

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, FEBRUARY 11, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 10

SENATE

MONDAY, February 11, 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. LAWRENCE M. STRATTON, Director of the Stover Center for Constitutional Studies and Moral Leadership at Waynesburg University, Waynesburg, offered the following prayer:

Let us pray.

Gracious God, Heavenly Father, as Pennsylvania's Senate gathers anew from across Penn's Woods, from Erie to Philadelphia, Waynesburg to Scranton, let us remember William Penn's famous dictum, "Governments, like clocks, go from the motion men give them....Let men be good, and the government cannot be bad; if it be ill, they will cure it." Nurture within this legislature and State a spirit of goodness, wisdom, and truth. Please bless all of Pennsylvania's public officials, Senators, Representatives, and our Governor, all of whom You have appointed with a deep and enduring commitment to the common good in this great Commonwealth, where America was born in Philadelphia, secured in Valley Forge, and preserved in Gettysburg. Guide all Pennsylvanians in the astute paths of Penn and Franklin in our own day, in this Keystone State which holds our Republic together. May every citizen in our Commonwealth, nation, and world cherish Penn's Holy Experiment and look to Pennsylvania, the birthplace of liberty. In Your holy name we humbly pray, amen.

The PRESIDENT. The Chair thanks Reverend Dr. Stratton, who is the guest today of Senator Solobay and Senator Greenleaf.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE

February 7, 2013

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, Carolyn M. Gatty, 85 Raspberry Lane, Mifflinburg 17844, Union County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until her successor is appointed and qualified, vice Daniel Panchik, DSc. OTR/L, Hershey, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE

February 7, 2013

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, Richard J. Turner (Public Member), 1313 Pulaski-Mercer Road, Mercer 16137, Mercer County, Fiftieth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve until November 1, 2014, and until his successor is appointed and qualified, vice Eleanor Rossman, Camp Hill, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

February 8, 2013

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, Davis Haire, OD, 424 Kenmar Drive, Meshoppen 18630, Wyoming County, Twentieth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Savarno, Charleroi, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF PHYSICAL THERAPY

February 8, 2013

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, Jeffrey R. Elliott, Esquire (Public Member), 331 Daniel Street, Wernersville 19565, Berks County, Forty-eighth Senatorial District, for reappointment as a member of the State Board of Physical Therapy, to serve until October 2, 2016, and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

HOUSE MESSAGES

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:

February 7, 2013

HB 124 -- Committee on Labor and Industry.

February 8, 2013

HB 19 -- Committee on Education.

HB 46 -- Committee on Finance.

HB 86 and **108** -- Committee on Banking and Insurance.

HB 88 and **107** -- Committee on Veterans Affairs and Emergency Preparedness.

HB 118 and **185** -- Committee on Labor and Industry.

HB 163 -- Committee on Local Government.

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:

February 7, 2013

Senators SMITH, TEPLITZ, KASUNIC, FONTANA, YUDICHAK, BREWSTER, WASHINGTON, FERLO, COSTA, TARTAGLIONE, FARNESE and SCHWANK presented to the Chair **SB 221**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the High-Performance Buildings Tax Credit.

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators SMITH, KASUNIC, FONTANA, YUDICHAK, BREWSTER, WASHINGTON, FERLO, TARTAGLIONE, FARNESE, COSTA, SCHWANK and BROWNE presented to the Chair **SB 238**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an Energy Star-rated product manufacturing tax credit.

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators SMITH, KASUNIC, FONTANA, YUDICHAK, BREWSTER, WASHINGTON, FERLO, TARTAGLIONE, FARNESE, COSTA, WAUGH and SCHWANK presented to the Chair **SB 239**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, authorizing the green roof tax credit.

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators SMITH, KASUNIC, FONTANA, YUDICHAK, BREWSTER, WASHINGTON, FERLO, TARTAGLIONE, FARNESE, COSTA and SCHWANK presented to the Chair **SB 240**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an Energy Star-related glass or window technologies tax credit.

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators WASHINGTON, GREENLEAF, FONTANA, WOZNIAK, FERLO, BROWNE, TARTAGLIONE and BOSCOLA presented to the Chair **SB 424**, entitled:

An Act establishing the Schools of Excellence Program.

Which was committed to the Committee on EDUCATION, February 7, 2013.

Senators DINNIMAN, FOLMER, FONTANA and BRUBAKER presented to the Chair **SB 442**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional education for school or system leaders.

Which was committed to the Committee on EDUCATION, February 7, 2013.

Senators DINNIMAN, FOLMER and FERLO presented to the Chair **SB 443**, 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 election of school directors.

Which was committed to the Committee on EDUCATION, February 7, 2013.

Senators BAKER, EICHELBERGER, MENSCH, SMUCKER, WHITE, FOLMER, HUTCHINSON, WAUGH and BRUBAKER presented to the Chair **SB 445**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for liability rules applicable to product sellers.

Which was committed to the Committee on JUDICIARY, February 7, 2013.

Senators BAKER, EICHELBERGER, SMUCKER, WHITE, FOLMER, HUTCHINSON, WAUGH and BRUBAKER presented to the Chair **SB 446**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for a statute of repose in product liability actions.

Which was committed to the Committee on JUDICIARY, February 7, 2013.

Senators SOLOBAY, BREWSTER, WASHINGTON, TARTAGLIONE, COSTA and FARNESE presented to the Chair **SB 447**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for definitions.

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators SOLOBAY, VULAKOVICH, WASHINGTON, VOGEL, BREWSTER and HUGHES presented to the Chair **SB 448**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for definitions, for sale or transfer of firearms, for the Pennsylvania State Police, for firearm sales surcharge and for the Firearms Records Check Fund.

Which was committed to the Committee on JUDICIARY, February 7, 2013.

Senators SOLOBAY, FONTANA, KASUNIC, WHITE and WAUGH presented to the Chair **SB 449**, entitled:

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for permits; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 7, 2013.

Senators SOLOBAY, FOLMER, FONTANA, SCHWANK, BOSCOLA and HUGHES presented to the Chair **SB 450**, entitled:

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

Which was committed to the Committee on FINANCE, February 7, 2013.

Senators SOLOBAY, BROWNE, FERLO, BREWSTER and WASHINGTON presented to the Chair **SB 451**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in preliminary provisions and in licensing of health care facilities, further providing for definitions.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 7, 2013.

February 8, 2013

Senators WHITE, SCARNATI, YUDICHAK, KASUNIC, VULAKOVICH, TOMLINSON, ARGALL, ROBBINS, MENSCH, WARD, EICHELBERGER, RAFFERTY,

GORDNER, VOGEL, ALLOWAY, BROWNE, YAW, SOLOBAY, ERICKSON, FOLMER, HUTCHINSON, WAUGH, SMUCKER, BRUBAKER, CORMAN, WOZNIAK and PILEGGI presented to the Chair **SB 3**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for compliance with Federal health care legislation.

