

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JANUARY 29, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 5

SENATE

TUESDAY, January 29, 2013

The Senate met at 1 p.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend DR. ROBERT COOK, of Christ United Methodist Church, Waynesboro, offered the following prayer:

Let us pause for a moment in quiet, and then I will pray.

O God of justice and mercy, it is with gratitude that we acknowledge Your presence and guiding hand upon the diverse peoples of all colors, creeds, faiths, and stations of life in this our great Commonwealth. The ancient prophet Micah wrote to his people and to the generations that have followed, that You have shown us what is right and necessary: to do justly, to love mercy, and to walk humbly with You. Your servant the Reverend Dr. Martin Luther, Jr., taught that the time is always right to do the right thing.

This great body of men and women from across the Commonwealth gather today to study, dialogue with and address the many and pressing issues facing all Pennsylvanians. Give to them the grace and charity to care for each other with mutual respect, and help them to readily cross party lines to work together for the good of all. Grant to them extraordinary insight, wisdom, and the courage to do what is right, fair, and just in all things, keeping in mind the highest good for all their constituents.

Grant to the people across this Commonwealth that from within this Chamber, acts of legislation will emerge that bring prosperity where there is poverty, affordable housing where there is homelessness, meaningful employment where there is joblessness, safety and security where people live in peril and fear, and a greater experience of peace and well-being in every community and every county. We ask that for the men and women from Pennsylvania who wear the uniform of our Armed Services, that You would guide, protect, and aid their mission of peace, especially in places of danger, hostility, and harm, bringing them safely home to their families again.

We thank You for Your gracious favor upon this beautiful Commonwealth, with its rich resources of people, land, and industry. May it be that our greatest days lie before us. May it be that Your help will aid each Member of our government to rise to the challenges before them so that each citizen in our Com-

monwealth will have the full opportunity to flourish and live in dignity, freedom, and peace.

With these things in our heart, we pray. May You bless and keep us, make Your face to shine upon us, give us Your favor, and grant us Your peace. Amen.

The PRESIDENT. The Chair thanks Reverend Dr. Cook, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

BILLS REPORTED FROM COMMITTEE

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

SB 75 (Pr. No. 41)

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extensively revising the law on human trafficking in the areas of prosecution, prevention, victim protection, evidentiary confidentiality, limitation of actions and victim impact statements; and making editorial changes.

SB 150 (Pr. No. 240) (Amended)

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

SB 304 (Pr. No. 212)

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in Title 15, making extensive revisions, additions and deletions to preliminary material on general provisions; to corporation material on general provisions, on incorporation, on corporate powers, duties and safeguards, on officers, directors and shareholders, on fundamental changes, on registered corporations, on insurance corporations, on benefit corporations, on foreign business corporations, on incorporation and on foreign nonprofit corporations; to material on limited liability companies; to material on unincorporated associations; and to material on business trusts; in Title 54, further providing for general provisions and for corporate and other association names; and making related repeals.

LEGISLATIVE LEAVES

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

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

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

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

The PRESIDENT. Senator Pileggi requests a legislative leave for Senator Brubaker.

Senator Costa requests a legislative leave for Senator Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of January 1, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of January 1, 2013.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR LLOYD K. SMUCKER
PRESENTED TO THE SENATE**

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

Senator SMUCKER. Mr. President, today I have the privilege of introducing a great group of government students from J.P. McCaskey High School, which is located in the city of Lancaster. They are a bright group of students who are very interested in the government process. They have participated in our Senator for a Day for several years, and I had the opportunity to field many questions they had regarding policy issues and the legislative process. I am very proud to know them as students in my district. They are accompanied today by their teachers, Mr. Adam Wood and Mr. Justin Reese. So please join me in giving them the Senate's usual warm welcome. Thank you.

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

(Applause.)

