

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, APRIL 30, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 26

SENATE

TUESDAY, April 30, 2013

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

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

PRAYER

The Chaplain, Rabbi RON MUROFF, of Chisuk Emuna Congregation, Harrisburg, offered the following prayer:

Master of the universe, You are known by many names, You are addressed in many languages, You are regularly invoked in this grand hall of the people of Pennsylvania, yet, what is the half-life of an invocation? What remains after we raise our heads? What lingers after the religious leader leaves this Chamber? I pray that when the men and women elected to serve the people of this great Commonwealth gather here to do their critical work, the awareness of Your presence will inform and inspire them. May they be mindful that all of us were created in Your image, that true power does not belong to them, and that we are here in this world not to destroy but to build, not to engage in conflict but to pursue peace.

Many religions call upon us to love You, O God. Many religions call upon us to love our neighbors as ourselves. Two hundred years ago, Rabbi Levi Yitzchak of Berdichev taught that whether a person really loves God can be determined by the love which that person bears towards others. When issues come before this body, whether seemingly mundane or profoundly important, may the Senators take to heart that their actions or inactions affect the lives of others. O Father, may the elected officials always be focused on what is best for Your children, especially the weakest and most needy amongst us. What is the half-life of an invocation? It depends entirely on the conscience of each individual Senator. If Senators live and act with integrity, may they be blessed with contentment and peace. If they do not, may their consciences challenge and even unsettle them.

There is a traditional Jewish blessing to be recited when encountering those in positions of political power. So, I conclude this invocation with these words:

(Translation from Hebrew:)

Blessed is the One who is given from His glory to humans of flesh and blood. Let us say, amen.

The PRESIDENT. The Chair thanks Rabbi Muroff, who is the guest today of Senator Teplitz.

PLEDGE OF ALLEGIANCE

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

**APPOINTMENTS BY THE
PRESIDENT PRO TEMPORE**

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

Senator Joseph B. Scarnati as a member of the Pennsylvania Athletic Oversight Committee.

Mr. John Barry Abbott, Sr., as a member of the Pennsylvania Athletic Oversight Committee.

BILLS REPORTED FROM COMMITTEES

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

SB 688 (Pr. No. 672)

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

SB 835 (Pr. No. 872)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for death action.

SB 865 (Pr. No. 976)

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for penalties involving liquefied ammonia gas, precursors and chemicals.

SB 867 (Pr. No. 964)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for expiration of chapter.

Senator SMUCKER, from the Committee on State Government, reported the following bills:

SB 601 (Pr. No. 610)

An Act amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, modernizing publication of Commonwealth legal materials; providing for uniformity in electronic legal materials in the areas of designation, authentication, preservation and access; conferring powers and duties on various Commonwealth agencies; and, in publication and effectiveness of Common-

wealth documents, further providing for definitions, for the Joint Committee on Documents, for general administration, for payment for documents, for distribution of publication expenses, for effect of future legislation, for publication of official codification, for deposit of documents required, for processing of deposited documents, for preliminary publication in Pennsylvania Bulletin, for permanent supplements to Pennsylvania Code, for pricing and distribution of published documents, for automatic subscriptions, for required contractual arrangements, for official text of published documents, for effective date of documents and for presumptions created.

HB 1112 (Pr. No. 1426)

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements used as State armories throughout this Commonwealth.

HB 1119 (Pr. No. 1356)

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to Uptown Entertainment Alliance, or its successors or assigns, certain lands, buildings and improvements situate in the Borough of West Chester, Chester County.

Senator BAKER, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

SB 373 (Pr. No. 296)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for tuition waiver for children and spouses of deceased soldiers.

SB 374 (Pr. No. 297)

An Act amending the act of December 16, 1998 (P.L.980, No.129), known as the Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Education Act, further providing for Postsecondary Educational Gratuity Program.

SB 403 (Pr. No. 323)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for retention incentives for medical resident physicians of the Pennsylvania National Guard; conferring powers and duties on the Adjutant General and Department of Military and Veterans Affairs; and making editorial changes.

SB 707 (Pr. No. 712)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for funds of volunteer firefighters' relief associations.

HB 107 (Pr. No. 579)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

HB 119 (Pr. No. 119)

An Act establishing an emergency medical services memorial flag; and imposing duties on the Pennsylvania Emergency Health Services

Council and the Bureau of Emergency Medical Services in the Department of Health.

