

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, MAY 7, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 29

**SENATE**

TUESDAY, May 7, 2013

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

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

**PRAYER**

The Chaplain, Reverend KELLY WIANT, Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

O God, for the beauty of Your creation, and the magnificence of spring, and for signs of new life, we give You thanks. We are grateful for family and for friends, for loved ones near and far, and pray for those who are lonely, lost, and alone. We are grateful for work, and meaningful work, and pray for those who are unemployed and looking for meaning. We are grateful for the Commonwealth of Pennsylvania and for its varied residents. We pray that You might open our eyes that we will see the need before us, open our ears that we hear truth spoken, fill our hearts with compassion and our minds with wisdom that we might serve Your people with energy, imagination, intelligence, and love. Amen.

The PRESIDENT. The Chair thanks Pastor Wiant, who is the guest today of Senator Teplitz.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**MEMBER OF THE CHILDREN'S TRUST FUND BOARD**

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Bruce R. Clash, 220 Acre Drive, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Children's Trust Fund Board, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE CHILDREN'S TRUST FUND BOARD**

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Harry Hamilton, 9 East Enterprise Street, PO Box 1737, Wilkes-Barre 18703, Luzerne County, Fourteenth Senatorial District, for reappointment as a member of the Children's Trust Fund Board, to serve for a term of three years and until his successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE CHILDREN'S TRUST FUND BOARD**

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Abbie R. Newman, R.N., J.D., 1430 Hunter Road, Rydal 19046, Montgomery County, Fourth Senatorial District, for appointment as a member of the Children's Trust Fund Board, to serve for a term of three years and until her successor is appointed and qualified, [data missing] Linda Rich, Wyncote, whose term expired.

TOM CORBETT  
Governor

**MEMBER OF THE CHILDREN'S TRUST FUND BOARD**

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Shawn Wagner, 1971 Herrs Ridge Road, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for appointment as a member of the Children's Trust

Fund Board, to serve for a term of three years and until his successor is appointed and qualified, vice Susan Eckert, Lancaster, whose term expired.

TOM CORBETT  
Governor

MEMBER OF THE PENNSYLVANIA ECONOMIC  
DEVELOPMENT FINANCING AUTHORITY

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Fred A. Rinaldi, Esquire, One Lee Court, Old Forge 18518, Lackawanna County, Twenty-second Senatorial District, for reappointment as a member of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BRADFORD COUNTY

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Bradford County, to serve until the first Monday of January 2016, vice The Honorable Jeffrey A. Smith, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE  
TRANSPORTATION COMMISSION

May 7, 2013

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Transportation Commission, to serve until October 15, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice William L. Patterson, Erie, resigned.

TOM CORBETT  
Governor

**HOUSE MESSAGES**

**SENATE BILL RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 5**, with the information the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule 13(c)(2)(i), the bill will be referred to the Committee on Rules and Executive Nominations.

**HOUSE BILLS FOR CONCURRENCE**

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

May 7, 2013

**HB 992** -- Committee on Judiciary.

**HB 1124** and **1128** -- Committee on Banking and Insurance.

**BILLS REPORTED FROM COMMITTEES**

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

**SB 914 (Pr. No. 1025)**

An Act creating the Insurance Regulation and Oversight Fund; and providing for its use.

**HB 818 (Pr. No. 928)**

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

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

**SB 1 (Pr. No. 1026)**

An Act amending Titles 20 (Decedents, Estates and Fiduciaries), 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in anatomical gifts, further providing for The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund contributions; in sustainable mobility options, further providing for definitions, for the Public Transportation Trust Fund, for application and approval process, for executive and legislative reports, for coordination, for asset improvement program, for Statewide programs and for capital improvements program; providing for multimodal transportation funding; in the Pennsylvania Turnpike, further providing for definitions, for commission and for electronic toll collection; in public-private transportation partnerships, further providing for agreement; providing for traffic signals and for the Bridge Bundling Program; in registration of vehicles, further providing for certain special plates and providing for suspension of registration upon unpaid tolls; in licensing of drivers, further providing for expiration and renewal of drivers' licenses, for occupational limited license and for probationary license; in commercial drivers, further providing for fees; in financial responsibility, further providing for required financial responsibility; in fees, further providing for collection and disposition of fees and money, for passenger cars, for motor homes, for motorcycles, for motor-driven cycles, for trucks and truck tractors, for motor buses and limousines, for school buses and school vehicles, for trailers, for special mobile equipment, for implements of husbandry, for antique, classic and collectible vehicles, for farm vehicles, for ambulances, taxis and hearses, for dealers and miscellaneous motor vehicle business, for farm equipment vehicle dealers, for transfer of registration, for temporary and electronically issued registration plates, for replacement registration plates, for certain registration plates, for duplicate registration cards, for commercial imple-

ments of husbandry, for special hauling permits as to weight and size, for annual hauling permits, for mobile homes, modular housing units and modular housing undercarriages, for books of permits, for refund of certain fees, for driver's license and learner's permit, for certificate of title, for security interest, for information concerning drivers and vehicles, for certified copies of records, for uncollectible checks, for certificate of inspection, for messenger service, for reinstatement of operating privilege or vehicle registration and for secure power of attorney; in motor carriers road tax identification markers, further providing for identification markers and license or road tax registration card required; in general provisions, further providing for obedience to traffic-control devices; in State and local powers, further providing for regulation of traffic on Pennsylvania Turnpike; in penalties and disposition of fines, further providing for surcharge; in snowmobiles and all-terrain vehicles, further providing for fees; in Pennsylvania Turnpike, further providing for definitions and for deposit and distribution of funds; in liquid fuels and fuels tax, further providing for definitions and for imposition, tax, exemptions and deductions; in State highway maintenance, further providing for dirt and gravel road maintenance; in taxes for highway maintenance and construction, further providing for imposition and for allocation of proceeds; and directing the Joint State Government Commission to study replacement funds.

**SB 277 (Pr. No. 182)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for commercial driver's license qualification standards.

**SB 706 (Pr. No. 711)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for transfer of ownership of vehicles used for human habitation.

**SB 851 (Pr. No. 909)**

An Act designating a bridge to be constructed on that portion of State Route 222 over the Amtrak rail lines in the City of Lancaster, Lancaster County, replacing the Lititz Pike Bridge, as the Thaddeus Stevens Bridge.

**HB 293 (Pr. No. 1730) (Amended)**

An Act designating a bridge on that portion of S.R. 49 over the Cowanesque Creek, Harrison Valley, Potter County, as the Specialist Kenneth Wayne Lampman, Sr., Memorial Bridge; designating a bridge on that portion of S.R. 44 in Shinglehouse, Potter County, over the Oswayo Creek as the Specialist Gerald Duane Stonemetz Memorial Bridge; designating a bridge on that portion of Mill Street in Galeton, Potter County, over the Pine Creek as the Specialist Clark Robert Douglas Memorial Bridge; and designating a bridge on that portion of S.R. 49 over the Cowanesque River in Harrison Township, Potter County as the Private First Class Berwyn Gaylord Cole Memorial Bridge.

**HB 349 (Pr. No. 356)**

An Act designating the bridge located over Washington's Landing and the Allegheny River, commonly known as the 31st Street Bridge, in the City of Pittsburgh, Allegheny County, as the William Raymond Prom Memorial Bridge.

**HB 571 (Pr. No. 633)**

An Act designating the bridge carrying State Route 45, crossing the Little Juniata River in Spruce Creek Township, Huntingdon County, as the SFC Sidney N. Hamer Memorial Bridge.

**HB 987 (Pr. No. 1151)**

An Act designating the bridge that carries State Route 973 over Loyalsock Creek in Upper Fairfield Township and Eldred Township, Lycoming County, as the George E. Logue, Sr. Memorial Bridge.

**LEGISLATIVE LEAVE**

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

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

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Brewster. Without objection, the leave will be granted.

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of April 8, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of April 8, 2013.

Senator PILEGGI. Mr. President, 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-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 Journal is approved.