**GUEST OF SENATOR PATRICIA H. VANCE
PRESENTED TO THE SENATE**

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

Senator VANCE. Mr. President, I am very pleased to introduce a young woman who is shadowing me today, Madison Plummer. She is a junior at Cumberland Valley High School and has a 4.0 GPA. She is a very accomplished Irish step dancer and has won lots of awards. She is a volunteer for Special Olympics and at her local library. She is a leader of the future, and I am very proud to introduce Madison Plummer, and ask that we give her a very warm welcome.

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

(Applause.)

**GUESTS OF SENATOR JOHN P. BLAKE,
SENATOR ELISABETH J. BAKER, AND
SENATOR LISA M. BOSCOLA
PRESENTED TO THE SENATE**

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

Senator BLAKE. Mr. President, I am not only rising on behalf of myself for the 22nd Senatorial District, but also on behalf of Senator Baker and Senator Boscola, as some of the guests I am about to introduce hail from those Senate districts. Mr. President, today we have students from the University of Scranton, and I want to call special attention to Elisa Giusto from Mountain Top, who is actually from Senator Baker's district, but she facilitated the visit by students from the University of Scranton today.

Mr. President, as it might be known, when I am not here on the Senate floor, I do teach at the university, and one of my great students, an A student, is here, Elisa Giusto from Mountain Top, but also joining her are Andrew Bodner, Yukti Desai, Biren Desai, Khushbu Shah, Jon Buzzerd, David Scalzo, and we also have three exchange students from Taiwan: Pei Hua Lee, Chia Hsuan Lee, and Ku-Yun Lee who are also undergraduate students at the University of Scranton. I would be very grateful if the Senate would give them a warm welcome.

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

(Applause.)

**GUESTS OF SENATOR MICHAEL L. WAUGH
PRESENTED TO THE SENATE**

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

Senator WAUGH. Mr. President, I have the pleasure of introducing to the Senate an outstanding group of young people living in the York area. My guests are exchange students. Some of them are from China, and some are from South Korea. They are attending the Christian School of York, and they have been in York since August of last year, and they are going to be here for the balance of the school year staying with host families around the York area. I had an opportunity to meet with these young folks earlier today in my office and field a few of their questions, and it was quite an experience to listen and learn from them and hopefully exchange the favor as we work through that process.

They are here today with their teachers, Miss Sherri Baker, who is also the school's international program coordinator, and Miss Christine Ingari, who is the school's administrations director. On behalf of the district, and more importantly, on behalf of Miss Ingari, I have to put in a plug, she is a huge Ravens fan and so on her behalf, we wish her all the best this weekend. I am going to leave the football stuff at that because I am not a big athletic guy.

But anyway, the students chose to come to the York area. They had the choice, get this, of studying anywhere in the United States of America, and they range in age from 15 to 18. They are studying the regular curriculum at the Christian School of York. They are also taking extra courses in American government in order to better understand how our system of democracy works. Now here is a technology update on this front. Here is how the students were chosen to come to Pennsylvania: via a Skype interview system. They were interviewed and gave all the reasons why they wished to study in York, Pennsylvania.

They are very excited to be here today and see our government in action. This is a wonderful opportunity for them, and I ask the Senate to give them a warm welcome. Thank you.

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

(Applause.)

**GUESTS OF SENATOR LEANNA WASHINGTON
PRESENTED TO THE SENATE**

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

Senator WASHINGTON. Mr. President, yesterday the Pastor from Mount Airy Church of God in Christ, Dr. J. Louis Felton, was here to give the prayer on the Senate floor. However, the seniors from the senior program at the Mount Airy Church of God in Christ could not make it yesterday. They are here today, and I ask the Senate to give them a warm welcome and greet them. They are in the balcony.