HB 583 (Pr. No. 645)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the Pennsylvania Emergency Management Agency and for disbursement of fund amounts by agency.

LEGISLATIVE LEAVES

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

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

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 Mensch.

Senator Costa requests a temporary Capitol leave for Senator Hughes.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of March 19, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of March 19, 2013.

Senator PILEGGI. I move that further reading of the journal be dispensed with and that the journal be approved.

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUESTS OF SENATOR ROBERT F. TEPLITZ PRESENTED TO THE SENATE

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

Senator TEPLITZ. Mr. President, I have two guests. First, as we already heard from, Rabbi Ron Muroff, who served as the Chaplain today. He is the leader of the Chisuk Emuna Congregation of Greater Harrisburg, here in Harrisburg. The congregation was established by eastern European immigrants in 1883, and has had several homes within the vicinity of the Capitol since then. Its most recent home on Division Street was destroyed by fire, and Rabbi Muroff is leading the rebuilding of the congregational home at its new site on Vaughn Street. Rabbi Muroff, his wife, Leah, and four kids are very active in our community. He is a personal friend and I appreciate him providing the service this morning. I ask that my colleagues join me in welcoming Rabbi Muroff and thanking him for his service today.

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

Senator TEPLITZ. Mr. President, I have one more guest today, Harvey Kuntz. He and his family are up in the gallery. Harvey has served as a firefighter in West Hanover Township here in Dauphin County for the last 43 years. He spent his life risking his own life for the safety of his fellow citizens. I got to know Harvey and his family recently when he was recognized by the West Hanover Township Fire Company No. 1, with their lifetime achievement award. At that ceremony, they also announced they were naming Dauphin County Engine 36-1 in his honor. Please join me in welcoming Harvey and his family, and thanking him for his service to our community.

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

GUESTS OF SENATOR JAKE CORMAN PRESENTED TO THE SENATE

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

Senator CORMAN. Mr. President, it is indeed an honor to introduce this young man today. In the gallery is a young wrestler by the name of Jake Taylor. He is a senior at Bald Eagle Area High School. Jake won the PIAA Class AAA 182-pound Wrestling Championship this year in dramatic fashion. He gave all his fans, particularly his father, a stroke as he went to the ultimate tiebreaker and rode out his opponent for 30 seconds to win the State title. Jake finished his career with 127 wins and is committed to go on to wrestle at Cornell, which normally we would not forgive him for, but since Cornell is coached by a State College native, we will give him a pass. But what makes Jake such a great story, not only did he win the State title, but his father, Doug, who is with him in the gallery, also won a State title a few years ago in wrestling, and they became only the second father-son combination to win State championships in Centre County history. He is also joined by his coach, Steve Millward. I ask the Senate to give its usual warm welcome to some great people from my district, Doug Taylor, and his son, Jake, the State champion, and his coach, Steve Millward.

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

GUESTS OF SENATOR MICHAEL BRUBAKER PRESENTED TO THE SENATE

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

Senator BRUBAKER. Mr. President, I have an individual person and a school to introduce today. First, the individual. Mr. President, I am pleased to introduce Anna Sollenberger to you. Anna has spent the morning shadowing me here in the State Capitol. She is 13 years old and attends Conestoga Middle School. She was in her school play recently, plays the violin and drums, and also serves on student council. Before moving to Conestoga Middle School, Anna attended Lititz Elementary School. While a student at Lititz Elementary School, Anna worked tirelessly to advocate for healthier food choices. As a result, she actually changed the menu at her school to encourage everyone and, ultimately, succeeded in serving more fruits and vegetables. Anna also enjoys fundraising and, through the years, she has participated in many fundraising activities and has been named a top donor by the American Heart Association. Mr. President, I would like to introduce to the Senate, Anna Sollenberger.

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

(Applause.)

Senator BRUBAKER. Mr. President, I am also pleased to welcome students from West Cocalico Mennonite School who are with us today and are seated in the gallery. West Cocalico Mennonite School is located in Reinholds, Pennsylvania, and is a private school that has been in operation for 8 years. It is one of nine schools that are part of a larger educational system known as the Weaverland Conference. Joining us on behalf of West Cocalico Mennonite School are Rodney Snyder, a sixth and seventh grade teacher, along with his class of 21 students, as well as 17 parents who are chaperoning the group. Mr. President, please offer the warmest Senate welcome to this school from Lancaster County.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

RECESS

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

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

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

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

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

AFTER RECESS

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Browne and Senator Brubaker.