**2013 PENNSYLVANIA  
BITUMINOUS COAL QUEEN  
PRESENTED TO THE SENATE**

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

Senator SOLOBAY. Mr. President, it is my pleasure today to rise to introduce a very special guest to the Senate of Pennsylvania. For the past 59 years, the King Coal Association has held a Coal Queen pageant in conjunction with the King Coal Show to select a young lady to represent the bituminous coal industry of

southwestern Pennsylvania. This year, Miss Ashley Avolio is the 2012 Pennsylvania Bituminous Coal Queen, and is from Washington, Washington County. Miss Avolio is a senior at Trinity High School, where she maintains a 4.0 GPA. She is very active in her school and community. She is a member of the National Honor Society, captain of the varsity cheerleading squad, co-president of SADD, student council class treasurer, morning show TV anchor, competitive dance student, and teacher's assistant at the Moschetta's Performing Arts Center in Washington. This fall, Miss Avolio will be attending Penn State University, majoring in special education with a minor in dance. This, as you can see, illustrates her compassion and commitment to improving the quality of life for others. I am also confident that Miss Avolio will be an outstanding teacher for those with special needs and she will enhance their learning by sharing her passion for the arts.

Miss Avolio is also involved in almost too many community and civic activities to mention; two examples, though, are the American Cancer Society and the Make-A-Wish Foundation. Last evening, she was honored by the PA Coal Alliance during a dinner and reception at the Harrisburg Hilton. I am pleased to have her with us today. Miss Avolio is with her parents, Dr. Armando and Kathy Avolio. Also with us is Coal Queen Pageant representatives, Jean Hockenberry, Becky Mitchell, Lisa Allison, Paddy Pratt. With them is Mr. Joe Scaffoni, Director of the Bureau of Mine Safety for the Department of Environmental Protection.

Mr. President, as you know, coal was critical to the Industrial Revolution here in Pennsylvania and the modernization of our great country. Pennsylvania played a proud and vital role in this chronicle; however, coal is not a footnote in history. Today, Pennsylvania is the fourth-largest producer of coal in the United States, and I am proud to say that Greene County is the second-highest coal producing county in the entire country. The effort and investment we have put into coal mining safety and education is clearly paying off. We are now approaching nearly 4 years without an industrial fatality. Pennsylvania's coal production is on the increase and employs over 41,000 people with good-paying jobs. Coal is part of Pennsylvania's past, present, and future.

Mr. President, I ask that the Senate of Pennsylvania extend its usual warm welcome to Ashley Avolio, the 2012 Pennsylvania Bituminous Coal Queen.

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

(Applause.)

Miss AVOLIO. Good afternoon. It is an incredible honor and privilege to be given this opportunity to stand here before you today and share how especially fulfilling and gratifying my life has been since being crowned the 2012 Bituminous Coal Queen. During the course of my reign, I have tried my best to represent the King Coal Association and the title of Coal Queen with respect, honor, grace, and dignity. My heart is full with pride and joy every time I am asked to make an appearance, participate in a community event, or raise funds for one of my favorite charities. Immediately after my crowning, I had the pleasure of participating in the traditional King Coal Festival in Carmichaels, Pennsylvania. Throughout the week, I enjoyed working in the kitchen with the local firemen, calling bingo in the fire hall, as-

sisting the Coal Queen Committee with making funnel cakes, judging the bike and pet parades, and choosing my favorite car to receive the queen's choice award. It was particularly interesting to attend the mine safety and rescue competition and meet Mr. Joe Scaffoni, the Pennsylvania Director of Mine Safety. As we observed miners participate in safety drills, Mr. Scaffoni was very kind and informative and took the time to teach me more about the coal mining industry.

Throughout the year, I have participated in many parades and have enjoyed passing out treat bags to children during the holidays. I assisted the Tiny Miss contestants at the Greene County pageant, passed out awards and trophies at the Lions Club's basketball tournament, and was asked to speak at the Carmichaels Chamber of Commerce banquet. It has been most rewarding for me to help raise funds for the Make-A-Wish Foundation, Pennies for Patients organization, and the American Cancer Society. Just last week, I had the pleasure of participating in the Relay for Life event held at Waynesburg Central High School and helped raise money for cancer patients and research.

My most memorable experience as Coal Queen would have had to be my visit to the Emerald Coal Mine in Waynesburg, Pennsylvania. It was a learning experience of a lifetime to tour the mine and observe the coal miners at work. I was amazed at the technology used to operate the machinery, and was thrilled to be given a chance to operate a longwall machine. The coal miners were kind, informative, and professional, and helped to make the experience educational and enjoyable. Thank you, Brian Turk, for organizing such an amazing visit, and thank you, Senator Solobay, Representative Snyder, and Joe Scaffoni, for accompanying me. Now, more than ever, I have such a great respect and appreciation for coal miners and the coal mining industry, and I will always be grateful for the time spent touring the Emerald Coal Mine.

Come next August, I will end my reign as Coal Queen and leave for college. I am thrilled to say that I will be attending Penn State University at University Park. I have chosen to major in special education and minor in dance. I am very excited and much looking forward to my college years, but I honestly do not think any experience will ever be able to match the joy and gratification that being Coal Queen has genuinely brought me. I would like to recognize and sincerely thank the Coal Queen Association, the Coal Queen Committee, and especially Becky Mitchell, for the much-appreciated constant support and guidance during my reign. I would also especially like to thank Senator Solobay, Representative Neuman, and Representative Snyder for hosting this incredible day in Harrisburg. This amazing experience is a dream come true and a memory I will cherish and treasure forever. Thank you.

(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, it is an honor for me to introduce some good friends from back home who attended the Commonwealth Prayer Breakfast this morning. I go to a men's fellowship group called the Lighthouse every Saturday morning at 7 o'clock. I know my wife, and especially my mother,

cannot believe I get up that early on a Saturday to go to a men's fellowship, but I do. It is a tremendous experience and a good group of people. A few of them brought their wives along today and we are pleased that they have spent some time around the Capitol, as well as going to the breakfast this morning. I ask you to join me in a warm welcome from the Senate to my friends from the Lighthouse.

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

(Applause.)

### LEGISLATIVE LEAVE CANCELLED

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

### GUESTS OF SENATOR JAMES R. BREWSTER PRESENTED TO THE SENATE

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

Senator BREWSTER. Mr. President, it is my honor today to introduce head coach, Tom Nola, and players, Terrish Webb and Titus Howard from the great Clairton High School football team. The Bears have gone unbeaten for 63 games, scoring 2,817 points, while holding their opponents to 296. During the streak, the Bears have held their opponents to less than a touchdown in 52 games. More than half of their wins, 33, have been shutouts. Win number 60 on November 23, 2012, broke the Pennsylvania record for consecutive wins, and it continues today. Their winning streak currently is the longest winning streak in America in high school football. I would be remiss if I did not mention the city of Clairton, a third class city, is struggling through poverty, a school district with 800 students from K through 12. The commitments they have made to their community, as of today, 10 players on this football team have received scholarships to play football.

I would like to read a quote from one of the players, this was on CBS news, a documentary of Terrish Webb. He said of the secret in the team's seniors:

"They've played together since they were six years old...and grew up determined to win for themselves and for the town. 'Because if we lose, that's letting them down, so we owe it to the town to win.'...Somebody might be inclined to say, it's just football. But Terrish said: 'I think it's more than football, because this football is taking us to college, helping us in the right path, so we think football is life.'"

Terrish, Titus, and Tyler Boyd have signed scholarships to play at the University of Pittsburgh next year. I would also be remiss if I did not mention that in a championship game, just to show you we did beat everybody in the building, Senator Blake's team was beaten 20 to 0 in a championship game in Hershey, so we are equal opportunity victors here.

I ask, Mr. President, that we give a warm welcome to great people with great character, and this is what gives me hope that third class cities in school districts like Clairton are going to survive. I want to give special thanks to them.

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

(Applause.)

### GUESTS OF SENATOR KIM L. WARD PRESENTED TO THE SENATE

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

Senator WARD. Mr. President, today, I am so happy to have with us Hempfield High School's Project 18 class. They have been coming here for 5 years, and I have been so privileged to help host them. Project 18 was originally a statewide initiative that was put into place after the 26th Amendment, which lowered the voting age. That initiative started in Hempfield, where it still is today. This class encourages and teaches these young folks to get involved with and learn about their government. They have put out a lot of community leaders and elected officials. I have been attending there since 1996 with opportunities to talk with these young people, and I used to get so nervous because they are very well prepared on the issues and they know a lot of information. I would like to thank their instructor, Ken Stough, for once again bringing these young folks to Harrisburg, and for his continued focus in preparing our future community leaders. Thank you.

