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SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 36

SENATE

WEDNESDAY, June 5, 2013

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

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

PRAYER

The Chaplain, Reverend JOSEPH HACKMAN, Pastor of Salford Mennonite Church, Harleysville, offered the following prayer:

I want to thank Senator Mensch for giving me this opportunity. I bring you greetings from Salford Mennonite Church, whose members hold you in prayer today.

Please pray with me.

Eternal God, we give You thanks for this day. For it is by Your spirit that we live and move and have our being. We thank You for this group of servants who have been tasked with caring for the Commonwealth of Pennsylvania. We thank You for the diversity of gifts, talents, and faiths represented in this room. As the Senate does its work today, may this body of lawmakers strive to do justice, love mercy, and walk humbly with God. Grant wisdom to the Senators as they deal with the legislation that will come before them. We ask Your blessings on the Commonwealth and on the peoples of all nations. May You show us how to live peaceably in our communities, our State, our nation, and the world. We especially think of the most vulnerable in our land today, remembering the words of the prophet that "pure and genuine religion in the sight of God the Father means caring for orphans and widows in their distress...." Hear our pray this morning, O Lord. Amen.

The PRESIDENT. The Chair thanks Pastor Hackman, who is the guest today of Senator Mensch.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

June 5, 2013

Senators WILEY, FOLMER, TOMLINSON, DINNIMAN, COSTA, HUGHES, WILLIAMS, TARTAGLIONE, KASUNIC,

FONTANA, BOSCOLA, ALLOWAY, BROWNE, GREEN-LEAF, McILHINNEY, VULAKOVICH, WARD, BLAKE, BREWSTER, FARNESE, FERLO, KITCHEN, LEACH, SCHWANK, SMITH, SOLOBAY, STACK, TEPLITZ, WASHINGTON, WOZNIAK, YUDICHAK and WAUGH presented to the Chair **SB 873**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for Dyslexia Screening Pilot Program.

Which was committed to the Committee on EDUCATION, June 5, 2013.

Senators VANCE and WAUGH presented to the Chair **SB 985**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for bonds of tax collectors, for joint tax collection district and for collection of municipal taxes by county treasurer; and providing for abolishment of the office of tax collector.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2013.

Senators VANCE and WAUGH presented to the Chair **SB 986**, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors.

Which was committed to the Committee on LOCAL GOVERNMENT, June 5, 2013.

Senators DINNIMAN, BOSCOLA, HUGHES, FONTANA, FERLO, SCHWANK, TEPLITZ, YUDICHAK, SOLOBAY, BROWNE, COSTA, BREWSTER and FARNESE presented to the Chair **SB 991**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for definitions, for charter school requirements, for powers of board of trustees, for annual reports and assessments, for provisions applicable to charter schools and for applicability of other provisions of this act and of other acts and regulations.

Which was committed to the Committee on EDUCATION, June 5, 2013.

Senators DINNIMAN, FONTANA, SCHWANK, GREEN-LEAF, TEPLITZ, BREWSTER, SOLOBAY and BROWNE presented to the Chair **SB 992**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for age limits and for the definition of "compulsory school age."

Which was committed to the Committee on EDUCATION, June 5, 2013.

Senators DINNIMAN, TEPLITZ, KASUNIC, COSTA, FONTANA, SOLOBAY, BREWSTER, TARTAGLIONE and YUDICHAK presented to the Chair **SB 993**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for fund balance limits.

Which was committed to the Committee on EDUCATION, June 5, 2013.

Senators VOGEL, ALLOWAY, VANCE, SCARNATI, MENSCH, YUDICHAK, SMUCKER, ARGALL, FOLMER, BROWNE and GREENLEAF presented to the Chair **SB 994**, entitled:

An Act providing for the creation of a major watershed improvement program, for establishment of a verified TMDL parameter credit program, for the powers and duties of the Department of Environmental Protection and the Pennsylvania Infrastructure Investment Authority and for completion of a study by the Legislative Budget and Finance Committee.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 5, 2013.

Senators VOGEL, RAFFERTY, SOLOBAY, BREWSTER, WAUGH, TARTAGLIONE and YUDICHAK presented to the Chair **SB 995**, entitled:

An Act establishing the requirements for livery provider liens.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 5, 2013.

Senators VOGEL, RAFFERTY, BAKER, KASUNIC, YAW, WAUGH, WHITE, FOLMER, SCHWANK, SOLOBAY, EICHELBERGER and MENSCH presented to the Chair **SB 996**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for definitions and for license required.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 5, 2013.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

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

June 5, 2013

HB 493 -- Committee on Appropriations.

HB 1098 -- Committee on Community, Economic and Recreational Development.

BILLS REPORTED FROM COMMITTEE

Senator EICHELBERGER, from the Committee on Local Government, reported the following bills:

HB 326 (Pr. No. 1130)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the governing board of the convention center authority.

HB 488 (Pr. No. 1131)

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for appropriations for hospitals and for tourist promotion agencies.

HB 515 (Pr. No. 1946) (Amended)

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for definitions; and providing for mailed notice in certain proceedings.

HB 784 (Pr. No. 1425)

An Act providing for permit extensions; and making a repeal.

LEGISLATIVE LEAVES

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

The PRESIDENT. Mr. President, I request a temporary Capitol leave for Senator Folmer and a legislative leave for Senator Brubaker.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Kitchen and Senator Stack, and legislative leaves for Senator Hughes, Senator Schwank, and Senator Tartaglione.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Brubaker.

Senator Costa requests temporary Capitol leaves for Senator Kitchen and Senator Stack, and legislative leaves for Senator Hughes, Senator Schwank, and Senator Tartaglione.

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 29, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of April 29, 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.

LEGISLATIVE LEAVE CANCELLED

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

**GUEST OF SENATOR ROBERT B. MENSCH
PRESENTED TO THE SENATE**

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

Senator MENSCH. Mr. President, today, it is my pleasure to host the guest Chaplain for the Senate. Joseph Hackman is the lead pastor for Salford Mennonite Church in Harleysville, Pennsylvania. Joe grew up in Emmaus, Pennsylvania, and before serving as the lead pastor at Salford, he spent 2 years as Salford's youth pastor. Joe previously worked in student life at Eastern Mennonite University, and was a social studies teacher at Christopher Dock Mennonite High School. He attended Messiah College and studied marketing and history, and he has completed his seminary studies through the Eastern Mennonite Seminary in the year 2011. Joe is passionate about Anabaptism, and also about being a catalyst for people to help them discover what God is doing in their personal lives and in their communities. He is married to his lovely wife, Angela, and they have a 1-year-old daughter, Ila. Mr. President, please join me in giving a warm Senate welcome to Pastor Hackman.

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

**GUESTS OF SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I would like to introduce some guests from Dallas, Luzerne County. Kristine Ertley McCarthy is here with her two children, Courtney and Alex. Kristine is a teacher at Wyoming Seminary in Kingston. Courtney just finished 10th grade at the school, and she will be a member of the Junior Leadership Wilkes-Barre class of 2014. Her brother, Alex, just finished 9th grade at Wyoming Seminary, and is one step away from being an Eagle Scout. We wish him the best as he attends camp at Philmont later this month. So, please join me in welcoming the McCarthy family to the Senate of Pennsylvania.

Thank you, Mr. President.

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

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

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

Senator SMUCKER. Mr. President, I am very pleased to welcome to the Capitol today two constituents from Conestoga, Lancaster County. We have with us in the gallery Kevin and Anika Hurst. Anika is 11 years old and attends Conestoga Elementary School. They are here for a father-daughter day and enjoyed a tour of the Capitol and learning what happens here in Harrisburg. So, please extend our usual Senate welcome to them as well.

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

RECESS

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

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

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for a caucus immediately as well.

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

AFTER RECESS

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

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

LEGISLATIVE LEAVE

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

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

The PRESIDENT pro tempore. Senator Pileggi requests a legislative leave for Senator Robbins. Without objection, the leave will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1 (Pr. No. 1162) -- The Senate proceeded to consideration of the bill, entitled:

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 administrative practice and procedure, further providing for minority and women-owned business participation; 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 Alternative Energy Capital Investment Program and for multimodal transportation funding; in airport operation and zoning, further providing for the imposition of a rental car customer facility charge by a city of the first class, for the collection of the customer facility charge on behalf of the city by rental car companies leasing space or obtaining customers at an international airport, for use of the proceeds of the rental car customer facility charge for the development, maintenance and operation of the consolidated rental car facility to improve services to the public at the airport; for an agreement between a city of the first class and rental car companies relating to the development and use of the consolidated car rental facility and for the administration and enforcement of the rental car customer facility charge; 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 implements 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.

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

On the question,
Shall the bill pass finally?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, the best way to prepare for our future is to take care of the present. When I became chair of the Senate Committee on Transportation, I knew there was an agenda that had to be addressed in Pennsylvania for not only refurbishing our infrastructure, but expansion of our infrastructure. We took on, for about 3 years, hearings all throughout the Commonwealth of Pennsylvania, or visits throughout the Commonwealth of Pennsylvania, working on ideas for legislation. We had transportation reports from two Governors, one Democrat and one Republican. We took the time to visit our ports, our mass transit centers, our suburban communities, our rural communities, Marcellus Shale areas, and our urban areas. As we moved forward, we worked very closely with my friend and colleague, Senator Wozniak, to prepare legislation to address, Mr. President, a core function of government - to provide for the health, safety, and welfare of its residents. We were neglecting to do that with our transportation system as bridges were weight-limited by the Pennsylvania Department of Transportation, and bridges were closed throughout the Commonwealth by the Pennsylvania Department of Transportation. Of the 25,000 bridges owned by the State, 4,400 are structurally deficient, according to our standards. If we use the more stricter standards used by our sister States, such as Connecticut, there would be more than that in the way of structurally-deficient bridges.

