

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

WEDNESDAY, MARCH 20, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 18

**SENATE**

WEDNESDAY, March 20, 2013

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

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

**PRAYER**

The Chaplain, Reverend Monsignor JOSEPH C. McLOONE, of Saint Joseph Church, Downingtown, offered the following prayer:

Good morning. I am happy to be here at the insistence of Senator Dinniman, although Senator Pileggi tried for many years to get me to come. I am now living in Chester County but I spent many happy years in Chester City itself.

As I said, I was introduced as the Pastor of Saint Joseph, and yesterday was, in our faith tradition, the feast of Saint Joseph, and it was also, as many of you know, the installation of our new Holy Father. He said yesterday, and I found it very important of Saint Joseph, that Saint Joseph's role was to be a protector. The vocation of being a protector is not just something involving Christians alone. It also has a prior dimension which is simply human, involving everyone. It means protecting all creation, the beauty of the created world from the book of Genesis to St. Francis of Assisi. It means respect in each of God's creatures and respecting the environment in which we live. It means protecting people, showing love and concern for each and every person, especially children, the elderly, those in need, and those who so oftentimes are forgotten about. Then our new Pope turned to the large delegation from many countries around the world, elected leaders, and said to them, please, I would like to ask all of those who have positions of responsibility in economic, political, and social life, and all men and women of good will, let us be protectors of creation, protector of God's plan, protectors of one another and of the environment. Let us not allow omens of destruction and death to accompany the advance of this world, but be protectors who have to keep watch even over ourselves.

Good and gracious God, as the Senate comes today once again, we ask Your blessing upon the Senate, the Senators, and we ask that they be true protectors of the people who have elected them. Protectors of their needs, protectors of their rights and their dignities, and may they be protectors of the laws that they have sworn to uphold, and may they work together to build up the Commonwealth of Pennsylvania. We make this prayer through Your loving protection, God our Father. Amen.

The PRESIDENT. The Chair thanks Monsignor McLoone, who is the guest today of Senator Dinniman.

**PLEDGE OF ALLEGIANCE**

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

**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:

March 20, 2013

Senators DINNIMAN, STACK, FONTANA, WASHINGTON, ERICKSON, RAFFERTY, KASUNIC, GREENLEAF, TEPLITZ, YUDICHAK, VULAKOVICH, HUGHES, BAKER, SOLOBAY, BROWNE, SMITH, FARNESE, SCHWANK and WILLIAMS presented to the Chair **SB 232**, 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 the Transfer and Articulation Oversight Committee.

Which was committed to the Committee on EDUCATION, March 20, 2013.

Senators SCARNATI, SOLOBAY, YUDICHAK, COSTA, WAUGH, ERICKSON, YAW, GREENLEAF, TOMLINSON, MENSCH, WARD, ARGALL, VULAKOVICH, VOGEL, ALLOWAY, BAKER, WHITE, FONTANA, KASUNIC, BREWSTER, TARTAGLIONE, SCHWANK, FERLO, BOSCOLA and BROWNE presented to the Chair **SB 555**, entitled:

An Act establishing the Health Advisory Panel on Shale Gas Extraction and Natural Gas Use; and providing for its powers and duties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 20, 2013.

Senators SCHWANK, SMITH, FARNESE, WASHINGTON, TEPLITZ, STACK, HUGHES, RAFFERTY, FERLO, FONTANA, SOLOBAY, WOZNIAC, WAUGH, COSTA, BAKER, BOSCOLA and BREWSTER presented to the Chair **SB 708**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

Which was committed to the Committee on STATE GOVERNMENT, March 20, 2013.

Senators SCHWANK, SMITH, WASHINGTON, FARNESE, TEPLITZ, RAFFERTY, FERLO, FONTANA, SOLOBAY, WOZNIAK, COSTA, BAKER, BOSCOLA and BREWSTER presented to the Chair **SB 709**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for definitions and for qualified absentee electors; providing for absentee voting; and further providing for applications for official absentee ballots, for date of application for absentee ballot, for approval of application for absentee ballot, for official absentee voters ballots, for envelopes for official absentee ballots, for delivering or mailing ballots, for voting by absentee electors, for assistance in voting by certain absentee electors, for canvassing of official absentee ballots and for violation of provisions relating to absentee voting.

Which was committed to the Committee on STATE GOVERNMENT, March 20, 2013.

Senators GREENLEAF, FONTANA, RAFFERTY, TARTAGLIONE, WASHINGTON, ERICKSON, HUGHES, SOLOBAY, FERLO, FARNESE and SCHWANK presented to the Chair **SB 710**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, providing for tampering with biological evidence; further providing for controlled substance forfeiture and for preservation of biological evidence; repealing provisions relating to postconviction DNA testing; further providing for jurisdiction and proceedings; providing for postconviction DNA testing; and providing for forensic laboratories and for powers and duties of the board.

Which was committed to the Committee on JUDICIARY, March 20, 2013.

Senators GREENLEAF, FONTANA, RAFFERTY, TARTAGLIONE, WASHINGTON, ERICKSON, HUGHES, SOLOBAY, FERLO, FARNESE and SCHWANK presented to the Chair **SB 711**, entitled:

An Act amending Titles 18 (Crimes and Offenses), 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, further providing for expungement; providing for informant testimony; further providing for exceptions to sovereign immunity; adding provisions relating to wrongful conviction and imprisonment; and providing for recording of custodial interrogations and for eyewitness identifications.

Which was committed to the Committee on JUDICIARY, March 20, 2013.

Senators GREENLEAF, FONTANA, RAFFERTY, TARTAGLIONE, WASHINGTON, ERICKSON, HUGHES, SOLOBAY, FERLO, FARNESE and SCHWANK presented to the Chair **SB 712**, entitled:

An Act establishing the Pennsylvania Commission on Conviction Integrity; and imposing powers and duties.

Which was committed to the Committee on JUDICIARY, March 20, 2013.

Senators SMUCKER, PILEGGI, WILLIAMS, WASHINGTON, RAFFERTY, COSTA, BLAKE, SCHWANK, FERLO, LEACH, KITCHEN and STACK presented to the Chair **SB 713**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for in-State tuition for undocumented individuals.

Which was committed to the Committee on EDUCATION, March 20, 2013.

Senators MENSCH, SCARNATI, KASUNIC, EICHELBERGER, ARGALL, RAFFERTY, FOLMER, YAW, ALLOWAY, HUTCHINSON, VOGEL, WAUGH, WHITE, SOLOBAY, McILHINNEY and VULAKOVICH presented to the Chair **SB 714**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, further providing for the definition of "employee."

Which was committed to the Committee on LABOR AND INDUSTRY, March 20, 2013.

Senators McILHINNEY, TEPLITZ, GREENLEAF, WASHINGTON, ERICKSON, RAFFERTY, VANCE, BROWNE, SOLOBAY, TARTAGLIONE, FARNESE and FERLO presented to the Chair **SB 715**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for uniformity in administration of assistance and regulations as to assistance and for copayments for subsidized child care; and providing for financial eligibility for subsidized child care.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 20, 2013.

Senators McILHINNEY, MENSCH, RAFFERTY, FONTANA and BROWNE presented to the Chair **SB 716**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for film approval by a parent or guardian.

Which was committed to the Committee on EDUCATION, March 20, 2013.

Senators McILHINNEY and TOMLINSON presented to the Chair **SB 717**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for license costs and fees.

Which was committed to the Committee on GAME AND FISHERIES, March 20, 2013.

Senators LEACH, FERLO, FARNESE, WILEY and HUGHES presented to the Chair **SB 719**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for definitions; providing for same-sex marriages; and making a repeal.

Which was committed to the Committee on JUDICIARY, March 20, 2013.

Senators BAKER, YAW, RAFFERTY, ERICKSON, YUDICHAK, TARTAGLIONE, SCHWANK, GREENLEAF, FONTANA, GORDNER, SOLOBAY, WASHINGTON, COSTA, BROWNE and BREWSTER presented to the Chair **SB 720**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Pennsylvania Disaster Emergency Assistance Program; establishing the Individual Disaster Assistance Grant Program and the Public Disaster Assistance Grant Program; providing for the deposit of liquor tax revenues into the Disaster Emergency Assistance Account; and making an appropriation.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 20, 2013.

Senators McILHINNEY, GREENLEAF and ALLOWAY presented to the Chair **SB 721**, entitled:

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, in appeals to court, further providing for intervention.

Which was committed to the Committee on LOCAL GOVERNMENT, March 20, 2013.

Senators McILHINNEY, WAUGH, GREENLEAF, WASHINGTON, MENSCH, RAFFERTY, FOLMER, SOLOBAY, PILEGGI, ALLOWAY and BRUBAKER presented to the Chair **SB 722**, entitled:

An Act providing for authorization of development and operation of facilities to improve cost-efficiency in agricultural production or support agricultural marketing or agritourism enterprises on farms and for the establishment of minimum standards for land development and for construction of buildings that support agricultural cost-improvement activities and are used in agricultural marketing and agritourism enterprises; establishing the Farm Enterprise Standards Board and providing for its powers and duties; imposing limitations in local governmental authority; providing for State preemption; and making related repeals.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 20, 2013.

Senators McILHINNEY, FERLO, WASHINGTON, RAFFERTY, ERICKSON, FONTANA, ALLOWAY, HUGHES and FARNESE presented to the Chair **SB 723**, entitled:

An Act amending the act of May 1, 1984 (P.L.206, No.43), known as the Pennsylvania Safe Drinking Water Act, further providing for definitions, for applications and requests for approval for facilities and activities in the critical zone, for wellhead protection, for surface water intake protection and for civil and criminal penalties; and making editorial changes.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 20, 2013.

Senators McILHINNEY, WAUGH, GREENLEAF, VANCE, ALLOWAY, COSTA, SCARNATI and BROWNE presented to the Chair **SB 724**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the transfer of bridges to municipalities.

Which was committed to the Committee on TRANSPORTATION, March 20, 2013.