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

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

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Browne and Senator Brubaker.

Senator Costa requests a temporary Capitol leave for Senator Fontana.

Without objection, the leaves will be granted.

CALENDAR

**BILLS ON CONCURRENCE
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 302 (Pr. No. 892) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for county directors of veterans' affairs.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 302?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 302.

On the question,

Will the Senate agree to the motion?

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

YEA-49

Alloway	Farnese	Rafferty	Vulakovich
Argall	Ferlo	Robbins	Ward
Baker	Folmer	Scarnati	Washington
Blake	Fontana	Schwank	Waugh
Boscola	Gordner	Smith	White
Brewster	Greenleaf	Smucker	Wiley

Browne	Hughes	Solobay	Williams
Brubaker	Hutchinson	Stack	Wozniak
Corman	Kasunic	Tartaglione	Yaw
Costa	Kitchen	Teplitz	Yudichak
Dinniman	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	
Erickson	Pileggi	Vogel	

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 436 (Pr. No. 884) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for Voting Standards Development Board.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 436?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 436.

On the question,

Will the Senate agree to the motion?

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

YEA-49

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

NAY-0

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

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

SENATE CONCURS IN HOUSE AMENDMENTS

SB 623 (Pr. No. 951) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for license requirements and for unlawful acts concerning licenses.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 623?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 623.

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

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

Senator COSTA. Mr. President, on behalf of Senator Fontana, I offer his remarks for the record.

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

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA, on behalf of the gentleman from Allegheny, Senator FONTANA:)

Mr. President, I rise to urge support for Senate Bill No. 623, the adult mentored hunting legislation. This measure mirrors legislation I introduced in the past four Sessions. A mentored hunting program will encourage more adults to give hunting a try. This legislation is structured similar to Pennsylvania's successful youth mentoring program by waiving the license fee for an outing with a licensed hunter.

Mr. President, Pennsylvania has always held a strong reputation for hunting. However, from 2006 to 2011, the U.S. Fish and Wildlife Service reported a disappointing drop in the number of licensed hunters in Pennsylvania from 945,892 to 933,208.

Mr. President, Senate Bill No. 623 encourages more people to enjoy hunting, fishing, and other outdoor activities in our State.
Thank you, Mr. President.

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

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

YEA-49

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

NAY-0

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

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

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 59 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

SB 114 (Pr. No. 367) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for notification of breach.

On the question,
Will the Senate agree to the bill on third consideration?
Senator PILEGGI offered the following amendment No. A1271:

Amend Bill, page 2, by inserting between lines 20 and 21:

(a.3) Storage policy.--

(1) The Office of Administration shall develop a policy to govern the proper storage by State agencies of data which includes personally identifiable information. The policy shall address identifying, collecting, maintaining, displaying and transferring personally identifiable information, using personally identifiable information in test environments, remediating personally identifiable information stored on legacy systems and other relevant issues. A goal of the policy shall be to reduce the risk of future breaches of security of the system.

(2) In developing the policy under paragraph (1), the Office of Administration shall consider similar existing policies in other states, best practices identified by other states and relevant studies and other sources as appropriate. The policy shall be reviewed at least annually and updated as necessary.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER

SB 145 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 297 (Pr. No. 928) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for qualifications required to secure compensation and for ineligibility for compensation.

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

On the question,
Shall the bill pass finally?

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

Senator VANCE. Mr. President, very briefly, this bill talks about unemployment compensation. It really should be called triple dipping or protection for taxpayers. What has happened is, when someone retires from the State with a pension, as an annuitant, they are allowed to come back and work for 95 days. At the end of the 95 days, because they have exhausted those 95 days, it is described as an involuntary discharge, and so they say, okay, I can apply for unemployment compensation. This has cost the taxpayers of Pennsylvania a great deal of money, and this bill will end it. I ask for unanimous support.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 303, SB 304 and SB 607 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 638 (Pr. No. 996) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions and for exemptions from taxation.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator SCHWANK. Mr. President, I want to talk about this bill briefly to help the Members understand, because I know so many of them are very, very concerned about the state of agriculture and farming in Pennsylvania. This is a bill that will really help farmers, particularly small farmers in the Commonwealth, to extend the profits that they receive by extending the season for them. High tunnels are the lowest technology but the newest rage in small-scale agriculture. They use no electricity, there is no heating, it is not a permanent structure, yet, it is one that would allow our farmers to extend the season. For example, you could grow tomatoes longer, and you could get tree fruits to fruit earlier. There are a number of different kinds of uses, even to raising livestock in high tunnels. It is technology that is especially appropriate for our Amish, and Old Order Mennonite farmers.