Which was committed to the Committee on BANKING AND INSURANCE, February 8, 2013.

Senators BOSCOLA, HUGHES, FONTANA, FERLO, BREWSTER, FARNESE, YUDICHAK, SOLOBAY, SCHWANK, WOZNIAK, ALLOWAY, MENSCH, VULAKOVICH, VOGEL and RAFFERTY presented to the Chair **SB 206**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing for table game taxes.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, February 8, 2013.

Senators PILEGGI, BRUBAKER, GREENLEAF, TOMLINSON, ERICKSON, ARGALL, BREWSTER, MENSCH, KASUNIC, VULAKOVICH, STACK, VOGEL, FONTANA, WASHINGTON, RAFFERTY, TARTAGLIONE, WHITE, YUDICHAK, McILHINNEY, SCHWANK, BROWNE, SOLOBAY, BAKER, WOZNIAK, WAUGH, ALLOWAY, COSTA and BOSCOLA presented to the Chair **SB 299**, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, further providing for certification and calculation of minimum and maximum modifiers and for the Property Tax Relief Reserve Fund; providing for senior citizen tax relief; and further providing for State property tax reduction allocation.

Which was committed to the Committee on FINANCE, February 8, 2013.

Senators VANCE, ERICKSON, BAKER, BROWNE, FONTANA, KASUNIC, MENSCH, KITCHEN, SOLOBAY, VOGEL, FOLMER, TARTAGLIONE, LEACH, WHITE, WAUGH, McILHINNEY, COSTA, EICHELBERGER, GREENLEAF, DINNIMAN, WILEY, HUGHES and SCHWANK presented to the Chair **SB 405**, entitled:

An Act amending the act of November 24, 1976 (P.L.1163, No.259), referred to as the Generic Equivalent Drug Law, further providing for definitions, for substitutions, for posting requirements, for powers and duties of Department of Health and for immunity of pharmacists under certain circumstances.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 8, 2013.

Senators FERLO, TEPLITZ, FARNESE, YUDICHAK and BREWSTER presented to the Chair **SB 416**, entitled:

An Act providing for a constitutional convention with limited powers; providing for a referendum on the question; providing for the selection, nomination and election of delegates; defining the powers and duties of the convention; providing for its operation; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, February 8, 2013.

Senators FONTANA, STACK, ERICKSON, MENSCH, VULAKOVICH, FARNESE, GREENLEAF, WASHINGTON, VOGEL, TARTAGLIONE, WILLIAMS, HUGHES, HUTCHINSON, BREWSTER, SCHWANK, FERLO, SOLOBAY, RAFFERTY, YUDICHAK, BOSCOLA, BRUBAKER, COSTA, LEACH, BAKER and WAUGH presented to the Chair **SB 417**, entitled:

An Act providing for the exclusion of veterans' disability benefits as eligible income.

Which was committed to the Committee on FINANCE, February 8, 2013.

Senators ERICKSON, RAFFERTY, WOZNIAK and DINNIMAN presented to the Chair **SB 440**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, making an editorial change; further providing for loss of property rights to Commonwealth; providing for vehicle forfeiture when driving under the influence; and further providing for procedure with respect to seized property subject to liens and rights of lienholders, for grading and for penalties.

Which was committed to the Committee on TRANSPORTATION, February 8, 2013.

Senators SMITH, TEPLITZ, YUDICHAK, FONTANA, ERICKSON, VULAKOVICH, RAFFERTY, VOGEL, MENSCH, STACK, HUGHES, WASHINGTON, BAKER, GREENLEAF, SOLOBAY, FERLO, BRUBAKER, COSTA, BROWNE, TARTAGLIONE, FARNESE, BLAKE, BREWSTER, WOZNIAK, KASUNIC, WILEY and BOSCOLA presented to the Chair **SB 452**, entitled:

An Act providing for portability of professional and occupational licenses for military spouses.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 8, 2013.

Senators COSTA, YUDICHAK, FONTANA, RAFFERTY, FERLO, BROWNE, SOLOBAY, BLAKE, FARNESE, SMITH and BREWSTER presented to the Chair **SB 453**, entitled:

An Act providing for patients' rights; and establishing a Pain Management and Palliative Care Task Force.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 8, 2013.

Senators COSTA, YUDICHAK, FONTANA, RAFFERTY, FERLO, BROWNE, SOLOBAY, BLAKE, FARNESE and BREWSTER presented to the Chair **SB 454**, 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, further providing for continuing medical education.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 8, 2013.

Senators COSTA, TEPLITZ, YUDICHAK, SMITH, FONTANA, SOLOBAY, BREWSTER, HUGHES, WASHING-

TON, FERLO, TARTAGLIONE, SCHWANK, FARNESE and BOSCOLA presented to the Chair **SB 455**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, providing for a single pharmacy benefits manager for a Drug Utilization Review Committee and its duties and for rebate agreements governing reimbursement by certain public plans; and imposing powers and duties on the Department of Aging.

Which was committed to the Committee on AGING AND YOUTH, February 8, 2013.

Senators COSTA, KASUNIC, BREWSTER, STACK, FONTANA, ERICKSON, YUDICHAK, FERLO, BROWNE, BLAKE, FARNESE, SMITH, HUGHES and BOSCOLA presented to the Chair **SB 459**, entitled:

An Act relating to safe drinking water; establishing the Emergency Drinking Water Support Fund; and providing for testing, for purchase of clean drinking water and for surcharge.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 2013.

Senators COSTA, FONTANA, ERICKSON, TEPLITZ, FERLO, TARTAGLIONE and HUGHES presented to the Chair **SB 460**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for powers and duties of counties.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 8, 2013.

Senators BROWNE, DINNIMAN, FOLMER, PILEGGI, TOMLINSON, VANCE, GREENLEAF, BOSCOLA, WAUGH, STACK, TEPLITZ, BAKER, YUDICHAK, SMUCKER, BLAKE, BREWSTER, ERICKSON, FARNESE, FONTANA, HUGHES, RAFFERTY, YAW, ARGALL, WASHINGTON, FERLO, EICHELBERGER, SOLOBAY, BRUBAKER, MENSCH, SMITH, TARTAGLIONE, WILLIAMS, COSTA and SCHWANK presented to the Chair **SB 470**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, establishing the Special Education Funding Commission; in reimbursements by the Commonwealth and between school districts, further providing for definitions; and providing for the distribution of special education funding for student achievement and instruction of eligible students and for special education accountability.

Which was committed to the Committee on EDUCATION, February 8, 2013.