Senator CORMAN presented to the Chair **SB 725**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 20, 2013.

Senator CORMAN presented to the Chair **SB 726**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 20, 2013.

Senator CORMAN presented to the Chair **SB 727**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 20, 2013.

Senator CORMAN presented to the Chair **SB 728**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 20, 2013.

Senator CORMAN presented to the Chair **SB 729**, entitled:

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

Which was committed to the Committee on APPROPRIATIONS, March 20, 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:

March 20, 2013

Senators MENSCH, YUDICHAK, GREENLEAF, RAFFERTY, BREWSTER, ARGALL, ERICKSON, BAKER, VOGEL, BROWNE, WHITE and COSTA presented to the Chair **SR 60**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the issue of the number of physicians in Pennsylvania.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 20, 2013.

Senators MENSCH, SCARNATI, TOMLINSON, GREENLEAF, FONTANA, SMITH, HUGHES, BREWSTER, STACK, BAKER, ALLOWAY, FERLO, ERICKSON, HUTCHINSON, VOGEL, BROWNE, COSTA, GORDNER, TARTAGLIONE, VULAKOVICH, FARNESE and BOSCOLA presented to the Chair **SR 61**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study and to issue a report on the status of and any disparities found in dental care for Pennsylvanians with disabilities.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 20, 2013.

Senators McILHINNEY, TEPLITZ, TOMLINSON, STACK, GREENLEAF, WASHINGTON, ERICKSON, SCHWANK, FONTANA, RAFFERTY, WAUGH, WARD, BROWNE, BREWSTER, SOLOBAY, TARTAGLIONE and FERLO presented to the Chair **SR 62**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study new approaches to family work support programs.

Which was committed to the Committee on AGING AND YOUTH, March 20, 2013.

**BILL REPORTED FROM COMMITTEE**

Senator ARGALL, from the Committee on Urban Affairs and Housing, reported the following bill:

**SB 607 (Pr. No. 577)**

An Act providing standards for carbon monoxide alarms; and imposing penalties.

**LEGISLATIVE LEAVES**

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator White, and a legislative leave for Senator Ward.

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

Senator WILLIAMS. Mr. President, I request legislative leaves for Senator Farnese, Senator Ferlo, and Senator Tartaglione.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator White, and a legislative leave for Senator Ward.

Senator Williams requests legislative leaves for Senator Farnese, Senator Ferlo, and Senator Tartaglione.

Without objection, the leaves will be granted.

**JOURNALS APPROVED**

The PRESIDENT. The Journals of the Sessions of February 5, 2013, and February 6, 2013, are now in print.

The Clerk proceeded to read the Journals of the Sessions of February 5, 2013, and February 6, 2013.

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

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

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Ward

Blake	Fontana	Scarnati	Washington
Boscola	Gordner	Schwank	Waugh
Brewster	Greenleaf	Smith	White
Browne	Hughes	Smucker	Wiley
Brubaker	Hutchinson	Solobay	Williams
Corman	Kasunic	Stack	Wozniak
Costa	Kitchen	Tartaglione	Yaw
Dinniman	Leach	Teplitz	Yudichak
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 Journals are approved.

**LEGISLATIVE LEAVE CANCELLED**

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

**GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE**

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

Senator DINNIMAN. Mr. President, I want to introduce two sets of guests to you. First, I would like to introduce Monsignor McLoone. Monsignor McLoone is very welcome, we are so happy that he is in Chester County. His parish is the second-largest parish in the archdiocese. There are over 14,000 parishioners, I believe, in that parish and over 4,000 families. Very soon, in about 2 or 3 months, once we get to June, the parish has grown so large that we will now have a new church dedicated in June. But I think you have a sense of Monsignor McLoone by the invocation. He reminds us to be protectors in the tradition of Saint Joseph, and we are very happy to introduce him and to let you know that he has been a protector in the tradition of Saint Joseph's for people of all faiths in Chester County. So I ask the Senate to give a warm welcome to Monsignor McLoone.

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

(Applause.)

Senator DINNIMAN. Mr. President, I should mention that I share his parish with Senator Rafferty, who himself, I believe, is a eucharistic minister in his parish in Lower Providence. But Monsignor was also, as you heard before, in a parish in Senator Pileggi's district in the city of Chester.

My second set of guests won me in an auction, and an auction for a good cause. In fact, Mr. President, I am over-auctioned now. I have so many groups for charity that have auctioned me off. But these are people who really truly appreciate the architecture of this building because most of them are architectural historians and are interested in architecture. They include Jane Dorchester; her brother, John Dorchester; Mary Sproat; and Ellen Cooper. I ask that we give them a warm welcome as well.

Thank you, Mr. President.

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

(Applause.)

### **GUESTS OF SENATOR SHIRLEY M. KITCHEN PRESENTED TO THE SENATE**

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

Senator KITCHEN. Mr. President, what a pleasant surprise today while I was coming from my meeting with the Committee on Urban Affairs and Housing, I happened to run into some very special young people visiting the Capitol today. They are in the gallery and I could not let them go back to the university without acknowledging them. They are the young people we are so proud of representing Temple sports teams today. The men's and women's track and field team, the women's crew team, the women's volleyball team, the Temple University football team, the Temple field hockey team, the men's soccer team, and, of course, the famous mascot the Temple Owl. Next time they visit, I am going to have every name.

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

(Applause.)

### **GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, today I have the pleasure of introducing two of my constituents, Ms. Sadie Hewlett, and her mother, Linda, both of Linesville, Crawford County. Sadie is currently a sophomore with the Century 21 Cyber School. For a year and a half, she attended the Pittsburgh Creative and Performing Arts School, CAPA, where she was a visual arts major. She has recently made the decision to pursue a career in modeling and acting, and has been invited to attend the Tom Todoroff Conservatory in New York City, where she will be attending classes through 2015.

Linda and her husband, Brian, run an innovative family business in Linesville called JewelStik, which manufactures quality diamond coated sharpening tools for the home and shop, and I believe they are also made in the United States. Mr. President, and fellow Members, please join me in welcoming my special guests to the Senate of Pennsylvania.

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

(Applause.)

### **GUESTS OF SENATOR JOHN EICHELBERGER PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, with us today is a group from the Bedford County Chamber of Commerce and their Leadership Bedford County program, which is led by their executive director, Kellie Shaffer, who is a good friend of my wife's. We also have a member of my staff who is accompanying them today, Sharon Turkovich. So I ask that the Senate give them its usual warm welcome.

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

(Applause.)

### **GUEST OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE**

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

Senator BOSCOLA. Mr. President, I am always honored to have great interns working in my district offices. My intern program has been designed to give students a hands-on and real-world experience. It is wonderful to see them assisting the residents of the Lehigh Valley and Pocono areas. One of my spring interns is in the gallery today, and I would like to recognize her. Julia Tvardovskaya, who likes to be called J.T., and I can see why, has contributed a great deal to my Bethlehem office since she began her internship this year. Whether she was handling constituent cases, writing constituent correspondence, performing research, or working on a constituent outreach program, she does a stellar job with her office responsibilities.

J.T. currently attends Lehigh University and is majoring in political science and global studies, with a minor in economics. She is a very well-rounded woman. She has a long list of activities that include being a member of the student senate, secretary for the club affairs committee, member of the admissions ambassadors, member of Echoes, an a capella ensemble, and founder of the Lehigh Lends mission club. So she has been a great addition to my staff this semester, and I am proud that she has interned with me. I wish her the best in her career as she moves forward. I ask the Senate to offer her a warm welcome.

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

(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 meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately.

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

### **AFTER RECESS**

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

### **CALENDAR**

#### **THIRD CONSIDERATION CALENDAR**

#### **BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 4 (Pr. No. 347)** -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for criteria for institutions of purely public charity.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator COSTA. Mr. President, I rise and ask if the sponsor of the legislation would stand for brief interrogation.

The PRESIDENT. The gentleman indicates that he will.

Senator COSTA. Mr. President, in consideration of this constitutional amendment, I think it is important for Members to understand the legislative procedure that should follow after passage of the constitutional amendment in two consecutive Sessions, and then passage by our electorate. Based upon precedent established by the General Assembly, and the adoption of child witness constitutional amendments, as well as court cases which provide that we cannot repeal or reenact a statute by reference, is it the intent and belief of the sponsor that subsequent legislation defining a purely public charity must be introduced and enacted to implement the provisions of the constitutional amendment?

Senator BRUBAKER. Mr. President, I have been looking forward to this opportunity to speak about this bill on the floor and I will answer the Senator's question. But the question before this body is really simple: Whom do we want to ultimately determine the criteria for future public charities in the Commonwealth of Pennsylvania? It is either the court system or it is the Pennsylvania General Assembly. And the Constitution of the Commonwealth of Pennsylvania clearly gives us this initiative. So specifically, the answer to the question, the Supreme Court, in a recent case, did not invalidate Act 55. The act, however, is subordinate to the Supreme Court HUP test. It remains to be seen how the court will interpret Act 55 after the constitutional amendment is approved. We are open to all changes to the act after the amendment.

Mr. President, if I could continue, this Senate Bill No. 4 is the exact same language that was voted on in this very Chamber just 6 months ago by a vote of 46 to 1, the exact same language, 46 to 1. So I am a bit baffled by the controversy that has emerged over the last 6 months because the language has not changed. The Members, again, just simply need to ask themselves, whom do they want to be the arbiter of charities in the Commonwealth of Pennsylvania in the future - the courts, or the Pennsylvania General Assembly?

Senator COSTA. Mr. President, let me address the issues that were raised by the gentleman. First and foremost, he is correct. This Chamber addressed this issue last year. I think we are at a different place and time as it relates to a reflection upon this piece of legislation. The manner in which it passed last time was not given the level of research as was given today and the due diligence that was necessary, which leads us to a different place and time as it relates to at least the Members on this side of the Chamber.