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

(Applause.)

### GUESTS OF SENATOR ANTHONY WILLIAMS PRESENTED TO THE SENATE

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

Senator WILLIAMS. Mr. President, before I introduce a resolution, I would like our Chamber to be introduced to an extraordinary group of women, and two Members of my staff, Desaree Jones and Timika Lane, who are Deltas. The history of Delta is it was created on January 13, 1913. Twenty-two collegiate women at Howard University founded the Delta Sigma Theta Sorority with the purpose of using their collective strength and support to promote academic excellence and to provide assistance to those in need. Delta was founded to create an organization for the advancement of not just one, not just an individual, but a collection of people, and to do so through social action and community service amongst African Americans. The Delta's first public act was a participation in the Women's Suffrage March in Washington, D.C., in March of 1913.

(Applause.)

Senator WILLIAMS. Mr. President, the sorority has over 200,000 predominantly black college-educated women. Delta has over 900 chapters worldwide, from the United States to the Republic of Korea. In Pennsylvania, there are 10 alumni chapters, and 10 active collegiate chapters. My notes talk about the largest chapter, but I do not want to do that because we do not want a problem up in the gallery. We have represented: Philadelphia, Pittsburgh, Quaker City, Chester, Valley Forge, and Harrisburg. Delta has a five-point programmatic thrust - economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement. I ask the Chamber of the Senate of Pennsylvania to please warmly greet my guests, Delta Sigma Theta.

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

(Applause.)

Senator WILLIAMS. Mr. President, I note, for those who are clapping, that there is a Member, one of my dear friends, Senator Washington, who apparently forgot the dress code for the day. But she is a member of another sorority, which is also equally distinguished, which will be here a week from now.

### SENATE RESOLUTION ADOPTED

Senators WILLIAMS, FERLO, STACK, TEPLITZ, ALLOWAY, RAFFERTY, ERICKSON, GREENLEAF, FONTANA, BREWSTER, SCHWANK, PILEGGI, WASHINGTON, TARTAGLIONE, HUGHES, COSTA, FARNESE and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 122**, entitled:

A Resolution commemorating the 100th anniversary of the Delta Sigma Theta Sorority on January 13, 2013.

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

### GUEST OF SENATOR MATTHEW H. SMITH PRESENTED TO THE SENATE

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

Senator SMITH. Mr. President, I rise today to introduce a special guest with us in the Senate, Mario Coppola, a resident of Venetia in the 37th Senatorial District. Mario is a senior political science student at California University of Pennsylvania and currently serves as a research and communications intern in the Pennsylvania Senate Democratic Research Office, and is a spring 2013 participant of The Harrisburg Internship Semester, a program of the Office of the Chancellor at the Pennsylvania State System of Higher Education. He is interested in both national and local politics, specifically issues revolving around liquor privatization and the natural gas industry in Pennsylvania. Mario intends to return to school within 1 year to attain a master's degree in campaign management. I would appreciate a warm welcome for Mario today, Mr. President.

The PRESIDENT. Would the guest of Senator Smith 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 Kyle O'Malley and Michael Eppley, who are serving as guest Pages. Kyle, an eighth grader and honor roll student at Greenville High School, is the son of John and Michelle O'Malley of Greenville. He is a member of the school's track and cross country teams; the school band, where he plays the trumpet, and also is a member of the steel drum band. Kyle is a participant in school plays and musicals, is a member of the junior high science club, serves as movie reporter for the Junior High newspaper, and has earned his red belt in Tae Kwon Do. Addi-

tionally, Kyle is active with the First Baptist Church youth group and their hometown mission program.

Michael, also an eighth grader at Greenville High School, is the son of Daniel and Alecia Eppley of Greenville. He is a member of the school's track and cross country teams; the school chorus and band, where he plays both the bassoon and saxophone, and is also a member of the steel drum band. Additionally, Michael is a member of Boy Scout Troop 51 of Greenville.

Kyle and Michael are accompanied here today by Kyle's father, Mr. John O'Malley, who is seated in the Senate gallery. Mr. President, and fellow Members, please join me in welcoming my 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 SHIRLEY M. KITCHEN PRESENTED TO THE SENATE

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

Senator KITCHEN. Mr. President, it gives me great pleasure to introduce a young man I have known since the age of 9. He is a very hardworking young man, very smart, and he donates so much of his time to the people in my district who are less fortunate, and the seniors with so many legal problems. So I am proud today to introduce a young man who I consider myself as one of his mentors, attorney Sharif Street. He is also accompanied by RaSean Benjah.

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

(Applause.)

### GUEST OF SENATOR ROBERT F. TEPLITZ PRESENTED TO THE SENATE

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

Senator TEPLITZ. Mr. President, my guest today was our Chaplain this afternoon, Kelly Wiant, from Market Square Presbyterian Church, just a few blocks away here in downtown Harrisburg. The church has been an important part of our community since 1794. Pastor Wiant has not been there that long, she has been there for the last 12 1/2 years. We are very happy to have her here as part of our community. Please join me in thanking her for her service before us today and honoring her as our guest.

The PRESIDENT. Would the guest of Senator Teplitz 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 purposes of a meeting of the Committee on Labor and Industry to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Labor and Industry, Senate Democrats will meet in the rear of the Chamber for caucus as well.

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

**AFTER RECESS**

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

**LEGISLATIVE LEAVES**

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Ward and Senator Folmer.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator Ward and Senator Folmer. Without objection, the leaves will be granted.

**CALENDAR**

**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 ON THIRD CONSIDERATION AND FINAL PASSAGE**

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

On the question,  
Shall the bill pass finally?

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

**YEA-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 Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

**BILLS OVER IN ORDER**

**SB 145, SB 303, SB 607, SB 648, SB 681, SB 731, SB 732 and SB 777** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 835 (Pr. No. 872)** -- The Senate proceeded to consideration of the bill, entitled:

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

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**

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

## BILLS OVER IN ORDER

**SB 859** and **SB 867** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## SECOND CONSIDERATION CALENDAR

## BILLS OVER IN ORDER

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

## BILLS REREFERRED

**HB 107 (Pr. No. 579)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**HB 119 (Pr. No. 119)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**SB 160 (Pr. No. 111)** -- The Senate proceeded to consideration of the bill, entitled:

An Act relieving members of the United States Armed Forces or other civilians serving in a combat zone or in support of the armed forces from certain local tax filing deadlines; and making an inconsistent repeal.

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

**SB 373 (Pr. No. 296)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 374 (Pr. No. 297)** -- The Senate proceeded to consideration of the bill, entitled:

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 Gratiuity Program.

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

**SB 403 (Pr. No. 323)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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 406, SB 441, HB 465** and **HB 492** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**SB 526 (Pr. No. 489)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing for definitions and for sanitation standards.

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 ON SECOND CONSIDERATION

**SB 579 (Pr. No. 883)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and repealing an act relating to limitation on complement of the Pennsylvania State Police.

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

**HB 583 (Pr. No. 645)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

**SB 601, SB 647, SB 699 and SB 707** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION AND REREFERRED

**SB 738 (Pr. No. 1008)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for distribution system extension and expansion plans to increase natural gas usage in this Commonwealth.

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 739 (Pr. No. 1009)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, further providing for Commonwealth Financing Authority.

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

BILLS ON SECOND CONSIDERATION

**HB 1112 (Pr. No. 1426)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

**HB 1119 (Pr. No. 1356)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

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 BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

February 28, 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, Kathleen L. Casey, 4652 B South 36th Street, Arlington, Virginia 22206, for appointment as a member of the Board of Trustees of the Pennsylvania State University, to serve until July 1, 2015, and until her successor is appointed and qualified, vice The Honorable Michael F. DiBerardinis, Philadelphia, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE PLANNING BOARD

April 12, 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, David N. Sciocchetti, 217 Wallingford Avenue, Wallingford 19086, Delaware County, Ninth Senatorial District, for appointment as a member of the State Planning Board, to serve until December 16, 2013, and until his successor is appointed and qualified, vice Alan Jennings, Allentown, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE EMPLOYEES' RETIREMENT BOARD

April 8, 2013

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenn Becker, 713 Fox Hollow Road, PO Box 675, Gwynedd Valley 19437, Montgomery County, Twelfth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve until May 11, 2015, and until his successor is appointed and qualified, vice Wallace H. Nunn, Newtown Square, resigned.