February 11, 2013

Senators SCARNATI, SOLOBAY, COSTA, GREENLEAF, ERICKSON, RAFFERTY, TOMLINSON, McILHINNEY, MENSCH, BROWNE, CORMAN, BAKER, YAW, ROBBINS, VOGEL, VULAKOVICH, WAUGH, WHITE, GORDNER, KASUNIC, YUDICHAK and BOSCOLA presented to the Chair **SB 10**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, further providing for Office for Safe Schools and providing for allocation of certain appropriated funds.

Which was committed to the Committee on EDUCATION, February 11, 2013.

Senators STACK, FERLO, FONTANA, BREWSTER, SMITH, SOLOBAY, YUDICHAK, RAFFERTY, FARNESE, WAUGH, COSTA, BRUBAKER and BOSCOLA presented to the Chair **SB 209**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for manufacturing and agriculture tax credit.

Which was committed to the Committee on FINANCE, February 11, 2013.

Senators STACK, EICHELBERGER, FERLO, BREWSTER, SOLOBAY, RAFFERTY, FARNESE, ALLOWAY, KITCHEN, ERICKSON, COSTA and BOSCOLA presented to the Chair **SB 461**, entitled:

An Act providing for pharmacy audit procedures; and establishing the Pharmacy Error Reduction Committee and providing for its powers and duties.

Which was committed to the Committee on BANKING AND INSURANCE, February 11, 2013.

Senators STACK, WILLIAMS, SMITH, WASHINGTON, RAFFERTY, FONTANA, SOLOBAY, COSTA and BOSCOLA presented to the Chair **SB 462**, entitled:

An Act requiring employers that intend to relocate call centers overseas to notify the Secretary of Labor and Industry; imposing powers and duties on the Secretary of Labor and Industry; and prescribing penalties.

Which was committed to the Committee on LABOR AND INDUSTRY, February 11, 2013.

Senators STACK, WASHINGTON, MENSCH and RAFFERTY presented to the Chair **SB 465**, entitled:

An Act amending the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act, providing for limitation of taxation and for property tax deferrals.

Which was committed to the Committee on FINANCE, February 11, 2013.

Senators STACK, WAUGH, FARNESE, RAFFERTY, HUTCHINSON, WASHINGTON, BREWSTER and HUGHES presented to the Chair **SB 466**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, providing for narcotic treatment programs.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, February 11, 2013.

Senators HUTCHINSON, SCARNATI, ROBBINS, BRUBAKER, ALLOWAY, KASUNIC, TEPLITZ, WAUGH, WHITE and COSTA presented to the Chair **SB 469**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding from sales tax all equipment and devices which prohibit a firearm from being fired without a key or combination.

Which was committed to the Committee on FINANCE, February 11, 2013.

Senators COSTA, FARNESE, TEPLITZ, BREWSTER, KITCHEN, KASUNIC, STACK, SMITH, BROWNE,

FONTANA, SOLOBAY, YUDICHAK, VANCE, BLAKE, TARTAGLIONE, HUGHES and BOSCOLA presented to the Chair **SB 472**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for definitions, for organization of political committees, for registration and for reporting; in primary and election expenses, providing for limitations on contributions; in primary and election expenses, further providing for late filing fees and certificates of filing, for contributions or expenditures by national banks, corporations or unincorporated associations and for reports by business entities and publication; in primary and election expenses, providing for independent expenditures; and providing for corporate political accountability.

Which was committed to the Committee on STATE GOVERNMENT, February 11, 2013.

Senators COSTA, KITCHEN, BREWSTER, TEPLITZ, FONTANA, GREENLEAF, RAFFERTY, WASHINGTON, FERLO, WAUGH, HUGHES, TARTAGLIONE, FARNESE and BOSCOLA presented to the Chair **SB 473**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, further providing for exceptions for public records.

Which was committed to the Committee on STATE GOVERNMENT, February 11, 2013.

Senators COSTA, KASUNIC, BREWSTER, FONTANA, YUDICHAK, ERICKSON, EICHELBERGER, FOLMER, ALLOWAY, SOLOBAY, BAKER, SMITH, RAFFERTY, SMUCKER, VOGEL, WASHINGTON, FERLO, WAUGH, HUGHES, BRUBAKER, BROWNE, TARTAGLIONE, FARNESE and BOSCOLA presented to the Chair **SB 474**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further defining "candidate."

Which was committed to the Committee on STATE GOVERNMENT, February 11, 2013.

Senators COSTA, TEPLITZ, KITCHEN, STACK, BROWNE, FONTANA, BREWSTER, WASHINGTON, WILLIAMS, FERLO, HUGHES, BLAKE, TARTAGLIONE, FARNESE and BOSCOLA presented to the Chair **SB 475**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for the definition of "employer."

Which was committed to the Committee on LABOR AND INDUSTRY, February 11, 2013.

Senators ARGALL, KASUNIC, VULAKOVICH, TEPLITZ, RAFFERTY, BAKER, YUDICHAK, SOLOBAY, COSTA, BROWNE and BREWSTER presented to the Chair **SB 476**, entitled:

An Act establishing rights of correctional officers during certain investigations by the Department of Corrections; authorizing certain civil suits by correctional officers; and providing for impact of collective bargaining agreements and for summary suspensions.

Which was committed to the Committee on LABOR AND INDUSTRY, February 11, 2013.

Senators BAKER, TEPLITZ, FOLMER, BREWSTER, ERICKSON, VULAKOVICH, VOGEL, WHITE, RAFFERTY, ARGALL, BRUBAKER, TOMLINSON, BROWNE, FARNESE and SCHWANK presented to the Chair **SB 477**, entitled:

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for members of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, February 11, 2013.

RESOLUTIONS INTRODUCED AND REFERRED

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

February 7, 2013

Senators KITCHEN, FONTANA, COSTA, WASHINGTON, WILLIAMS, BOSCOLA, FARNESE, HUGHES, TARTAGLIONE, STACK, TEPLITZ, SMITH, BREWSTER, SOLOBAY and LEACH presented to the Chair **SR 28**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study on the implementation of early voting and on same-day registration in the Commonwealth of Pennsylvania.

Which was committed to the Committee on STATE GOVERNMENT, February 7, 2013.

Senators YAW, WOZNIAK, KASUNIC, BAKER, TOMLINSON, STACK, BREWSTER, CORMAN, RAFFERTY, VOGEL, GORDNER, GREENLEAF, YUDICHAK, ERICKSON, WHITE, PILEGGI, VULAKOVICH, COSTA, SOLOBAY, BROWNE and SCARNATI presented to the Chair **SR 29**, entitled:

A Resolution directing the Center for Rural Pennsylvania to study the potential for increased residential, commercial and industrial natural gas distribution infrastructure by Pennsylvania's public utilities to unserved and underserved areas of this Commonwealth.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 7, 2013.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator John P. Blake as a member of the Local Government Commission.

Senator Patrick M. Browne as a member of the Legislative Audit Advisory Commission.