Mr. President, our roadways as well are facing problems. We have 9,000 miles out of the 44,000 miles of State-owned roads in poor condition, and that is not even addressing the deteriorating condition of the 77,000 miles of roads and 12,000-plus bridges owned by local governments. The large part is due to the dwindling funding base within PennDOT. We knew we had to do something, yet we needed a key element, and that was the support of the Governor. This past February, Governor Corbett rose to the occasion, and as the CEO of the State of Pennsylvania, addressed the transportation funding package. He supports a plan, he proposed a plan. The Members of the General Assembly, particularly the Senate, felt that this was a good basis from which to build a transportation plan to meet today's needs and the future needs of the Commonwealth. We needed the Governor's support and we had it.

We needed a second element, the Governor to dispatch the Secretary of Transportation to work with us on these issues and help prioritize these issues. Governor Corbett did so. He gave us a man of utmost respect and admiration in the Commonwealth to work with, Secretary Barry Schoch, Secretary of Transportation. The Governor's plan would have raised about \$1.7 billion over a 5-year period. We want to produce something with a more rapid schedule, recognizing the needs of the Commonwealth of Pennsylvania to address that core function of the health and

safety of our residents with poor bridges and poor roads and also to improve the transportation, the movement of people and goods throughout the Commonwealth of Pennsylvania.

Through bicameral and bipartisan support and working with Secretary Schoch, we framed Senate Bill No. 1. Senate Bill No. 1, by the end of the fifth year, will raise \$2.5 billion for the Commonwealth of Pennsylvania. The oil and franchise cap, which was an artificial cap set back in the 1980s and has not been touched since then, would be lifted in our plan and the Governor's plan. There will be questions. Will this be passed to the pump? We do not know for certain. We know in conversations that they are worldwide companies. Whether they absorb it or if they will pass it all through is a matter of speculation. We have seen the gas prices at the pumps rise and fluctuate week in and week out, and that is based on speculation, Mr. President. It has nothing to do with the gas taxes because we have not raised any gas taxes in the Commonwealth since the 1990s. It is based on people who are trying to make money in the stock market and oil barrel sales. So we looked at what would be the best. The oil franchise cap removal over a 3-year period would generate about \$1.8 billion.

Additionally, we looked at motor licenses and registration fees, and all the fees that fall within the purview of PennDOT, that is fees for oversized vehicles and so forth. The license fees, with the exception of cars, have not been touched since the 1990s. I think there may have been a 25-cent adjustment before I joined the General Assembly. For other license fees and registration fees, they have not been touched since the 1980s or 1990s. Some of the fees within PennDOT have not been touched since the 1970s. So we looked at the Governor's TFAC report. Governor Corbett commissioned a group of experts to come up with the TFAC report, and looked at their recommendations as to adjusting for inflation on registration fees, motor license fees, and other fees within PennDOT. We have done that, and that will raise approximately \$550 million in revenue for the Commonwealth.

Now, Mr. President, to clear up any misconceptions, and I have read a lot of different stories in the press, not attributed to anybody here, the oil and franchise tax cap lifting, any fee increases and registration fees to the Motor License Fund, per Article VIII, Section 11, of our State Constitution, they will be used for roads and bridges and those associated costs. Money comes from the Pennsylvania State Police to patrol those roads and bridges, but they are used for roads and bridges throughout the Commonwealth of Pennsylvania.

We recognize a critical need to assist mass transit throughout the Commonwealth. We have three dozen mass transit agencies throughout the Commonwealth. We have a tendency to focus on the two large urban areas, yet we have mass transit agencies running throughout the Commonwealth, many of them privately owned in contract situations with the Commonwealth. These are the only ways that some people can get to the doctor's office for appointments, for dialysis, because those vans are coming to pick them up at their homes and transporting them. We wanted to do something for mass transit, so we looked at some flex money within PennDOT that was not attributed to the Motor License Fund, and we looked at surcharging the fines for Title 75, which is for motor vehicles. We chose the surcharge because the legislature in the past added so much money to fines that had absolutely nothing to do with transportation. Nothing, when you look

at some of those fines and where that money goes. Additionally, we have allowed computers to be purchased by some of our departments and agencies out of that. So what we did was we took the surcharge and earmarked that for transportation needs. That will help with mass transit and other transportation needs within the Commonwealth of Pennsylvania. Yet, recognizing that we are trying to stimulate an economy, we are reducing the gas tax at the pump by 2 cents. We have it sunset in a couple of years to return that \$120 million to PennDOT's budget. The Governor's proposal is to leave it out there for a longer period of time.

As this bill moves forward from this body to the House, there will be more discussions between the two bodies and with the Governor's Office on some of the changes we may want to see in this bill. Additionally, Mr. President, in recognizing the economic conditions the way they are, we will be freezing the license fees for senior citizens. The driver's license will now be extended to a 6-year period and registrations for vehicles will now be for a 2-year period. We are getting away from the 1-year and extending the driver's license period to 6 years. The registration stickers, the one thing that we put on our license plates and some people have them all over, they will be gone. The fees will be increasing, the fines will be increasing, and we are lifting the cap of the oil and franchise tax. Actually, we are not increasing, we are adjusting for inflation on the fees. The oil and franchise tax will be paid or will be felt by people using transportation within the Commonwealth, where some people like to call them user fees. If you are using the roads and bridges, you are going to help pay for the new construction and refurbishing of our roads and bridges.

Results, we will be able to begin construction on roads and bridges here in the Commonwealth. The Secretary has said publicly that if we do no funding this time for the Commonwealth of Pennsylvania, that he will be forced to weight-restrict other bridges throughout the Commonwealth and he will start in a maintenance mode. There will be no new additions to transportation within the Commonwealth of Pennsylvania. It will be strictly maintenance mode. That is something that concerns all of us because most of us in our counties have closed bridges now. If we have to close other bridges or weight-restrict, that is more time for kids to be on the school bus, that is more time for an emergency vehicle to get to a home in the instance where there may be a fire, or someone in dire need of medical attention because they will have to be rerouted because of a bridge's weight restriction or the bridge is no longer available for transportation.

So, we are going to fix those immediate needs and at the same time begin something that has not been done in the Commonwealth in decades: expand our transportation infrastructure. The Secretary is spending time with each of the Members of the General Assembly to discuss what will be available under the various scenarios in the way of transportation projects in their districts. We are looking to add lanes, we are looking to redo intersections, we are looking to add bridges, we are looking to add rail lines and we are trying to make sure that we are moving Pennsylvania forward. Currently, we are ranked 35th out of 50 States in transportation infrastructure by businesses either doing business in Pennsylvania or businesses seeking to come to Pennsylvania. That is something we have to overcome in order to generate jobs.

With this legislation, we are also assisting mass transit with funding but we are also putting money into certain categories so it cannot be moved out without the mass transit agencies and the General Assembly being aware of that happening. We are trying in this legislation to have the General Assembly have a greater oversight of transportation dollars to make sure that they are being spent where they are needed and fairly allocated throughout the Commonwealth of Pennsylvania. We all trust the present Secretary. As has been discussed before, in the future, who knows who will be the Secretary, who knows who will be the chairmen of the Committee on Transportation, but we do know that we want to have that greater oversight by the legislature in those projects.

Additionally, Mr. President, we increased money to the Multimodal Fund, which includes funding for rail freight and our short lines. This will be very beneficial to the Marcellus Shale area. We increased money for gravel roads. Gravel roads were getting about \$5 million. Under the proposal, they would have gotten about another \$10 million. We increased it to \$35 million. That is the \$5 million plus \$30 million, which will be very beneficial to our farming community and our timber industry. Both the timber industry and the farming community have come out in support of Senate Bill No. 1. They want to see transportation needs met in the Commonwealth of Pennsylvania.

Additional areas of concern, like the Fish and Boat Commission, we had that addressed as well. We increased the funding for the Fish and Boat Commission from \$4 million to \$6 million. That comes out of the fuel that they use for their motor boats, and that could be used for high-level dams or it could be used for motorboat-type of activities. We are willing and happy to do that because we recognize the fact that Pennsylvania is a premier spot for recreation activities and one that fishermen and boaters like to utilize during the year.

Mr. President, we went even further. We looked at the Pennsylvania Turnpike. The Senate had hearings on the Pennsylvania Turnpike and its financial condition. We heard from Auditor General Wagner, we heard from the Turnpike, and we heard from other sources about the financial condition of the Pennsylvania Turnpike. We recognize the fact that the debt is growing and we are trying to alleviate as much of that as possible through legislation. So we are weaning us off of Act 44, which is where transportation dollars are coming out of the Pennsylvania Turnpike, by the eighth year. Recognizing that we have to do something to find transportation funding with a direct source of income, we commissioned the Pennsylvania State Government Commission to come up with a funding plan within 2 years, a direct source of income and revenue for funding mass transit. But to give us a safety valve to make sure we have something at the end of the eighth year, 2021, if the legislature and the Governor do not have a plan in effect, then that money will be moved from the sale of motor vehicles in Pennsylvania to mass transit. So we are not leaving mass transit hanging off a cliff. We have worked to address that issue, but we are seriously going to try to find additional funds for mass transit over the next few years.

