

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

TUESDAY, JUNE 11, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 38

**SENATE**

TUESDAY, June 11, 2013

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

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

**PRAYER**

The Chaplain, Reverend Dr. WYLIE W. JOHNSON, Pastor of Springfield Baptist Church, Springfield, offered the following prayer:

Good afternoon. If you would, pray with me.

Almighty God, Your word teaches us that those who hope in the Lord will renew their strength. They will soar on wings like eagles and they will run and not grow weary, they will walk and not be faint. Father, we come before You on behalf of the people of Pennsylvania. We are a people continually in need of the grace and power of God in our lives. We know that without divine assistance and guidance, we cannot effectively do the work of governing.

I ask today for simple but profound gifts for these assembled Senators. First, remind each one daily that we will all answer to You for the goodness, honesty, and righteousness of our actions in this Chamber and beyond; not to cause fear, O Lord, but to give us a perspective of eternity. Secondly, I ask for profound insight in far-reaching solutions into the intractable problems of the day. Third, I ask for Your favor to rest upon each and every Senator, and that favor which results in health, and strength, and vigor for the work ahead. Fourthly, I request that there might be an enduring spirit of cooperation and collegiality that fills this Chamber.

We pray also for the citizens of this Commonwealth, for justice, peace, prosperity, and that each citizen might shoulder the responsibility to care for each other. We pray for the homeless, the dispossessed, the infirm, the sick, and the unemployed, that Your love and care might be their portion. We pray for the protectors of our society - the military, police, fire, and paramedics. Finally, O Lord, as this Chamber moves toward recess in the summer months, grant each one a time of rest and restoration for the labors ahead. I pray all of these things in the Almighty's name. Amen.

The PRESIDENT. The Chair thanks Reverend Johnson, who is the guest today of Senator Erickson.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**MEMBER OF THE COUNCIL OF TRUSTEES OF  
CLARION UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION**

June 11, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Susanne A. Burns, PO Box 626, Clarion 16214, Clarion County, Twenty-first Senatorial District, for reappointment as a member of the Council of Trustees of Clarion University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE PROFESSIONAL STANDARDS  
AND PRACTICES COMMISSION**

June 11, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, David W. Shutter, 2425 Rolling Farms Road, Glenshaw 15116, Allegheny County, Fortieth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2016, and until his successor is appointed and qualified, vice Shauna D'Alessandro, Jefferson Hills, whose term expired.

TOM CORBETT  
Governor

**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 11, 2013

Senators STACK, RAFFERTY, FERLO, BREWSTER, WOZNAK, WAUGH, VULAKOVICH, SOLOBAY, FARNESE and BRUBAKER presented to the Chair **SB 919**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, providing for gaming winnings intercept.

Which was committed to the Committee on JUDICIARY, June 11, 2013.

Senators STACK, WILLIAMS, HUGHES and FARNESE presented to the Chair **SB 948**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, further providing for limitations with respect to the homestead property exclusion.

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

Senators STACK, FARNESE and KITCHEN presented to the Chair **SB 970**, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, further providing for definitions, for taxes on property to be first liens and for municipal claims to be liens; providing for liens on property for delinquent taxes, for attorney fees and costs and for collection of costs and attorney fees associated with tax collection; and further providing for lien to be in favor of municipalities.

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

Senators STACK, FARNESE and KITCHEN presented to the Chair **SB 971**, entitled:

An Act providing for confidentiality of tax information in cities of the first class; and prescribing a penalty.

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

Senator STACK presented to the Chair **SB 972**, entitled:

An Act providing for the attachment and seizure by political subdivisions of funds in certain bank accounts subject to a tax lien in favor of the political subdivision, for the challenge and adjudication of attachments authorized under the act, and for immunity under certain circumstances.

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

Senators STACK and FARNESE presented to the Chair **SB 973**, entitled:

An Act authorizing cities of the first class to require the garnishment of wages of delinquent taxpayers.

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

Senators STACK and KITCHEN presented to the Chair **SB 974**, entitled:

An Act authorizing the Commonwealth and its political subdivisions to utilize a data-matching system for purposes of identifying and seizing the financial assets of delinquent taxpayers and debtors; imposing duties on the Department of Revenue; and providing for civil and criminal immunity under certain circumstances.