Senator Vincent Hughes as a member of the Legislative Audit Advisory Commission.

Senator John N. Wozniak as a member of the Local Government Commission.

Dr. Daniel J. Glunk as a member of the Board of Directors of the Patient Safety Authority.

The Honorable John H. Suplizio as a member of the Local Government Advisory Committee.

APPOINTMENTS BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointments:

Senator Andrew Dinniman as a member of the Ben Franklin Technology Development Authority.

Senator Richard Kasunic as a member of the Legislative Data Processing Committee.

Senator Daylin Leach as a member of the Interstate Commission for Juveniles.

Senator Sean Wiley as a member of the Community Service Advisory Board.

Senator Anthony Williams as a member of the Legislative Data Processing Committee.

Senator John Yudichak as a member of the Environmental Quality Board and as a member of the Recycling Fund Advisory Committee.

Mr. Andrew J. Boni as a member of the Local Government Advisory Committee.

Mr. Thomas Lawrence III as a member of the Fire Safety Advisory Committee.

BILLS REPORTED FROM COMMITTEE

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

SB 302 (Pr. No. 412) (Amended) (Rereported)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for compilation of war records and the director of veterans' affairs.

SB 333 (Pr. No. 311) (Rereported)

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, eliminating the Traffic Court of Philadelphia.

SB 334 (Pr. No. 413) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the makeup, jurisdiction and venue of the Philadelphia Municipal Court; restricting and eliminating the Traffic Court of Philadelphia; and making an editorial change.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request legislative leaves for Senator Tomlinson and Senator Yaw.

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

Senator SOLOBAY. Mr. President, I request temporary Capitol leaves for Senator Hughes and Senator Leach.

The PRESIDENT. Senator Pileggi requests legislative leaves for Senator Tomlinson and Senator Yaw.

Senator Solobay requests temporary Capitol leaves for Senator Hughes and Senator Leach.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, February 11, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 11, 2013, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, March 11, 2013, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR TIMOTHY J. SOLOBAY
AND SENATOR STEWART J. GREENLEAF
PRESENTED TO THE SENATE**

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

Senator SOLOBAY. Mr. President, I would again like to thank and welcome Dr. Larry Stratton to the Senate Chamber today, our Chaplain for the day. Dr. Stratton is the director of the Stover Center for Constitutional Studies and Moral Leadership, and a professor of ethics and constitutional law at Waynesburg University in Waynesburg, Pennsylvania, in my district. Dr. Stratton is here today as a guest of myself and Senator Greenleaf, and along with him are students from Waynesburg University.

This morning they had an opportunity to tour the Capitol and meet with the State Representative from Greene County. They also have a meeting later on this afternoon with the Governor. Like I said, I sent a little list along with them when they meet with the Governor.

The Stover Center is led by Dr. Stratton, who has taught courses relating to law and ethics at Georgetown University Law Center, University of Pennsylvania, and other universities. He has also written articles and coauthored two books on constitutional law and ethics. Dr. Stratton holds a Ph.D. and a Master of Divinity from Princeton Theological Seminary, a J.D. from Georgetown University Law Center, and a B.S. in economics from the University of Pennsylvania's Wharton School. He is also a former clerk to U.S. District Judge Claude M. Hilton of the U.S. District Court for the Eastern District of Virginia. He is a member of the bar in Virginia and the District of Columbia. Dr. Stratton is also an ordained Presbyterian Minister.

I ask the Senate to please join me in a warm welcome for not only Dr. Stratton, but the students from Waynesburg University who are up in the gallery.

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

(Applause.)

**SPECIAL ORDER OF BUSINESS
2012 MISS PENNSYLVANIA
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Wiley.

Senator WILEY. Mr. President, this afternoon we welcome a woman to the Senate floor who is a role model, an inspiration to older and younger generations alike, and a testament to the incredible people by whom we are surrounded in northwest Pennsylvania. Mr. President, it is my pleasure to introduce to you Jordyn Colao, who joins us here today with her parents, Joe and Laurie Colao. Jordyn has spent the past 8 months as Miss Pennsylvania 2012. She has not taken this role lightly, and she has done an incredible job representing the Commonwealth. Just recently, Jordyn sparked a wealth of community pride in our hometown of Erie and the northwest Pennsylvania region, as we watched her represent Pennsylvania in the Miss America pageant.

Jordyn graduated from McDowell High School in Millcreek Township at the top of her class and went on to pursue her higher education at Penn State University. Now, Mr. President, the role of Miss Pennsylvania is one that comes with great responsibility, and it is my belief that Jordyn has filled this role exceptionally well. She has shown us with a quality education, a positive living environment, and a big heart that anyone can fulfill their dreams and make an impact on the lives of others for the betterment of our community.

Speaking of a big heart, Mr. President, it is only fitting that Jordyn's platform as Miss Pennsylvania is "Heart to Heart - Cardiovascular Disease Prevention." As we all know, cardiovascular disease is one of the number-one causes of death for women. Unfortunately, Jordyn had the experience of loss to heart disease when it took three of her grandparents. I commend Jordyn for taking that pain and turning it into a reason to educate people so

that others, hopefully, will not have to endure the agony of losing a loved one to heart disease. Jordyn has spent years as an active advocate for the American Heart Association, volunteering her time and promoting the organization's message across the Commonwealth. It is people like Jordyn Colao who prove to us day in and day out how fortunate we are to live in the great State of Pennsylvania. Jordyn, we thank you. We thank you for all that you have done and all that you continue to do on this remarkable journey.

Thank you, Mr. President.

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

(Applause.)

Miss COLAO. I want to thank Senator Wiley for having me here today. I keep looking around and trying to take in this moment because I know it is something that I am going to remember for the rest of my life, and I mean that in an endearing way.

I want to share with you something about the Miss America Organization that maybe you did not know: we are the largest provider of scholarships to women across the country and across the world. We provide \$45 million each year to empower women just like myself to get out there and to make a difference and to be a role model in a society where we might not always have them. That is why I am here today, because I want to empower our community through selfless volunteering and through education. So, I just want to thank you so much for allowing me to be here today because I know that in the beginning of my journey until now, I am a stronger person and give that all to Pennsylvania, and I give that all to my experience with the Miss America Organization and what they have done for me. So thank you so much.

(Applause.)

GUESTS 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 introduce a young man named Zacchary Thomas. Zacchary is the son of my administrative assistant, Kelley Thomas, and I have known Zacc basically since the day he was born and have watched him grow into a fine young man. Zacc is a senior at Northern High School in Dillsburg, and is here shadowing me today at the Capitol. Zacc is very active in high school, a three-year varsity letterman, and he is a kicker on the football team. He earned the 2012 Mid-Penn Colonial Division second-team offensive kicker. His personal best field goal kick was a kick of 50 yards, a 50-yard field goal. That is pretty impressive. Zacc also plays lacrosse as a midfielder.