There is more, Mr. President. Not only is this addressing that core function of government and expanding our transportation infrastructure critical to the growth of our economy here in the Commonwealth of Pennsylvania, but there is something else that is going to happen: jobs, jobs, jobs. In the time of a bad economy, jobs, jobs, jobs. The Governor's Office has estimated

50,000 jobs within the first few years will be created in the construction industry because of transportation funding. Think of all the ancillary companies as well that will benefit from transportation funding dollars and those people who will be able to spend cash. Now, there are jobs today in the transportation industry. We have had this conversation with the big contractors in the Commonwealth of Pennsylvania. They are hiring in Maryland and in Virginia where they have recently done big transportation packages to enhance their economies. We are moving the jobs here to the Commonwealth of Pennsylvania with this legislation. This will give us as well the funding that we need to give an indication to those private businesses wanting to locate to Pennsylvania for their businesses and those private businesses that want to spend their money on transportation methods here in Pennsylvania.

We passed landmark legislation last Session on private/public partnerships. In talking with members of the private/public partnership board, there are already inquiries and people are waiting to see if we are going to up the ante and pass transportation funding. That will allow private dollars to start investing in transportation methods here in Pennsylvania, and give us additional income going to PennDOT that we can use for transportation means in the Commonwealth of Pennsylvania.

Mr. President, this is a critical piece of legislation for the Commonwealth. I realize it will not be a unanimous vote. Some people have their philosophical reasons and will not be able to put up the vote, I respect them for that, but I think those of us who can should. Do not let fear of what could happen make nothing happen. We have to make something happen here for the Commonwealth of Pennsylvania. This piece of legislation, by us passing it today, will get it over to the House, begin an earnest discussion with the House of Representatives about what they want to see in transportation funding, and engage the business community, the building and trades, and a number of those who have been supportive of this legislation.

Mr. President, I will not read the entire list, but we had the press conference for Senate Bill No. 1 and that stage was crowded with chambers of commerce, both the State Chamber of Commerce that recently sent out a letter, and the local chambers of commerce, the farm community, the timber community, the County Commissioners Association, the local governments association, because under Senate Bill No. 1, the counties and the local governments will receive additional funds. They are in the same situation that we all are - they need money to fix their roads and bridges. This will give them that money that is needed, and will give us the genesis to begin the economic recovery here in the Commonwealth of Pennsylvania. We also have the building and trades who are very supportive of this legislation. We have nonunion contractors and union contractors all supportive of this legislation.

I am particularly happy to have had the opportunity to work with Senator Wozniak on this legislation, and the assistance we have had from Senator Scarnati and his office, Senator Pileggi and his office, in particular Kathy Eakin and Kelly Phenicie, and with Senator Costa and Senator Hughes, and their input and their staff, on the pieces of legislation that we fashioned here today. I want to recognize Nathan Spade, executive director of the Committee on Transportation, for his hard work. He is very knowledgeable on funding mechanisms for transportation and knows extremely well the transportation statute here in the Common-

wealth of Pennsylvania. I thank Ryan Boop, chief of staff, who is a very creative wordsmith and was able to work on some of the language. I am happy to have all those parties show interest and to have all those parties sign off on this piece of legislation. Just as we went forward, I had a number of colleagues express support and offer suggestions. The gentleman from Columbia County, Senator Gordner; the gentleman from Allegheny County, Senator Vulakovich, all shared input into what is important in their areas and for the Commonwealth of Pennsylvania, from mass transit, to ports, to Marcellus Shale, to gravel roads, to developing counties. The gentleman from Washington County, Senator Solobay, has been out front on this legislation and has been extremely helpful in reminding us of the importance in his growing area as well. From Allegheny County, Senator Brewster even had us come out for a hearing recently on the transportation issue to make sure his chamber had a chance to speak in favor and people understood what we were about to do. And the gentleman from Lackawanna County, who himself, like me, has had local government experience, Senator Blake, has been very vocal as well in support of the legislation. There have been others as well, but I wanted to highlight those particular individuals, who have given great assistance in either their caucuses, or on the floor, or in meetings, or hearings for the transportation bill.

I am extremely happy with the cooperation we have had in the Senate of Pennsylvania. People working together recognizing that we still have work to do on this bill. If it was a perfect bill, I would be running all the legislation for the General Assembly, but it is as perfect as we could get it at this point in time, and we are going to get it over to the House of Representatives with today's vote and begin an earnest discussion with them. The worst thing we can do in Pennsylvania is do nothing. Then you will see more bridges closed, more bridges weight-restricted, and we will start losing more businesses.

I am going to end with this one. Senator Yaw has a bill in my committee that we will be voting out next week. Senator Vogel, who is chair of the Committee on Agriculture, told me this story. There was a yogurt plant that was very interested in locating in northcentral Pennsylvania that would have meant 400 jobs, but they went to New York. They went to New York because they needed to haul 95,000 gallons of milk in a truck to the yogurt plant. Because of our roads and bridges, they could not do that. We are weight-limited at 70,000-some gallons. So they would need more trucks, more cleaning, and more fuel. So they chose to go to New York where they can travel with the 95,000 gallons.

We cannot allow Pennsylvania to keep losing out on business. We have to make sure that we are attracting businesses here in the Commonwealth. This is a big first system on economic development, but overriding all that, Mr. President, we are addressing that core function of the health, safety, and welfare of our residents, making sure that our transportation infrastructure is safe for people to traverse through the Commonwealth of Pennsylvania. I thank you for your attention, and I thank the Members of this Senate for their support all throughout this process.

Thank you, Mr. President.

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

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

Senator WOZNIAK. Mr. President, I want to thank Chairman Rafferty, and I will be much briefer because he pretty much covered just about everything we both want to say. First of all and foremost, my party is quick to lay criticism at the feet of Governor Corbett. I think to be fair, we should also be fair in offering credit at that same location. Without the support of the Governor, we would not be here in this snapshot in history. This bill is most likely going to leave the Senate to an unknown fate in the House, but I want to tell the people of Pennsylvania, because I understand what the media is going to call this, I know what the citizens are going to call this, we are not doing this because we want to. We have to, and that is the bottom line. If something terrible would happen in Pennsylvania because of our lack of moral courage and legal responsibility, we would be chastised for doing nothing. The cost of not addressing our transportation system is in the billions of lost jobs, lost safety, cars sitting landlocked on our major arteries because we do not have capacity.

The increases that we will be voting on today are well within the parameters of the inflationary spiral since 1997. It is about safety, it is about jobs, it is about the economy. I have said this many times over the years, find something that costs less today than it did in 1997. These are user fees. If you do not violate the rules of engagement, you do not have to pay the fines. They are there not to punish you, but to keep our roads and highways safe. The more fuel you use, just as the more electricity you use, the more natural gas you use, your fees go up. The efficiency of automobiles, declining revenues, have all made the case for this increase to be necessary.

The chairman brought up about Virginia and Maryland. He brought up about the issue that for every billion dollars of transportation investment, approximately 10,000 jobs are created. When this is fully rolled out in its third year, that means we can effectively imagine 60,000 to 70,000 good-paying jobs. That will significantly stimulate a lethargic economy. And to put it in perspective, there are 67 counties in Pennsylvania. I come from rural Pennsylvania. My county sure could use 1,000 jobs apiece.

Our ports, our airports, our trains, our mass transportation, and our waterways are all integral to the economy of Pennsylvania. We are an east/west State and quickly becoming a north/south corridor. The commitment to the fixing of our roads, our bridges, and their maintenance, and more importantly, the connection of our missing links will stimulate the economy, the creation of a better Pennsylvania, and, not for this old guy that you are looking at right now, but for that generation because we want our sons and daughters to remain here, to enjoy their lives and have an opportunity to prosper.

So with that, Mr. President, I am going to ask my colleagues for an affirmative vote. I know it is a difficult vote. I know that I am going to be criticized for the decision I make. But I am doing it because it is the right thing to do, it is the responsible thing to do.

I want to leave the naysayers with one thought. There was a time in the 1970s when maybe the joke, "What is yellow and sleeps six?" was legitimate. The Department of Transportation today is about 25 percent of the size it was in the 1970s. It is a very efficient operation and continues to become more efficient. Secretary Schoch has done an exemplarily job in bringing the Department of Transportation into the 21st century. What we need to do cannot be done by tightening belts, saving paper clips, and cutting pieces of paper into fours to make memo pads out of

it. We need capital. To the private sector, 78 to 80 percent of every dime that we generate at the pump, by your registration, goes to the responsible lowest private bidder. This is an economic stimulus package and we should support it. It will take political courage. I hope we all have it.

Thank you very much, Mr. President.