The second issue is probably the most significant reason why I supported it last time, and I supported it in the Committee on

Appropriations today, was the issue that the gentleman raised about the institutional appropriateness of this legislation. We believe -- I believe, I should say, that it is a function of this General Assembly. When the gentleman poses the question of who should define public charities, I agree with the gentleman when he says that it should be this General Assembly, and it is one of the reasons why I voted in the affirmative in the past and just yesterday.

But, Mr. President, I am still concerned because I have not gotten a clear answer as to whether or not it is the gentleman's intent and the intent of the legislation that we would be required to provide and have additional new legislation reenacted that would establish, quite frankly, the uniform standards and qualifications that are part of Senate Bill No. 4, and assuming would become part of the Constitution. I do not know whether I have gotten an answer to that question. It is either a "yes" or a "no." I appreciate his willingness to be open to that conversation, but what I am looking for, and I think what our Members are looking for, is more clarity about the intent of the legislation as it relates to whether or not additional legislation in 2015 or so, presumably, would be necessary for the Commonwealth of Pennsylvania to have a statute that defines what a charitable purpose is or what a public charity might be.

The PRESIDENT. Have you concluded your interrogation of the maker of the bill?

Senator COSTA. Mr. President, I do not know yet. That was a question that I would like to have answered, and then, based upon his response, I may have further questions.

The PRESIDENT. Very well. Senator Brubaker.

Senator BRUBAKER. Mr. President, the gentleman is asking me, I believe, within the body of his question, if Act 55 would be re-opened or rewritten. I, as a single Member, certainly cannot make that determination. That would be the determination of the entire body, and of course the body would have the privilege to move forward with that. I would not be in a position to -- I am not taking a position today where I would be interested in blocking that forward movement if the body desires that to be true.

But, Mr. President, we have such a long way to go. This is a constitutional amendment, so as everybody in this room knows, it takes two consecutive votes by the House and the Senate in two consecutive Sessions, followed by a vote of the people. Another reason why I support this so much, Mr. President, is in the end, it will be the people of Pennsylvania who make the determination on whom they want to be the arbiter of future public charities, the court system or the General Assembly. So I am completely confident in the ability of the people of Pennsylvania to make this decision in the end through a referendum.

Senator COSTA. Mr. President, I do not know whether it is in the form of a question or a response, so I would defer to you if I go astray with respect to defining the question. But, Mr. President, at the end of the day, we recognize that it is the people of Pennsylvania who will determine who in fact should be making that determination. In my mind, I strongly believe that we must, subsequent to a constitutional amendment, that it is incumbent upon us, in order to implement the standards and qualifications, do one of a couple of things.

One, we would need to repeal Act 55 and reenact a new statute, or potentially pass an amendment that would modify or amend the old version of Act 55 because it has not been stricken, as has been mentioned, to adopt uniform standards and qualifica-

tions and maybe other criteria that this General Assembly deemed appropriate. But my sense is that there has been no willingness from the maker of the legislation to say one way or the other and whether or not that is necessary. That is what concerns me a great deal.

So, I guess I would ask this question: As we go down this path and we are successful and the Constitution is amended and there is a subsequent challenge to what I presume to be the position of the maker, that Act 55 would stay in place, and we do not do anything at all at that point and then there is a challenge brought to the court, and then the court strikes the sort of reinstated and revised Act 55 application to a particular case, at that point in time, and if the court strikes it because the constitutional amendment has taken place, would we, in fact, at that point in time need to come back and offer new legislation to address the definition of a public charity?

The PRESIDENT. While somewhat far afield of interrogation on the bill, certainly, if the gentleman wishes to answer the question. He indicates that he does.

Senator BRUBAKER. Mr. President, I believe the gentleman's question is certainly hypothetical. I think I have been relatively clear in my response. I am a single Member, 1 of 50 Members of the Senate of Pennsylvania. I am not opposed to future conversations, however, we need to allow the people of Pennsylvania to speak, to go to a referendum vote after two consecutive passages. It is possible that we would revisit Act 55. I would not be opposed, I would not stand in the way of those discussions. But I am just one Member, and I cannot begin to predict the outcome of this whole body.

Senator COSTA. Mr. President, I do thank you and the maker of the legislation. I will state, however, I guess we--

The PRESIDENT. Is this on the bill? Has interrogation concluded?

Senator COSTA. Mr. President, I do not know if anyone else has any questions, so I would defer to other colleagues who may have questions along those lines.

The PRESIDENT. Yes, of course. Very well then.

Senator COSTA. Mr. President, I would like to speak on the bill, if I could.

The PRESIDENT. The gentleman may proceed.

Senator COSTA. Mr. President, again, I thank the maker of the legislation. I will point out that while he cannot predict the outcome of a series of events that may occur in the future, I will remind everyone that he is the maker of the bill and as such, I believe has gleaned what he believes the intent of the legislation needs to be, and what the legislation is intended to do, and most importantly to me, what steps have to take place subsequent to the successful adoption of the constitutional amendment, if that is the case with respect to our electorate.

Mr. President, I go back to my earlier comments as part of my questioning. I am very concerned about this particular piece of legislation. As I said earlier, I supported it last time, I supported it in the Committee on Appropriations, understanding that it is an institutional question that we need to address, and I support that premise. However, I also believe, and it is our belief from a number of Members on this side of the aisle, that subsequent to a constitutional amendment on this matter, it is imperative that we reenact some version of a public charity act that addresses that particular issue going forward. In effect, we are going back and saying, we are going to lay out at some point, we are going to

give authorization to do standards and qualifications, and then go back maybe 18 years or so, maybe longer, to say what we did back then is okay, we are going to bootstrap it together with this constitutional amendment and go forward. That is not the way we should be operating, particularly in light of our precedence, when we have precedence to cases relating to videotaping and the like that Senator Greenleaf worked on for maybe 20 years to try to finally get done, as part of my recollection. So at the end of the day, I am not quite certain where I may be at in a few moments, but at the end of the day, Mr. President, I am very concerned about the unwillingness to unequivocally state that we need to do a new statute subsequent to this constitutional amendment on this particular matter. I defer to other Members who have comments on the bill.

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

Senator WOZNIAK. Mr. President, I realize that this bill passed a Session or two ago almost unanimously, and I was probably a "yes" vote. But I am going to rise today to oppose Senate Bill No. 4. I do not doubt the veracity, the authenticity, or the sincerity of the maker of the bill, but I have concerns, and I just want to make this clear that I have nothing against legal counsel, but I have learned that lawyers can do more to tangle the King's English than a monkey can do with 100 feet of rope. I get very concerned when I have my local governments calling and asking me not to support this. My third class cities are in a death spiral. Many of our third class cities have over 50 percent of their taxable properties as tax-exempt.

I am very concerned if we do the very serious issue of changing the Constitution, because once we find a threshold, it is very well possible that some of my local governments will no longer be able to receive revenues in lieu of taxes, and to find that some nonprofits that may not really be non-profitable hide behind that aegis. I think this is a fait accompli and this is most likely going to pass significantly. This is a long and laborious process to change the Constitution, but I see the many supporters of this, obviously they are the nonprofits and those that support them, but it is opposed by the Pennsylvania Municipal League and they are our local governments, and they are taxpayers, and also by the Pennsylvania State Association of Township Commissioners. So with that, I respectfully ask that we deny this opportunity and vote "no" on this bill. Thank you very much.

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

Senator TEPLITZ. Mr. President, I want to echo my colleagues' comments. I was not here in the Senate last time this was debated last year, but as a new Member and having the opportunity to look at this perhaps with a fresh set of eyes, I have both process concerns and substantive concerns. I raised, in the Committee on Finance, a motion to table the bill so that we could have a hearing in order to address certain fundamental questions that still need to be answered, essentially whether we are creating unintended consequences by the passage of this bill. What I mean by that is a lot of us have tax-exempt organizations in our districts. I do not think any of us want to deny a legitimate public charity of their tax-exempt status, but there has to be a way for municipalities to challenge those whose status may not be legitimate or that may be on the edge.

My concern about Senate Bill No. 4 is that we will end up depriving municipalities of that ability and setting the bar too

low and having an adverse impact as a result on local governments and local taxpayers. Because at the end of the day, the municipalities that are struggling, as Senator Wozniak indicated, are going to have to find revenues from somewhere, and if it is not from, perhaps, large nonprofit organizations, then it is going to be from our residents, individual taxpayers. That is why a whole host of organizations representing local governments and local taxpayers have indicated their opposition to this bill. I think we should slow this down. I do not understand why so early in this Session we have to rush before getting those kinds of answers in terms of the actual real-world impact of this bill. That is why I voted "no" in the Committee on Finance, and that is why I will be voting "no" again today, Mr. President. Thank you.

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

Senator COSTA. Mr. President, I do not know if you have any other speakers, but after the conclusion of the speakers, we would like to go at ease for a moment.

The PRESIDENT. Very well.

The Chair recognizes the gentleman from Lancaster, Senator Brubaker.

Senator BRUBAKER. Mr. President, I want to respond to the gentleman who just spoke. One, there was a reference to us changing the Constitution. For the record, we do need to take action to change the Constitution, but of course as we all know, in the end, it is not we who change the Constitution of Pennsylvania, it is the people. That is one. Number two, the question about our local governments, about which we all care, I would submit that if we care about how charities are defined in the Commonwealth of Pennsylvania, and if we want to ever change that bar upward or downward, I believe the change is best occurred here as opposed to the court system. Therefore, I support Senate Bill No. 4.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, again, we agree that we would like to make those changes here. What I believe should happen is that we should do a post-constitutional amendment, not bootstrapping Act 55 and then moving it forward close to 20 years and adding a provision and never addressing it again. That is our concern. I believe that we must have a conversation in this General Assembly about how we define public charities, because quite frankly, in my opinion, public charities in most instances have run amok of the statute, and run amok of the law. That is one of the concerns. Many folks in this room recognize that our communities have been overburdened with a number of nonprofit parcels and the unwillingness of our nonprofits to participate with local governments to solve many of the issues facing our local governments.