TOM CORBETT  
Governor

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

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

Senator COSTA. Mr. President, I believe we have a couple of Members who would like to speak as it relates to the nominees just referenced.

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

Senator TEPLITZ. Mr. President, we have a concern, not about this specific nominee, Ms. Casey's qualifications and experience look quite impressive. However, those of us on this side of the aisle have not had a chance to meet with her and talk about some important issues that we think need to be addressed. There are perhaps few other agencies or possible appointments in State government that have had such a controversial history in the recent past as Penn State University. There are many issues that should be addressed with any prospective member of the board.

I speak to this from personal experience. At the Auditor General's Office, I spent most of the last year working on the Penn State issue. Right before he left office, Auditor General Wagner released a very comprehensive report on the Board of Trustees at Penn State; the structure, the governance issues that may have contributed to the unfortunate events that we know have occurred and that law enforcement dealt with, but that still need to be dealt with from a structural governance issue. It would be important for us to know what any prospective board member feels about those issues. Do they agree that there should be limits on the number of board members? Do they agree that there should be limits to the number of terms a board member should serve? Do they agree that the president should not be a voting member of the board, and that the Governor should not be a voting member of the board? That there should be enhanced conflicts of interest policies, that board members should not be able to go into the administration, and vice versa, and that the revolving door needs to be stopped? These are all issues that we would like to know how the board member feels.

In addition, as I said, one of those issues is reducing the size of the board itself. If we are going to go down that road through legislation, and legislation has been introduced, it may be most efficient and effective to reduce the board through attrition, by not filling seats if we are eventually going to be reducing the size of the board. So, these are all issues that I think would be important to deal with and have the opportunity to talk with a prospective board member. We have not had that opportunity. I think we would like to have that opportunity now and in the future.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, as the Senate considers the Governor's appointment to the Board of Trustees at Penn State University, I rise to put on record my continued concerns about governance issues at Penn State and at our other State-related universities. The Penn State Board of Trustees recently approved changes to its governance structure that fall well short of the reforms being considered by the General Assembly through our Committee on State Government, and those reforms articulated by the Auditor General's report that would improve the overall transparency and effectiveness of board operations. We need to make certain that the nature and size of our university governing boards do not again foster the environment that can lead to the tragic outcomes that the world witnessed at Penn State. The shortcomings of the board's action following the grand jury presentment, the release of the Freeh report, and the blind acceptance of unprecedented NCAA sanctions, demand a full-throated response. But, yet, what we heard from the board in recent approval of minor reforms amounts to no more than a whisper. The General Assembly must demand more answers from the board on how they will address the shortcoming of the Freeh report, more answers on its cost to the university, and more answers on the broad implications of the harsh NCAA sanctions. I hope the General Assembly will continue to press for more comprehensive university governance reforms at Penn State and all of our State-related universities. Only full acceptance of necessary governance reform will move our universities forward. I urge the Penn State Board of Trustees to recognize the will of its alumni base, the will of the General Assembly, and embrace meaningful reform.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, as the prime sponsor of a bill which would change the composition of the Penn State board, it concerns me that we might move forward and approve new members of that board before this legislature and this body has the opportunity to consider such legislation. Second, Mr. President, when we have controversies in an educational institution, we established a precedent. I am speaking specifically about the School Reform Commission. When Governor Rendell nominated certain people for the School Reform Commission, at that point, Senator Piccola, who was the chairman of the Committee on Education, held a hearing on that individual. The hearing was not because we questioned the individual's capacity or the individual's qualifications, just as we do not question this individual's excellent qualifications. The hearing was so that all of the Members would have an opportunity to ask questions, to understand the complexities of the situation, and where that person was coming from in relation to that. All the Democratic Caucus wishes is that the Majority would show the same respect to us as we, the Minority Caucus, made no objections whatsoever. I, as Minority chairman of the Committee on Education, made no objections whatsoever when Senator Piccola said, well, you know, usually we do not have discussions on these issues, but because it involves Philadelphia and a great controversy that was going on in schools, we should have the privilege and the right to ask these questions.

So we rise, the three of us, simply to say that past precedence was created. We are disappointed that we were not given the same privilege on this nomination of Governor Corbett as the

Majority, with our support, had on some of the nominations of Governor Rendell for the School Reform Commission, but so be it. But the main reason I think that Senator Teplitz and Senator Yudichak have mentioned it is because we want to make sure this body looks at Penn State University, looks at the composition of these boards, takes seriously the legislation that will enable us to have conflict of interest legislation with every member of that board, and finally, looks at the bills that Senator Blake and others have had on Right-to-Know. We have been disappointed that the Right-to-Know bill does not include Right-to-Know in terms of our State-related universities. We hope to change that through the amendment process when that issue comes up. But the bottom line is, we are going to rise again and again to insist that we look at and deal with the composition of the boards, with conflict of interest, and Right-to-Know in Penn State and all of our State-related institutions. This gave us an opportunity to do so.

Thank you very much, Mr. President.

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

Senator PILEGGI. Mr. President, just to make a few points, for people who might be following this discussion. What is before the Senate right now is the confirmation of Governor Corbett's nomination of Kathleen Casey to the Penn State University Board of Trustees. It is not Right-to-Know, it is not a bill that would change the governance structure of the State-related universities or Penn State, it is not the right of the Governor to appoint, or the Senate to confirm. We are looking at an extremely well-qualified individual who has volunteered her service to one of the finest educational institutions in the Commonwealth. We should be applauding that individual for volunteering her service. She is an individual, obviously, who is not only qualified, but because of her position and her other activities, extremely busy without an appointment to the Penn State board, but has, out of devotion to the institution, agreed to serve.

As far as the ability to talk to this individual about her positions on various issues of policy, again, for people who might be watching or listening to this, Kathleen Casey was first nominated by the Governor in the last Session, in October of 2012, well over 6 months ago. She has been available for communication and conversation with the Members of this body since that time. The intent was to renominate her in this Session. That occurred on February 28, 2013, well more than 2 months ago. Again, her telephone, her e-mail, her mailbox has all been functional since that time, and anyone who wished to communicate with her could have done so. What is before us is whether or not we want to confirm the Governor's nomination here. I think that we have an institution that could benefit from the talents of this individual, and we should confirm this individual with applause.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, in just brief response to my colleague, we on this side of the aisle want to make it perfectly clear that we do appreciate the willingness of this particular candidate, this nominee to serve as a trustee on the board of Penn State University. We also agree and believe that she is an outstanding addition and her qualifications are impeccable. There is no question about that. We recognize her desire to serve and think it is appropriate, and we do not want to interfere with the

Governor's ability to be able to do that. But what our Members are saying, however, is there is a concern about the Board of Trustees at Penn State University and a concern about the process in terms of how we are addressing a number of the issues that are relevant to this individual being placed on that board. That is what Senate Democrats are referring to. By no means are we looking to say that this person is not qualified, nor are we not appreciative of her willingness, particularly given her role in government in other parts of this country. We recognize how significant this person is in terms of her qualifications, and support that. But at the end of the day, our concern is about the manner in which the board has conducted itself at Penn State. Our Members have raised issues that are relevant along those lines, and this, Mr. President, is an opportunity for our Members to be able to state that issue and put that issue on the record as we go forward, in hopes that we will address the many substantive bills that deal with the governance of Penn State.

Thank you, Mr. President.

And the question recurring,

Will the Senate advise and consent to the nomination?

