Honorable Dominic F. Pileggi
Senate Box 203009
Harrisburg, PA 17120

Dear Senator Pileggi:

The Department of General Services (DGS) has prepared the 2012 Real Property Disposition Plan (the "Plan") in accordance with Act 48 of 1981, amending the Act of April 9, 1929 (P.L. 177, No. 175), known as the Administrative Code of 1929. The Senate and House State Government Committees both held hearings earlier this year and the Plan is now up for consideration in each respective chamber.

The Department discussed the Plan with members of the General Assembly who have properties located in their district. In order to satisfy any outstanding concerns with regard to these properties, the Department has agreed to address several requests made by the legislature.

The Harrisburg Annex parcel listed on the Plan is valued at \$1.5 - \$2 million. With the legislature's approval of this year's Plan, the Commonwealth will be able to market this property in order to sell this surplus land and bring in much needed revenue to the General Fund. In addition, the sale will bring additional revenue to the local municipalities by putting them back on the tax rolls.

Act 21 of 2009 authorized DGS to convey a permanent pedestrian easement to Susquehanna Township for the Capital Area Greenbelt. This deed of easement, which is recorded with the Dauphin County Recorder of Deeds, acts to protect the pathway of the Greenbelt. To add further protection to this popular recreational area, DGS has agreed to provide formal notice of the permanent easement in the Department's Invitation to Bid and conveyance documents. This will ensure that the

buyer is aware of the easement and their legal obligation not to disturb the existing Greenbelt pathway through the parcel. In addition, DGS will add several restrictions to the Invitation to Bid as follows:

1. vehicular access to the surplus parcel will only be permitted from Azalea Drive, unless another option is created that will not affect the Greenbelt easement; and
2. the existing foliage along the trail will be protected through the reservation of a conservation easement.

We look forward to continuing to work with you. Thank you for your dedication to the Commonwealth.

Sincerely,
SHERI PHILLIPS
Secretary

Cc: Hon. Jeff Piccola
Hon. Sue Helm
Andrew Ritter, Executive Deputy Secretary of Legislative Affairs
Kathy Eakin, Chief Counsel, Senate
Karen Coates, Director of Legislative Affairs, House of Representatives
James Henning, Deputy Secretary for Administration, DGS
Andrew Clark, Deputy Chief Counsel, DGS
Holly Lubart, Legislative Liaison, DGS
Mike Krempasky, President, Capital Area Greenbelt
Gary Myers, Manager, Susquehanna Township

September 28, 2012

The Honorable Dominic F. Pileggi
Senate Box 203009
Harrisburg PA 17120

Dear Senator Pileggi:

The Department of General Services (DGS) has prepared the 2012 Real Property Disposition Plan (the "Plan") in accordance with Act 48 of 1981, amending the Act of April 9, 1929 (P.L. 177, No. 175), known as the Administrative Code of 1929. The Senate and House State Government Committees both held hearings earlier this year and the Plan is now up for consideration in each respective chamber.

The Department discussed the Plan with members of the General Assembly who have properties located in their district. In order to satisfy any outstanding concerns with regard to these properties, the Department has agreed to address several requests made by the legislature.

The Harrisburg Annex parcel listed on the plan is valued at \$1.5 - \$2 million. With the legislature's approval of this year's Plan, the Commonwealth will be able to market this property in order to sell this surplus land and bring in much needed revenue to the General Fund. In addition, the sale will bring additional revenue to the local municipalities by putting them back on the tax rolls. This property is in a prime location with close access to major Interstates and across from the Farm Show Complex.

DGS recognizes that agriculture is the number one industry in the Commonwealth and that the Farm Show Complex has a large economic impact on the central Pennsylvania economy by drawing in hundreds of thousands of visitors from across the state that spend millions of dollars at events and local businesses. Therefore, DGS working in conjunction with the PA Department of Agriculture (PDA) will place appropriate conditions in the Invitation of Bid, whereby a buyer will only be able to utilize the property in a manner that will complement and support the Farm Show Complex.