Mr. President, I think we have a lot to do along the lines of accountability, transparency, openness, particularly in light of the fact that we have no mechanism that allows us to revisit these designations to the degree that we need to. Those are all of the types of things that I would like to see take place in a conversation about how we define public charities. My position is to not go back and bootstrap Act 55 as a post-constitutional amendment. That appears to me to be what the other side is saying, implying that it will take place. I do not think that is the appropriate direction. Those are my thoughts on that particular matter.

Mr. President, at this point, could we be at ease for a few moments?

The PRESIDENT. Rather than recognize that request to be at ease, first on the bill, the Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I would just like to certainly ask for an affirmative vote on Senate Bill No. 4 and reiterate a number of points made by the maker of the bill. I am hearing two separate arguments questioning the need to support Senate Bill No. 4. The one is the underlying issue of how we should deal with purely public charities. That is really outside of the scope of Senate Bill No. 4. Senate Bill No. 4 attempts to bring the question before the people of Pennsylvania as to whether or not they want that issue decided by the General Assembly or by the courts. And I certainly think every Member of this body should want to have that issue decided by the General Assembly rather than by the courts. We are obviously better suited to lay out the detail necessary to give an adequate and comprehensive treatment to that subject.

The second issue is whether or not Senate Bill No. 4 should somehow contain a necessary reference to a statutory framework, whether it is Act 55 or some other statute. There is nothing in Senate Bill No. 4 that would restrict any Member of this body from offering their own statutory proposal, whether it be an amendment to Act 55 or a completely new statutory framework for dealing with purely public charities. And that would not be, in my opinion, an appropriate subject to include in Senate Bill No. 4.

So I think this bill is very straightforward, certainly something that everyone can understand. We want to make sure that the General Assembly of Pennsylvania will have the ability to lay out a framework for purely public charities, and certainly the courts will have a role in interpreting that statute. But it should first be a function of the General Assembly, and we are asking the people of Pennsylvania, through the constitutional amendment process, to express their opinion on that point of view, and for those reasons, I ask for an affirmative vote.

Thank you, Mr. President.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

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

Senator WILLIAMS. Mr. President, I ask the maker of the bill if he would stand for a brief period of interrogation.

The PRESIDENT. The gentleman indicates that he will. The gentleman may continue.

Senator WILLIAMS. Mr. President, for the laypeople who cannot necessarily follow all of the particular legal consequences, some of us, in my district I actually have the University of Pennsylvania, I represent Philadelphia and Delaware Counties, I have IBC, a number of nonprofits which are huge employers, and we certainly are appreciative of their existence and we have been supportive of them. But there has always been a healthy tension between their existence and what we get in return for revenues. By the way, none of them have reached out to, frankly, most of us in our Caucus to state their position, one way or the other. We have heard from a lot of other folks.

I am particularly concerned about the fact that the space that we currently stand in, local government can, in effect, negotiate a little more effectively with regard to the revenue side of this. If



we move forward without refinements, and I have not heard any specifics toward those refinements, without that commitment to those refinements, then the door is now open for those nonprofits to return to a status where local government may be in need of revenues but will not necessarily have the leverage. So I want to have clarity of your understanding and your perspective with regard to that.

Senator BRUBAKER. Mr. President, I have great respect for the gentleman making the inquiry. There is nothing in Senate Bill No. 4 that would prevent local governments from entering into an agreement for payment in lieu of taxes. So we know that that practice exists today. There is nothing in Senate Bill No. 4 that would in any way need to alter that current practice or even potentially expand it.

Senator WILLIAMS. Mr. President, what the current status allows for, as I understand it, is the ability for local governments, because of what the court did, to construct those agreements in a little bit of a different way. If we return to what existed prior to that, it would appear, and that is for clarity, that local governments would not necessarily have the ability they currently have because of what the court did, and, in fact, that is why we are doing what we are doing now.

The PRESIDENT. Is that a question?

Senator WILLIAMS. Mr. President, it is a question phrased in a statement.

Senator BRUBAKER. Mr. President, I know of nothing in Senate Bill No. 4 that would prevent or alter the manner in which those negotiations are currently being conducted.

Senator WILLIAMS. Mr. President, thank you.

The PRESIDENT. Without objection, the Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I recognize there is nothing in Senate Bill No. 4 that directly impacts the ability of local governments to negotiate with nonprofits. But we know that subsequent to Act 55, the number of PILOT programs across this Commonwealth dropped significantly. They are nonexistent for the most part essentially now, compared to what they were prior to Act 55. Act 55 was legislation that made it through this Chamber, as we all know, and at the end of the day, it has been a very positive experience, in my belief, for the nonprofit community, to the detriment of local governments.

That is why, Mr. President, I am concerned about the reenactment or perceived reenactment subsequent to a constitutional amendment. That is precisely why we think it is imperative that subsequent to a constitutional amendment, we come back here and reauthorize, reinstate, rewrite, or do a new public charity act for this Commonwealth that continues to strike the balance, quite frankly, that is in place right now as it relates to what the court decided, the outcome of the court decision as it relates to the relationship and the balance between local governments and nonprofits.

Mr. President, I ask for a negative vote on this side of the aisle. Thank you.

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

Senator PILEGGI. Mr. President, just a brief comment. I am having trouble following the logic. On the one hand, I think I have heard in the last 10 minutes that Act 55 is problematic and it prevented PILOTs from being entered into to the extent that some people might want them to be entered into, and the court

decision made it more favorable for municipalities to be able to negotiate PILOT agreements. And that if we are successful in putting this question before the people and the people decide that they want the General Assembly to decide this question in statutory framework, that we would need to reenact Act 55, which seems to be what is being criticized.

So, I wish I could be more responsive to the arguments against Senate Bill No. 4, but I would simply ask for an affirmative vote. This is a very straightforward approach to the people of Pennsylvania, asking them whom they would like to set forth the rules for the interaction between not-for-profit institutions and local governments.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

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

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

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

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

Senator Costa requests a temporary Capitol leave for Senator Hughes.

Without objection, the leaves will be granted.

And the question recurring,  
Shall the bill pass finally?

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

YEA-30

Alloway	Erickson	Rafferty	Ward
Argall	Folmer	Robbins	Waugh
Baker	Gordner	Scarnati	White
Blake	Greenleaf	Smucker	Wiley
Browne	Hutchinson	Tomlinson	Yaw
Brubaker	McIlhinney	Vance	Yudichak
Corman	Mensch	Vogel	
Eichelberger	Pileggi	Vulakovich	

NAY-20

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

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

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

BILL OVER IN ORDER

SB 155 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 193 (Pr. No. 140) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for employment of school health personnel.

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-50

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Hutchinson, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Pileggi, Rafferty, Robbins, Scarnati, Schwank, Smith, Smucker, Solobay, Stack, Tartaglione, Teplitz, Tomlinson, Vance, Vogel, Vulakovich, Ward, Washington, Waugh, White, Wiley, Williams, Wozniak, Yaw, Yudichak

NAY-0

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

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

BILL OVER IN ORDER

SB 419 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 2 (Pr. No. 537) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, 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.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 10, SB 37, SB 60 and SB 120 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 141 (Pr. No. 96) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for an angel investment tax credit.

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

BILL ON SECOND CONSIDERATION

SB 177 (Pr. No. 134) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission to execute prevention and education strategies.

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

BILL OVER IN ORDER

SB 196 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 303 (Pr. No. 436) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

SB 308 (Pr. No. 217) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for registration fees, fund established, system and regulations.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.  
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

**SB 351 (Pr. No. 273)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for purposes and powers.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.  
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

**SB 360, SB 372, SB 391 and SB 406** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

**SB 428 (Pr. No. 359)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for pooled trusts for persons with disabilities.

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

BILLS OVER IN ORDER

**SB 429, SB 437 and SB 442** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

**SB 443 (Pr. No. 390)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for election of school directors.

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

BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 492 (Pr. No. 456)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.  
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

**SB 508 (Pr. No. 718)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for petitions to deny parole upon expiration of minimum sentence.

Considered the second time and agreed to,  
Ordered, To be printed on the Calendar for third consideration.  
Upon motion of Senator PILEGGI, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

**SB 521, SB 547, SB 614, SB 679 and SB 681** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nomination made by His Excellency, the Governor of the Commonwealth, which was read by the Clerk as follows:

SMALL BUSINESS ADVOCATE

January 11, 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, The Honorable John R. Evans, 1841 Meadow Ridge Drive, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, for appointment as the Small Business Advocate, to serve until his successor is appointed and qualified, vice William R. Lloyd, Jr., Somerset, resigned.

TOM CORBETT  
Governor

**NOMINATION LAID ON THE TABLE**

Senator ROBBINS. Mr. President, I request that the nomination just read by the Clerk be laid on the table.  
The PRESIDENT. The nomination will be laid on the table.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator ROBBINS,  
That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.  
The Clerk read the nominations as follows:

**MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

January 4, 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, Ash Khare (Alternate Member), 5 Leslie Boulevard, Warren 16365, Warren County, Twenty-first Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Lisa M. Hughes, Harrisburg, resigned.

TOM CORBETT  
Governor

**MEMBER OF THE STATE BOARD OF OPTOMETRY**

January 4, 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, Lawrence J. Sylvester, OD, 3232 Muirfield Drive, Chambersburg 17202, Franklin County, Thirty-third 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 Janet H. Schwartz, O.D., Wynnewood, whose term expired.

TOM CORBETT  
Governor

**SMALL BUSINESS ADVOCATE**

January 11, 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, The Honorable John R. Evans, 1841

Meadow Ridge Drive, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, for appointment as the Small Business Advocate, to serve until his successor is appointed and qualified, vice William R. Lloyd, Jr., Somerset, resigned.