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

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 66 (Pr. No. 197) -- 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 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

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	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Ward
Blake	Fontana	Scarnati	Washington
Boscola	Gordner	Schwank	Waugh
Brewster	Greenleaf	Smith	Wiley
Browne	Hughes	Smucker	Williams
Brubaker	Hutchinson	Solobay	Wozniak
Corman	Kasunic	Stack	Yaw
Costa	Kitchen	Tartaglione	Yudichak
Dinniman	Leach	Teplitz	
Eichelberger	McIlhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 164 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 187 (Pr. No. 238) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain institutions of higher education that enter into agreements with governing bodies which impose monetary penalties to pay the monetary penalties into endowments under certain circumstances; and providing for duties of the Pennsylvania Commission on Crime and Delinquency.

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

BILLS OVER IN ORDER

SB 196 and **SB 259** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**SENATE RESOLUTION No. 6,
AMENDED AND ADOPTED**

Senator PILEGGI, without objection, called up from page 2 of the Calendar, **Senate Resolution No. 6**, entitled:

A Resolution directing the Joint State Government Commission to study the issue of violence prevention, to establish an advisory committee to conduct a thorough and comprehensive analysis of the underlying causes of violent crime, including mass shootings, and to report to the Senate with its findings and recommendations.

On the question,
Will the Senate adopt the resolution?
Senator HUGHES offered the following amendment No. A0067:

Amend Resolution, page 2, line 28, by inserting after "procedures," including the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, to amend 18 Pa.C.S. Ch. 61 Subch. A (relating to Uniform Firearms Act) or

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

On the question,
Will the Senate adopt the resolution, as amended?
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 Victor Ross Watson, Maximillian Timothy Erb, Nathan M. Phillips, Ellen Lundberg and to the South Allegheny High School Girls' Soccer Team by Senator Brewster.

Congratulations of the Senate were extended to Mr. and Mrs. Irvin Martin, Cadet Second Lieutenant Joseph R. Jarkowsky III, Cadet Second Lieutenant Zachary L. Martin, Cadet Second Lieutenant Kylie J. Zurich, Cadet Second Lieutenant Peter E. McCord, Naomi Travis and to Dustin James Gehringer by Senator Brubaker.

Congratulations of the Senate were extended to Michael Aumiller by Senator Costa.

Congratulations of the Senate were extended to Adam Brian Barbato, Eric Michael Tamney, Nikita Alexander Gurnham and to Thomas James Anderson by Senator Dinniman.

Congratulations of the Senate were extended to Corporal Kevin A. Campbell, Trooper First Class David M. Nazaruk and

to Trooper First Class Timothy A. Strohmeier by Senator Eichelberger.

Congratulations of the Senate were extended to Michael A. Talento and to Kevin Fulmer by Senator Erickson.

Congratulations of the Senate were extended to Laurie Bowersox and to Kay Spannuth by Senator Folmer.

Congratulations of the Senate were extended to M. Philip Meyers by Senator McIlhinney.

Congratulations of the Senate were extended to Joseph Sinclair by Senator Schwank.

Congratulations of the Senate were extended to Eugene McKeown, Joseph Mikula, Daniel Traill, George Storer, Bruno Valenti, Alexander J. Reau, Melissa Harff, Karen Spudich, Donna Berger, Paul Griffiths, David Herold, John Ochap and to James Griffiths by Senator Ward.

Congratulations of the Senate were extended to Larry W. Garner and to Jennie Ann Kopchick by Senator 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 Earl Franklin Callaway, Jr., by Senator Hughes.

Condolences of the Senate were extended to the family of the late Hazel G. Treichel Elsner by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Bienvenida Correa by Senator Tartaglione.

Condolences of the Senate were extended to the family of the late Reverend Phillip E. Ford by Senator Williams.