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  
BILL REPORTED FROM COMMITTEE**

Senator GORDNER, from the Committee on Labor and Industry, reported the following bill:

**SB 802 (Pr. No. 1039) (Amended)**

An Act amending the act of June 18, 1998 (P.L.655, No.85), known as the Boiler and Unfired Pressure Vessel Law, further providing for definitions, for design and construction, for construction of act, for

registration of boilers and unfired pressure vessels, for shop inspection, for repairs and alterations and for field inspection; repealing provisions relating to issuance of certificates of operation, inspector commissions and fees for examination, enforcement, placement of equipment out of service, regulatory authority, right of entry, accident report, fees, procedure in prosecutions and penalties; and providing for field inspection frequency, for certificates of operation, for inspector commissions and for authorized private inspection agencies, for powers of department, for department investigation, for accident report, for fees, for department enforcement and for administrative penalties.

### SENATE RESOLUTIONS ADOPTED

Senators ALLOWAY, FERLO, WOZNIAK, STACK, TEPLITZ, WASHINGTON, COSTA, GREENLEAF, KASUNIC, DINNIMAN, FONTANA, WHITE, ERICKSON, SMITH, RAFFERTY, TOMLINSON, PILEGGI, BRUBAKER and SOLOBAY, by unanimous consent, offered **Senate Resolution No. 123**, entitled:

A Resolution recognizing May 7, 2013, as "World Asthma Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator ALLOWAY. Mr. President, I rise to offer this resolution designating today, May 7, 2013, as "World Asthma Day" in Pennsylvania. The aim of World Asthma Day is to spread the word that asthma control is the goal of treatment and can be achieved in the vast majority of asthma patients with proper management. World Asthma Day is organized by the Global Initiative for Asthma in collaboration with the Pennsylvania Asthma Partnership, which is managed by the American Lung Association and asthma educators to raise awareness about asthma and improve asthma care throughout the world. The first World Asthma Day was celebrated in 1998 in more than 35 countries, and this year's theme will again be, "You Can Control Your Asthma." So, Mr. President, I ask my colleagues to please support me in recognizing today as World Asthma Day in Pennsylvania.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, WASHINGTON, WOZNIAK, KITCHEN, DINNIMAN, GREENLEAF, TEPLITZ, STACK, SMITH, ARGALL, COSTA, ALLOWAY, FERLO, WAUGH, ERICKSON, BAKER, BRUBAKER, BREWSTER, SCHWANK, BLAKE, FONTANA, RAFFERTY, HUTCHINSON, KASUNIC, SCARNATI, YUDICHAK, HUGHES, PILEGGI, VULAKOVICH, SOLOBAY and MENSCH, by unanimous consent, offered **Senate Resolution No. 124**, entitled:

A Resolution recognizing the month of May 2013 as "Older Americans Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, as we begin the month of May, I would like to take the time to recognize our legacies as both Americans and as Pennsylvanians, those individuals who have made this State and nation what it is today. I am referring to those individuals whom we call older Americans. These individuals are pillars of our communities, the go-getters of our State, and the pioneers of our nation. I am here today to ask that we both honor them and their contributions, without which many of us may not be where we are today.

Thanks to modern medicine and technology, people in general are living longer now than they have in previous decades. Not only are people living longer, but also, they are remaining more active as they age. This is presenting new opportunities and challenges that require us to think differently about healthcare and long-term care. By continuing to focus on prevention efforts to improve the health of adults as they age, people will continue to live longer, happier, healthier lives, free from chronic disease, disability, and injury. These trends are reflected in this year's theme for older American's Month, which is "Unleash the Power of Age!" It stands to recognize not only the increasingly active healthy lifestyles of older Americans, but also their continued participation and inspiration in our communities.

For the past several years, it has been my privilege to offer a resolution in the Senate to designate the month of May as "Older Americans Month" here in Pennsylvania. Today, I urge all residents of this Commonwealth to recognize not only our older residents but also the persons who care for them. Mr. President, I ask my colleagues to support this resolution, and declare the month of May 2013 as Older Americans Month: Unleash the power of age in Pennsylvania.

Thank you, Mr. President.

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

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

Senators TARTAGLIONE, WOZNIAK, TEPLITZ, WASHINGTON, DINNIMAN, FERLO, STACK, SMITH, ARGALL, COSTA, GREENLEAF, ALLOWAY, ERICKSON, BRUBAKER, BREWSTER, SCHWANK, FONTANA, RAFFERTY, HUGHES, PILEGGI, VULAKOVICH and SOLOBAY, by unanimous consent, offered **Senate Resolution No. 125**, entitled:

A Resolution designating the month of May 2013 as "Law Month" in Pennsylvania and urging lawmakers, lawyers, judges and schools to participate.

On the question,  
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, with this resolution, I am asking that this month of May 2013 be designated as "Law Month" in Pennsylvania. The Law Month celebration aims to teach children about their legal rights and responsibilities, and to

share with them the essence of being an American citizen. Professionals working in legal fields are encouraged to visit classrooms to reach out and engage Pennsylvania's youth in this annual celebration. On May 1, the Pennsylvania Bar Association hosted Law Day, which served as the official kickoff of Law Month. The theme for this year's Law Day was "Realizing the Dream, Equality for All." This theme honors the 150th anniversary of the issuance of the Emancipation Proclamation and acknowledges our strides in achieving freedom and equality for all individuals.

Mr. President, the yearly observance of Law Month is part of the Pennsylvania Bar Association's continuing partnership with the Pennsylvania Bar Foundation and the Pennsylvania Department of Education. I ask my colleagues for their support for this resolution to designate the month of May 2013 as Law Month in Pennsylvania.

Thank you, Mr. President.

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

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

Senators GREENLEAF, FERLO, TOMLINSON, STACK, WASHINGTON, BROWNE, ERICKSON, KASUNIC, SCHWANK, VULAKOVICH, TEPLITZ, FONTANA, MENSCH, YUDICHAK, COSTA, WHITE, RAFFERTY, BAKER, ALLOWAY, SOLOBAY, PILEGGI, WOZNIAK, BRUBAKER and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 126**, entitled:

A Resolution designating May 12 through 18, 2013, as "National Nursing Home Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator GREENLEAF. Mr. President, I rise to offer this resolution which designates May 12 through May 18 of this year as "National Nursing Home Week" in Pennsylvania. There are 700 nursing homes in Pennsylvania containing all of our fathers, mothers, brothers, sisters, friends, and those who have served our country and our State with valor and dedication. There are, in fact, 80,000 nursing home residents in our homes right now. The homes employ people who are dedicated professionals serving and helping those residents. So, I think it is important for us, as the nursing homes across the Commonwealth are holding events in observance of Nursing Home Week, to recognize them, recognize their service to our residents and our constituents, and to recognize this week.

Thank you, Mr. President.

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

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

Senators VOGEL, WOZNIAK, ROBBINS, ERICKSON, FERLO, FONTANA, TEPLITZ, RAFFERTY, DINNIMAN, VULAKOVICH, BROWNE, SMITH, BREWSTER, SOLOBAY, ALLOWAY, SCHWANK, WAUGH, COSTA, BAKER, KASUNIC, PILEGGI, HUTCHINSON, TARTAGLIONE, WHITE, BRUBAKER and YAW, by unanimous consent, offered **Senate Resolution No. 127**, entitled:

A Resolution designating the month of May 2013 as "Egg Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, today I offer a resolution to designate the month of May as "Egg Month" in Pennsylvania. The American Egg Board dedicates May to raising egg awareness. The mission of the American Egg Board is to increase the demand for eggs and egg products on behalf of U.S. egg producers. Pennsylvania is the third-largest egg producing State in the nation. Our Commonwealth has an average of 23.9 million hens producing nearly 7 billion eggs, which contributes over \$408 million to the State's economy each year. Pennsylvania eggs meet high quality and safety standards, the majority of which are certified under the Egg Quality Assurance Program. Egg producers are also enrolled in the PA Preferred Program, further promoting the purchase of goods produced in Pennsylvania. Agriculture is the nation's largest employer and number-one industry in our Commonwealth, thanks in large part to Pennsylvania's strong poultry industry, which provides residents with a bountiful supply of eggs that contributes to improving their health. For this reason, I recognize the month of May as Egg Month in Pennsylvania, and I ask for unanimous support.

Thank you, Mr. President.