TOM CORBETT  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

**YEA-50**

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

**EXECUTIVE SESSION RISES**

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
SENATE RESOLUTIONS ADOPTED**

Senator SOLOBAY, by unanimous consent, offered **Senate Resolution No. 67**, entitled:

A Resolution designating March 20, 2013, as "Greek Independence Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator SOLOBAY. Mr. President, it is my honor today to introduce this resolution honoring "Greek Independence Day," to recognize those Greek Americans who have so proudly developed a great relationship and enduring bridge between not only our country and their country, but the heritage that they pass along in the traditions to our folks in this country. Greek Americans in the Commonwealth have played a very significant role in the economic, cultural, and social development of this Commonwealth.

GUESTS OF SENATOR TIMOTHY J. SOLOBAY  
PRESENTED TO THE SENATE

Senator SOLOBAY. Mr. President, also recognized in the House earlier today, a delegation from the mid-State and even a couple from back in my home area. Even though I grew up in a Greek community back in Canonsburg, to not embarrass myself, I am not going to read through the list of folks who are here, but I want to recognize one gentleman in the delegation whom many of us know, if they cross the river and have a little bit of food and beverage on the West Shore. Tommy is here with us from the Tavern on the Hill, and he is leading that delegation. I ask not only to welcome the delegation here, but also for an affirmative vote on the resolution.

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

(Applause.)

And the question recurring,

Will the Senate adopt the resolution?

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

Senators STACK, DINNIMAN, SCHWANK, LEACH, TEPLITZ, FERLO, FARNESE, WOZNIAK, BREWSTER, GREENLEAF, RAFFERTY, TARTAGLIONE, KASUNIC, MENSCH, SMITH, ERICKSON, FONTANA, WASHINGTON, ARGALL, TOMLINSON, WILLIAMS, HUTCHINSON, BAKER, BROWNE, ALLOWAY, BRUBAKER, PILEGGI, YUDICHAK, VULAKOVICH, HUGHES, BLAKE, COSTA, SOLOBAY and VANCE, by unanimous consent, offered **Senate Resolution No. 68**, entitled:

A Resolution designating April 7 through 14, 2013, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, I rise today along with my friends and colleagues - Senator Dinniman, Senator Schwank, Senator Teplitz, and Senator Leach - to seek unanimous support for a resolution honoring April 7 through April 14, 2013, as "Days of Remembrance of the Victims of the Holocaust" in Pennsylvania. The Holocaust, Mr. President, is one of the darkest periods in modern history, one that we can never forget, and one that should never be repeated. From 1933 to 1945, 6 million Jews from across Europe were systematically slaughtered under Hitler's Nazi regime. They faced unspeakable horrors as they were forced to abandon their way of life and everything they held dear, and were ultimately murdered for their beliefs. Millions of other people were also tortured and killed, including gypsies, disabled people, prisoners of war, Christians, and others who resisted Hitler's bloody regime.

In remembering this indescribable tragedy, we are reminded that we must make every effort to treat each other with mutual respect despite differences, and we must also make it our mission as lawmakers and as human beings to put an end to hatred and

terrorism throughout the world. We must continue to push back against hatred and injustice and stand up for the rights of all men, women, and children across this globe. By honoring the Days of Remembrance of the Victims of the Holocaust, we here in Pennsylvania, Mr. President, can insure that men, women, and children who suffered and died will never be forgotten. Further, I implore all of us here in the Senate to condemn all forms of anti-Semitism, ethnic intimidation, and hatred.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, first, we thank Senator Stack, who each year presents this resolution, this remembrance, to the legislature. The Holocaust, as Senator Stack stated, is a very dark period in the history of human beings. But as we speak today, we not only remember the victims of the Holocaust in Europe against the Jewish community, but remember the holocausts that have taken place across history, and that continue to take place today. Human beings are capable of doing some of the most wonderful, kindest acts, and are capable of doing some of the most demonic, evil acts imaginable. When we remember, it gives us fortitude, it gives us the ability to tame that horrendous human ability to treat others not only with disrespect, but to murder and kill others in the name of some stereotype, in the name of some ideology, in the name of some cause.

So, as we rise today to affirm this resolution as we have done in the past, we rise not only in remembrance of those whose lives were taken, but we rise to reaffirm our commitment, as a people of Pennsylvania, to making sure that a holocaust does not happen ever again to any people, to any group. Remember the basis upon which Pennsylvania was founded. William Penn came here and founded Pennsylvania with the Quakers as a place of tolerance, as a place of understanding, as a place in which we need to understand that the light of God burns in every single individual. Today, we reaffirm the fundamental basis upon which Pennsylvania was founded, and we reaffirm our utter devotion to making sure that each and every human being, every child of God, is treated with the utmost dignity and respect, and we reaffirm that a holocaust against any group, against any people, will never happen again.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I, too, rise in support of this resolution and thank Senator Stack for bringing this forward. In my community of Reading, Pennsylvania, each year, we have a remembrance ceremony of the Holocaust, and I attend that ceremony as a member of the community myself every year. I watch as those individuals who are first-person survivors and who have experience with the Holocaust are becoming more frail and feeble. Now their children help them to participate in this candlelight ceremony which we have in the city of Reading. It very greatly concerns me that this generation that was able to survive the Holocaust is starting to pass away, and soon there will not be individuals who have that first-person experience. It is concerning to us, and it also signifies why the Days of Remembrance are so critical. We often say, we should never forget, but in order to not forget, we have to make sure that future generations truly understand the impact of this terrible blotch on humanity that occurred during the Holocaust.

On a hopeful note, I would also like to indicate that students in the Fleetwood School District have produced a video called "Misa's Fugue," which is the story of an individual who was born in Czechoslovakia who survived the Holocaust and told his story in a very impactful video, which is now receiving national and international recognition. The Fleetwood School District has done an excellent job of making sure that the Holocaust is part of their curriculum, and I commend other school districts that do so as well, because it cannot just be those individuals, those older individuals who die with those experiences. It must be remembered by all of us.

Thank you, Mr. President.

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

Senator LEACH. Mr. President, I begin by echoing all of the comments made by my colleagues about this important resolution. I only add briefly that I recently returned from a trip to Israel where, among other things, we visited the Yad Vashem, which is the Holocaust museum in Israel. There are Holocaust museums around the world, there is a very good one in Washington, D.C. When you go there, you really get a sense of the sort of gradually increasing pressure that fascism brings to a society, and how it starts out with simple laws like Jews cannot hold certain teaching positions, and Jews cannot hold certain legal positions. Then it becomes increasingly pervasive, Jews cannot work at all under certain conditions, and so forth, and Jews cannot buy certain things, and Jews cannot own certain things. Then it evolves into things like Kristallnacht, where there was violence against Jews, Jewish shop owners, and Jewish synagogues. And the way they do it at Yad Vashem is literally a timeline, a chronological exploration of the whole period of time. I urge everyone who has a chance to visit either that, if you are in Jerusalem, or one of the other Holocaust museums around.

I also say that we see in news stories from around the world all the time that anti-Semitism is not dead in the world. It is occurring, in fact, with increasing frequency in certain parts of Europe and other places, and that clarifies and emphasizes why it is important that, unlike the precursor to World War II and the Holocaust, it is important that Jews have a place, a country of their own which can provide them with safety, and provide them with defense, and provide them with a sense of belonging. That is why it is important for us as a country to support Israel as aggressively as we do. I say this mindful that the President is in Israel as we speak.

The final thing I would say about the Holocaust, my visit to Yad Vashem, is that it, once again, brought home to me the importance of not tolerating the dehumanization of any group of people, because we see what the dehumanization of people who are different than us in some way results in if allowed to go unchecked and allowed to thrive. That is why we all have to fight against dehumanization of people across the spectrum in our policies here in the legislature and in our daily lives, to insure, as I believe as Senator Dinniman said, that the Holocaust, or another genocide such as the Holocaust, never happens again.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Teplitz.

Senator TEPLITZ. Mr. President, I am honored to be a cosponsor of this resolution as a new Member of the Senate, a Senator for an area with a significant and vibrant Jewish population,

and as an active member of that Jewish community myself. I commend Senator Stack for his leadership in putting forth this resolution every year, and for my colleagues who are cosponsoring it and who support it every year. It is particularly meaningful for those of us in the Jewish community to have this kind of recognition of this tragic and terrible incident in our history. Oftentimes, when we sit here on the floor and there are resolutions commemorating certain days or weeks or events, those come up and they get wide support from the Members of this body, but I think it is only when you yourself are personally touched by that resolution that you can understand how meaningful it becomes for the groups that are recognized. That is why resolutions like this and events that happen this time of year are particularly important.

As it has already been said, we often say, never forget, never again, when it comes to the Holocaust, the capital "H" Holocaust. It is easy for us, with the passage of history now that we are 65, 70 years past it, with survivors unfortunately leaving us, for us as a community and as a larger community nationwide to become desensitized to this event.

That is why I was very struck by a recent article in the New York Times earlier this month with the headline, "The Holocaust Just Got More Shocking," which sounds like a headline that, honestly, could have come from The Onion or a parody publication, but tragically was not. And what the article was about, researchers from the United States Holocaust Memorial Museum found that the number of ghettos and slave labor sites and concentration camps and other types of killing factories that the Nazis had throughout Europe were so much higher than had always been expected. They catalogued over 42,000 Nazi ghettos and camps throughout Europe. They break down into 30,000 slave labor camps, 1,150 Jewish ghettos, almost 1,000 concentration camps, 1,000 prisoner-of-war camps, 500 brothels filled with sex slaves, and thousands of other camps that were used to euthanize the elderly and infirmed, to perform forced abortions, to "Germanize" prisoners, or transport victims to killing centers. The lead editors on this project estimate that 15 million to 20 million people died or were imprisoned at these sites. One of the directors of this project said, "We knew before how horrible life in the camps and ghettos was, but the numbers are unbelievable."

That is why it is important that we continue to recognize this significant event in all of our history because we continue to learn more about it, and as we learn more, we find out about just how horrifying it is. Similarly, millions of Jews next week will begin celebrating the holiday of Passover, my family included. Thousands of years later, we continue to tell the story of the enslavement of the Jewish people in Egypt and the exodus and escape from Egypt for the similar reason of making sure that it does not happen again, not just to a particular people but to any members of our society.