SENATE RESOLUTIONS ADOPTED

Senators DINNIMAN, FOLMER, YAW, YUDICHAK, KASUNIC, STACK, ERICKSON, GREENLEAF, KITCHEN, FONTANA, TEPLITZ, BREWSTER, BAKER, VULAKOVICH, BROWNE, HUGHES, WHITE, SMITH, ALLOWAY, WAUGH, WARD, RAFFERTY, TARTAGLIONE, FARNESE, MENSCH, COSTA, GORDNER, SOLOBAY, WASHINGTON, PILEGGI, BRUBAKER and FERLO, by unanimous consent, offered **Senate Resolution No. 16**, entitled:

A Resolution recognizing February 2013 as "Career and Technical Education Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, I hope all of us in this Chamber understand that many young people are not going to go on to college but could have very successful careers if we increase our efforts at what we call career and vocational education. In many cases, all that is required for our career and vocational schools is to grant certifications. If somebody is going to school, for example, and gets a Microsoft certification, they will have a job right when they get out. We often forget the importance of career and vocational education. In my county, for example, we have combined our career high schools with our com-

munity colleges so they function together as one. This has been amazingly successful.

So, Mr. President, I rise not only in my name but in Senator Folmer's name as well. As we go through our education agenda this year, we are going to make sure that every child has an opportunity, and we are going to make sure that career and vocational education is considered as part of our agenda. So I hope that we will have unanimous support. I hope that we can educate every child so that when they leave high school, be they in an academic program or a career program, they are prepared to work and contribute both to help themselves and to help the Commonwealth. I say this on behalf of myself and Senator Folmer, as we present this resolution as the chairs of the Committee on Education.

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 KITCHEN, WILLIAMS, TEPLITZ, ARGALL, STACK, WASHINGTON, DINNIMAN, FARNESE, BREWSTER, FERLO, FONTANA, VULAKOVICH, SMITH, GREENLEAF, MENSCH, PILEGGI, YUDICHAK, HUGHES, RAFFERTY, VOGEL, ALLOWAY, WHITE, SOLOBAY, ERICKSON, BAKER, TARTAGLIONE, WAUGH, BRUBAKER, COSTA, LEACH, BOSCOLA and BLAKE, by unanimous consent, offered **Senate Resolution No. 17**, entitled:

A Resolution designating the month of February 2013 as "Black History Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, "Black History Month" dates back more than eight decades in this country. It is honored in the month of February to coincide with the birthdays of Abraham Lincoln and abolitionist Frederick Douglass. This year's theme of Black History Month is "At the Crossroads of Freedom and Equality." It encourages us all to observe the anniversaries of two important dates in American history: the Emancipation Proclamation in 1863, and the Civil Rights March on Washington in 1963. These two events changed the course of history not only for African Americans but for all Americans who believe in freedom and equality. We can all reflect on and appreciate the achievements of African Americans because they are achievements that have helped make this nation a better, stronger place.

Black History Month is an opportunity for all Americans to commemorate the struggles and victories of African Americans and their invaluable contributions to society. In every aspect of our society, from science to medicine, from politics to entertainment, to law and more, African Americans have made their mark upon this great nation and this Commonwealth. So during Black History Month, we honor the many contributions of the African American community and we try to raise awareness and understanding of these contributions through history.

So therefore, Mr. President, I thank my colleagues for joining me in support of this resolution designating February 2013 as Black History Month in Pennsylvania. Thank you.

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, TEPLITZ, WOZNIAC, DINNIMAN, STACK, BREWSTER, SMITH, FARNESE, ARGALL, RAFFERTY, FERLO, BAKER, ALLOWAY, GREENLEAF, YUDICHAK, ERICKSON, HUTCHINSON, FONTANA, PILEGGI, SOLOBAY, TARTAGLIONE, HUGHES, COSTA, BRUBAKER and BROWNE, by unanimous consent, offered **Senate Resolution No. 18**, entitled:

A Resolution observing the 100th birthday of civil rights icon Rosa Parks and commemorating her life and legacy.

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 am humbled and honored to rise today to mark the 100th birthday of Rosa Parks, the first lady of civil rights. Mr. President, in one simple gesture, refusing to give up her seat to a white man on a Montgomery bus, Rosa Parks changed the course of civil rights for the United States. Parks's bravery and civil disobedience sparked the massive bus boycott until Alabama segregation laws were changed in 1956.