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

Senator PILEGGI. Mr. President, transportation funding is a core responsibility of State government, and it has been 16 years since Pennsylvania enacted a meaningful transportation funding program. The time for Senate Bill No. 1 is now. Some may try to argue that this bill provides more funding than is necessary. Those arguments are without merit. Blue ribbon commissions established by Governors of both parties have studied this issue, as have numerous outside panels. They have all reached the same conclusion. Pennsylvania must invest billions of dollars in its transportation system to repair our structurally deficient bridges, to improve our unsafe roads, and to encourage economic growth in job creation. Put simply, it is the General Assembly's duty to provide funding for a strong transportation infrastructure in our State. Today, the Senate will do its part to make that happen. Mr. President, I would like to thank the chairman of the Committee on Transportation, John Rafferty, and our colleague on the other side of the aisle, Democratic chairman John Wozniak, along with the many Senate staffers who put so much time into bringing us to this point. I would also like to thank Governor Tom Corbett and our Secretary of Transportation, Barry Schoch, who have been strong advocates for serious transportation funding in Pennsylvania. Mr. President, I urge an affirmative vote on Senate Bill No. 1.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I also rise to support this legislation. I want to commend the chairman of the Committee on Transportation, my good friend Senator Rafferty, and also my friend and colleague, Senator Wozniak, as well as the Leadership on both sides of the aisle, for finally moving this ball forward. This legislation is not perfect. I am disheartened about how some of the fees are going to really have a negative impact on consumers, but the way we do things, there is no perfect solution to this big problem. As Senator Pileggi said, this is a core function of government, building our roads and taking care of our infrastructure and our transit system, and we have been lapse in that area. We, in my opinion, should have moved on this issue at a far sooner point in time. Already, we have seen the effects of bridges collapsing, we see daily traffic backed up, excessively costing us millions, if not billions in our economy. So, the time to move is not just now, it was some time ago, but the key thing is we are moving the ball forward, we are taking a stand and being leaders. This is what the people of Pennsylvania want us to do.

One of my favorite Presidents was President Eisenhower. He is credited with building our highways nationally, and making America in many ways what it is today. So, not only is it the right thing to do to build roads, to reconstruct our bridges so that they do not collapse on people, we are, as the other speakers have said, creating economic opportunities in the building trades. Opportunities for those who build roads, for people who are des-

perately sitting at home looking for an economic opportunity, looking for a job, we are going to create those jobs and turn this State around. In the future, I hope we can find ways to work together to find more creative ways to get that funding other than hitting consumers in the gut with excessive fees. We have the plan, which will work in the future. I hope we can do it in a way that does not so much negatively impact the people of Pennsylvania. But the key is we are moving forward, we need the House to pass this legislation, and we need the Governor to sign it. This is but a substantial, initial step, and I am glad we are doing it. I urge my colleagues to support the legislation.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, I rise to try to speak in summary format and express a few concerns and comments. First of all, I speak in favor of the Senate action today, but recognize that this is the beginning of a very lengthy, if not a very arduous and possibly a very problematic process, as it moves from the Senate to the House. I want to say very clearly, notwithstanding the fact that some of my colleagues, especially those who have been mentioned, who worked very hard and diligently on this bill, including the two chairmen of the Committee on Transportation. I think constitutionally and legally this is a revenue bill that really should have been initiated in the House. I realize that through some parliamentary process, there will be a bait and switch, and I guess there will be some action by the House possibly over the next couple of weeks, but that remains to be seen.

While I credit the Governor and his administration with moving creatively first with the formation, in April of 2011, of the Governor's Transportation Advisory Commission to come up with the formal recommendations and the codification of so many of the changes and programs that will be funded, as outlined by Senator Rafferty, I am very concerned that the priority, at least in the House on the part of the Republican House Leadership, the Governor and Mr. Turzai in particular, was the decimation of jobs. The first major bill that comes out of the House is a bill to privatize liquor and destroy family-sustaining jobs. I think that is very upsetting. I think if this were, indeed, the major number-one priority for the Governor's administration, I think they should have moved in the House to build consensus around a fundamental program and funding for transportation. That has not been the case, and we find ourselves today moving somewhat prematurely and precipitously here in the Senate by approving a bill that really should have emanated and been approved in the House. I am not sure what the future will hold.

I want to be clear that this is a major tax increase, this legislation. While I am very appreciative of the fact that so many programs will receive money, I do want to point out that some consider this a core government obligation. Obviously, I agree and join in that chorus, but the fact of the matter is, we need to show leadership on a lot of fronts for expenditures. There are 200-plus fines and fees that will be increased on the backs of drivers of motor vehicles, and I want to make it clear that I am voting on this bill initially today as the beginning of the process. I am very circumscribed and somewhat suspect as to what the final product will be.

So I am voting "aye" today, but I want to make it very clear that if this is not the comprehensive package, the soup-to-nuts that Secretary Schoch eloquently spoke about, as well as the

Governor, all over the Commonwealth, regardless of the audience, they spoke comprehensively about the need for system-wide safety enhancements and more efficient transportation systems in rural, small communities, and the larger urban areas. They talked about and demonstrated clearly the structurally deficient bridges and the important reduction that they hoped to achieve in reducing that number of structurally deficient bridges. They talked and outlined the important road resurfacing projects and major reconstruction projects of roads. They talked about increasing transit facilities, services, and funding not only to the two larger urban cores that run as a result of the SEPTA system serving Philadelphia and so many southeastern counties, but certainly the Port Authority which services not only Allegheny County but brings a lot of working people into downtown Pittsburgh and Oakland from a several-county area. And as Senator Rafferty pointed out, many private companies and paratransit authorities in smaller counties and smaller transit systems will also benefit from these dollars, because it seems as though there is a movement in the House to disassociate any transportation expenditure with the comprehensive fix that we need for our public transit system.

So I am voting for this, and I want to make it clear that if it comes back absent a comprehensive approach, an approach that the Corbett administration and Secretary Schoch, to his credit, have embraced, then I think it is a whole new ballgame as far as moving forward. I do appreciate the emphasis by the Secretary, as well as those who contributed to the writing of this legislation, for funding intermodal opportunities, many of which have been outlined from trains and the port system, of which I am a member of the Port of Pittsburgh Commission, a very vital agency. It is amazing how much truck traffic we get off the road when the barge communities involve thousands of jobs in western Pennsylvania in a 12-county area, rely on the efficiency of our lock system, and the port plays an important advocacy role. I am pleased to see them be sustained with funding for their vital services.

I want to make it clear that the pundits out there will tag this as a ticket tax and tow bill, because if people do not pay these fines and fees, they will be towed into the police lot and lose their vehicle. I hope that is not the case, but we have to bite the bullet. We will either pay now or pay a lot more later, as we all well know, and I think it is important that we move comprehensively, and that we move quickly. This will be a sum of money in excess of \$2.5 billion a year and on into the future. I do note, however, that these fines, fees, and costs on the backs of mostly drivers of vehicles will be paid for starting very quickly after final legislation this year, but I hope that people realize that many projects will not see the light of day for several years from now. We all know the process of the 12-year plans in the regional districts. We know that there are some projects already on the shelf that have been engineered. The reality is that a lot of projects, despite the fact that fees will be increased, money will be collected, a lot of projects will not see the time of day for a few years. There have to be issues of environmental impact statements, eminent domain issues that will come into play on certain roadways, and that is a several-year process. We have to get going now, so I am voting "aye," with the reservations I outlined today, Mr. President. I do thank you for the extra time.

I want to say that we keep talking about how everybody has to pay, but I do think that we have been negligent in the financ-

ing of this transportation bill in excess of \$2 billion on top of the \$3.1 billion we are already spending by not asking the Marcellus Shale industry in this State to step up to the plate, do an appropriate tax, a revenue that can be collected to sustain and build our infrastructure, an infrastructure that they will leave in the matter of a few years. I predict it will leave us with an environmental mess just like the coal industry has that we continue to clean up to this day. I do not think it is unreasonable that in order to raise \$2.5 billion, to not just be on the backs of working people and small businesses, but that the larger corporations in this State also step up to the plate and contribute, and I do not see that in this bill. I do not see the Marcellus Shale corporations kicking in. We are the laughingstock of the nation in not having a severance tax on Marcellus Shale, and if nothing, I think that could be used to contribute to this important capital initiative program.

Also on the issue of tax fairness, I think it is about time that we make all corporations in this State pay some tax. There needs to be reform, we keep hearing about closing the Delaware loophole. I think if we could make sure that everybody is paying a tax, we should be able to lower that corporate income tax. Also, I think it is fair that corporations should also contribute to the building of the capital infrastructure that we need. They also benefit with their profits as corporations in this State, yet they need to also step up to the plate and not just have all the ticket tax and tow bills on the backs of drivers. It could also be shared by the larger business community, in my opinion. So with that reservation, I am pleased to vote for the bill. We await with bated breath the actions in the House. Thank you.

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

Senator BOSCOLA. Mr. President, I am voting "no" on Senate Bill No. 1, but I want to put on the record why. It is not that I do not see the need for major road improvements, bridge improvements, that is not it at all, and I do appreciate the work being done here by the chairmen and the leaders. But as this bill moves to the House, we do not know what they are going to do and there is only finite money available and a limited pot of money available. Not knowing what that pot will be is making it very difficult for me in the Lehigh Valley to vote for this, for the very simple reason that in the Lehigh Valley, Route 22 is a major thoroughfare. From New Jersey to Easton to Bethlehem to Allentown, it is major. There are backups, backlogs, there are 90,000-plus cars going through there every day. And what has happened with the Governor's money, supposedly, is that they are going to widen Route 22 from 15th Street to Airport Road, definitely necessary. But what happens is when you widen it to three lanes and you go down to two lanes to Route 512, which is about another mile and a half stretch, you are just moving and shifting the bottleneck and probably it will be even worse. So, I have been in meetings and have tried to work with the District 5-0 engineer, Mike Rebert, and the Secretary to indicate what I think is going to happen, and I think they know what is going to happen as well.