Enslavement and treatment like that which occurred in the Holocaust or of that vein can happen in a concrete way, in a similar way in modern times such as the human enslavement, the trafficking of humans of the type that my colleagues have been working on, but also in much more insidious ways. It is incredibly important that we be vigilant against all types of tragic and horrifying mistreatment of our fellow human beings. That is what this resolution does to address this, to keep that in our minds. Again, I am very honored and moved to be able to stand here as a cosponsor.

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.

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

Senators COSTA, TEPLITZ, KITCHEN, FERLO, TARTAGLIONE, STACK, RAFFERTY, PILEGGI, ERICKSON, VULAKOVICH, FARNESE, HUGHES, SOLOBAY and BROWNE, by unanimous consent, offered **Senate Resolution No. 69**, entitled:

A Resolution recognizing the 50th anniversary of the United States Supreme Court decision in *Gideon v. Wainwright* that affirmed the right to counsel in criminal cases.

On the question,  
Will the Senate adopt the resolution?

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

Senator COSTA. Mr. President, I rise today to offer a resolution recognizing the 50th anniversary of the U.S. Supreme Court's landmark decision in *Gideon v. Wainwright*. Mr. President, as was stated, this decision of the court essentially guarantees any accused person of a right to counsel in a criminal matter, even if they are indigent. The court said that the Constitution's Sixth Amendment protections are fundamental. No defendant facing imprisonment would again stand before the bench in an open court without having an attorney at their side preserving their right to counsel. If the accused cannot afford counsel, one is appointed to represent them.

Mr. President, the plaintiff in this case was Clarence Earl Gideon, a Florida prisoner accused of breaking and entering and stealing from a vending machine at a pool hall. After he was charged, Gideon asked for a court-appointed attorney, but was denied. He was then convicted and sentenced to 5 years of prison. Gideon then asked for relief in a handwritten petition that made its way to our U.S. Supreme Court. The details of the case, Mr. President, set in motion what has become one of the most celebrated decisions in the history of our Supreme Court. In a unanimous decision written by Justice Hugo Black, the court said the criminal justice system was an adversarial court and that in such a system, counsel was necessary to preserve justice. Without the benefit of counsel, the scales of justice are out of balance and there is no fairness for the accused. In the decision, the court said that the fundamental right to counsel in criminal matters was also binding on States to our 14th Amendment to the Constitution.

The *Gideon* case was a landmark civil liberties case which, along with the *Miranda* decision, provide for the direct application of rights to those individuals charged in criminal matters. The *Gideon* case had broad impact throughout the States. It directly led to the creation of the public defender's system for the representation of indigent prisoners and persons accused of crimes. What is also interesting about the case, Mr. President, is

that after the decision was handed down by the Supreme Court, an attorney was retained to represent Mr. Gideon. He was retried and acquitted. The resolution that I am offering today marks the 50th anniversary of the *Gideon* case, a landmark decision of the Supreme Court of United States, and one of the most important in American history. I ask all Members here today to support 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.

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Jonathan Gayman, Taylor Tolbert, Zachary Hain, Kenneth M. VanHoutte and to Dennis Michael Hannas by Senator Alloway.

Congratulations of the Senate were extended to Bradley Buchter by Senators Alloway and Vance.

Congratulations of the Senate were extended to Vern Balliet, Paula K. Barrett, Carrie Deebel, Elizabeth M. Myers, William I. Schaeffer III, Dennis George Jansen, Joseph A. DeLeon, Alexander W. Sklar, Dorothy Yanuskiewicz, Brandon Witmer, Jason Breidinger, Tri-Valley High School Girls' Basketball Team, citizens of the Borough of Orwigsburg and to the Swatara Village Property Owners Association by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Peter Kern and to the Lehigh County Bureau of Parks and Recreation by Senator Argall and others.

Congratulations of the Senate were extended to Lieutenant Colonel David J. Palmer, Donald Stephens, Andrew Richard Hutsko and to Torey Matthew Decker by Senator Baker.

Congratulations of the Senate were extended to the Dunmore High School Football Team by Senator Blake.

Congratulations of the Senate were extended to Lieutenant Commander John E. Lohr, Sergeant Kurt Tempinski, Ann M. Demyan, Madeline Diorio, Tierney Mack-Colwell, Alexander R. Fucito, Jillian Heater and to Thomas Bohner III by Senator Boscola.

Congratulations of the Senate were extended to the Honorable Richard T. Grucela and to the Polish community of the Lehigh Valley by Senators Boscola and Browne.

Congratulations of the Senate were extended to Dr. Mary Greiss-Coult, Hagar Mohamed Kenawy, Liane Makatura, Madeline Marie Lopez, Sydney Kristin Shambo, Anne Catherine Klepeiss, Courtney Nichole Blocker, Israel Marcano, Nadine DeJesus, Linda Nguyen, Adam Andrew Uliana, Curt Reid, Daniel Clark Thompson, Samuel Adam Gaardsmoe, Bruce William Schmidt, Zac Edwards, Ayomide Opeyemi, Isabela Uribe, Tiffany Noel White, Alan Reynaldo Mendez, Tyler Joseph Buskirk, Nicholas Wachter, Joshua Ruebeck, Samantha Bociulis, Joy Wang, Mackenzie Jaclyn Hart, Jessica Ann Petrakovic, Molly Yandrofski, Kallie Esther Linder, Christina Cilento, Christa Duelberg-Kraftician, Jane Wells Schooley, Nancy Magee, Kathryn C. Worrilow, Sherry Post, Maureen Thomson, Helene

Whitaker, Christine Ussler, Mary Tebeau, Lisa Scheller, Denise Maiatico, Jennifer Mann, Tracy Onorofsky, Susan Patt, Sylvia Hoffman, Cathy Plarr Kavounos, Nancy Conrad, Sally Gammon, Susan Wolper, Alexandra Shade, C. J. Rhoads, Miriam Huertas, Paula Barrett, Heather McCloskey, Sandra Bodnyk, Wendy Gail Body, Elaine D. Pivinski and to the Lehigh Valley Charter High School for the Arts by Senator Boscola and others.

Congratulations of the Senate were extended to the Honorable Lee J. Mazur, Dr. Michelle Fisher Freeman, Selena Evans Miller, Lauren E. Murray Snyder, William Rossey, Pamela Manning, Michele Myers-Cepicka, Jamie Holmes and to the Clairton High School Football Team by Senator Brewster.

Congratulations of the Senate were extended to Mr. and Mrs. Floyd Lesko, Mr. and Mrs. Anthony DeBiase, Michelle A. Trempel, Dayne Wesley Engler, Vanessa J. Campbell, Brent McNabb, Pennsylvania Sinfonia Orchestra, Louis E. Dieruff Air Force Junior Reserve Officer Training Corps PA-011 Cadet Corps Drill Teams and to The Neffs National Bank by Senator Browne.

Congratulations of the Senate were extended to Jerry Lloyd, Mike Zambelli, Joseph Lennert, Joanne Janci, Pam Morris, Richard Ramos, Maureen Thomson, Brian Regan, Michael Joyce, Timothy Charlesworth, Gale Schmidt Hodavance, Mike Guman, Ray Barbosa, 1975 Dieruff High School Girls' Basketball Team and to the 1982 Whitehall High School Boys' Basketball Team by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. Morse Brossman, Mr. and Mrs. Harry Hoover Joshua Lawrence Bard, James R. Groff, Dylan Ray Martin, Adam David Naples, Katherine M. Mobley, Malcolm Eugene Johnson, Michael James Bressi, Patrick James McGee, Benjamin Edward Martin, Nicholas Matthew Draeger and to Alexander D. Chavez by Senator Brubaker.

Congratulations of the Senate were extended to Shane Alan Keenan by Senators Brubaker and Folmer.

Congratulations of the Senate were extended to Technical Sergeant Douglas George Davey, Paige Smith, James Thompson, Cael Sanderson, Maggie Lucas, Mitchell Port, Quentin Wright, Edward Ruth, Colton Lewis Copenhaver, Trey Kibe, James W. Felmler, Ann Simonetti, Daniel E. Schimmel, Andrew Rosenberger, The Pennsylvania State University Wrestling Team, members and coaches and to the Bellefonte Area High School Swimming and Diving Team by Senator Corman.

Congratulations of the Senate were extended to George Schultz, Edward L. Schultz and to Penn Hills Senior Service Center by Senator Costa.

Congratulations of the Senate were extended to Dr. Vitasta Bamezai, Mr. and Mrs. Don Kane, Donald J. L. Coppedge, Kim Engstrom, Terry Woodman, DeNeal Saunders, Deborah Pieri, Amanda Clinton, Angus Russell, Sophie Voynar, Barbara J. Fentress, Scott Dillman, Kenneth Hughes, Deborah Pieri, John O'Grady, Alray Johnson, Esterlina Wiest, Danielle Young, Joseph Lebresco, Sr., Amy O'Grady, Lawrence L. Welsch, Blanche Rose Kemp Clement, PointRoll, West Chester East High School Ice Hockey Team, Mack Services Group, Great Valley Nature Center and to Thorncraft Equestrian Center by Senator Dinniman.

Congratulations of the Senate were extended to Robert Cottone and to Nelly Jimenez-Arevalo by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to Thomas Fillippo by Senator Dinniman and others.

Congratulations of the Senate were extended to Staff Sergeant Kenny Shepard, Tyler Rydbom and to the East Saint Clair Township Supervisors by Senator Eichelberger.

Congratulations of the Senate were extended to Robert E. Nutley, Patricia Owens, Troy Charles Bergwall and to Joseph O. Carroll III by Senator Erickson.

Congratulations of the Senate were extended to Tyler Seal by Senators Erickson and Pileggi.

Congratulations of the Senate were extended to John Lucas by Senators Erickson and Solobay.