DGS shall ensure that the PDA is informed of and has input into all potential terms, conditions, restrictions, issues relating to the sale and use of the property, as well as conditions relating to the parking and operational needs of the Farm Show Complex. DGS will not sell the property without the mutual agreement of DGS and PDA, and DGS will

exercise its right to reject any or all bids that do not meet the shared objectives of DGS and PDA.

We look forward to continuing to work with you. Thank you for your dedication to the Commonwealth.

Sincerely,
SHERI PHILLIPS
Secretary

Cc: Hon. Jeff Piccola
Hon. Sue Helm
Hon. Michael Waugh
Hon. Elder Vogel
George Greig, Secretary, Department of Agriculture
Andrew Ritter, Executive Deputy Secretary of Legislative Affairs
Kathy Eakin, Chief Counsel, Senate
Karen Coates, Director of Legislative Affairs, House of Representatives
James Henning, Deputy Secretary for Administration
Andrew Clark, Deputy Chief Counsel, DGS
Holly Lubart, Legislative Liaison, DGS

September 28, 2012

The Honorable Dominic F. Pileggi
Senate Box 203009
Harrisburg, PA 17120

Dear Senator Pileggi:

The Department of General Services (DGS) has prepared the 2012 Real Property Disposition Plan (the "Plan") in accordance with Act 48 of 1981, amending the Act of April 9, 1929 (P.L. 177, No. 175), known as the Administrative Code of 1929. The Senate and House State Government Committees both held hearings earlier this year and the Plan is now up for consideration in each respective chamber.

The Department discussed the Plan with members of the General Assembly who have properties located in their district. In order to satisfy any outstanding concerns with regard to these properties, the Department has agreed to address several requests made by the legislature.

The Allentown State Hospital listed on the Plan is valued at \$1.2 million. The carrying costs for this property are \$1.8 million per year. Approval of the of this year's Plan by the Legislature enables the Commonwealth to market and sell this parcel and bring in much needed revenue to the General Fund and to the local municipalities by restoring it to the tax rolls.

DGS is committed to working with the local legislators and community. The Department will put the following conditions in the Invitation to Bid, whereby a prospective buyer is made aware of and must abide by with regard to this property:

1. DGS will work with the Wildlands Conservancy to preserve the environmentally steep slopes and woodlands on the property.
2. The Community Services for Children (CSC) has a permanent easement for ingress and egress to their property, which was granted at the time of the original conveyance. That easement is of record with the Lehigh County Recorder of Deeds. In addition, the CSC is also interested in acquiring an approximate 1-acre portion of the property.
3. An approximate 2-acre portion of the property will be made available to the East Side Youth Center.

We look forward to continuing to work with you. Thank you for your dedication to the Commonwealth.

Sincerely,
SHERI PHILLIPS
Secretary

Cc: Senator Pat Browne
 Representative Steve Samuelson
 Andrew Ritter, Executive Deputy Secretary of Legislative Affairs
 Kari Kissinger, Deputy Secretary of Legislative Affairs
 Kathy Eakin, Chief Counsel, Senate
 Karen Coates, Director of Legislative Affairs, House of Representatives
 Andrew Clark, Deputy Chief Counsel, DGS
 James Henning, Deputy Secretary for Administration, DGS
 Holly Lubart, Legislative Liaison, DGS

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

On the question,
 Will the Senate adopt Real Property Disposition Plan No. 1 of 2012, Resolution A, with stated exception as to the Scotland School parcel, as amended?

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

Senator PILEGGI. Mr. President, I move that the Senate adopt Real Property Disposition Plan No. 1 of 2012, Resolution A, with stated exception as to the Scotland School parcel, as amended.

On the question,
 Will the Senate agree to the motion to adopt Real Property Disposition Plan No. 1 of 2012, Resolution A, with stated exception as to the Scotland School parcel, as amended?

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

YEA-49

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

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.
 The PRESIDENT. The Governor will be so advised.