He also does co-op with his high school while going to school half-days and working at Drayer Physical Therapy 2 days a week to earn class credits. Zacc has been a Big 33 volunteer for the past 2 years by helping kids with special needs. He also volunteers at his high school by assisting with the Special Olympics at track meets and ski events. Zacc just found out over the weekend that he has been accepted to Shippensburg University. Thank you, thank you, cheers are welcome. When he goes to Shippensburg, he is going to try and walk on as a kicker of the football team. So please welcome Zacc here today.

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

(Applause.)

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

Senator ALLOWAY. Mr. President, on that note, today we do have the Shippensburg University Football team, not all of them but a partial number of the team came here. On behalf of Senator Vance, who shares the University with me, and also Senator Baker, who is a fellow graduate of Shippensburg University, we would like to welcome the football team's coach, Mark "Mac" Maciejewski, and players Zach Zulli, Mark Kahlil Smith, Mike Frenette, and Corey Hunt. Now listen, you guys need to understand, this football team had an awesome season. They were phenomenal this year. I went to quite a few of the games and cheered them on. They finished the season with an 11-2 record. Shippensburg broke or tied 73 school records this year. They earned the PSAC Eastern Division title and advanced to the second round of the NCAA playoffs for the first time since 1991.

Now, they are a wonderful team, they have great skilled players, and great defensive players. But, there is one gentleman here today that we need to introduce, and that is the quarterback, Zach Zulli, who is from Schwenksville. He was selected as the 2012 PSAC Eastern Division Offensive Player of the Year. He set NCAA Division II records for points in a season, 336; and touchdowns in a season, 56. He also tied the Division II record with 54 touchdown passes. Zach also received the 2012 Division II Harlon Hill trophy, which is Division II's equivalent of the Heismann Trophy.

Coach Mac, as we lovingly call him, is a 1992 graduate of Shippensburg University. He was named the 2012 AFCA Division II Region 1 Coach of the Year.

So please welcome this wonderful football team and their accomplishments.

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

(Applause.)

GUESTS OF SENATOR MATTHEW H. SMITH PRESENTED TO THE SENATE

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

Senator SMITH. Mr. President, I rise today to welcome the Moon Area High School Girls' Soccer Team and to recognize them for their success as the PIAA 2012 Class AA Girls' State Soccer Champions. The Lady Tigers finished their stellar season with a 24-2 record, which is a school record for wins in a single season. They say the third time is a charm, and for the Lady Tigers it certainly was. After finishing the 2004 and 2006 seasons as State runners-up, the team defeated Archbishop Wood High School by a score of 1-0 to capture its first PIAA Class AA Title. None of these players had ever played in a PIAA playoff game, but you would not know it from their performance all season, and especially on November 17 in Hershey. Under the expert guidance of head coach Bill Pfeifer, and assistant coaches Jason Gallagher and Arne Thomas, they are ranked the number-one Class AA team by the Pennsylvania Scholastic Football Coaches

Association, 5th nationally by MaxPreps, and 6th in the region on the NSCAA/Adidas coaches poll.

These young women deserve to be recognized for their outstanding teamwork and commitment to their sport. They met the challenges that came their way all season, and earned the championship with their desire and dedication. With nearly 95 percent of the team on the honor roll or high honor roll, with a cumulative GPA of 3.81, these young ladies have shown perseverance on the field, in the classroom, and are also active in their community. I want to acknowledge the entire athletic support staff; administration, including Moon Area School District Superintendent, Dr. Donna Milanovich; parents; and fans. Your support, involvement, and enthusiasm helped to motivate these young women and helped them achieve success on and off the soccer field.

I would like to acknowledge the members of the team seated in the balcony for their achievement, as well as the many supportive parents who are also able to join them here today. On behalf of the Senate of Pennsylvania, I would like to congratulate the players and coaches of the Moon Area High School Girls' Soccer Team and wish them continued success in the years to come.

I respectfully, Mr. President, ask my colleagues to join me in giving them a round of applause.

Thank you, Mr. President.

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

**GUEST OF SENATOR JAY COSTA
ON BEHALF OF SENATOR DAYLIN LEACH
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I rise this afternoon to introduce a guest on behalf of Senator Daylin Leach. Mr. President, in the gallery is a young woman by the name of Nichole Ryder. Nichole, if you could please stand up. Nichole has just graduated from Haverford High School and has been serving as an intern in Senator Leach's office.

Mr. President, on behalf of Senator Leach, I ask that we give our usual warm welcome to Miss Nichole Ryder.

Thank you, Mr. President.

The PRESIDENT. Would the Senate join me in welcoming Senator Leach's guest. (Applause.)

RECESS

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

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

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

Senator COSTA. Mr. President, Senate Democrats will also meet for a brief caucus.

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

AFTER RECESS

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Yaw has returned, and his legislative leave is cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 84 -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

SB 150 (Pr. No. 342) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL AMENDED

SB 371 (Pr. No. 294) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of December 14, 1967 (P.L.746, No.345), known as the Savings Association Code of 1967, eliminating provisions for incorporation and organization, for names, for offices, for directors, officers, employees and attorneys, for members, for corporate powers, for savings operations, earnings, account insurance and reserves, for investment operations, for amendment of articles, for mergers, consolidations, conversions and reorganizations, for voluntary and involuntary dissolution and distribution of assets upon insolvency, for foreign and Federal associations, for provisions applicable to Department of Banking and for penalties and criminal provisions.

On the question,

Will the Senate agree to the bill on third consideration?

Senator BRUBAKER offered the following amendment No. A0159:

Amend Bill, page 1, line 26, by inserting after "Banking":
and Securities
Amend Bill, page 136, line 28, by inserting after "Banking":
and Securities
Amend Bill, page 137, line 2, by inserting after "Banking":
and Securities
Amend Bill, page 137, line 7, by inserting after "Banking":
and Securities
Amend Bill, page 137, line 9, by inserting after "Banking":
and Securities
Amend Bill, page 137, line 11, by inserting after "Banking":
and Securities
Amend Bill, page 137, line 28, by inserting after "Banking":
and Securities

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 WAUGH.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 82 and **HB 84** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL REREFERRED

SB 99 (Pr. No. 366) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, consolidating provisions on administrative procedure and rulemaking; and making related repeals.

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

BILLS OVER IN ORDER

SB 114, SB 155, SB 194 and **SB 196** -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Tomlinson has returned, and his legislative leave is cancelled.

CONSIDERATION OF CALENDAR RESUMED

SECOND CONSIDERATION CALENDAR RESUMED

BILL ON SECOND CONSIDERATION

SB 380 (Pr. No. 313) -- 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.