Congratulations of the Senate were extended to Mildred Webber, Leon Mazurie and to Ingrid M. Rumbaugh by Senator Folmer.

Congratulations of the Senate were extended to Tammy Morrow by Senator Fontana.

Congratulations of the Senate were extended to Mr. and Mrs. Richard E. Spaid, Mr. and Mrs. Jim Williams, Harvey Buriak and to William J. Lingenfelter by Senator Gordner.

Congratulations of the Senate were extended to Helen Barunas, Jolyn Sykes, Joyce Onyebuch, Matthew A. Sheradin, Alec Zachary Altman and to Bethlehem Baptist Church by Senator Greenleaf.

Congratulations of the Senate were extended to Vern Over, Jr., Judy Stevenson, Gayle Oxenham, Pamela Warner, Cory A. Lautenschlager and to the Veterans Entombment and Testimonial Service Honor Guard by Senator Hutchinson.

Congratulations of the Senate were extended to Ethan Kenney, Emily M. Zimcosky, Justin M. Kostelnik, Mark Rush and to the Grand Lodge of Pennsylvania, Order Sons of Italy in America by Senator Kasunic.

Congratulations of the Senate were extended to William Dolbow, Jamil Ali and the Brotherhood of Huntingdon, Robert P. Cocco, Larry Collins, Sid Booker, Ronald Armour, Michael Lee, Lemore Brooks Perkins, David Shallcross, Horace L. Gibson, Jr., Eleanor Brown and to Annette Smalls by Senator Kitchen.

Congratulations of the Senate were extended to Bishop Richard S. McCray, Jonathan W. Deuber, Mitchell Joseph Derby and to Joseph M. Miscioscia, Llanerch Volunteer Fire and Ambulance Company and to the Lower Merion High School Boys' Basketball Team by Senator Leach.

Congratulations of the Senate were extended to John Lewis by Senators Leach and Erickson.

Congratulations of the Senate were extended to Dr. Walter P. Lomax, Jr., Christine Taylor, Daniel F. Anthonisen, Marvin L. Woodall, Pierce Budson, Alexander F. Warfel, Doug Dunkerley, Sue Gibbons, Michael J. Dea, Harry Lake III, Ron Forester, Hatboro Federal Savings, Peace Center, Nockamixon Trail Group, Fairless Hills Athletic Association, citizens of the Borough of Sellersville and to the Sellersville Fire Department by Senator McIlhinney.

Congratulations of the Senate were extended to Francis J. Sullivan by Senator McIlhinney and others.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Simmons, Mr. and Mrs. Alfred Blough and to Ella Roush by Senator Mensch.

Congratulations of the Senate were extended to Patrice Amin and to Keene Jabbour by Senators Mensch and Boscola.



Congratulations of the Senate were extended to Mr. and Mrs. Robert Gadomski by Senator Mensch and others.

Congratulations of the Senate were extended to Captain and Mrs. Robert Massey, Ruth E. Kranz-Carl, Doris Wixon, Katherine McLean, Charles F. Mengers, Sara Shapiro, Viola Kilson, Catherine Bradley, Virginia M. Morgan, William J. Dugan, William C. Neef, Mary Alice Savarese, Elizabeth W. Lynch, Sophia Wisniewska, John W. Cook, Naomi G. Beauford, Dorothy M. Stinsman, Florence E. Kosmider, John R. Merrick, Donald M. Solenberger, Conrad Schatte Yocum, Velma R. Wilson, Dorothy E. Denson and to the members of the Penncrest High School Hi-Q Team by Senator Pileggi.

Congratulations of the Senate were extended to Dr. Eva L. Verplanck and to Loretta Perna by Senators Pileggi and Dinniman.

Congratulations of the Senate were extended to Michael Andersen, Christopher Selverian, Gerald Lorenzo, Carson Jones, Kathryn R. Hayden, Drew J. Kaiser, Mildred Supplee, Evan Tumelty and to William Roth by Senator Rafferty.

Congratulations of the Senate were extended to Spring-Ford Area High School Girls' Basketball Team by Senators Rafferty and Dinniman.

Congratulations of the Senate were extended to Arthur J. DeBaise, Isaiah Paul Morgenstern, Devin Brown, Austin Matthews, Isaac M. Sutley, Gail K. Myer by Senator Robbins.

Congratulations of the Senate were extended to Connie Bush, Justin Ludwig, Shane Oschman, George B. Duke, Sarah B. Dorn, Harriet B. Wick, Howard L. Fesenmyer, Julia J. Shaffer, Benjamin David Regester, Hollenbeck-Cahill Funeral Homes, Inc., and to Elk County Catholic High School by Senator Scarnati.

Congratulations of the Senate were extended to Dr. Margaret Mary Wilkins, Chief Anthony C. Garipoli, Sr., Stanley Roberts, Jr., George R. Withers and to Donna A. Lamp by Senator Schwank.

Congratulations of the Senate were extended to Dr. Heidi Ondek, Frank Duranti, Kurt B. Christofel, Karen Brown, Daniel Michael Krajovic, L. Robert Furman, Saint Gabriel of the Sorrowful Virgin School Girls' Basketball Team, Saint James Catholic School Junior Varsity Boys' Basketball Team, Bethel Park High School Girls' Basketball Team and to the South Park Senior High School Girls' Basketball Team by Senator Smith.

Congratulations of the Senate were extended to Lieutenant Dwight D. Rager by Senator Smucker.

Congratulations of the Senate were extended to Lieutenant Colonel Frank Pecjak, Joshua Gray, Mark Clipper, Donald W. Sprowls, Carolyn Wissenbach and to Ashley Avolio by Senator Solobay.

Congratulations of the Senate were extended to Joseph Samuel Picozzi by Senator Stack.

Congratulations of the Senate were extended to Timothy Kelley, R. Seth Williams, Lou O'Grince, Howard Neukrug, Jill Kerstetter, Robert Oscilowski, Joseph O'Malley, Joseph Goodwin and to Thomas P. Corcoran by Senator Tartaglione.

Congratulations of the Senate were extended to Theresa Luci, Shirley Campbell, Drew Goodwin and to Hummelstown Chemical Fire Company No. 1 by Senator Teplitz.

Congratulations of the Senate were extended to Brad Rivera, Lauren B. Gross, Lori Mastropietro, Rich Reice, Mark Ozoroski,

Jack Klebe, Michael Frederick, Tony Chapman, Tricia Harm, Jozef Frenock, Brent C. McLaughlin, Qhyle Elijah, Mary Ellen Malloy, Saint Mary Children's Health Center, Bensalem High School Boys' Indoor Track Team and to the Bensalem High School Boys' Indoor Track and Field Team by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Leinbach, Mr. and Mrs. Gary Whistler, Mr. and Mrs. Robert R. King III, Michael Willis, Cindy Kennedy, Leslie Richards, Hailey L. Freeman, Jonah Harmon, Hank Patrick Donovan, Ruth D. O'Brien, John Griggs, Alexandria Pugh, Ronnie Saunders, Herbert Melvin Henry, Hoa Quang Phan, Morgan C. Eugene Hahn, Jr., Matt Wickens, William A. Helm, Brett M. Ward, Kieran Thomas Slattery and to the members and coach of the Mechanicsburg Area Senior High School Memory Team by Senator Vance.

Congratulations of the Senate were extended to Capital Area Transit by Senator Vance and others.

Congratulations of the Senate were extended to Ernie D'Achille, Marc Shoaf, citizens of the Borough of New Brighton, citizens of the Borough of Freedom, Beaver Falls High School Boys' Basketball Team and to the Beaver County Association of REALTORS by Senator Vogel.

Congratulations of the Senate were extended to Zackary Austin Zimmer, Jeffrey A. Nix, Miguel Angel Oliver, Corey Michael McCoy, Evan Michael Lynch, W. Christopher Lochner and to Bradley Michael Walter by Senator Vulakovich.

Congratulations of the Senate were extended to Maggie Marie Donaldson by Senators Vulakovich and Brewster.

Congratulations of the Senate were extended to Michael Kaloz, Ethan Byers, Christ's Church of Greensburg and to Hempfield Area High School Rifle Team by Senator Ward.

Congratulations of the Senate were extended to Mr. and Mrs. Bernard J. Thornton, Sr., Mr. and Mrs. Joseph Tyner, Mr. and Mrs. Harold Rosenthal, Honorable Jacquelyn Frazier-Lyde, Dr. Lamar Burno, Peter Lewellyn Lyde, Daniel L. Woodall, Jr., Pamela J. Rich-Wheeler, Harold T. Epps, Carlton Williams, W. Cody Anderson, Bill Anderson, Kyle David Anderson, David Oh, Lynette M. Brown-Sow, Patty Jackson and to Primex Garden Center by Senator Washington.

Congratulations of the Senate were extended to Eagle Fire Company No. 1 by Senator Waugh.

Congratulations of the Senate were extended to Susan Hrinko, Alex Zona, Jr., Corey Steven Weimann, Samuel Wilson Longwell and to the Ford City High School Ice Hockey Team by Senator White.

Congratulations of the Senate were extended to Genevieve Naklicki, Jeffrey Brown, Michael J. Heller, Joseph F. Coradino, Jerrika Gadson and to Dick Vermeil by Senator Williams.

Congratulations of the Senate were extended to Dr. James E. Douthat, Dr. Christopher D. Olson, Isabelle Mitchell Keefer, Adriana Grabski, Daniel A. Klingerman, Betsy Rider and to the Grand Lodge of Pennsylvania, Order Sons of Italy in America by Senator Yaw.

Congratulations of the Senate were extended to Gordan Buchman, Casey McCoy, Matthew Yurish, Jeffrey Hicks, James Darvell, Daniel Guydish, Tyler Palma, Aaron Steve, students of the Panther Valley Middle School and to Exeter Lions Little League by Senator Yudichak.

Congratulations of the Senate were extended to Patrick Rushton by Senators Yudichak and Baker.