Mr. President, throughout the years, Rosa Parks has received so many honors, including the Congressional Gold Medal, the Presidential Medal of Freedom, and the Spingarn Award, the NAACP's highest honor. So much has been said about Rosa Parks over the years, and I and countless others look up to her as the symbol of how far we have come, but also how much of a difference one person can make in the course of history.

Mr. President, as we celebrate her 100th birthday, I am confident that Rosa Parks's legacy will live on for centuries. I thank everyone for their support, and I urge unanimous adoption of 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 WASHINGTON, DINNIMAN, STACK, FONTANA, SMITH, RAFFERTY, WOZNIAC, BREWSTER, WILLIAMS, FERLO, PILEGGI, BAKER, ALLOWAY, GREENLEAF, ERICKSON, KITCHEN, SOLOBAY, TARTAGLIONE, FARNESE, HUGHES, COSTA, BROWNE and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 19**, entitled:

A Resolution recognizing the week of February 4 through 8, 2013, as "Teen Dating Violence Awareness and Prevention Week" 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 rise today in support of my resolution to make February 4 through February 8, 2013, as "Teen Violence Awareness Prevention Week" in Pennsylvania. Mr. President, last year, a Centers for Disease Control and Prevention survey found that 9 percent of high school students reported that their boyfriends or girlfriends had been intentionally violent toward them. That is 9 percent too many. Dating violence includes physical, sexual, psychological, or emotional violence, including stalking. If we do not do something to stop this, these patterns could continue well into adulthood.

Mr. President, as a survivor of domestic violence and abuse, I know the toll it can take. I encourage parents to sit down with their children and explain to them that they never deserve to suffer from dating violence. If you know someone who is suffering from teen dating violence, please tell someone right away. The violence we work to prevent might save a life. I encourage my colleagues to support the 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 HUTCHINSON, ROBBINS, KITCHEN, FARNESE, DINNIMAN, FERLO, VULAKOVICH, SMITH, STACK, FONTANA, BREWSTER, WASHINGTON, KASUNIC, FOLMER, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA, BROWNE, BRUBAKER, CORMAN, COSTA, EICHELBERGER, ERICKSON, GORDNER, GREENLEAF, HUGHES, LEACH, McILHINNEY, MENSCH, PILEGGI, RAFFERTY, SCARNATI, SCHWANK, SMUCKER, SOLOBAY, TARTAGLIONE, TEPLITZ, TOMLINSON, VANCE, VOGEL, WARD, WAUGH, WILEY, WILLIAMS, WOZNAK, YAW, YUDICHAK and WHITE, by unanimous consent, offered **Senate Resolution No. 20**, entitled:

A Resolution honoring the life of former Senator Donald O. Oesterling and extending condolences to his family.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I rise today to offer this resolution marking the passing of Donald Oesterling and honoring his service as a Member of the Pennsylvania State Senate representing the 21st Senatorial District.

Senator Oesterling passed away on Sunday, January 20, at the age of 85, at the Elks National Home in Bedford, Virginia. He

served two terms in the State Senate, from 1964 to 1972, a tumultuous period in our nation's history and certainly a time of transition in our Commonwealth. Senator Oesterling served during the waning years of Pennsylvania's heavy industrial period, and he was part of a government that strove to brighten the Commonwealth's future by establishing our community college system and PHEAA. Senator Oesterling served on a joint Senate-House conference committee in 1971 to resolve a dispute and finalize changes to Pennsylvania's State Election Code.

Mr. President, Senator Oesterling is survived by his wife, Ann; his daughter, Dawn Prebula; two sons, Michael and Peter; five grandchildren, and three great-grandchildren. I ask my colleagues to honor the legacy of Senator Oesterling by supporting this resolution.

Thank you, Mr. President.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of former Senator DONALD O. OESTERLING.)

The PRESIDENT. Let the record reflect that the resolution was adopted unanimously.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.
The bills were as follows:

SB 75, SB 150 and SB 304.