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

Senators SCARNATI and WARD presented to the Chair **SB 1013**, entitled:

An Act amending Title 4 (Amusements) of the Pennsylvania Consolidated Statutes, further providing Pennsylvania Gaming Economic Development and Tourism Fund.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 11, 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 11, 2013

**HB 388, 391 and 1359** -- Committee on Finance.

**HB 1122** -- Committee on Urban Affairs and Housing.

**HB 1236** -- Committee on State Government.

**HB 1361 and 1362** -- Committee on Banking and Insurance.

### BILLS REPORTED FROM COMMITTEES

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

**SB 57 (Pr. No. 26)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for exceptions to prohibition of interception and disclosure of communications.

**SB 128 (Pr. No. 1205) (Amended)**

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for the Pennsylvania Commission on Crime and Delinquency; and establishing the Mental Health and Justice Advisory Committee and the Mental Health and Justice Grant Program.

**SB 883 (Pr. No. 980)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in forgery and fraudulent practices, providing for the offense of falsely impersonating recipients of Congressional Medal of Honor.

**HB 25 (Pr. No. 1551)**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, enact-

ing uniform laws on attestation in the areas of unsworn foreign declarations and notarial acts; making editorial changes; making related repeals; and abrogating a regulation.

**HB 82 (Pr. No. 2013) (Amended)**

An Act providing for actions for costs of care of seized animals.

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

**SB 401 (Pr. No. 1192) (Amended)**

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for joint payment for emergency medical services agencies.

**SB 878 (Pr. No. 971)**

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for Medical Care Availability and Reduction of Error Fund and for actuarial data; and providing for conflict.

**HB 108 (Pr. No. 99)**

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for expiration.

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

**SB 862 (Pr. No. 975)**

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for right to freedom from discrimination in employment, housing and public accommodation.

**SB 899 (Pr. No. 1016)**

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for definitions, for statement of financial interests required to be filed and for powers and duties of commission.

**SB 963 (Pr. No. 1107)**

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to dedicate, grant and convey a right-of-way for a roadway situate in East Hanover Township, Lebanon County.

**SB 964 (Pr. No. 1108)**

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 First Capital Equities, Inc., certain land of the Commonwealth of Pennsylvania situate in East Hanover Township, Lebanon County, being a portion of Fort Indiantown Gap lands.

**SB 976 (Pr. No. 1204) (Amended)**

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in uniform military and overseas voters, further providing for definitions, for duties and responsibilities of secretary and for registering to vote.

Senator FOLMER, from the Committee on Education, reported the following bills:

**SB 31 (Pr. No. 1206) (Amended)**

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse and for reporting procedure; and repealing provisions relating to definitions, school employees, administration, investigation, responsibilities of county agency for child protective services and report information.

**SB 78 (Pr. No. 1208) (Amended)**

An Act amending the act of January 25, 1966 (1965 P.L. 1546, No. 541), referred to as the Higher Education Scholarship Law, establishing the Distance Education Program.

**SB 606 (Pr. No. 1207) (Amended)**

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

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

**SB 773 (Pr. No. 1203) (Amended)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Pennsylvania hunting heritage plates; and, in fees, further providing for payments to special funds.

**HB 89 (Pr. No. 744)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for DARE plate and for payments to special funds.

**HB 925 (Pr. No. 1064) (Rereported)**

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge.

Senator MENSCH, from the Committee on Aging and Youth, reported the following bills:

**SB 860 (Pr. No. 1196) (Amended)**

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in children and youth, providing for purpose and for county purchase of services.

**HB 252 (Pr. No. 1128)**

An Act establishing the Pennsylvania Long-term Care Council; providing for its powers and duties; and repealing related provisions of the Public Welfare Code.

**LEGISLATIVE LEAVES**

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Leach and Senator Yudichak.

The PRESIDENT. Senator Costa requests legislative leaves for Senator Leach and Senator Yudichak. Without objection, the leaves will be granted.

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of April 30, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of April 30, 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.

**GUEST OF SENATOR EDWIN B. ERICKSON  
PRESENTED TO THE SENATE**

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

Senator ERICKSON. Mr. President, I have the extreme pleasure to introduce Reverend Dr. Wylie W. Johnson, who is the senior pastor of the Springfield Baptist Church, in Springfield, Pennsylvania. Dr. Wylie Johnson was ordained to the Baptist ministry in 1982, and served 5 years as assistant pastor of First Baptist Church in Metuchen, New Jersey. Following that ministry, Colonel Johnson was commissioned and served 10 years of

ministry in the active U.S. Army Chaplaincy prior to coming to Springfield. His education includes a doctorate of ministry, master of divinity, master of strategic studies, and bachelor of arts. Reverend and Mrs. Johnson celebrated 40 years of marriage, and are blessed with four daughters and four grandchildren.