**REAL PROPERTY DISPOSITION PLAN No. 1
 of 2012, RESOLUTION B, ADOPTED**

Senator PILEGGI, without objection, called up from page 8 of the Calendar, **Surplus Property Disposition Plan No. 1 of 2012, Resolution B**, entitled:

Resolved, That Real Property Disposition Plan No. 1 of 2012, transmitted by the Governor under The Administrative Code of 1929 to the General Assembly under date of June 15, 2012 which is incorporated herein by reference be disapproved.

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

Senator PILEGGI. Mr. President, I move that as to Real Property Disposition Plan No. 1 of 2012, the Senate adopt Resolution B only as to the Scotland School For Veterans' Children parcel, thereby rejecting its inclusion within the plan.

The PRESIDENT. Senator Pileggi moves to adopt Real Property Disposition Plan No. 1 of 2012, Resolution B, only as to the Scotland School For Veterans' Children parcel, thereby rejecting its inclusion within the plan.

On the question,
 Will the Senate agree to the motion to approve Real Property Disposition Plan No. 1 of 2012, Resolution B, only as to the Scotland School For Veterans' Children parcel, thereby rejecting its inclusion within the plan?

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

YEA-49

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

NAY-0

A constitutional majority of all the Senators having voted "aye," the question was determined in the affirmative.
 The PRESIDENT. The Governor will be so advised.

**UNFINISHED BUSINESS
 BILLS REPORTED FROM COMMITTEE**

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

SB 1346 (Pr. No. 2208) (Rereported)

An Act amending Title 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, further providing for definitions, for eligibility and project inventory, for landowner liability limitation and exceptions, for project liability limitation and exceptions and for exceptions.

SB 1532 (Pr. No. 2449) (Amended) (Rereported)

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

HB 1767 (Pr. No. 3481) (Rereported)

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.

HB 1868 (Pr. No. 4074) (Rereported)

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for eligibility for examination and for limited licenses.

HB 2467 (Pr. No. 4079) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in certificate of title and security interests, further providing for transfer of vehicle ownership and for certificate of salvage required.

SENATE RESOLUTIONS ADOPTED

Senators GORDNER, PILEGGI, SCARNATI, YAW, BAKER, ALLOWAY, FONTANA, VOGEL, GREENLEAF, ARGALL, KITCHEN, TARTAGLIONE, RAFFERTY, STACK, WARD, BROWNE, ERICKSON, EICHELBERGER, KASUNIC, ROBBINS, YUDICHAK, EARLL, DINNIMAN, BRUBAKER, SOLOBAY, VULAKOVICH, M. WHITE, WAUGH, D. WHITE, SCHWANK and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 369**, entitled:

A Resolution honoring the Pennsylvania 4-H on its 100th anniversary and observing October 7 through 13, 2012, as "National 4-H Week" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

Senators TARTAGLIONE, STACK, DINNIMAN, SCARNATI, COSTA, TOMLINSON, BAKER, FONTANA, VULAKOVICH, FARNESE, BREWSTER, MENSCH, HUGHES, RAFFERTY, SOLOBAY, PILEGGI, KITCHEN, GORDNER, WARD, VOGEL, YUDICHAK, EARLL, WAUGH, D. WHITE, ERICKSON, LEACH, ARGALL, ALLOWAY, SCHWANK, GREENLEAF, BROWNE and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 370**, entitled:

A Resolution recognizing the month of October 2012 as "Breast Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, this resolution has been offered on behalf of myself and Senator Kasunic. Approximately 39,150 women and 410 men living in the United States die of breast cancer each year. Among women in Pennsylvania, it is the leading cause of cancer deaths of individuals between the

ages of 25 and 54. Among men, it primarily affects individuals between the ages of 60 and 70. Nearly 1 in 8 women in the U.S. will be diagnosed with breast cancer in their lifetimes. Breast cancer has become so prevalent that likely everyone in this Chamber has a family member or a friend who has been touched by this disease. My own sister lost her life battling breast cancer. For 11 years, she battled. I watched her go through chemotherapy and I took her to radiation treatments, and nothing worked. We have to do something. While the statistics on breast cancer are startling, most forms of this disease are treatable. When diagnosed and treated in its earliest stage, the 5-year survival rate for cancer patients is 93 percent. My sister was not part of that 93 percent. Today, with the many breakthroughs in treatment and early detection, there are more than 2 million breast cancer survivors in the U.S.