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

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

Senators WOZNIAK, STACK, KITCHEN, FERLO, WASHINGTON, DINNIMAN, ERICKSON, GREENLEAF, KASUNIC, SMITH, BROWNE, FONTANA, WHITE, RAFFERTY, ALLOWAY, PILEGGI, SOLOBAY, HUGHES, COSTA, BRUBAKER and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 128**, entitled:

A Resolution designating the month of May 2013 as "Sleep Apnea Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator WOZNIAK. Mr. President, today, we have the 20th anniversary of the Breast Cancer Coalition; my good friend,

Senator Alloway, talked about asthma and Asthma Month; and I have a resolution recognizing sleep apnea. Perhaps a lot of people have not heard that term, but it is a disease in which your ability to sleep is greatly impaired and it causes a number of ailments, including heart disease, stroke, high blood pressure, and actually many accidents on the highway because of sleep deprivation. It is the inability to breathe properly when you are asleep.

I am very intimately aware of this because I had that condition, and there are a number of ways that it can be treated. It can be treated physically with a CPAP machine that is actually a mask that forces air into your nostrils and mouth to make sure that your breathing way is open. It is done by different utensils inside your mouth or, ultimately, can be corrected, many times, by an operation.

It is seen many times in overweight people, but obviously, not everyone who is overweight has this condition, and people who are thin like us, Mr. President, often have it. But I want to make awareness, it affects more men than women. I know that we are very stubborn, there is always some excuse other than there is something wrong with us. If your significant other or spouse notices that you are snoring at night, if you are not breathing or are gasping for air, if you are tired and lethargic during the daytime, if you have symptoms that you do not really understand, including depression, get a sleep test. Having a CPAP machine or a device inserted into your mouth during sleep, or, ultimately, having an operation, can change your life for the better. In the worst case scenario, it might prevent you from having an accident on the highway, in which you become a reckless danger to other people.

So, I want to make May "Sleep Apnea Awareness Month." It is worth it to get tested, and I guarantee you that if you go and get a sleep test, if you are diagnosed and take the appropriate corrective measures, you will be calling me and saying, thank you, I saw you make that speech on the Senate floor. Take care of yourself, and I thank you very much, Mr. President, for this opportunity.

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

And the question recurring,

Will the Senate adopt the resolution?

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Elizabeth B. Lyons by Senator Boscola.

Congratulations of the Senate were extended to Gordon Mower, Christine Ussler, Tony Hanna, Alan Jennings, ArtsQuest, Just Born and to American Hairlines by Senator Boscola and others.

Congratulations of the Senate were extended to Michael C. Houser, Richard E. Teats and to Mary Lou Rhoades by Senator Corman.

Congratulations of the Senate were extended to Dr. Marie Romanelli and to George Blank by Senators Ferlo, Ward, and White.

Congratulations of the Senate were extended to Nathaniel B. Adler and to David R. Curry by Senator Gordner.

Congratulations of the Senate were extended to East Norriton Middle School by Senator Leach.

Congratulations of the Senate were extended to Tom Tacconelli, Fred Vielhauer, Connor Derolf, Richard Newbert and to Todd Buch by Senators McIlhinney and Tomlinson.

Congratulations of the Senate were extended to Dr. Bridgett O'Connell by Senators McIlhinney, Mensch, and Tomlinson.

Congratulations of the Senate were extended to Albert Costantini and to Fred Williamson by Senators McIlhinney, Tomlinson, and Greenleaf.

Congratulations of the Senate were extended to Louise Gerdelmann, Michael Shanley and to John Shields, Jr., by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth Johnson by Senator Scarnati.

Congratulations of the Senate were extended to Christine Gilfillan by Senator Schwank.

Congratulations of the Senate were extended to Chief Edward M. Cunningham, Jerry Austin Robb, Darren Zaslau, Felicia Tissenbaum, Joel Klein, Betsy Erlanger, Ethan Dysert and to Gavrielle Krohner by Senator Smith.

Congratulations of the Senate were extended to David Gress and to Saint Vincent College Small Business Development Center by Senator Ward.

Congratulations of the Senate were extended to Rhonda Hill Wilson by Senator Washington.

### 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 Lester H. Hoover by Senator Baker.

Condolences of the Senate were extended to the family of the late Most Reverend Joseph P. McFadden by Senator Rafferty and others.

### BILLS ON FIRST CONSIDERATION

Senator BLAKE. 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 1, SB 277, SB 706, SB 802, SB 851, SB 914, HB 293, HB 349, HB 571, HB 818 and HB 987.**

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 8, 2013

10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider the nomination of Michael E. Wolf as Secretary of Health)	Room 8E-A East Wing
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 81 and 869; and House Bills No. 40 and 1029)	Room 461 Main Capitol

MONDAY, MAY 13, 2013

10:00 A.M.	STATE GOVERNMENT (public hearing on real property disposition plan)	Room 8E-B East Wing
10:30 A.M.	STATE GOVERNMENT (public hearing on Senate Bill No. 444, Right-to-Know Law)	Room 8E-B East Wing

TUESDAY, MAY 14, 2013

9:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing to consider the nominations of Col. Anthony J. Carrelli as Brigadier General of the PA Air National Guard; Brig. Gen. John E. Murphy as Major General of the PA Air National Guard; and Col. Marc Ferraro and Col. James P. Wong as Brigadier General of the PA Army National Guard)	Senate Maj. Caucus Rm.
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 16, 2013

1:00 P.M.	URBAN AFFAIRS AND HOUSING (public hearing on the future of Main Street and Elm Street Programs)	Carbon County Courthouse Annex, Commissioner's Conf. Rm. Third Fl., 2 Hazard Sq. Jim Thorpe, PA
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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 Assn., 1101 Market St., Philadelphia
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**PETITIONS AND REMONSTRANCES**

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

Senator FERLO. Mr. President, I rise today to speak about my deep-rooted concerns over the denial and lack of civil rights in our Commonwealth. Many in our State legislature, from both Chambers and from both sides of the aisle, are sitting idly by while we ignore justice and the equality of rights and privileges to all of our constituents. Collectively, and certainly a growing number of States all around our nation, in many of these areas, we are typecast as a backwater and arrogant legislature, lagging behind the prevailing views and sensibilities of the people we serve. By our inaction and lack of leadership in the area of civil and human rights, many within our State and across our nation cry out for fair and equal treatment, not any special privileges, as some would suggest. Time for action is long overdue. Here in the State Senate, I am proud to be a cosponsor of two very necessary commonsense pieces of legislation, and I am also a prime sponsor of a third.

First, while we all agree that crime is a grave concern to our families and communities, we can also reach a consensus, hopefully, on the feeling that crimes carried out with the intention to target a particular social group, motivated by fear and hatred, are especially egregious. Over 7,200 crimes against individuals based on race, religion, sexual orientation, ethnicity, or physical or mental disability, were committed in the United States in 2011, according to FBI statistics. Equally dramatic of a statistic, over 20 percent of these crimes were perpetrated against victims solely based on sexual orientation or even just the perception of sexual orientation. Here in the land of the free, where each successive generation has become more accepting of change and has supported the extension of civil rights and liberties, the citizens we represent deserve better.

In Pennsylvania, currently, we do not have a statute against hate crimes on our books. Not only do our constituents deserve better, we are mandated by our oaths of office to make these improvements ourselves. The Governor himself claims that the purpose of government is to establish and insure public safety, and in this case, we are failing. I am proud to be the prime sponsor of Senate Bill No. 42, which would reestablish the hate crimes statute in our Commonwealth. Act 143 of 2002 extended the protection of the law to social groups related to ancestry, mental or physical disability, sexual orientation, gender, and gender identity. This was later declared unconstitutional, not on its merits, but solely for procedural reasons on the so-called single subject ruling.

I thank my colleagues, 15 in total--but, unfortunately, I comment that there is only one colleague from the aisle opposite, only one Republican--who have put their full support behind this legislation. It is my sincere hope that we can make the minimal effort to protect our citizens, insuring their equal protection under the law. It is time for the Republican Leadership controlling our agenda to move this to a committee and to a floor vote. Equal protection under the law is a tenet that the United States and our Commonwealth includes as part of its fundamental founding principles. In Pennsylvania, again, we are failing on this issue. We are succeeding, conversely, in continuing to be the only State in the northeastern United States that does not protect someone from losing their job, their home, their public accommodation, because he or she is gay or lesbian. Any scenario where one loses his or her basic human rights, to which all are protected under our Constitution, is outrageous and unacceptable. Thirty municipalities across the State have taken the initiative to enact

nondiscrimination ordinances in their own corners of the Commonwealth. But, somehow we cannot get this over the finish line for all Pennsylvanians. How is this possible?