Colonel Johnson's military ministry spanned more than 25 years, and he is a veteran of five conflicts and a graduate of the Army Senior Service College. Chaplain Johnson served in Honduras, Korea, Qatar, Somalia, Haiti, Germany, Afghanistan, and Iraq, as well as numerous locations in the continental United States. His awards include the Legion of Merit, two Meritorious Service Metals, the Master Parachutist Badge, and the Air Assault Badge.

Reverend Dr. Johnson voluntarily serves as the Springfield Township Police Chaplain, and as Chaplain for the Delaware County Chiefs of Police. He also serves on the executive committee of the Delaware County Suicide Prevention and Awareness Task Force, and is the serving president of the Springfield Ministerium. He is a strong supporter of veterans affairs, and a regular speaker at public events in the region. I ask the Senate to extend its warm welcome to Reverend Dr. Wylie Johnson.

Thank you, Mr. President.

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

(Applause.)

**GUESTS OF SENATOR CHARLES McILHINNEY  
AND SENATOR STEWART J. GREENLEAF  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, on behalf of Senator Greenleaf and myself, I would like to introduce guests Kay Rock, from Doylestown, and her friend, Siri Hurst. Kay and her friend, Siri, won a day at the Capitol through a silent auction fundraiser supporting the Bucks County Choral Society. Kay lives in Doylestown with her husband, Steve, and Siri lives in Lower Moreland Township, in Senator Greenleaf's district. So, please join me in giving them a warm Senate welcome.

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

(Applause.)

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

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

Senator DINNIMAN. Mr. President, it is my honor today to introduce Mr. Steve Silva. Today in the Committee on Education we passed a bill, my bill, that creates what we call Aidan's Law. Mr. Silva lost his child to sudden cardiac arrest. He and his wife, Christy, have devoted their lives to making sure that no other youngster dies of sudden cardiac arrest in this Commonwealth. Today, in the Committee on Education, thanks to the leadership of Senator Folmer, we passed an AED bill, a difibrillator bill, and this bill will save hundreds and hundreds of lives in our public schools. This Saturday in my district, we will have thousands

of people come together to fight the fight to get defibrillators in every school. Steve and his wife have organized events within their district, Mr. President, where doctors come up from A.I. duPont Children's Hospital, and other children's hospitals, so that we can check each child, and we could discover children who would be subjected to sudden cardiac arrest.

So, I ask that we give a warm welcome. Here is someone who, after the loss of his child, dedicated himself in his life to making sure that no child is going to be lost again in this Commonwealth from sudden cardiac arrest. I hope that this bill will pass today, under the leadership of Senator Pileggi, I hope that it will come before this Senate so we can affirm our belief in the value of human life and the life of each and every child within the Commonwealth. Finally, Mr. President, Mr. Silva and his wife are constituents of Senator Rafferty. He teaches in Penncrest High School, which I believe is in Senator Pileggi's district. I ask for a warm welcome and a show of our support for his efforts to make sure that every child in this Commonwealth is protected.

Thank you, Mr. President.

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

(Applause.)

#### **GUESTS OF SENATOR MICHAEL BRUBAKER PRESENTED TO THE SENATE**

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

Senator BRUBAKER. Mr. President, we all know what drives the United States and the Pennsylvania economy, and that is small business. Today, in the gallery, Mr. President, we have Kline's Services located in Salunga, Lancaster County. It is a third generation family-owned business that specializes in commercial wastewater management, residential septic tank cleaning, sewer and drain cleaning for residential customers, and more. What began, Mr. President, with one small septic truck in 1955 has grown to be the premier wastewater management company in the region and, potentially, the country. Their growth has been spectacular. They not only treat their employees well, Mr. President, they not only do great services, but they have recently won an environmental award from our Governor. This business was one of 19 organizations that was involved in 16 very important environmental projects statewide. They ultimately won the award by the not-for-profit Pennsylvania Environmental Council.

Mr. President, seated in the gallery today are Dave Kline, Brian Schreiber, Barb Culton, and Brandon Kline. I ask my colleagues in the Senate to give them the warmest Senate welcome.

The PRESIDENT. Would the guests of Senator Brubaker 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, the Senate Democrats will meet in the rear of the Chamber immediately as well.