Mr. President, in honor of the many individuals who have died from breast cancer, and in recognition and in support of those who are living with and who have survived this disease, Senator Kasunic and I are introducing this resolution recognizing the month of October as "Breast Cancer Awareness Month." We encourage everyone to become aware of the risks of breast cancer and to take advantage of the early prevention services available to them. I ask all of you for an affirmative vote on this resolution.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, I rise to urge support for this resolution recognizing October as Breast Cancer Awareness Month in Pennsylvania. All of us are in some way connected to someone who has suffered, died, or survived breast cancer. It can be your mother, your sister, a relative, a dear friend, or an old friend. But breast cancer has touched all of us in some way.

I am hardly alone, Mr. President, when I tell you this issue is very personal to me. I know firsthand about the pain and suffering a woman endures when she is stricken by this awful disease. Apart from holding her hand, seeing that she gets the best possible care, and praying, one never gets over the agonizing sense of helplessness. Mr. President, the statistics are sobering. An estimated 290,000 women and 2,200 men will be diagnosed with breast cancer in the United States in 2012. Over 39,000 women and 400 men will die of this disease, about 1 every 14 minutes. An alarming 1 in 8 women are diagnosed with breast cancer at some point in their lifetime.

Mr. President, I urge all of us to join in this momentous effort to fight this disease and raise awareness, find a cure, and prevent it from ever happening to anyone ever again. One way to prevent it is to make sure people have access to the necessary exams and screening, because if detected early, the survival rate is 93 percent. Currently, it is estimated that 20 percent of cancer patients do not get the level of treatment they should be getting.

Another way we can fight this disease is to continue supporting and contributing to medical research. New and promising therapies and medications are emerging every day. Last summer in Chicago, doctors discussed the development of new drug therapies they hope will target and eradicate cancer cells without causing collateral damage to healthy cells. With all of our continued support, vigilance, and determination, it is my hope and prayer that we will someday find a cure for this disease. Mr. President, I stand as a proud cosponsor with Senator Tartaglione,

as we do each and every year, in sponsoring this resolution and urging a unanimous aye vote.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators TARTAGLIONE, STACK, DINNIMAN, SCARNATI, BAKER, FONTANA, VULAKOVICH, FARNESE, BREWSTER, HUGHES, RAFFERTY, SOLOBAY, PILEGGI, KITCHEN, YUDICHAK, EARLL, D. WHITE, ERICKSON, ALLOWAY, SCHWANK, GREENLEAF, BROWNE and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 371**, entitled:

A Resolution designating the month of October 2012 as "Disability Employment Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, employment within our nation, State, and local communities serves to drive the economy. For people with disabilities, employment promotes greater independence and the ability to have productive, fulfilling lives. While our unemployment rate in this State is over 8 percent, the unemployment rate among disabled Americans who are ready to work, who are looking for work, is nearly 14 percent, according to the U.S. Department of Labor. That number is too high. There are millions more who could be ready to work with a small investment in technology, training, or employer flexibility.

As we work to reduce the unemployment rate in Pennsylvania, we must remember to include strategies for employing individuals with disabilities. And we must acknowledge those with additional challenges who have overcome barriers to support their families and to contribute to their communities in the Commonwealth. My resolution will declare the month of October 2012 as "National Disability Employment Awareness Month" in Pennsylvania. The theme of this month is "A Strong Workforce is an Inclusive Workforce: What Can You Do?" It serves to recognize the many contributions made by individuals with disabilities and to encourage greater educational awareness of disabilities in the workplace.