I commend the Senate, certainly, for taking this up as quickly as they did. The Pennsylvania Vegetable Growers Association and the Pennsylvania Farm Bureau had come to us and asked for consideration of this legislation. The concern was that some counties, not mine in particular, were looking at taxing these structures. Again, I will reiterate, there is no technology in them, there is no permanency to them at all. So this is certainly welcome legislation for our farming community, and I commend Senator Vogel for acting as quickly on this as he did.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 680, SB 689, SB 731 and SB 732 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 744 (Pr. No. 774) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for how offices to be held.

On the question,
Will the Senate agree to the bill on third consideration?
Senator BAKER offered the following amendment No. A1291:

Amend Bill, page 1, line 20, by inserting after "county":
in consultation with the president judge of the court of common pleas of the county

On the question,
Will the Senate agree to the amendment?
It was agreed to.
Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 3, HB 19, SB 34 and SB 46 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 124 (Pr. No. 742) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 11, 1972 (P.L.286, No.70), known as the Industrialized Housing Act, further providing for findings and declarations of policy, for regulations, insignia of certification required, for promulgation of rules and regulations by the department and for recognition of certification of other states or the Federal Government.

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

BILL OVER IN ORDER

SB 160 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

SB 406 (Pr. No. 338) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Murtland Avenue Exit from Interstates 79 and 70 onto State Route 19 in Washington, Washington County, as the Lance Corporal Ryan J. Kovacicek, USMC, Exit.

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

SB 406 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 406, Printer's No. 338, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.
The PRESIDENT. The bill will be placed on the Calendar.

BILLS OVER IN ORDER

SB 441, HB 492 and SB 647 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 648 (Pr. No. 952) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for liability for actions of others.

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

BILLS OVER IN ORDER

SB 699, SB 763 and SB 764 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senators WAUGH, 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, WHITE, WILEY, WILLIAMS, WOZNAK, YAW and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 112**, entitled:

A Resolution honoring the life of Fire Chief Rodney Paul Miller, who died on April 27, 2013.

On the question,
Will the Senate adopt the resolution?

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

Senator WAUGH. Mr. President, I rise today with a very heavy heart to offer a condolence resolution in honor of a dedi-

cated volunteer, a fellow firefighter, and a fire chief from York County who was tragically killed in the line of duty this past Saturday evening. I am sure many of you have read or heard about this on the local news. Chief Rodney Paul Miller of the Loganville Volunteer Fire Company, Company 63 in York County, was struck by a passing vehicle while directing operations at an automobile accident on Interstate 83 in southern York County near the Maryland line. He was pronounced dead on arrival at the York Hospital Trauma Center at approximately 12:30 a.m., Sunday morning.

Our community, and our State for that matter, has again lost one of our finest. We all shall miss him dearly. Chief Miller has been a dedicated volunteer with the Loganville Fire Department for nearly 30 years. He joined as a junior volunteer at the age of 16, and through the years, he trained, he worked, and he responded when called. He proved himself a leader, rose to the position of assistant fire chief, before being elected by his peers and fellow responders as chief of the department in 2001. He had been the chief for some 13 years. On top of the countless volunteer hours, he served often throughout the night, as was the case this past weekend. Chief Miller was a self-employed general contractor and a reputable businessman in our community. He also found time to pursue his personal interests of hunting as well as mentoring young firefighters and others, as they had done for him over the years.

Along with a grieving community and fellow responders, Chief Miller leaves his wife of 21 years, Shelly Miller, and his parents, Paul and Elaine Miller. He was a dedicated community servant, a fine gentleman. He will be terribly missed. Therefore, I ask that we all extend our condolences to the family by cosponsoring the resolution. I will leave it open at the desk. Finally, I would like to thank Governor Corbett, who just this afternoon ordered that all of our State flags here at the Capitol complex and at all York County Commonwealth buildings be lowered to half-staff in honor of Chief Miller through this Friday afternoon, when he will be interred. So, Mr. President, thank you very much, and we all salute Chief Rodney Miller of Loganville.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of Fire Chief RODNEY PAUL MILLER.)