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

#### **AFTER RECESS**

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

#### **LEGISLATIVE LEAVES**

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

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

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Washington.

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

Senator Costa requests a legislative leave for Senator Washington.

Without objection, the leaves will be granted.

#### **CALENDAR**

#### **BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

##### **SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 334 (Pr. No. 1143)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in organization, further providing for Chief Justice and president judges; in community and municipal courts, further providing for the Philadelphia Municipal Court and for jurisdiction and venue and providing for hearing officers; and, in traffic courts, further providing for jurisdiction and venue and for the Traffic Court of Philadelphia.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 334?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 334.

On the question,

Will the Senate agree to the motion?

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

Senator PILEGGI. Mr. President, in 1978, the president judge of the Philadelphia Traffic Court was convicted of taking \$32,000 in gifts and bribes. Seven years later, in 1985, 12 people were convicted after prosecutors uncovered a massive ticket-fixing scheme that included more than \$100,000 in illegal pay-offs to traffic court employees. A few years later, in the early 1990s, management of the traffic court was so bad that an article in the Philadelphia Inquirer described it as, quote, "a place where no one can be quite sure what's what and who's in charge," end quote.

Earlier this year, the U.S. Attorney's Office indicted nine current and former traffic court judges, along with three other individuals. The indictment said that, quote, "the defendants participated in a widespread culture of giving breaks on traffic citations to friends, family, the politically connected, and business associates," end quote. Four months ago, the Senate unanimously passed legislation to eliminate the scandal-plagued traffic court in Philadelphia. Today, the situation is so bad that only one of the court's seven judges is still serving. This court has proven to be immune to all reform efforts. It is time, it is past time, to finally do away with this institution.

Senate Bill No. 334 is before us today for concurrence with agreed-upon House amendments. This bill would create a new traffic division in the Philadelphia Municipal Court to handle the responsibilities of traffic court. Hearing officers under the supervision of the court's president judge would handle cases related to traffic violations. When Governor Corbett signs this bill into law, the elections currently scheduled to fill the current vacancies on traffic court will be cancelled and municipal court will immediately begin the process of creating the traffic division. I support the House amendments and ask for an affirmative vote on concurrence in amendments to Senate Bill No. 334.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I stand to salute the Majority Leader, Senator Pileggi, on moving forward with this legislation. I know we started some time ago here in this Chamber, and we are back here on concurrence, but it is sad to make the admission, as a Philadelphian, that this is a court which is beyond saving. There is no doubt that there are many excellent employees and folks who work in traffic court, but with the recent scandals, the indictments, the guilty pleas, it is clear that the people of Philadelphia and the people of Pennsylvania deserve better. In many regards, the key feature was that we needed a transitional phase. It appears to me from Senator Pileggi's legislation that transitioning to a hearing officer model underneath the president judge of municipal court is a workable solution. Nonetheless, we have a court system in Philadelphia that over the years has handled many challenging pieces of litigation and case dockets and has achieved some very positive things. At a time in the past they were overwhelmed and had trouble, it is now one of the best judiciaries in the nation. So, we need to make sure that we do not overwhelm the court system, that we continue to make sure that the municipal court has the resources and the personnel that it needs to do its job effectively now with this additional task of dealing with issues formerly under traffic court.

I am happy that this is a day of reform and moving forward and serving the people of Philadelphia and the people of Pennsylvania. I think it is going to be a better day that we have to look

forward to, and I look forward to working with my colleagues on both sides of the aisle to make sure that Philadelphia has the best judiciary across the board, from traffic court to common pleas, that it can have.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, very briefly, I do not want to reiterate the comments made by my colleagues, and specifically, the comments of Senator Stack. I was one of the first folks to vote for this in the Committee on Judiciary when it first came out. I think that what we are doing today is necessary and a needed reform. But I think at some point after today, we need to put this issue behind us. This should not and cannot be an indictment against the city of Philadelphia or its judiciary. Rather, we must recognize that we have many, many excellent jurists within the city of Philadelphia who take their job very seriously, who take their oath of office, and who dispense justice each and every day under very difficult and trying circumstances. This certainly is a necessary reform. I am proud to support it. I was proud to support it when the Majority Leader introduced it and I thank him for his leadership on this. I hope that as we pass this bill and it becomes law, that we do not and cannot look with disdain or blemish on the city of Philadelphia or its judicial system. We should know, many of us know, many of us understand, that the men and women who serve as jurists in the city of Philadelphia do so at a considerable risk to themselves, taking less pay, sort of cutting themselves off from being able to earn significantly more in the open market. They should be applauded. I think as we move forward here today, we need to put this behind us and make sure that we never forget that the men and women of Philadelphia's judiciary are dedicated and dispense justice in a very fair, ethical, and appropriate manner.