I encourage all of our citizens to become better informed of disabilities so that we can break down the barriers to hiring and incorporating those individuals into the workforce. We must promote and allow equal access to work of persons with disabilities, and we must recognize their vital economic contributions. National Disability Employment Awareness Month provides all Pennsylvanians with the opportunity to appreciate that people with disabilities have the ability to work, they want to work, and they can work. I ask all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators VOGEL, ALLOWAY, BAKER, BROWNE, BRUBAKER, DINNIMAN, ERICKSON, FERLO, FONTANA, GORDNER, GREENLEAF, HUGHES, RAFFERTY, SCHWANK, STACK, VULAKOVICH, WARD, D. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 372**, entitled:

A Resolution designating the week of October 1 through 5, 2012, as "JobTrak PA Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, today I offer a resolution designating October 1 through 5 as "JobTrak PA Week." Last fall, Pennsylvania's 14 community colleges received a \$20 million Federal grant from the U.S. Department of Labor to collaborate and increase workplace skills through the JobTrak PA initiative. This collaboration will allow colleges to offer affordable and expedited workforce delivery courses for adult students, particularly for laid-off workers seeking employment in industries of advanced manufacturing, energy distribution, production and conservation, and healthcare information technology.

It is projected that there will be 4,800 job openings in advanced manufacturing in the coming years, more than 32,000 job openings in energy distribution, production, and conservation by 2016, and more than 9,000 jobs in healthcare information technology. The 14 community colleges pledged to bring about the rapid redeployment of laid-off workers to high-wage, high-demand jobs throughout the Commonwealth through enhanced partnerships with local businesses. For this reason, I would like to recognize October 1 through 5, 2012, as JobTrak PA Week in Pennsylvania, and I ask for a unanimous aye vote.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators TOMLINSON and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 373**, entitled:

A Resolution recognizing the week of October 7 through 13, 2012, as "Influenza Prevention Awareness Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator TOMLINSON. Mr. President, I rise to ask for unanimous consent to consider a resolution designating October 7

through 13, 2012, as "Influenza Prevention Awareness Week" in Pennsylvania. As we begin cold and flu season, I would like to take this opportunity to stress the importance of receiving a flu vaccine in order to protect ourselves and our loved ones against the virus and the complications that occur. An annual vaccination is the most effective strategy of preventing influenza, and I urge the residents of Pennsylvania to receive that vaccine.

Thank you, Mr. President.

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

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

Senators WASHINGTON, KITCHEN, WILLIAMS, TARTAGLIONE, KASUNIC, DINNIMAN, BREWSTER, BAKER, BROWNE, FARNESE, FONTANA, VULAKOVICH, PILEGGI, RAFFERTY and FERLO, by unanimous consent, offered **Senate Resolution No. 374**, entitled:

A Resolution designating the month of October 2012 as "Bullying Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator WASHINGTON. Mr. President, I ask for support in designating the month of October as "Bullying Awareness Month" in Pennsylvania. Mr. President, children who are bullied experience suffering that can interfere with their social and emotional development, as well as their social performance. Mr. President, the American Academy of Child and Adolescent Psychiatry, in a recent publication entitled "Facts for Families," noted that bullying is a common experience for many children and adolescents. So, Mr. President, we as adults, as Members of a legislative body, must recognize the deleterious effects of bullying on our young people, and strive to work with parents, educators, psychologists, pediatricians, and others who are assisting the victims of this abuse.

Thank you, Mr. President.

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

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

Senator SOLOBAY, by unanimous consent, offered **Senate Resolution No. 375**, entitled:

A Resolution recognizing the week of November 4 through 10, 2012, as "National Radiologic Technology Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator SOLOBAY. Mr. President, for over 25 years of my young adult life, I had the opportunity to work in this very rewarding medical imaging field. The men and women dedicated to making sure that proper techniques, proper positioning, as well as proper delivery of this important part of their healthcare and health wellness need to be recognized. I ask that we adopt this resolution and make November 4 through 10, 2012, "National Radiologic Technology Week" in Pennsylvania.

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 Aleksander C. J. Everett by Senator Argall.

Congratulations of the Senate were extended to Chuck Stehly, Voltaix, Inc., Coca-Cola Refreshments, Allentown Economic Development Corporation and to the ArtsQuest Center at SteelStacks by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Foltz by Senator Brubaker.