Now, if the pot of money gets bigger, there might be some room for additional funding to widen Route 22 a little bit further, although, it is indicated that it might be until years 11 and 12. And I am not naive in this building, I have been here 16 years, I know that years 11 and 12 are probably never going to see the money. If you are not in the first 4 years of a plan, you are lucky to even get the engineering in the 4th and 5th year. So as this bill

moves to the House, I will continuously talk to the engineer and the Secretary to see what we can do about the situation on Route 22. You do not want to have a three-lane highway in Allentown, and two lanes moving into Bethlehem. You are just shifting the bottleneck of the traffic into the heart of the city of Bethlehem. In good conscience, that is my district, I cannot do it.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, a lot has been said about Senate Bill No. 1, and I will not repeat many of the attributes of this particular piece of legislation. I rise to lend my support to the efforts to advance this bill from the Senate over to the House. I would be remiss, however, if I too did not recognize the great efforts of the two chairs of the Senate Committee on Transportation, Senator John Rafferty and the work that he and his staff did, as well as Senator Wozniak and the work that he and his staff did, in working in a very bipartisan, cooperative manner to address many of the needs that a number of us who had an opportunity to work with those men to address the needs that we feel are important as it relates to our transportation system in this Commonwealth.

Mr. President, transportation is extremely important. Today, this day, we are taking a very significant step toward making certain that we do two things in this Commonwealth, and two issues that we are very concerned about. One, the safety of our roads and bridges and our highways and ports and transit issues, and making certain that we have an appropriate stream of revenue for many, many years to come that provide resources to allow us to make investments in our roads and bridges to address the concerns as it relates to the deficiencies that exist along those lines. It has been a number of years, I think it has been 16 years since we have been in a position where we have made an investment of this magnitude into our roads and bridges and the like, and we think it is very important.

But, Mr. President, another issue that is very important to our Caucus has been the issue that Senate Democrats have been talking about for the past several years, and that is job growth and the work that is being done and jobs that we need to grow here in the Commonwealth. I do not need to remind the Members in this Chamber that 2 years ago this Commonwealth ranked 7th in job growth. Today, we rank near the bottom of the country, 48 or 49, depending upon what measure you might use. In March of 2012, we had 6,000 more jobs than we do today. The administration has talked about 100,000-plus new jobs created, but they fail to recognize that we have lost 36,000 jobs in the public sector.

So, Mr. President, while other States around us are making significant progress in jobs, job growth, and fostering an economic climate that grows jobs, we are not. This legislation puts us on course to be able to generate, over the course of the next handful of years, some 62,500 jobs. Folks, those are not my numbers. Those are the numbers from the Secretary of Transportation who says that for every \$1 billion of investment, you generate 25,000 jobs in this Commonwealth. You do the math. It makes sense. It is the right approach and it is something we need to do as the Commonwealth to address those two core issues. Let me be clear, transportation funding as it relates to our transportation systems is a core function of government. Let me be equally clear, growing jobs is a core function of government and something we need to do.

Most importantly, Mr. President, what we should not be doing, and when this bill moves out of this Chamber in a very strong bipartisan way, what it should not be when it is received in the House is being a part of a condition that we pass legislation over here in this Chamber as it relates to wine and spirits privatization, so this bill gets passed in the House. This issue is far too important to be tied up, conditioned upon, linked to, somehow coupled with Wine and Spirits privatization. My hope is that the effort that has been put in by these gentlemen who lead our Committee on Transportation who have done an outstanding job, along with Secretary Schoch, who was an outstanding champion of what needed to be done and the time he took with Members of our Caucus to be certain he heard our concerns about what needed to be done, that is important and we are pleased with that. But at the end of the day, we cannot allow this important transportation bill to be tied to, linked with, conditioned upon passage of a piece of legislation here. We can very clearly see that, in terms of the things I have heard from Members of this Chamber, there is no clear understanding about what direction we need to go. We have 3 weeks remaining. We need to make sure we get transportation funding done, over to the House and to the Governor's desk. It should not, in my opinion, be tied or linked to or coupled with Wine and Spirits privatization.

Thank you, Mr. President.

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

Senator TEPLITZ. Mr. President, I was not planning to speak on the bill, which I support, but as I was sitting and listening to the discussion, it occurred to me that this is why many of us ran for office, to make tough decisions. The easy votes are easy, and the votes that pass here 50 to 0 or unanimous in some fashion are the easy votes. But I am sure all of us came here to get things done, to not kick the can down the road, no pun intended, to not be held hostage by the other Chamber on unrelated issues, but to get things done for our constituents. And for my constituents, I believe that the most important thing for them is to know that they can travel safely on the roads and bridges in this area and throughout the Commonwealth. We need to make sure, obviously, this is done in a fiscally responsible way. There is no funding plan, this one or others, that are going to be perfect or painless. But, we have to accept the reality that these projects have waited long enough, they are a ticking time bomb in terms of public safety, and investing in them will create jobs at a time when we critically need it.

What I have said around my district as I have done my town halls and had other interactions with my constituents is that I will fight to make it as painless as possible, but I will also fight to make sure that they see the results of this investment. I think all of us will be able to see those results in our respective districts. I have begun, as I am sure many of my colleagues have begun, working with PennDOT to identify the projects that would be funded by this investment, and those are projects that are important to the citizens of my district. Not too far from here, we have a slice of a bridge removed because of an accident from a few weeks ago. Thankfully, that was not a tragedy. It was a different kind of accident, but that is what could happen. That is what we are waiting to have happen if we do not make these investments.

I have tremendous respect and commend Senator Rafferty and Senator Wozniak for their leadership on this issue, making sure that it was a bipartisan bill, making sure that all of our concerns were addressed and that we are treated fairly. All we can do at this point is pass it, send it over to the House, continue to fight for it, but let us not be afraid of what the House is or is not going to do. Let us have the courage to make the right decision now, make the investments that we need to make in public safety and jobs, put this issue behind us, and move forward as a Commonwealth.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I appreciate the comments of support. I want the Members of the Senate to know that Senator Wozniak and I will continue to discuss and negotiate with our colleagues in the House. We have met on several occasions with the chair of the House Committee on Transportation, Chairman Hess, and we have met with the Democratic chair, Representative McGeehan. We will continue those negotiations, and I, Mr. President, met face to face with both Representative Turzai, the Majority Leader in the House, and Representative Dermody, the Democratic Leader in the House. We will continue those types of negotiations as we go forward with this legislation. It is too critical of a bill to just punt and let the other side go with it. We have to keep the communications going to make sure we keep on the right track to get Pennsylvania moving ahead.

Mr. President, I failed to mention before when I spoke, you are always afraid when you thank people that you would miss someone, and I did. A man who is a true friend to me and a stalwart advocate for transportation funding in the Commonwealth of Pennsylvania, the vice chairman of the Senate Committee on Transportation, the gentleman from Indiana County, Senator White. Last year, the gentleman from Centre County, Senator Corman, highlighted the need for transportation funding and helped keep it in front of the vision of the Senate, the House, and the Governor. When it came to rural county needs and gravel and dirt roads, Representative Pyle in the House was very good at educating us as we were putting this piece of legislation together as well. So I ask for an affirmative vote.

Thank you, Mr. President.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Washington.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Washington. Without objection, the leaves will be granted.

And the question recurring,
Shall the bill pass finally?

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

YEA-45

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

NAY-5

| | | | |
|------------|---------|------|----------|
| Boscola | Kasunic | Ward | Williams |
| Hutchinson | | | |

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

HB 40, SB 150, HB 293, SB 303 and SB 406 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

LEGISLATIVE LEAVES

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

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

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

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

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

Senator Costa requests a temporary Capitol leave for Senator Leach.

Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 492 (Pr. No. 1424) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the 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

HB 571, SB 731, SB 738 and SB 739 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 797 (Pr. No. 1148) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the calculation of military members' Public School Employees Retirement System benefits.

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 present said bill to the House of Representatives for concurrence.

SB 798 (Pr. No. 818) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for rights preserved during leave of absence.

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.

BILL OVER IN ORDER

SB 802 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 818 (Pr. No. 928) -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator STACK. Mr. President, I rise because I intend to vote against this bill. One of my political mentors as I made my way to having the honor to be able to serve in this great Chamber was Governor Robert P. Casey, and he is known by a lot of folks as sort of an icon on the issue of pro-life. One of the things that Governor Casey was able to accomplish was getting the Abortion Control Act passed here in Pennsylvania, which really has, for the most part, worked to satisfy people on both sides of the issue and everyone in between, that we have a reasonable law on abortion in place here in Pennsylvania. *Roe v. Wade* continues to be the law of the land.