We cannot afford to be on the wrong side of history on this issue. Many of our citizens live in fear daily at the thought of legal discrimination and unfair punishment based simply upon who they are or who they want to be. In my past leadership, many years ago, as a member of the Pittsburgh City Council, I was proud to help author and vote on extending the investigative obligations and the adjudicatory powers of our own local Human Relations Commission, a great commission that dates back even previous to the State formation of the Human Relations Commission. I sponsored and got approval for other amendments extending protections to transgender individuals, as well as the HUD guidelines on substantial equivalency requirements in the area of housing discrimination.

With the Majority's constant messaging on jobs, jobs, jobs, how are we creating a positive working environment attractive to all qualified workers if we also hold fast to the notion that we can push them out of the door of their workplace because of who they happen to love? I can assure you that there are qualified individuals who can also pass a drug test, Mr. Corbett, by the way, and who would enthusiastically accept employment, but do not even consider bringing their skills into the workplace and into our Commonwealth when we engender such discrimination. Why not welcome all workers with open arms if our priority is jobs, jobs, jobs? Why not join the actions of many companies and educational institutions who recognize the brain drain that has occurred when younger, talented, and academically-trained workers make choices in where they want to live and where they want to grow their family and prosper? In Pittsburgh, our nondiscrimination vigilance of enforcement has led to a greater diversity of our city population, and our population has grown substantially and importantly in many of our neighborhoods, and we are a city of neighborhoods.

I applaud my colleagues here today, Senator Browne, and Senator Farnese from Philadelphia, for having the good sense to welcome and protect all Pennsylvanians by being cosponsors of Senate Bill No. 300, unveiled earlier today at a press conference with a growing amount of bipartisan support in both Chambers under this dome. But a big question to me, unfortunately, remains: will the controlling Leadership allow this vote to proceed, or will this end up as one more window dressing, as it has been over the years past? I am proud to be a part of their efforts and hope that Members of both sides of the aisle and in both Chambers can work together in order to do something as basic as protecting the human rights of all Pennsylvanians. Passage of Senate Bill No. 300 is to do the absolute minimum to shield all people in the Commonwealth from discrimination, plain and simple. To make progress is another matter. To truly make progress and join the United States as the 12th State, including our District of Columbia, to do so.

It is also time to pass marriage equality. I stand wholly behind Senator Leach as the prime sponsor of Senate Bill No. 719, and will certainly do everything I can to advance human rights to all people in our State. Marriage equality is not a ploy by the left to undermine the marriages of opposite-sex couples, despite what some have advocated or despite what you hear and all of the rhetoric and all the noise that is out there. I can assure you that the endeavor toward marriage equality is supported by the belief

shared by numerous Pennsylvanians and Americans to honor a commitment between two individuals and provide them the same rights as opposite-sex couples. Our Commonwealth has made great leaps forward on supporting this issue, and the momentum is in its favor among voters in our varied constituencies. We, the State legislature, are out of step, in my opinion, with the electorate on this issue, among others. It is time to evolve, it is time to follow the example of the most recent State which passed a same-sex marriage law, Rhode Island, and I want to note they passed that law with full support of every single Republican State Senator in that body.

As I stated, Mr. President, I rise today to speak on civil rights, rights for couples to work without fear that their wedding photo on their desk--from another State, unfortunately--will result in their firing. Rights for individuals who deserve equal protection under the law against intimidation and fear, rights for men and women, however they identify, not to be punished by the bias of their landlords, to insure their rights which would allow all Pennsylvanians to be considered first-class, full, and welcomed citizens of our Commonwealth. I ask my Senate colleagues to join in the efforts to bend the arc of justice toward equality. The opportunities are here, and Pennsylvanians are waiting.

I want to close with one thought. Many of us in this room will recall one of the first openly gay elected legislators in the State of California, Harvey Milk. He was finally elected, after years of being basically just a private citizen, active in small business. He was a decorated veteran, having served in the Navy. Through the years of the 1960s and 1970s, he was a social community activist. He became politicized, and eventually ran and won a seat on the board of supervisors in San Francisco. As many of you are aware, he, along with Mayor George Moscone, were murdered and assassinated by a very crazed and bigoted fellow official who, at that time, was also serving on the board of supervisors. So, it is with Harvey Milk's thoughts in mind that I, once again, ask for debate and dialogue, floor votes, and committee votes, on the hate crimes bill, Senate Bill No. 42; the expansion of the rights and obligations of our State Human Relations Commission, Senate Bill No. 300; and for marriage equality, Senate Bill No. 719. As Harvey Milk once stated, and I quote, "It takes no compromising to give people their rights. It takes no money to respect the individual. It takes no survey to remove repressions."

Thank you very much, Mr. President, for the extra time.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, in light of some of today's news, I wanted to take this opportunity to remind my colleagues that tomorrow morning is the first working meeting of the new Government Reform Caucus. As you know, this is a new bipartisan, bicameral caucus that I formed with Representative Cutler, a Republican House Member from Lancaster County. The purpose of the caucus is to develop and promote government reform issues.

Tomorrow, we will be having our first working meeting at 9 a.m., in room 302 in the Irvis Building. The point of our meeting is to get together everyone who has an interest in this issue, and we have had about 30 legislators from both Chambers and both sides of the aisle sign on to the caucus so far, to get us together and pick a few issues that we will come together as a caucus to support. It does not necessarily have to be the issues in my package of bills that I put out earlier this year, it does not necessarily

have to be the issues that Representative Cutler put out. But many of us in the House and Senate, on both sides of the aisle, have put out what each of us believes are some significant government reform proposals. They are doable. Just a few weeks ago, we passed out of this Senate several significant bills, one for registering to vote over the Internet, another one for lobbying disclosure forms to be posted online, and another one that would require campaign finance reports to be filed online, which would enhance transparency and accountability.

So, I believe the will is there and the ideas are out there. Tomorrow morning, we are going to be trying to develop a consensus as to one or two issues that the caucus can get behind and push forward in this Session. So, I invite my fellow Members of the Senate to join us tomorrow morning. Many of you already are scheduled to come. Everyone is invited at 9 a.m., in room 302 in the Irvis Office Building.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, I want to rise to talk about a couple of things that happened here today in the State Capitol. While there may not have been a lot of legislative activity on the floor, some committee meetings, and, of course, some press conferences were held today that I think took a step in the right direction on the issue of dignity, respect, human rights, and some of those issues were touched upon by my colleague, Senator Ferlo, in his remarks. I could say just off the top that today was probably one of the proudest days that I have served as an elected official. To be in this building, to be a part of not only the press conference on Senate Bill No. 300, which Senator Browne cosponsors, the anti-discrimination legislation here in Pennsylvania, but, again, at the press conference of Senate Bill No. 75 today by Senator Leach, which protects minors from human sex trafficking.

So, when I thought about how I would sum up today here in the Capitol, two words came to mind, and they were "dignity" and "respect." As legislators, we hear these two words on a daily basis, whether we are engaging with those who come to express their views to our offices, or when we go out to communities in our districts and talk about legislation or projects that are important to the people we represent. Dignity, which I am sure we all know the meaning of, but I am going to give you the dictionary meaning just to sort of set the context for where we are. Dignity is defined as the quality or state of being worthy, honored, or esteemed. Respect, in the same context, is similarly defined as high or special regard, esteemed. Without going too far into an English class here, esteem is defined simply as worth or value. While we as legislators are often held in high esteem, with respect and dignity due to the positions we hold, we must not forget, we cannot forget, those whom we represent who are not as fortunate as us to be held in that same regard. We are here to represent those whose basic human rights, Mr. President, are impeded on a daily basis. Quite frankly, those without a certain regard or esteem can easily be overlooked in our work here, and, unfortunately, we have not acted to protect many of them who fall into the abyss of forgotten worth and value. However, today, I am proud to stand with colleagues on both sides of the aisle, and on both sides of this building, from both the House and Senate, to say that we are sure that we no longer will allow the worth

of some of our citizens to be questioned, based upon discriminatory or unscrupulous acts of others.