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

BILL OVER IN ORDER

SB 381 -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

UNFINISHED BUSINESS SENATE RESOLUTION ADOPTED

Senators WARD, FONTANA, DINNIMAN, GREENLEAF, BREWSTER, TEPLITZ, TOMLINSON, FERLO, STACK, WHITE, ERICKSON, ALLOWAY, GORDNER, BLAKE, RAFFERTY, TARTAGLIONE, MENSCH, COSTA, SOLOBAY, BROWNE, WASHINGTON, PILEGGI and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 30**, entitled:

A Resolution designating the month of March 2013 as "Problem Gambling Awareness Month" in Pennsylvania and observing the week of March 3 through 9, 2013, as "National Problem Gambling Awareness Week."

On the question,
Will the Senate adopt the resolution?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, Senator Fontana and I are offering this resolution designating the month of March 2013 as "Problem Gambling Awareness Month" in our State, and it observes the week of March 3 through March 9 as "National Problem Gambling Awareness Week." We acknowledge that while many people can responsibly enjoy gaming as a legitimate form of entertainment, there are a small number of individuals who will suffer from problem gambling. This resolution is intended to make people aware of the public health issue of problem gambling, both in terms of prevention and treatment. While the Pennsylvania gaming industry has been quite successful in terms of job creation, revenue generation, economic development, they are working along with the Commonwealth to insure that it also addresses any accompanying social issues in a responsible and effective manner. Thank you.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Leach has returned, and his temporary Capitol leave is cancelled.

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

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

Senator FONTANA. Mr. President, I rise to urge support for the resolution from Senator Ward and myself, recognizing March as Problem Gambling Awareness Month, and the week of March 3 through March 9 as National Problem Gambling Awareness Week. Mr. President, gaming in Pennsylvania deserves credit for its positive economic impact, the jobs it has created, property tax

relief, grants for important local projects, funds for fire departments, and its aid to our State's agricultural industry and to the Horseracing Fund. Typically, Mr. President, gambling sometimes can have a dark side. Nationwide, approximately 6 million to 9 million adults suffer from gambling addiction. This disorder is often a contributing factor toward joblessness, domestic abuse, divorce, and child abuse. Mr. President, the problem is worsening among our young people. A recent survey revealed that 672,000 American college students have fallen prey to this disorder. There is no typical problem gambler, Mr. President, from the grandmother playing penny slots to the high roller at the craps table, no one is immune from this addiction. Whether you play Lottery games or bingo, bet on horses, or make sports bets, anyone can become an addicted gambler. The disease has no typical age, sex, income level, or gaming choice. Like most addictions, you do not even realize you have it until you are trapped in its clutches.

Mr. President, I applaud my legislative colleagues who authored our State's 2004 casino gaming law for adding provisions that dedicated a significant portion of casino proceeds to help raise awareness and help people who fall victim to compulsive gambling. Our Gaming Control Board even offers a web page dedicated to problem gambling and a 1-800-GAMBLER hotline that people can call to get counseling help.

Mr. President, I am hopeful that this resolution will help raise awareness about this rising problem and that more preventive programs will be initiated.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Pittsburgh Association for the Education of Young Children by Senator Costa.

Congratulations of the Senate were extended to Darlene Malone, Lynwood J. Matthews, Jr., and to Stephen M. Barth by Senator Greenleaf.

Congratulations of the Senate were extended to Sandra U. Myers by Senator Hughes.

Congratulations of the Senate were extended to Timothy James LaFlamme and to Venango Catholic High School by Senator Hutchinson.

Congratulations of the Senate were extended to Tyler Will by Senator Kasunic.

Congratulations of the Senate were extended to Troy Grant by Senator Kitchen.

Congratulations of the Senate were extended to Garfield L. Jackson, Sr., Paula Grace Robinson and to Faith L. Crabbe by Senator Leach.

Congratulations of the Senate were extended to Francis Desmond, George N. Emmons, Ermelina C. Flynn and to the Lighthouse Youth Center by Senator Pileggi.

Congratulations of the Senate were extended to William F. Shields, Jr., by Senator Rafferty.

Congratulations of the Senate were extended to Berks County Chapter of the Pennsylvania Sports Hall of Fame and to the citizens of Berks County by Senator Schwank.

Congratulations of the Senate were extended to Chief William Wiegman, Jr., Captain Joseph Nean, Gerald Kuhner, Dennis Curran, David Lundquist, Raymond Hackman, Brian McGuire, Melvin Groninger, Michael Abramiuk, John Gryn, Dennis Keen, David Whitaker, Brant Warner and to Timothy Kennelly by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Gerald M. Lankard, Sr., by Senator Vance.

Congratulations of the Senate were extended to Andrew Thor Lingenfelter by Senator Vulakovich.

Congratulations of the Senate were extended to Kevin Dimitri Bratkowski by Senator Ward.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 12, 2013

10:00 A.M.	LABOR AND INDUSTRY (to consider Senate Bill No. 145; and House Bill No. 124)	Room 461 Main Capitol
10:30 A.M.	EDUCATION (to consider Senate Bills No. 193, 267, 360, 442, 443 and 470)	Room 8E-A East Wing
11:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 258 and 411; and Senate Resolution No. 29)	Room 8E-B East Wing
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 117, 328, 340, 391 and 428)	Room 8E-B East Wing
12:30 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 308 and 436)	Room 8E-B East Wing
3:00 P.M.	TRANSPORTATION (public hearing with Secretary Barry Schoch on the Governor's Transportation Funding Package)	Hrg. Rm. 1 North Off.

WEDNESDAY, FEBRUARY 13, 2013

9:00 A.M.	EDUCATION and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint hearing on School Emergency Plans and Security Measures)	Hrg. Rm. 1 North Off.
9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on Technology, Communications and E-Health Issues)	Room 8E-A East Wing
10:00 A.M.	FINANCE (to consider Senate Bills No. 4, 67, 68, 141, 266 and 286)	Room 461 Main Capitol