Congratulations of the Senate were extended to Emmett Gruici and to Saint Peter's Pikeland United Church of Christ by Senator Dinniman.

Congratulations of the Senate were extended to the Honorable Jeffrey E. Piccola by Senators Folmer and Gordner.

Congratulations of the Senate were extended to Risa Vetri Ferman by Senator Rafferty and others.

Congratulations of the Senate were extended to the Honorable Mary Jo White by Senator Scarnati.

Congratulations of the Senate were extended to Nathan John Nichols by Senator Vulakovich.

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

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Kenneth R. Strittmatter by Senators Solobay and Waugh.

Condolences of the Senate were extended to the family of the late Alice Dolores Hamilton by Senator Williams.

POSTHUMOUS CITATIONS

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

A posthumous citation honoring the late Ben Dunkerley was extended to the family by Senator Brewster.

A posthumous citation honoring the late George Hinkle was extended to the family by Senator Dinniman.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

HB 815, HB 1324, HB 1405, HB 1769, HB 1794, HB 2032, HB 2275, HB 2285, HB 2368, HB 2369 and HB 2370.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, OCTOBER 3, 2012

9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider the nomination of Steven C. Beckman, Esq., to the Environmental Hearing Board)	Room 8E-B East Wing
9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on federal stimulus broadband projects)	Room 8E-A East Wing
10:00 A.M.	GAME AND FISHERIES (to consider Senate Bill No. 1603, Senate Resolution No. 364; and House Bill No. 881)	Senate Maj. Caucus Rm.
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider House Bill No. 1991)	Room 461 Main Capitol
10:15 A.M.	AGING AND YOUTH (to consider House Bills No. 273 and 2270)	Room 461 Main Capitol
Off the Floor	FINANCE (to consider Senate Bill No. 1284; and House Bills No. 2319 and 2626)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 1298; House Bill No. 1310; and certain executive nominations)	Rules Cmte. Conf. Rm.
Off the Floor	TRANSPORTATION (to consider House Bill No. 2428)	Rules Cmte. Conf. Rm.

THURSDAY, OCTOBER 4, 2012

9:00 A.M.	URBAN AFFAIRS AND HOUSING (to conduct an informational public hearing on municipal/zoning restrictions on student housing)	Senate Maj. Caucus Rm.
10:00 A.M.	LOCAL GOVERNMENT (public hearing on issues related to the Local Government Unit Debt Act, debt of the Harrisburg Authority and related matters)	Hrg. Rm. 1 North Off.

FRIDAY, OCTOBER 5, 2012

9:00 A.M.	GAME AND FISHERIES (public hearing to provide information to the Committee and other interested parties on Pennsylvania Sea Grant - "Pharmaceuticals in Water", and Asian Carp)	Tom Ridge Environmental Center at Presque Isle, 301 Peninsula Dr., Erie, PA
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TUESDAY, OCTOBER 16, 2012

9:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (informal briefing on the 911 Funding Report from the Legislative Budget and Finance Committee "Pennsylvania's 911 Emergency Telephone System: Funding, Expenditures, and Future Challenges and Opportunities")	Hrg. Rm. 1 North Off.
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THURSDAY, OCTOBER 18, 2012

10:00 A.M.	LOCAL GOVERNMENT (public hearing on Senate Bill No. 1570 and related issues)	Hrg. Rm. 1 North Off.
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TUESDAY, OCTOBER 25, 2012

12:00 P.M.	URBAN AFFAIRS AND HOUSING (public hearing on the impacts of Marcellus Shale development on housing)	Penn Stater Conf. Cntr. State College, PA
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MONDAY, OCTOBER 29, 2012

10:00 A.M.	LOCAL GOVERNMENT (second public hearing on debt of Harrisburg Authority and related matters)	Hrg. Rm. 1 North Off.
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PETITIONS AND REMONSTRANCES

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

Senator SCHWANK. Mr. President, as we heard earlier this afternoon, two of my colleagues spoke very eloquently about Breast Cancer Awareness Month, and as we all know as we walk past the Capitol, the fountain is pink and you see pink products everywhere. This is an issue that all of us have heightened awareness about. But certainly, there are issues that we are not following through on. For many of us, we have heard that basic rule: do a monthly self-examination, and if you are over 40 years old, get a periodic mammogram, or a clinical exam annually if you have other risk factors. This is important because, perhaps surprisingly, even among women who have healthcare coverage, only about half of us take advantage of it to get a mammogram or a clinical exam.