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 announcement were read by the Secretary of the Senate:

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JANUARY 30, 2013

Off the Floor TRANSPORTATION (to consider Rules Cmte.
Senate Bill No. 83) Conf. Rm.

MONDAY, FEBRUARY 4, 2013

10:30 A.M. STATE GOVERNMENT (public hearing Hrg. Rm. 1
on governance reform for Penn State North Off.
Board of Trustees)

TUESDAY, FEBRUARY 5, 2013

Off the Floor VETERANS AFFAIRS AND Rules Cmte.
EMERGENCY PREPAREDNESS (to Conf. Rm.
consider Senate Bills No. 302 and 325)

WEDNESDAY, FEBRUARY 13, 2013

9:00 A.M. EDUCATION and VETERANS AFFAIRS Hrg. Rm. 1
AND EMERGENCY PREPAREDNESS North Off.
(joint hearing on School Emergency
Plans and Security Measures)

<u>TUESDAY, FEBRUARY 19, 2013</u>			2:30 P.M.	APPROPRIATIONS (Budget Hearing - Department of Environmental Protection)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Governor's Office/Governor's Budget Office/Executive Offices)	Hrg. Rm. 1 North Off.	<u>THURSDAY, FEBRUARY 28, 2013</u>		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Public Utility Commission)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Penn State University)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Independent Fiscal Office - Economic Outlook & Revenue Overview)	Hrg. Rm. 1 North Off.	11:00 A.M.	APPROPRIATIONS (Budget Hearing - Temple University)	Hrg. Rm. 1 North Off.
<u>WEDNESDAY, FEBRUARY 20, 2013</u>			1:00 P.M.	APPROPRIATIONS (Budget Hearing - University of Pittsburgh)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Treasury Department)	Hrg. Rm. 1 North Off.	2:30 P.M.	APPROPRIATIONS (Budget Hearing - Lincoln University)	Hrg. Rm. 1 North Off.
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Attorney General)	Hrg. Rm. 1 North Off.	<u>MONDAY, MARCH 4, 2013</u>		
1:30 P.M.	APPROPRIATIONS (Budget Hearing - Auditor General)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Education)	Hrg. Rm. 1 North Off.
<u>THURSDAY, FEBRUARY 21, 2013</u>			1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Corrections/Office of Probation and Parole)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - State Police/Homeland Security)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Community & Economic Development)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of General Services)	Hrg. Rm. 1 North Off.	<u>TUESDAY, MARCH 5, 2013</u>		
2:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Insurance)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Public Welfare)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Gaming Control Board)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - PASSHE)	Hrg. Rm. 1 North Off.
<u>MONDAY, FEBRUARY 25, 2013</u>			3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Agriculture)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Liquor Control Board)	Hrg. Rm. 1 North Off.	<u>WEDNESDAY, MARCH 6, 2013</u>		
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of State)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Transportation)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Military & Veterans Affairs)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Labor & Industry)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Conservation & Natural Resources)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Banking & Securities)	Hrg. Rm. 1 North Off.
<u>TUESDAY, FEBRUARY 26, 2013</u>			PETITIONS AND REMONSTRANCES		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Revenue)	Hrg. Rm. 1 North Off.	The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Drug & Alcohol Programs)	Hrg. Rm. 1 North Off.	Senator RAFFERTY. Mr. President, those of us in the Philadelphia media market were saddened by the news this past weekend of the death of Alleen Mae Beller, better known to many of us baby boomers as "Our Gal Sal," Sally Starr. Sally Starr for years hosted "Popeye Theater," and introduced the baby boomer generation to Popeye cartoons and to the beloved world of the Three Stooges. She babysat afternoon-after-afternoon for over a decade in the Philadelphia media market. A woman rising to be a star of her own show in that particular period of time delegates her as a pioneer in television. The work she did in children's broadcasting, a clean show, a show to educate kids, where she taught kids to work with one another and to respect their parents. She was a beloved figure, a television pioneer, and an icon in the city of Philadelphia. I just wanted to take this moment to say to		
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Health)	Hrg. Rm. 1 North Off.			
<u>WEDNESDAY, FEBRUARY 27, 2013</u>					
9:30 A.M.	APPROPRIATIONS (Budget Hearing - SERS/PSERS)	Hrg. Rm. 1 North Off.			
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Aging)	Hrg. Rm. 1 North Off.			