One of the things that we have said here in Pennsylvania is that taxpayer money should not be used to pay for abortions in Pennsylvania. We believe it, and that is the way it has been. Recently, we passed the Federal Obamacare bill, and the issue came up again. In a rare case of really getting it right in Washington, the Senate, the House, and the administration were able to pass legislation which dealt with the issue of abortion in a thoughtful and respectful way toward everyone's beliefs. In the bill, through the Nelson amendment, Obamacare prohibits, once again, taxpayer funds being used to fund abortion. Now, one of the things that we have tried to say is, that is the way it is, there is nothing that needs to be done here in Pennsylvania on this issue. We should be focused on creating jobs and getting us out of the tough economic situation that we are in. But instead, we find ourselves back here dealing with this issue. I think the legislation that we are considering today is unnecessary and redundant, and if anything, probably goes beyond what the Abortion Control bill was designed to do and gets involved with preventing women from having that professional relationship with their physician about their serious medical needs.

Now, we are going to go even further and prevent women from purchasing any kind of private insurance coverage that covers abortions. So this goes further than even the law under Governor Casey's tenure went, and I think it is a mistake. I think there are so many health issues that women have to deal with, from breast cancer to serious kidney disease, other things that are heart-wrenching issues that they have to deal with when considering the issue of health-related abortions that we should not be involved in. Already, 80 percent of the health insurance companies here Pennsylvania provide that insurance. It is a decision for women and their physicians to make with regard to what kind of coverage they want to have. Regardless of my position on the issue, and I have been a moderate Senator on this issue, at the end of the day, it is an issue that women have to make with their physician. I think we are making a big mistake trying to create additional hurdles here, and for that reason, I am voting against this legislation.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, I rise to ask my colleagues to support House Bill No. 818. Much discussion on this bill oc-

curred yesterday and it made a lot of us in this room very uncomfortable, so I will try to be brief. However, I need to make a few points clear. Despite all the discussion about the Hyde and Nelson amendments, the reality is Obamacare gives States the authority to make the ultimate decision on whether elective abortions will be covered in the exchange. The bill before us, House Bill No. 818, simply insures that Pennsylvania's current law is applied consistently when it comes to taxpayer subsidized healthcare insurance. This same language was passed through this Chamber last Session, last year, with 37 affirmative votes.

The Abortion Control Act, where I think really the argument lies, was signed into law decades ago by Governor Casey, and makes it crystal clear that taxpayer dollars will not be used to pay for elective abortions. Therefore, those who are concerned about the parameters set up by House Bill No. 818 should focus their efforts on amending the Abortion Control Act if they believe those exceptions are overly restrictive. Secondly, and I want to make it clear that the health insurance exchange is a taxpayer-subsidized operation. Despite the opponents' best effort to describe the insurance exchange as solely a medium for facilitating the purchase of private insurance, that is, sadly, not the case. First, the vast majority of participants in the exchange will have their premiums subsidized. An example: a family of four earning close to \$94,000 will qualify for a subsidy of some size, and I am fairly sure that would make and cover a vast majority of Pennsylvania households, making them eligible for this benefit. Moreover, exchange operations will be funded with tax dollars, and those participating in the exchange, subsidized or not, will be taxed to facilitate its operation because insurers participating in the exchange will be taxed 3.5 percent of their premiums for its ongoing operation.

Further underscoring this point, the Patriot-News ran an article just last week on the exchange and how it would operate. The story states in detail that the Federal government is already sending taxpayer dollars to Pennsylvania to assist individuals in purchasing insurance on the exchange. It also explains that the taxpayer subsidy provided to individuals would go directly to the insurer in the form of a credit to be applied against the premium. Meaning, there is a direct tie between taxpayer funds and the insurance companies offering coverage through the exchange, regardless of whether it is selling a subsidized or unsubsidized policy. According to the article, the Federal government has already sent \$54 million in taxpayer money to States to train the so-called navigators to assist people in signing up for coverage for the exchange. That is going to be a problem we are going to face down the road. These 30-day wonders are going to go out there to our constituents after 30 days of training and supposedly be healthcare experts. Plain and simple, taxpayer money is already being used to set up these exchanges, and will be used to fund their operations going forward. Therefore, Mr. President, it is imperative that we pass House Bill No. 818 and keep consistency in Pennsylvania regarding the use of taxpayer dollars for elective abortions. Thank you very much.

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

Senator BOSCOLA. Mr. President, House Bill No. 818 solves nothing, helps no one, and will drive sick women from hospital beds to coffins. Do not be fooled. This is not about segregating taxpayer dollars from women's health coverage. That is already the law, both on the State and Federal level. Taxpayer money

cannot be used to pay for abortion coverage, period, exclamation point. That is the law. This bill would constrict a woman's right to choose by dictating what private citizens can do with their private dollars in purchasing private health insurance. Pennsylvania's Abortion Control Act rightly makes an allowance when it comes to the life and health of the mother. This legislation tramples that exemption.

Mr. President, this Chamber had an opportunity yesterday to correct that and support an amendment to protect the health of women. But unfortunately, short-sightedness prevailed, even though 4 out of 5 Pennsylvanians support our longstanding health exemption. Federal law and the Nelson amendment provision already stipulates that abortion coverage has to be separate and privately funded. What I find so troubling about House Bill No. 818 is that it does not seek to accurately or fairly reconcile our Abortion Control Act with this crystal-clear Federal prohibition. Instead, it is a farfetched, over-the-top restriction bent on discouraging and blocking private insurance companies from offering health insurance coverage options through these new health insurance exchanges. I look at the hypocrisy of this building sometimes, but why some of our free market conservative friends on the other side of the aisle would even tolerate this, let alone support this overreach, is beyond me. Do you want government out of private business or not?

Some might wonder if this is really just another divisive wedge issue that is being exploited for political gain. I know the answer to that. And you know what, Mr. President? I was proud of this Chamber, what we are and what we represent. We do not have the divisiveness that we see happening in Washington on a regular basis. But the attack on women's health issues that started in this Chamber 2 years ago continues today with the consideration of House Bill No. 818. The rules and regulations governing the Federally-run health insurance exchanges are already in place and clearly written in the law. It is also important to emphasize that legislation, such as House Bill No. 818, is only necessary or appropriate if individual States opt to run their own health insurance exchanges.

In view of the fact that this administration has refused to create a State health exchange in Pennsylvania, one might ask why has this legislation somehow reached the top of the priority list? Why are we debating legislation that would govern something that does not exist? I can only suppose that there is a hidden agenda here at play, one that panders to a small percentage of single-issue voters at the expense of women's health. I thought we were above that in this Chamber. Mr. President, because of the way this bill was considered, and the debate that transpired, House Bill No. 818 has created schisms in this Chamber that may never be repaired. There have been derogatory, unprofessional comments made throughout this process that pitted colleague against colleague, party against party, and men against women. With that being said, on behalf of the women of this Commonwealth, I want to say thank you to the men and the women of this Chamber who voted for the amendments offered yesterday and voted to protect women's health here in Pennsylvania. And to all of you out there throughout Pennsylvania who have called in to voice your opinion in opposition to this bill, I want you to know that we will continue to fight to protect women's healthcare in this State.

Finally, what consideration of this bill here today demonstrates most clearly to me is that we desperately need to elect

more women in the House and the Senate. Eight women serving in this Chamber out of 50 is woefully low and is no way reflective of our population demographics. I have said it before on this floor, and I will say it again, any woman out there looking to run for office, please contact my office. I will give you my home phone number, and I will encourage you; and any man out there who wants to run who is supportive of women's health and women's issues, I will support you as well.

Thank you, Mr. President

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

Senator FARNESE. Mr. President, as I start my second term, and I was sworn in in January with the privilege to represent the citizens of the First Senatorial District, I have begun to look back on my time here in the Senate, not so much on months and years, but sort of trying to take snapshots of where we are at particular points in time like you would a scrapbook, to look at it and think about what I was feeling at that moment, what we were doing, was it a moment in which we felt proud? Was it a moment in which we felt embarrassed? Did the conduct that we took that time make people's lives better? Did we take steps to help them to improve their quality of life? Did we take steps to bring equality and legality, to try to right a wrong?

Over the last couple of weeks, I have had many of those different moments. A few weeks ago, I had the privilege and honor to stand with my colleague, Senator Browne, to introduce a piece of legislation, anti-discrimination legislation, to bring equality, not just to the LGBT folks across the State, but to put a marker out there that says Pennsylvania believes in equality for all of its citizens across the board. I look back on that snapshot in my scrapbook, and I would say that was a time I was proud because I believe we did something that day to help people make their lives better. Putting aside the transportation bill that my good friends and colleagues, the chairmen of the Committee on Transportation, just passed, and congratulations to them, unfortunately, this bill today, as I look back on this point in my scrapbook, will be one of embarrassment because clearly what we are doing today does nothing, Mr. President, does nothing at all to make people's lives better, to improve their quality of life, but rather is another step, another attack on women's access to healthcare and their ability to obtain reproductive services.

I have some comments, but I think since we are supposed to talk about issues that are important to people in this building, why do we not just call this bill what it is. We all like to talk about whether we are uncomfortable, whether we are comfortable. We have to do this because the national healthcare act mandates that our hands are tied, we are doing it for the people of Pennsylvania. What we are doing here is really a backdoor attempt to deprive women of their legal right to an abortion. I know that is not comfortable to speak about in this place, but that is what this is. I would have a lot more respect for folks if we just called it that. If people just said, you know what, I am unhappy if a woman has a legal right in the United States of America, has a legal right to an abortion, and I think we should do everything we possibly can to frustrate that. I would not agree with it, I would vote against it, like I am going to do today, but at least I would have more respect than these ridiculously veiled attempts to hide what many of us like to call an uncomfortable or inappropriate subject.