<u>TUESDAY, FEBRUARY 19, 2013</u>			committee on legislative goals of the War Veterans Council and PA Veterans Commission)		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Governor's Office/Governor's Budget Office/Executive Offices)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Aging)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Public Utility Commission)	Hrg. Rm. 1 North Off.	2:30 P.M.	APPROPRIATIONS (Budget Hearing - Department of Environmental Protection)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Independent Fiscal Office - Economic Outlook & Revenue Overview)	Hrg. Rm. 1 North Off.	<u>THURSDAY, FEBRUARY 28, 2013</u>		
<u>WEDNESDAY, FEBRUARY 20, 2013</u>			9:30 A.M.	APPROPRIATIONS (Budget Hearing - Lincoln University; Penn State University; Temple University and University of Pittsburgh)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Treasury Department)	Hrg. Rm. 1 North Off.	<u>MONDAY, MARCH 4, 2013</u>		
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Attorney General)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Education)	Hrg. Rm. 1 North Off.
1:30 P.M.	APPROPRIATIONS (Budget Hearing - Auditor General)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Corrections/Office of Probation and Parole)	Hrg. Rm. 1 North Off.
<u>THURSDAY, FEBRUARY 21, 2013</u>			3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Community & Economic Development)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - State Police/Homeland Security)	Hrg. Rm. 1 North Off.	<u>TUESDAY, MARCH 5, 2013</u>		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of General Services)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Public Welfare)	Hrg. Rm. 1 North Off.
2:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Insurance)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - PASSHE)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Gaming Control Board)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Agriculture)	Hrg. Rm. 1 North Off.
<u>MONDAY, FEBRUARY 25, 2013</u>			<u>WEDNESDAY, MARCH 6, 2013</u>		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Liquor Control Board)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Transportation)	Hrg. Rm. 1 North Off.
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of State)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Labor & Industry)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Military & Veterans Affairs)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Banking & Securities)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Conservation & Natural Resources)	Hrg. Rm. 1 North Off.	PETITIONS AND REMONSTRANCES		
<u>TUESDAY, FEBRUARY 26, 2013</u>			The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Ferlo.		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Department of Revenue)	Hrg. Rm. 1 North Off.	Senator FERLO. Mr. President, first of all, I want to thank our Leader, Senator Costa, for earlier today speaking at a rally. Several hundred Pittsburghers came by bus earlier today to rally here in the Rotunda obviously under the banner of the "Transit Bill of Rights." These are folks, not only union members who make up some of the workforce at the Port Authority of Allegheny County, but many in the crowd were transit riders. I think you know the common refrain from all of them at this critical time when we are struggling with the transportation budget. We are very concerned, not just in Pittsburgh, Allegheny County, but smaller counties, rural counties, and certainly our sister city of Philadelphia. We are very concerned about a transportation bill that would also include very important and necessary resources to buttress and sustain public transit, very vital for employment.		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Drug & Alcohol Programs)	Hrg. Rm. 1 North Off.			
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.			
10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint hearing with the House Veterans Affairs & Emergency Preparedness	Rm. G-50 Irvis Bldg.			

They have a set of principles, all of which have been enumerated earlier at the rally. I will not repeat them, but I do want to thank all the folks for coming to the State Capitol today, many of them did come early in the morning to be here and they will be back in the evening. A large number of those folks are from my own 38th Senatorial District as well.

But on another matter directly related to the broader issue of transportation, I know we have been highlighting the importance of transportation and the struggle we are having to try to come up with revenue and funding. We have focused in on roads and bridges, rightfully so, and I have certainly mentioned the need for mass transit and paratransit. But another issue that has gone unnoticed a little bit, there have been a couple of articles in the newspaper, I want to rise today, Mr. President, to speak on the importance of rail transportation and to specifically protest the possibility that in less than a year from now, the western portion of our State may lose one of its Amtrak routes. As many of my esteemed colleagues may know, the U.S. Congress passed the Passenger Rail Investment and Improvement Act of 2008. Its intent was to have individual States shoulder a larger share of the financial burden of running certain Amtrak routes that are less than 750 miles long.

One of those routes is The Pennsylvanian, greatly named, which currently runs once per day in each direction between Pittsburgh and New York City, servicing over a dozen Pennsylvania stops in between. The Pennsylvanian is one of two Amtrak routes which primarily serves this State, and the only route which provides service between Pittsburgh and Harrisburg. Up until now, Amtrak has covered the cost of this train, while the Commonwealth has subsidized rail service in the eastern part of the State to the tune of \$9 million per year. The Federal government is asking the State to take on an additional cost of \$5.7 million annually to keep the trains running to western Pennsylvania. Obviously, I wholeheartedly believe that we should accept these costs as an investment in the future of our region and of our State as a whole. If the Department of Transportation chooses not to shoulder our State's share of the cost by October, then The Pennsylvanian will no longer run and we will find ourselves in a dire situation, completely without a passenger rail link between the Commonwealth's two largest cities. Mr. President, this scenario would be frankly shameful, as well as inconvenient and inequitable, to those Pennsylvanians who regularly rely on public rail service.

First of all, alternatives to the train are few to nonexistent. Currently, there are no commercial flights operating between Pittsburgh and Harrisburg, leaving road and rail as the only two options, or a personal vehicle, obviously. This in itself is a sad state of affairs. Many who argue that maintaining The Pennsylvanian is not worth the cost will often remark that it is faster to drive to Harrisburg from Pittsburgh than to take the train. I know this is true because I have to do it every week, and I guess I have a heavy foot once in a while. But the fact of the matter is a lot of folks are not able to drive in a vehicle, they do not own it, they cannot afford it, it is just not convenient, they do not have the ability to have that form of transportation.

As we all learned during the voter ID debacle, many Pennsylvanians do not drive, in fact, many more than we may think. Bus service is available, but only Greyhound services the smaller towns along train routes. These trips can be very long and are

often more expensive than the same trip by train. Take, for example, a trip from Latrobe to Lewistown, two towns that could be left without train service in the possible future. On the train, the trip takes 3 hours and costs \$25. The same trip made on a Greyhound bus is an hour and 20 minutes longer, and costs more than twice as much at \$52. I hate to think about how these prices will jump when the bus no longer has to compete with the train.

Secondly, we have to consider who these cuts will affect. The answer is clear: the scenario places the largest burden on those with the fewest alternatives. Some of the most drastically affected will be the residents and visitors of many of our third class cities and small towns that lie along the tracks. I applaud my colleague, Senator Wozniak, and others on the aisle opposite who have formed the third class cities lobbying effort and caucus, because we are concerned about the quality of life and economic opportunities that exist, or lack thereof, for our third class cities. Places like Altoona, Greensburg, and Johnstown will all be cut out from public transit access to Pittsburgh, Philadelphia, New York City, and even this capital. Train ridership actually increased in these places last year, but here we are considering the possibility of eliminating the option entirely.

The case of Huntingdon, Pennsylvania, for example, is not unique. It is home to a college, two prisons, and many senior citizens. Students who do not have cars, retirees who do not drive, and people visiting prisoners all depend on the train as a lifeline connecting them to their homes and to their families. College students and professionals who commute occasionally to Pittsburgh or Harrisburg, retirees and others who may not drive will be forced to scramble to find ways to get to their destinations. I have received calls in my office from people who do not drive for medical reasons but take the train to Harrisburg on business. Eliminating this service will make doing their jobs vastly more difficult. This scenario turns the Alleghenies back into the western frontier. What kind of message does it send to cut off access to this capital to those who do not have the resources to get here any other way?