Sally Starr, thank you. May she rest in peace, from one of the baby boomers who used to enjoy watching "Popeye Theater" Monday through Friday.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I rise to warn my colleagues about a massive crime wave that is occurring all around us this week. It is a massive crime wave. Oddly enough, many of those who commit this crime are some of the most law-abiding, upstanding, honest people we know. In committing this crime, many of these people are friends, neighbors, and family members who will share plenty of laughs and enjoy some friendly competition at their local veterans halls or social clubs. Mr. President, many who engage in this type of harmless, spirited, fun activity probably will not even realize that it is illegal. But it is. With Liquor Control Enforcement agents on the prowl this week, many of these clubs will be raided, funds will be seized, and some charitable organizations could face suspension, or even tougher sanctions. So, you might wonder what crimes are we talking about here? Could it be drugs, prostitution, bootlegging? No. It is none of those. The crime I am talking about is wagering a few dollars on a small, harmless Super Bowl sports pool. I do not know a single person who does not engage in one.

Mr. President, last week, a club in my district was operating a Super Bowl pool which was confiscated by LCE agents. The agents conducted an investigation, hours and hours long, into the club's operation of the pool. They even had videotape of people signing their names to the sheet. So, you may ask, how much money was confiscated in this raid that took hours and hours and hours? \$120. I think a better question to ask is, how much money was spent on the investigation? It does not make any sense.

Mr. President, the time has come to legitimize an activity that so many people already rightly assume is legitimate. These small pools are usually offered by local veterans clubs, volunteer fire departments, charitable service clubs. Gosh, so many businesses around the Commonwealth and this country, for that matter, have office football pools, and so many households as well. Mr. President, no game is being fixed, no one is losing their life savings. Those who operate the pools do not receive any compensation, and we do not even have to worry about a foreign company sneaking in and running the show.

So, Mr. President, it is ridiculous that our law brands these harmless, engaging contests as illegal. March madness, Super Bowl, even a football pool that you play and pick a couple of teams once a week, they are all illegal. So I am preparing to reintroduce legislation that will finally put an end to this antiquated, out-of-touch law that makes criminals out of good, honest people. Under my proposal, small betting pools would be legal if the entry amount is \$20 or less; there are no more than 100 participants; there is an established social, professional, familial relationship between contestants; and all proceeds are awarded to the contestants or donated to a bonafide charity. Now, my legislation is patterned after a law already in place in Vermont. That State has seemed to survive, and I hope many of you will join in my efforts here today.

Mr. President, I also want to point out that while we continue to make criminals out of law-abiding citizens participating in harmless office pools, our Commonwealth is currently moving toward bringing one of the most addictive gaming contests to our

borders, keno. Many of those who deal with gaming addictions will tell you that keno is the crack cocaine of gambling. So the message we are sending is, it is okay to spend hundreds and hundreds of dollars on Lottery games, it is okay to spend thousands of dollars in our casinos, but how dare you spend \$2 on an office football pool? It is a shame.

Mr. President, obviously, that is the wrong message to send. Let us stop making criminals out of people and act to pass this commonsense bill. It is being circulated now for cosponsorship, and I hope that a lot of my colleagues will join me in this effort.

Thank you, Mr. President.

REQUESTS FOR CAUCUS

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

Senator PILEGGI. Mr. President, after the Senate recesses, there will be a Republican caucus in the Majority Caucus Room.

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

Senator FONTANA. Mr. President, Democrats will caucus in the rear of the Chamber immediately after recess.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Wednesday, January 30, 2013, at 11 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 2:18 p.m., Eastern Standard Time.