When the State of Pennsylvania refuses to opt into creating its own exchange, there has been no one who has come forward to give a credible and reasonable explanation of why we must move to insure just this one component of coverage within the exchange is subject to Pennsylvania's purview. I think that what we are doing with House Bill No. 818 is part of a bigger problem in this place, what I like to refer to as a priority problem. We have a priority problem in this building. We are restricting a woman's right to choose, which has been affirmed for over 40 years and continues to be placed above the needs of our children and our workers.

The very fact that we are doing this today, June 5, literally weeks before the date mandated by the Constitution to have the budget passed, weeks before that date, we are sitting here--and again, this is not the first time, Mr. President, for a second time in a second legislative Session we are doing this bill, it was formerly Senate Bill No. 3 and now we are doing it again--every single Session that I have had the privilege of serving in this Chamber, we have attacked women's rights, we have attacked women's rights to reproductive services, and we have attacked poor people. House Bill No. 818 is yet another example. So at least I can say this building is consistent. For that they get an A-plus. The former speaker alluded to this, but I think it is worth mentioning. I believe it is ironic that the other side of the aisle will often suggest that Members like myself are pro-government, support Big Brother. But it is really, I say ironic because the people on the other side of the aisle most of the time, most of the time, vote for bills like this that not only impede the private insurance market from offering the products that the private marketplace already provides for, but legislation that also inserts government's hand into the decisions about a woman's health that should be left to a woman and her physician. Can you imagine what it would be like if the government told men when they could get a prostate exam, who would pay for the prostate exam, or access to ED medication? If men had to go through governmental and legislative hoops to get those types of services, to get access to medical services which are particular to them? I do not think anybody can imagine it because it does not exist. It does not exist. But government, when it comes to this medical issue, when it comes to access to this medical service, government decides, we are going to stick our feet in this, we are going to get involved in this and we are going to tell what women can and cannot do, and we are going to stick our nose into the private marketplace.

We have heard over the course of this debate--and I do want to give credit to both chairmen of the Committee on Banking and Insurance, because despite the seriousness of this issue, at every opportunity both chairmen, but especially the Majority chairman has allowed open and public debate, free debate, has allowed us to air our concerns freely without limitation, and I appreciate the openness that the chairman has always shown on these sensitive issues. I understand that those issues seem to go through that committee, but the professionalism which he shows, I think, is important to allow spirited but open debate, and I want to thank him for that. But throughout this debate, we have heard it suggested that House Bill No. 818 should not be cause for alarm. We should not be concerned about this, that we are merely invoking our State's rights under the ACA to enact this restriction that women will be able to buy insurance riders to cover the cost of abortion outside the exchange, and that it is imperative that we

do not commingle any funding that could potentially go for abortions. We all know that in States where this legislation has been passed, no such rider policy exists, nor will they exist in Pennsylvania. We all know that there would be serious issues if private insurance companies were not able to appropriately separate funds for current Federal and State law. We all know that Federal and State law already explicitly prohibit what supporters say we need House Bill No. 818 for today.

So I submit that these reasons are just disingenuous, these reasons really do not address a problem because, Mr. President, there is no problem. The only problem that exists in this building is a feeling of uncomfortable unease and a desire to change a law or to change what is illegal in the United States of America. Now, I know this bill is going to pass. There is no question about that. So just let me close with this: When you go back and look at what we have done this week, when you go back and open up what I like to refer to as my scrapbook for today, when I look at what I have done, I do not believe today I could be proud of all the votes I have made. Certainly, the transportation bill that I believe is important for the Commonwealth of Pennsylvania, and I was proud to support that. But not here. This is yet another example of looking back and feeling, for lack of a better term, embarrassed. Because today, we did not make people's lives better with this law, we did not help people, but rather, we made it more difficult, more burdensome for women around the Commonwealth of Pennsylvania to exercise their legal right to reproductive services. I will be thinking about that and I hope the people around the Commonwealth who get an opportunity to see this will think about that as well today. What we did today is not about healthcare. It is not about the national healthcare act. It is simply about an issue of abortion and the fact that people do not want to talk about it and they feel extremely uncomfortable with it being allowed and permissible, permissible by the United States Supreme Court. That is what we need to get over in this building. That is what we need to look at and for us to be able to move forward. Until we get over those hang-ups, until we begin to look at these issues for what they are, important issues that affect each and every one of us across the State, we will never be able to move this State where it needs to be moved.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-31

| | | | |
|--------------|------------|-----------|------------|
| Alloway | Erickson | Pileggi | Vulakovich |
| Argall | Folmer | Rafferty | Ward |
| Blake | Gordner | Robbins | Waugh |
| Brewster | Greenleaf | Scarnati | White |
| Browne | Hutchinson | Smucker | Wozniak |
| Brubaker | Kasunic | Solobay | Yaw |
| Corman | McIlhinney | Tomlinson | Yudichak |
| Eichelberger | Mensch | Vogel | |

NAY-19

| | | | |
|---------|---------|---------|------------|
| Baker | Ferlo | Schwank | Vance |
| Boscola | Fontana | Smith | Washington |
| Costa | Hughes | Stack | Wiley |

| | | | |
|----------|---------|-------------|----------|
| Dinniman | Kitchen | Tartaglione | Williams |
| Farnese | Leach | Teplitz | |

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 without amendments.

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

BILL OVER IN ORDER

HB 987 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS LAID ON THE TABLE

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.

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

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.

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

SECOND CONSIDERATION CALENDAR

BILLS REREFERRED

HB 46 (Pr. No. 31) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 2006 (P.L.292, No.65), known as the Organ and Bone Marrow Donor Act, further providing for applicability of act.

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

SB 81 (Pr. No. 1047) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, providing for volunteer mental health services for military families; limiting liability of persons

who hold volunteer licenses and provide mental health services to military families; 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

HB 126, SB 137, SB 546, SB 622 and SB 699 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 700 (Pr. No. 1135) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 6, 1956 (1955 P.L.1414, No.465), known as the Second Class County Port Authority Act, further providing for membership of the authority; and providing for Department of Transportation Regionalization and Privatization Study.

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

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

BILL OVER IN ORDER

SB 706 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL REREFERRED

SB 707 (Pr. No. 712) -- 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 funds of volunteer firefighters' relief associations.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 770 (Pr. No. 1536) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for special registration plates generally and for personal registration plates; providing for personal organization registration plates and for Appalachian Trail organization registration plates; and making editorial changes.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 869, SB 886, HB 891, SB 914, SB 969 and SB 975 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 977 (Pr. No. 1114) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in general powers and duties of the department of public welfare, further providing for county human services consolidated planning and reporting; in human services block grant pilot program, further providing for definitions, for establishment of human services block grant pilot program, for powers and duties of the department, for powers and duties of counties, for allocation and for use of block grant funds.

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

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

BILLS OVER IN ORDER

HB 1124 and HB 1128 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

UNFINISHED BUSINESS
SENATE RESOLUTION ADOPTED

Senators LEACH, WASHINGTON, TEPLITZ, STACK, FONTANA, FARNESE, GREENLEAF, FERLO, ERICKSON, BREWSTER, COSTA, KASUNIC, TARTAGLIONE, BOSCOLA, RAFFERTY, ARGALL, BAKER, YUDICHAK, HUTCHINSON, MENSCH, SCHWANK, PILEGGI and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 155**, entitled:

A Resolution designating June 8, 2013, as "Alex's Lemonade Stand Day" in Pennsylvania and encouraging all citizens to contribute to the Alex's Lemonade Stand Foundation and other pediatric cancer research programs.

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

Senators WARD, BOSCOLA, TARTAGLIONE, WASHINGTON, FERLO, TOMLINSON, ERICKSON, RAFFERTY, FONTANA, BREWSTER, STACK, PILEGGI, ALLOWAY, GREENLEAF, WHITE, SCHWANK, COSTA and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 156**, entitled:

A Resolution commemorating the 13th anniversary of the National Education for Women's Leadership Pennsylvania program.

On the question,
Will the Senate adopt the resolution?

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

Senator WARD. Mr. President, I would like to recognize an important educational program that helps to encourage women to run for elected office in Pennsylvania. The Pennsylvania Center for Women and Politics is a nonpartisan center devoted to fostering women's public leadership through education, empowerment, and action. In 2001, it began the NEW Leadership program, which is an intensive, week-long residential leadership and public policy institute designed to prepare a select group of female students for future political participation. Today, I was pleased to have the opportunity to address the current class of students, share my views and experiences, and meet many of our future female leaders.

Pennsylvania is currently ranked 38th in the nation when it comes to women's representation in government. In this very Senate, only 8 of our 50 Members are female. In the House, only 37 out of 203 total Representatives are female. So altogether, that is 18 percent of the General Assembly. And since women make up 50 percent of the population in this nation, 18 percent is pretty inadequate. To that end, the Pennsylvania Center for Women and Politics at Chatham University offers this National Education for Women's Leadership here in our State. It is my hope that someday, of the 300 women who have participated in that program, we will see greater female representation and participation in the political process in our great Commonwealth. I call on my colleagues to join me in commemorating the 13th anniversary of the NEW Leadership Pennsylvania program and the work of Chatham University's Pennsylvania Center for Women and Politics. Thank you.