The result is that the benefits of early detection, which so often literally involve the difference between life and death, are lost to them. This year nearly 800,000 women in the United States will get a cancer diagnosis. About 275,000 of them will die from it. In many cases, their deaths will be particularly tragic, and even in many where the patient survives, they will face more difficult forms of treatment because cancers that could have been treated successfully and more simply were not detected earlier. While cancer rates for women remain below those for men, ex-

cept for breast and thyroid cancers, nearly 40,000 women in this country still will die this year from breast cancer, nearly 16,000 will die from ovarian cancer, and 25,000 will be claimed by colon cancer.

Many of us have had personal experiences with cancer that can be quite emotionally draining and shape much of our attitude and approach to it, but we need to be conscious that the more distant those experiences are, the less valid they likely are today. There are new treatments. Less invasive and more promising treatments have been developed in recent years, and more are coming every day from stem cell and genetic coding to ordinary medical technology like oral chemotherapy. This morning here in the State Capitol, a meeting was held, the Women in Government Association--of which I serve as one of the State chairs--and our discussion was on cancer and oncology and cancer treatments. We had experts from the Milton Hershey Medical Center, as well as individuals who are experts in the field of specific cancers, and how we can fight them. It was a very rewarding and educational experience.

I urge my colleagues and I urge all of the citizens of Pennsylvania to stay tuned to the changes that are coming forward. It is good for us to recognize that this is Breast Cancer Awareness Month, but it is always important for us to be aware of the changes in treatment, and for us as legislators to be aware of the things that we can do to help promote cancer awareness, and help to make sure that fewer women, men, and children die as a result of cancer. Thank you.

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

Senator COSTA. Mr. President, I will be brief. I just wanted to make sure folks in this room know, which I believe they do, but more importantly folks who may be watching the PCN program and watching what we do here today, are aware of a very important decision today that was reached at the Commonwealth Court level by Judge Robert Simpson, Jr., handling the remanded case on Voter ID, *Applewhite vs. The Commonwealth of Pennsylvania*. That case was on remand to the judge who was given instructions to issue an order with respect to the status of the Voter ID bill.

Mr. President, I am very pleased to report that, at this juncture, the judge has ruled that the voter identification law should not be continued to be implemented, and as a result, it is not necessary for folks to provide photo identification when they go to vote in this upcoming November election, as would have been required under the law that was passed earlier this year. Mr. President, we think it is an appropriate decision, it is one that I think will relieve a lot of anxiety, a lot of concern that folks have raised on various aspects of the legislation, but most importantly, making sure that folks have the opportunity to vote.

So as we go forward over the course of the next several weeks, we know that this appeal, this case will make its way back at the Supreme Court. Our expectation and hope is that they will affirm the judge's decision. But at the end of the day, Mr. President, we wanted to make sure that folks knew the idea that they would be required, be required to have a voter identification before they vote in this upcoming election is not necessary under this ruling at this point in time, despite efforts that I believe the administration may be continuing to tout the fact that identification may be required. We think it is very important and we need to be very clear along those lines.

Thank you, Mr. President, for the opportunity to provide these remarks.

HB 140 AND HB 1830 TAKEN FROM THE TABLE

Senator BROWNE. Mr. President, I move that House Bill No. 140, Printer's No. 2259; and House Bill No. 1830, Printer's No. 3288, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Senator Richard L. Alloway as a member of the Pennsylvania Military Community Protection Commission.

RECESS

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Wednesday, October 3, 2012, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:45 p.m., Eastern Daylight Saving Time.