The PRESIDENT. The Chair declares the resolution unanimously adopted.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Sisters of Mercy and to Lords Valley Country Club by Senator Baker.

Congratulations of the Senate were extended to Jane E. Oppenheim by Senator Blake.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Derr, Reverend Bernard J. Ezaki and to George Taylor House Museum by Senator Boscola.

Congratulations of the Senate were extended to the Honorable Ed Pawlowski and to T. Anthony Iannelli by Senator Browne and others.

Congratulations of the Senate were extended to Marietta Lamb-Mawby by Senator Dinniman.

Congratulations of the Senate were extended to Mr. and Mrs. Wilmer Frye by Senator Eichelberger.

Congratulations of the Senate were extended to Fresh Grocer by Senator Erickson.

Congratulations of the Senate were extended to June Kreiser by Senator Folmer.

Congratulations of the Senate were extended to Dr. Meredith Rae Mitstiffer, Dr. William H. Selden, Jr., John M. A. DiPippa and to Bette A. Grey by Senator Gordner.

Congratulations of the Senate were extended to Nichole Farrior, Remaitha Polite, Pearline Greene and to Patricia Bachtle by Senator McIlhinney.

Congratulations of the Senate were extended to George R. White by Senator Pileggi.

Congratulations of the Senate were extended to CARE for Children and to Ridgeview Elder Care and Rehabilitation Center by Senator Scarnati.

Congratulations of the Senate were extended to Roger Lehmann by Senator Schwank.

Congratulations of the Senate were extended to Monongahela Cemetery, All Ways Moving and Storage and to Pennsylvania Trolley Museum by Senator Solobay.

Congratulations of the Senate were extended to Margaret V. Cohan by Senator Stack.

Congratulations of the Senate were extended to May K. Riddlesberger by Senator Vance.

Congratulations of the Senate were extended to the Reverend Dr. G. Daniel Jones by Senator Washington.

Congratulations of the Senate were extended to Mr. and Mrs. William Dillard, Jr., by Senator Williams.

Congratulations of the Senate were extended to Zachary Fleegle by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence Lore and to Tiadaghton State Forest-Forest of the Year by Senator Yaw.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Chief Rodney P. Miller by Senator Waugh.

Condolences of the Senate were extended to the family of the late Helen Hellon Divers by Senator Williams.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 373, SB 374, SB 403, SB 601, SB 688, SB 707, SB 835, SB 865, SB 867, HB 107, HB 119, HB 583, HB 1112 and HB 1119.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, MAY 1, 2013

10:00 A.M.	FINANCE (to consider Senate Bills No. 797, 798 and 803; and House Bills No. 46 and 465)	Room 8E-A East Wing
10:00 A.M.	URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 859)	Room 8E-B East Wing
10:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 738, 739 and 823)	Room 461 Main Capitol

MONDAY, MAY 6, 2013

Off the Floor	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bill No. 526)	Rules Cmte. Conf. Rm.
---------------	---	--------------------------

TUESDAY, MAY 7, 2013

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on storm response)	Hrg. Rm. 1 North Off.
9:30 A.M.	JUDICIARY (public hearing to discuss civil legal representation of the indigent: Have we achieved equal access to justice?)	Room 8E-B East Wing
11:00 A.M.	AGING AND YOUTH (public hearing on proposed changes to the definition of "child abuse" within the Child Protective Services Law)	Sen. Maj. Caucus Rm.

TUESDAY, MAY 14, 2013

1:00 P.M.	LAW AND JUSTICE (public hearing to consider the Governor's plan on liquor privatization)	Hrg. Rm. 1 North Off.
-----------	--	--------------------------

WEDNESDAY, MAY 15, 2013

9:00 A.M.	EDUCATION (public hearing on Higher Education Accessibility and Affordability - Senate Bills No. 78, 420 and 713)	Hrg. Rm. 1 North Off.
1:00 P.M.	EDUCATION (public hearing on Common Core)	Hrg. Rm. 1 North Off.

THURSDAY, MAY 23, 2013

9:30 A.M.	JUDICIARY (public hearing to discuss the following topic: Civil legal representation of the indigent: Have we achieved equal access to justice?)	Phila. Bar Assoc., 1101 Market St. Phila.
-----------	--	--

RECESS

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

Senator WAUGH. Mr. President, I move that the Senate do now recess until Wednesday, May 1, 2013, at 11 a.m., Eastern

Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:50 p.m., Eastern Daylight Saving Time.