Lastly, we had the question of what should be done about it? To me, Mr. President, the answer is quite clear. If Congress is calling upon the State to share the cost of providing a vital service to our constituents, I believe we must do so. Maintaining a healthy transportation infrastructure is about more than just roads and bridges. I firmly believe that it includes insuring access to reliable alternatives like passenger rail service. In fact, one of the biggest problems of the western portion of our rail route is that it is not enough. Once again, the train only travels once per day in each direction. One trip per day does not encourage those people who have other alternatives to take the train. And it certainly does not accommodate schedule changes as well as train service in the eastern half of the State.

The Keystone Route, which runs between Harrisburg and New York City, runs 14 times in each direction every day, and the stops along that route are some of the most well-traveled in the nation. Students, commuters, tourists, and many others have decided that their preferred method of transportation is by train, partially because of the reliability and the flexibility offered by having multiple trips to choose from. If we are serious, Mr. President, about protecting Pennsylvania's past and insuring its future, we should work toward making faster, more frequent trips by rail service available to riders. If the service can be reliable, efficient, and frequent, commuters will reward these efforts with

ticket purchases. If we build it, they will come and they will ride rail, Mr. President.

In conclusion, Mr. President, I would like to strongly encourage the Department of Transportation to consider the impact that losing this service would have on thousands of Pennsylvanians. The costs that we are being asked to share is relatively small when compared to the cost of cutting off public transportation to about half of the State geographically. Any supposed commitment to adequate transportation funding by this administration should and must include our fair share of the costs of this important service. Again, I want to highlight, I mentioned earlier that Senator Wozniak and our other colleagues who have formed the third class cities caucus, but I note that from Pittsburgh, there are at least four third class cities that will be without this rail service - Greensburg, Johnstown, Altoona, and Harrisburg would be adversely affected. I also note, to the credit of Pittsburgh National Bank Corporation, they have an economic development fund that they created years back, a \$350 million initiative fund. This past year they helped to fund, with a \$300,000 grant, the train station in Greensburg, which I believe is in Senator Ward's district. That has been a very successful project. Obviously, I liked the project and supported it because it happens to be historic preservation, but there is also an economic development benefit. It is a building that has been greatly restored based on preservation principles, and it houses a variety of businesses, law firms, and, I think, there is actually a State Representative who has an office in that building. But that building is the rail stop for this rail service.

So, there are a lot of benefits, many of which I have outlined currently. I think many of my colleagues probably are sympathetic and share my concern. I would suggest that in a \$28.-whatever billion budget, we ought to be able to find the \$5 million or \$6 million. So thank you, Mr. President, I am very glad you are also the chair of the Committee on Transportation, and I know you, in a leadership way, will take my concerns to heart.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The Chair thanks the gentleman for his comments.

The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, last week the Governor announced that Pennsylvania will not take part in the Medicare expansion. This was an effort to assist States in ramping up their national healthcare coverage. What the Federal government proposed to do, Mr. President, was--maybe this was one of the reasons the Governor did not like it--they offered to pay a certain amount for us to get started with that expansion. In the first 3 years, Mr. President, the Federal government was going to pay 100 percent. So I find that baffling that the Governor did not want to do that, but maybe it is because there is a drop-off in the fourth year, the Federal government will only pay 95 percent. And then, as long as the program goes on, this must be the big drop-off that the Governor did not like, the Federal government will foot the bill for 90 percent. Mr. President, we need these funds, and we need this program. What the Governor then said

was he did not want to partake in this program until he heard back from the Federal government on some of the other details of the Federal exchange. Mr. President, what details does the Governor want? There is an old adage about never looking a gift horse in the mouth, and it really fits here, Mr. President.

Now, I am not the first person to talk about this because it is self-evident. We have a big problem with a slow growing economy here in Pennsylvania, and there are some things that would help spur some energy and some growth. One of the things would be billions of dollars that healthcare money would inject into our economy to provide insurance for the working poor, billions of dollars to make sure people get primary care treatment, hundreds of millions of dollars that maybe would make former adultBasic enrollees have coverage, and billions of dollars to reduce healthcare costs to doctors and hospitals.

Mr. President, this refusal to join the Medicare expansion is really a shot to the healthcare providers of this State. Uncompensated care, Mr. President, is a huge problem, and it is zapping job creation and it is zapping job growth. But my view on this is not really a Democratic view in the sense, the big "D," my view is something a little different. I would follow the decision of the Republican governors of Michigan, Ohio, and Arizona. Those are three very conservative Governors, but what have they done on this issue? They have accepted the money, Mr. President, and now they are going to be able to save money, even more money down the road, by being able to provide healthcare at an early stage. As we all know, the earlier that people deal with these health issues, the less it costs. Because when people put off getting care because they do not have insurance and they are afraid they are not going to be able to afford it, their first entry into the healthcare system is through the emergency room doors. Then we all have to pay.

So when we look at this program and the idea of Medicare expansion, it is not more government, as the ideologues like to say. It is more insured people and a lot less cost to government. The Senate Minority Leader, Senator Costa, my colleague, said the Governor is simply wrong on the fiscal argument. I agree with Senator Costa. The Governor could use \$600 million of the \$3-plus billion the State will get each of the first 3 years to pay for programs like--these are some issues that we have heard a little bit about--education, transportation, and I know you know all about that, Mr. President, you could use the money, and for college funding. We could cut costs drastically. The Governor's decision to not have Pennsylvania start their own exchange, something that was offered to pretty much every other State, was also troubling. And he chose to not have our State set up its own exchange. I think with that decision we have joined now with only Mississippi and Alabama.

So I was disappointed, but we are all going to live with that decision, we and those who do not have insurance. I think that the Governor is turning his back on our most vulnerable citizens, and in turn he is standing strong for partisanship, for Washington-style politics, and for jeopardizing the health of our seniors, our children, and those without coverage. We had a chance, Mr. President, to turn the economy around, to stand up for the healthcare industry, one of our, of course, biggest job creators, and to stand up for people without health insurance. The Governor has looked a gift horse in the mouth. The price was free, but the Governor's refusal of that price is going to cost us all greatly.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I just want to rise and thank the gentleman for his comments on a very, very important issue. Mr. President, the gentleman is right on the mark. His comments were eloquent in the sense that they recognized and captured the essence of this issue as we go forward. I think it is imperative that we continue to have this conversation about Medicaid expansion in this Commonwealth.

Mr. President, Senate Democrats, along with Senator Stack and his committee, the Committee on Banking and Insurance, have been working and making certain that the true facts are on the table. When we evaluate this situation, we recognize that we must all evaluate off the same song sheet, so to speak, so that we are comparing facts that are factual and the same facts on each side of the ledger. But I want to thank the gentleman for continuing to bring this issue to the forefront in the manner in which he has. It is very important and it is something that we will continue to talk about, led by Senator Stack and Senator Hughes.

Thank you, Mr. President.

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The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Tuesday, February 12, 2013, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:18 p.m., Eastern Standard Time.