Today, both Members of the Senate and House stood up to offer much-needed refuge for Pennsylvanians who have been overlooked and are in need of our assistance to insure that their basic human rights are protected. Senate Bill No. 300 and House Bill No. 300 are pieces of legislation cosponsored by Senator Browne and myself, and Representative Frankel and Representative Ross in the House, that would finally give members of the LGBT community the same protections -- let me be clear about this, Mr. President, because there may have been some confusion. I know that on some social media outlets people are questioning, is this not already a law? Why do we have to make a special law for LGBT members? Well, the sad truth is, we need to because discrimination, as we are here today in Pennsylvania, is legal with regard to these folks. It would finally give members of the LGBT community the same protections that the rest of us enjoy - the assurance that they cannot be denied or lose their jobs or housing, nor be discriminated against in public accommodations, simply due to who they are or whom they love. The Human Relations Commission Act already insures that one cannot be discriminated against for reasons of race, color, religious creed, ancestry, age, sex, national origin, handicap, or disability when it comes to employment and housing or public accommodations.

It is time that we move out of the Dark Ages, Mr. President, and into the present and pass Senate Bill No. 300 and House Bill No. 300, to insure that all Pennsylvania citizens are equally protected under the law. Now, I realize that is not going to be as easy as it sounds because both of these pieces of legislation, specifically Senate Bill No. 300, will have to make its way out of the Senate, and then, of course, make its way to the House. But as we stand here today, we already have 25 Members who have signed on to Senate Bill No. 300, the anti-discrimination legislation. That is bipartisan support for this bill. I am confident that if the bill is moved out of committee and brought to the people's floor, where the people of Pennsylvania have sent us to debate issues just like this, if they allow us to do our job, if they will give us the opportunity to be heard for debate, I am very confident that bill will pass and move on to the House.

While it is addressing a different issue altogether, it is nonetheless within the same light of respect and dignity that I want to applaud the work of Senator Leach, who also stood today at a press conference on Senate Bill No. 75, also brought by one of my good friends, Senator Greenleaf, which will protect minors in Pennsylvania who have been victims, Mr. President, victims of human trafficking. I am proud to cosponsor this legislation, as it would literally provide a safe haven for these children and divert them from being revictimized within the juvenile justice system. As the gentleman from Montgomery County has highlighted on this issue, incredibly, over 100,000 children are exploited through prostitution every year in the United States. Are we also not compelled to insure their right to a healthy and happy childhood, free from abuse and exploitation? We need to, and I know we can, work together in a bipartisan and bicameral fashion to address these basic human rights issues here in Pennsylvania, to show all citizens in Pennsylvania that we hold them in the highest regard, with the utmost respect, and that we are working to insure that their dignity and human worth and value are being upheld.

Again, I join in the request of my other colleague who talked about introducing this legislation is one step, doing a press conference is another, but the legislation, Mr. President, has to move. I have stood here on many occasions and condemned the process, which I believe, at times, can be extremely unfair and downright harmful to the people of Pennsylvania that we were sent to represent, because it does not give an opportunity for their voices to be heard, for the millions of people that we are sent here to represent. Three good examples are Senate Bill No. 75, human trafficking; House Bill No. 300 and Senate Bill No. 300, the anti-discrimination legislation that will give dignity and respect to the citizens of Pennsylvania.

Let me close with this, because this is something by which I try to guide my life as an elected official: I believe that we, as elected officials, are sent here to do work that simply makes people's lives better. At the end of the day, if you can say to yourself that you helped someone's life become better, that you helped a family or a citizen live better, then I believe you have done your job. We have an opportunity to do that. We have many opportunities, Mr. President, to do that, and unfortunately, we do not take advantage of them, but we have opportunities here now to do that, and we have some time to make people's lives better. So, I applaud the work of those in this building today who have joined myself and others in standing up for people's dignity and respect, and will join me in doing everything possible to make their lives better.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I rise to address a few issues, one of them raised earlier by my friend and colleague, Senator Ferlo, with regard to remarks made last week by Governor Corbett. I know this has been played out in the press, and I do not want to continue to beat a dead horse, but the reference to the fact that one of the big problems with unemployment is, and these are the Governor's words, that it is hard to find employees who can pass a drug test. It was a disheartening remark and discouraging for many of my constituents who are out of work and are actively pursuing employment here in Pennsylvania. Anyone who has been through that situation realizes the fear, insecurity, shame, and desperation that folks who are hardworking and educated and have been gainfully employed for many years feel. So that only compounds the negative impression going on in Pennsylvania that opportunities for folks are simply not out there. And a lot of it has to do with, what I think, we are simply not being smart, creative, agile, or efficient in the way that we are addressing the economy here in Pennsylvania today.

There are a number of ways and a number of opportunities that we could pursue to get Pennsylvania back where it was just a short time ago. A short time ago, it was ranked 7th in job creation, and recent surveys have shown it is about 47th or 48th in job creation, an unprecedented drop in job creation in Pennsylvania in the last couple of years. But I have hope. I have hope that we can turn things around and, as I say, we can do it by really addressing the issues that affect people. Saying that people cannot pass a drug test, that is an anecdotal and an offensive inaccuracy. We have a lot of Pennsylvanians who could go to work and are ready to go to work. We have to find a way to put them to work.

Another group that has a much higher rate of unemployment are our veterans, Mr. President. These are some of the most well-trained folks that you will ever see. I know that from my experience in the National Guard. You have people coming back from deployments who are trained in leadership and are trained in the most cutting-edge technology, they are great as team members and team leaders, and these are folks who currently are also desperately looking for employment. I stood last week with Representative Barbin, both of us have legislation to create a veteran tax credit for any small business that hires a veteran. They would get a \$4,000 tax credit. I think this is a good idea. It will create jobs and cut into the unemployment rate. It will put folks who really deserve jobs, like our veterans, in places where they can succeed, and basically, that will help all of us here in Pennsylvania.

There is another area where we are simply not getting it, Mr. President, and it is legislation I have worked on with you that says, basically, we have a lot of people in Pennsylvania who are not paying their fair share for government services. We have an unprecedented number of unpaid fines and costs and restitution in our justice system, and the number is over \$1.5 billion in unpaid fines, costs, and restitution. Last week, at the meeting of the Committee on Judiciary, we received a report from a blue ribbon commission who studied the issue of restitution over the last several years. They basically were very disheartened at the fact that a lot of times victims go to court, and in lieu of someone getting jail time, or perhaps the perpetrator gets lighter jail time with the agreement that they are going to pay back the person that they victimized, but in fact, they just discard that obligation. The people who are the victims of crime, who want to believe in the justice system, are simply losing faith and losing morale. And on the other side of that too, we are running deficits in the court system.

So we are not running government in an efficient way, and one of the things the commission recommended was that we have penalties for people who do not pay restitution, who just laugh in the face of our justice system. One of the things they advocated was legislation to deny people's licenses and registration if they do not pay their fines and costs.

Mr. President, you and I have worked on this through your committee, and we believe that, and the commission said so, if we collect just a small percentage of that \$1.5 billion by denying people their licenses and registrations, that we are going to be able to pay victims back, we are going to be able to cut into the deficit, and we are going to be able to do things that are more proactive and healthy for the economy. It also sends a very important message out there that the Pennsylvania government is running efficiently, it is standing up for the victims, people are being made to pay their fair share, and that we are a fair and even-handed government. So, that is something that we are working on, and I think that sends a powerful message out to folks.

I look forward to working with you and other Members of this body to pass that kind of legislation, but to overall also focus in on the problems of our economy and harness the creative energy of Pennsylvanians. Governor Bob Casey used to say that the motto of Pennsylvania was, "You've Got a Friend in Pennsylvania," and he said that was a nice motto, but a better motto would be, "You Have a Job in Pennsylvania." I am tired of us giving tax

credits that are one-sided to companies that do not create jobs in Pennsylvania, that create jobs in Texas or other places. Let us create jobs in Pennsylvania, let us turn the economy around. Let us reduce the unemployment rate, let us be a leader again. We can do it. We are going to have to work together.

Thank you, Mr. President.

### RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Wednesday, May 8, 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 5:15 p.m., Eastern Daylight Saving Time.