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

Senator COSTA. Mr. President, I, too, rise in support of the resolution recognizing the NEW Leadership Pennsylvania, and I have remarks to offer for the record. Thank you.

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

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

Mr. President, this morning, I had the honor of speaking with a group from Chatham University's NEW Leadership PA program. The idea behind the NEW Leadership PA is to educate and empower women and heighten involvement and participation in the political process. In my talk, I explained that we need to encourage more women to participate in government. I believe that if more women were involved, there would be less gridlock and more production from the General Assembly.

We can do more and should do more to encourage women to participate, and I was pleased to talk to the NEW Leadership PA group this morning. I explained that helping change the course and direction of local, Pennsylvania, and national politics is critical and that we need to chart a new direction. Having more women involved is a critical part of that process. I would like to congratulate those women who traveled to Harrisburg and participated in today's discussion and the NEW Leadership PA program. It is a great way to start changing the world. Thank you.

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

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

SB 145 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Senate Bill No. 145, Printer's No. 927, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The bill will be placed on the Calendar.

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 Austin Theodore Stroup by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Hollenbach by Senator Argall.

Congratulations of the Senate were extended to Dr. Kenneth Phillips, Elizabeth Black and to Tracy Lee Talanca by Senator Baker.

Congratulations of the Senate were extended to Sophia Assaf, Kyle Patrick Gray, Amanda Chorba and to Samantha Youngfelt by Senator Blake.

Congratulations of the Senate were extended to Mr. and Mrs. Thomas Francis Berbeck, Andrew S. Brodt and to Horwith Trucks, Inc., by Senator Boscola.

Congratulations of the Senate were extended to Kayli Silimperi, Ryan Alexander Torres and to Brittany Peters by Senator Browne.

Congratulations of the Senate were extended to Alan H. Van Noord by Senators Browne and Farnese.

Congratulations of the Senate were extended to Sharon Christian, Desty Bonstein, Allentown Health Bureau Medical Reserve Corps, Bethlehem Health Bureau Medical Reserve Corps, Lehigh County Emergency Management Community Emergency Response Team and to The Salvation Army of Bethlehem by Senator Browne and others.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Horning, Paul Wise, Denton Miller, Dennis Townsley, Carman Peters, Erika Marie Phillips and to Jeffrey A. Yorty by Senator Brubaker.

Congratulations of the Senate were extended to A. Walter Gill and to Benjamin Williams Hugendubler by Senator Corman.

Congratulations of the Senate were extended to James R. Shannon by Senator Costa.

Congratulations of the Senate were extended to Jason Palubicki and to Natural Lands Trust, Inc., by Senator Dinniman.

Congratulations of the Senate were extended to Natural Lands Trust by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Sikorsky Global Helicopters, PECO of Philadelphia, Communications Test Design, Inc., Whitford Worldwide, Animas/Lifescan, Janssen Supply Group and to Life Transforming Ministries of Coatesville by Senator Dinniman and others.

Congratulations of the Senate were extended to Sergeant Tyler Wood, Rosemary Pardi and to the Malvern Institute by Senator Greenleaf.

Congratulations of the Senate were extended to Sergeant Thomas James Dunlap, Jr., by Senators Greenleaf and McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Ed Kline, Mr. and Mrs. Charles Thurau and to Mr. and Mrs. Victor Beck by Senator Hutchinson.

Congratulations of the Senate were extended to Paulette Seymour-Robinson, Bruce Webb, Cody Wise, William Hart, Richard Sonny Driver, Sonny Hopson and to National Trust for Historic Preservation by Senator Kitchen.

Congratulations of the Senate were extended to Anthony Aaron Alford and to Daniel Parker by Senator Leach.

Congratulations of the Senate were extended to Nicholas Gustav Hendricks by Senator Mensch.

Congratulations of the Senate were extended to Sam's Club of Easton, Sigal Museum, Northampton County Historical and Genealogical Society, Merchants Bank of Easton, Follett Corporation, Leaf Restaurant and Cigar Bar and to Grand Eastonian Suites Hotel by Senator Mensch and others.

Congratulations of the Senate were extended to Chief Michael J. Carroll, Frieda Mary Weingold, Ellen N. Haslett, Lillian T. Moeller and to Valeria H. Pratt by Senator Pileggi.

Congratulations of the Senate were extended to Mr. and Mrs. Clifford McAninch by Senator Scarnati.

Congratulations of the Senate were extended to Logan Gettis by Senator Schwank.

Congratulations of the Senate were extended to Peters Township High School Girls' Lacrosse Team, citizens of Moon Township and to Esmark, Inc., by Senator Smith.

Congratulations of the Senate were extended to Ardelle Virginia Martin Stuart by Senator Smucker.

Congratulations of the Senate were extended to Mr. and Mrs. Rich Roach and to Mr. and Mrs. Howard Crouse by Senator Solobay.

Congratulations of the Senate were extended to the Very Reverend Archpriest Stavrofor Srboljub Jockovic by Senator Teplitz.

Congratulations of the Senate were extended to Redhouse Bagels of Bensalem by Senator Tomlinson.

Congratulations of the Senate were extended to Chief Michael B. Pilla, Jr., by Senators Tomlinson and McIlhinney.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Wiest and to the Greater Carlisle Area Chamber of Commerce by Senator Vance.

Congratulations of the Senate were extended to Kevin Joy, Timothy Kovalesky and to Amber J. Liggett by Senator Vogel.

Congratulations of the Senate were extended to Sister Mary Lois Spinnenweber, Don Hill, Ellen Kline, Robert Nutting, John Meyer, Larry Richert, Robert Bozzuto, Ralph Freedman, Alex Kline, Vincent DeLeonibus and to Jack McCurry by Senator Vulakovich.

Congratulations of the Senate were extended to Gail H. Hannah and to GRA, Incorporated by Senator Washington.

Congratulations of the Senate were extended to Jacob H. Hoover, Jr., and to Tyler Beckman by Senator Waugh.

Congratulations of the Senate were extended to the York County Envirothon Team by Senator Waugh and others.

Congratulations of the Senate were extended to Jack Guastamacchia and to Robert Urban by Senator Yudichak.

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 Jean Stapleton by Senator Alloway.

Condolences of the Senate were extended to the family of the late William Carman by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late James M. Beros by Senator Solobay.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

HB 326, HB 488, HB 515 and HB 784.

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

MONDAY, JUNE 10, 2013

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| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 305, 428, 601, 700, 928 and 977; and House Bill No. 84) | Rules Cmte. Conf. Rm. |
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| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 334; and certain executive nominations) | Rules Cmte. Conf. Rm. |
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PETITIONS AND REMONSTRANCES

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

Senator TEPLITZ. Mr. President, we are privileged here in the Senate and in the entire General Assembly to work with excellent staff every day, who really keep this place moving. I say that not just as a former staff person, but as a new Senator who really has come to rely on the staff we have. One of those key individuals is retiring this week. Chief Richard Shaffer, the chief of the Capitol Police Department, is retiring after 9 years of service this Friday as Superintendent of the Department of General Services, Bureau of Police and Safety, Division of the Capitol Police. I wanted to just remind my colleagues of Chief Shaffer's experience and what he has done during his time here, and read the resolution that Senator Solobay and I presented to Chief Shaffer at his retirement party last week.

He served as the Superintendent of the Division of Capitol Police from November 2003 until the end of this week and was responsible for all operations of the department. He previously

served as Lead State Law Enforcement Coordinator for Pennsylvania's Buckle UP PA initiative from July 2000 to November 2003, and as chief of operations for the United Nations International Police in Bosnia for a 1-year assignment from 1997 to 1998. He also had a distinguished 27-year career with the Harrisburg City Police Bureau from 1970 to 1997, where he rose through the ranks to be appointed chief of police in 1990. During his tenure in law enforcement, Chief Shaffer completed numerous training courses, and was the recipient of many awards that included the Mayor's Award for Public Service Excellence, and the United States Marshals Service 2005 Law Enforcement Officer of the Year award.

The resolution says, in the finest spirit of public service, Chief Shaffer demonstrated exemplary knowledge, ability, and integrity in carrying out his many responsibilities and earned deep respect and gratitude for his tireless devotion to duty. Now therefore, the Senate congratulates Chief Richard Shaffer upon his richly deserved retirement, affirmatively states he served this Commonwealth with distinction, and offers best wishes for a most rewarding future. That is from the resolution that Senator Solobay and I presented to Chief Shaffer last week, but I wanted the repeat it here today so that my colleagues could hear it as well and join me in the next few days in congratulating Chief Shaffer on his service and wishing him well in his retirement. He is too humbled to accept our invitation to appear here in the Senate for a formal goodbye, so I hope that we take the opportunity to do that informally and to thank him for the excellent work that he has done under often challenging circumstances in a very important and critical position to the Senate and to the Commonwealth.

Thank you, Mr. President.

RECESS

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

Senator WAUGH. Mr. President, I move that the Senate do now recess until Monday, June 10, 2013, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 2:20 p.m., Eastern Daylight Saving Time.