**CONDOLENCE RESOLUTIONS**

The PRESIDING OFFICER 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 Marie Ann Jones and to the family of Alfred B. Hall by Senator Baker.

Condolences of the Senate were extended to the family of the late Willard Franklin Snyder by Senator Browne.

Condolences of the Senate were extended to the family of the late Beverly Ann Maldonado by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Jean Gitzes Samuels and to the family of the late Richard Seneca Bray by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Lance Corporal Joshua Michael Martino by Senator Scarnati.

Condolences of the Senate were extended to the family of the late Lawrence S. Klee by Senator Schwank.

Condolences of the Senate were extended to the family of the late Martin H. Brill by Senator Tartaglione.

Condolences of the Senate were extended to the family of the late Shirley Warner by Senator Washington.

**POSTHUMOUS CITATIONS**

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

A posthumous citation honoring the late Carolyn Nonnenberg was extended to the family by Senator Brewster.

A posthumous citation honoring the late Don Cameron was extended to the family by Senator Tomlinson.

**BILL ON FIRST CONSIDERATION**

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

The motion was agreed to by voice vote.

The bill was as follows:

**SB 607.**

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, MARCH 21, 2013

3:00 P.M.	EDUCATION (public hearing seeking input from students and parents on educational issues in schools)	Downingtown S.T.E.M.
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Academy  
335 Manor  
Ave., Down-  
ingtown

FRIDAY, MARCH 22, 2013

2:00 P.M.	GAME AND FISHERIES (public hearing to provide information to the Senate Game and Fisheries Committee and other interested parties from the PA Fish and Boat Commission on the following topics: PA Fish and Boat Commission Fiscal Slope: Spending reallocation plan and revenue generating options and Lake Erie permit overview)	Erie Yacht Club, 1 Ravine Dr. Erie, PA
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TUESDAY, APRIL 9, 2013

9:30 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing to provide a comprehensive review of the provisions in the PA Race Horse Development and Gaming Act as they relate to a Category 3 (Resort) slot machine license in a well-established resort hotel. There will also be some focus on the access and membership provisions as they relate to the gaming area of a Category 3 (Resort) licensed facility)	Hrg. Rm. 1 North Off.
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12:30 P.M.	LAW AND JUSTICE (to consider Senate Bills No. 59 and 579)	Sen. Maj. Caucus Rm.
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WEDNESDAY, APRIL 17, 2013

10:00 A.M.	GAME AND FISHERIES (to consider Senate Bills No. 597, 647 and 648; and House Bill No. 353)	Room 8E-B East Wing
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THURSDAY, APRIL 25, 2013

10:00 A.M.	JUDICIARY (public hearing to receive testimony on the concept of determinate sentencing)	Phila. Bar Assn., 11th Floor, Conf. Ctr., 1101 Market St. Phila., PA
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TUESDAY, MAY 7, 2013

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on storm response)	Hrg. Rm. 1 North Off.
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**PETITIONS AND REMONSTRANCES**

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, it is that time of year again when many of our friends, family, and coworkers participate in a friendly March Madness basketball bracket. In fact, this is kind of what it looks like. Unfortunately, I probably will lose when I fill out my brackets because I picked Villanova to go all the way because that is my alma mater. But these are illegal here in the Commonwealth of Pennsylvania. I am here to remind everybody that it is illegal under our Crimes Code, regardless of how small the entry fee is or how limited the participation. Mr. President, many Pennsylvanians do not even realize they are

committing a crime when they engage in this harmless fun. In fact, they are some of the most law-abiding citizens. Yet, many social and veterans clubs will be raided, funds will be seized, and some charitable organizations will face suspension or even tougher sanctions due to the antiquated law that makes us criminals this time of year. You know what, Mr. President, now that I am thinking about it, in fact, I know that this is circulating around the halls in the Capitol as well. That is where I got mine.

Mr. President, the time has come to legitimize an activity that most people already rightly feel is legitimate. This harmless fun may be offered by coworkers, families, friends, social clubs, and charitable organizations. No game is being fixed, no family is losing their weekly paycheck, and those who operate the pools do not even receive any compensation. Yet, we deem their participation in these pools as a crime. It is ridiculous that our law brands these harmless and engaging contests as illegal. So I am asking my colleagues to consider legalizing this harmless fun and pass Senate Bill No. 483. Passing this bill will, once and for all, put an end to the antiquated, out-of-touch law that makes criminals out of good people.

Under Senate Bill No. 483, 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 relationship with contestants, and all proceeds are awarded to the contestants or donated to a bona fide charity. Senate Bill No. 483 is patterned after laws already in place in Vermont and Montana. So again, I am asking us, please let us stop making criminals out of good people and pass Senate Bill No. 483.

Thank you, Mr. President.

#### LEGISLATIVE LEAVE CANCELLED

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

#### PETITIONS AND REMONSTRANCES (Continued)

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

Senator HUGHES. Mr. President, I rise to speak on, I guess, probably about two issues. One, by the time we return to the floor of the Senate, America's pastime will be beginning its new season, our beloved Phillies will be taking the field, and our beloved Pirates will be taking the field also, for those who are murmuring in the background here. We look forward in great anticipation for both of those teams to begin a new season of hope and possibility, as spring is ever-eternal when it comes to the beloved sport of baseball. We come back on the floor to Session on April 8. Unfortunately, too many of our constituents will not be in a position to enjoy the opportunity to attend a ball game, maybe not even be in a position to have an opportunity to watch a ball game on their cable TV, or any TV. As we read, on a daily basis, the plight of Pennsylvania's people is getting worse, not better, economically. Their healthcare, their education, and probably the largest issue that consumes their daily lives, the economic condition, their jobs.

Mr. President, we have just been confronted recently with information that indicates, after a recalculation of the numbers, it appears that Pennsylvania's unemployment rate is now 8.2

percent. It is now officially higher than where it was when Governor Rendell left office in January 2011.

Mr. President, in another reboot of our calculations by the Federal Bureau of Labor Statistics, Pennsylvania has fallen even further down in terms of its position in new job creation. When Governor Rendell left office, we were 8th in the nation in new job creation, and now we are 43rd. Mr. President, we are 43rd in the nation in new job creation. We are losing ground. We are not gaining ground, we are losing ground. This is the wrong direction for this Commonwealth; Democrat or Republican, it does not matter, this is the wrong direction for the constituents whom we represent. No matter what field of business or what field of skill they happen to be in, whether it is construction or healthcare, we are losing ground, and we cannot continue down this path, Mr. President. It is a wrong-direction reality that exists for this State, and it is not just a matter of deliberation on the floor of the Senate or any other body of elected officials. Real lives are at the crux of all of this. The real people's reality is being impacted by the decisions that we are not making and by the wrong direction this State is going in.

I have talked consistently, regularly about the issue of Medicaid expansion, accepting the money from the Federal government to come into Pennsylvania and provide healthcare services for at least a half-million people who have no health insurance, and who are all working. We talked about the healthcare coverage that they would receive, and it is significant. We have talked about the fact that at least in the first 3 years, this is money that comes to the State, the State does not have to match. We realize about \$670 million in State savings and growth in terms of our own economy which can be utilized to do other things - invest in education, protecting our environment, maybe even other kinds of economic development.

But the other point that we missed in this conversation, Mr. President, is the fact that the analysis indicates that if we begin to accept these funds, as they come into the Commonwealth of Pennsylvania and spread throughout our economy, that we could create about 41,000 new jobs by the year 2016. That is a short time horizon. These would be jobs, quite frankly, that most of the folks whom we represent and most of the people in the Commonwealth of Pennsylvania in fact live in this reality. They are not construction jobs, these are jobs working in the healthcare system, these are back office jobs, working in hospitals, they are doing the work of providing quality healthcare services to all of Pennsylvania's citizens. That is where most folks work, not necessarily in construction.

So we ask, Mr. President, that we come to our senses sooner rather than later and right the direction that this State is going in. The only people benefitting in this Commonwealth right now, Mr. President, are those who already have. You look at the tax rolls, you see where the money is coming in, you see who are getting the biggest breaks in this State, those are the largest and the wealthiest corporations. They are not the average Pennsylvania people. They received almost \$900 million in tax breaks and tax giveaways over the last 2 years. There has been no shared sacrifice, they have moved ahead. The hope in their moving ahead was that they would employ more people, they would bring the rest of the Commonwealth with them, but they have not. That is the fact. They got the tax break, folks trying to get a job cannot find one. We need to be about righting this direction, going in the right direction, changing the way that we are operat-

ing here in this Commonwealth with a bias toward putting Pennsylvania's people back to work, and work at wages that pay family-sustaining wages.

Wrong direction, Mr. President, and the numbers prove it. More information has come out this past week that indicates the stark reality that exists for millions of Pennsylvania citizens who cannot find their way because this State is going in the wrong direction. We used to be leaders in education, now we are trailing behind. We used to be leaders in new job creation, now we are falling behind. And we are not just falling behind a little bit, Mr. President, we have fallen from 8th in new job creation to 43rd, all in the span of 25, 26, 27 months. That is a dramatic drop. But the statistics represent the reality that too many Pennsylvania citizens are confronting. And we have not even gotten to the conversation, Mr. President, of a growing number of Pennsylvania citizens who are living at or below the poverty level, who are living in their cars, cannot make their payments, whose heat, gas, lights, and food opportunities are drifting away from them. They are not forgotten people, at least not by so many of us. We intend to fight for them, we intend to stand for them, and we intend to make sure that the sacrifices that they have made are enough. They have sacrificed enough. Working people, low-income people have sacrificed enough in this State. They have given their all, they have played by the rules, they have operated according to the law and to the proscriptions that have been set out for them, and we cannot ask them to sacrifice anymore.

It is time we right the direction, it is time we change the course, it is time we change the path, and it is time we put Pennsylvania's people first, Mr. President, not have them in last position as, clearly, the direction we are going in in this State. Thank you very much.

### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, I move that the Senate do now recess until Monday, April 8, 2013, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 1:10 p.m., Eastern Daylight Saving Time.