Thank you, Mr. President.

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

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

YEA-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 inform the House of Representatives accordingly.

**THIRD CONSIDERATION CALENDAR**

**BILL AMENDED**

**SB 145 (Pr. No. 927)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 24, 1963 (P.L.1175, No.497), known as the Mechanics' Lien Law of 1963, providing for the definition of "costs of construction"; and further providing for right to lien and amount, for priority of lien and for discharge or reduction of lien on payment into court or entry of security.

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator WARD offered the following amendment No. A1810:

- Amend Bill, page 2, line 1, by inserting after "other":  
construction-related
- Amend Bill, page 2, line 6, by striking out "MECHANICS" and inserting:  
or recorded
- Amend Bill, page 2, line 7, by inserting after "mortgages":  
including mechanics liens, municipal claims.
- Amend Bill, page 3, lines 21 through 29, by striking out all of said lines
- Amend Bill, page 4, line 8, by inserting after "upon":  
a court order issued in response to a
- Amend Bill, page 4, line 16, by inserting a comma after "shall"
- Amend Bill, page 4, line 16, by inserting after "upon":  
a court order issued in response to a
- Amend Bill, page 4, line 17, by inserting a comma after "interest"

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

**BILL OVER IN ORDER**

**SB 150** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 293 (Pr. No. 1730)** -- The Senate proceeded to consideration of the bill, entitled:

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

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.

**The PRESIDING OFFICER (Senator Patricia H. Vance) in the Chair.**

**BILLS OVER IN ORDER**

**SB 303** and **HB 571** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

**BILL AMENDED**

**SB 738 (Pr. No. 1146)** -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator TARTAGLIONE offered the following amendment No. A2126:

Amend Bill, page 2, line 13, by inserting after "definitions).":  
The term shall not include a city natural gas distribution operation.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 739 (Pr. No. 1147) -- The Senate proceeded to consideration of the bill, entitled:

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

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?

LEGISLATIVE LEAVES

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

Senator BROWNE. Madam President, I request temporary Capitol leaves for Senator Pileggi, Senator Rafferty, Senator Smucker, and Senator Brubaker.

The PRESIDING OFFICER. Senator Browne requests temporary Capitol leaves for Senator Pileggi, Senator Rafferty, Senator Smucker, and Senator Brubaker. 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-38

Table with 4 columns: Alloway, Farnese, Rafferty, Vogel; Argall, Ferlo, Robbins, Vulakovich; Baker, Folmer, Scarnati, Ward; Blake, Gordner, Smucker, Waugh; Brewster, Greenleaf, Solobay, White; Browne, Hutchinson, Stack, Wozniak; Brubaker, Kasunic, Tartaglione, Yaw; Corman, McIlhinney, Teplitz, Yudichak; Eichelberger, Mensch, Tomlinson; Erickson, Pileggi, Vance.

NAY-12

Table with 4 columns: Boscola, Fontana, Leach, Washington; Costa, Hughes, Schwank, Wiley; Dinniman, Kitchen, Smith, Williams.

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.

RECONSIDERATION OF SB 738

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

Senator BROWNE. Madam President, I move to reconsider the vote by which Senate Bill No. 738 went over in its order as amended.

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

And the question recurring,

Will the Senate agree to the bill on third consideration, as amended?

RECONSIDERATION OF AMENDMENT A2126

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

Senator BROWNE. Madam President, I move that the vote by which amendment No. A2126 was agreed to be reconsidered.

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

And the question recurring,

Will the Senate agree to the amendment?

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

YEA-49

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

NAY-1

Hutchinson

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

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 928 (Pr. No. 1189) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for contributions by employees; establishing the Service and Infrastructure Improvement Fund; and further providing for the Unemployment Compensation Fund.

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	Wauh
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

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

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION

**HB 84 (Pr. No. 62)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for the purchase of agricultural conservation easements; and abrogating regulations.

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

BILLS OVER IN ORDER

**HB 126** and **SB 137** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON SECOND CONSIDERATION

**SB 305 (Pr. No. 1187)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in other criminal provisions, further providing for supervisory relationship to offenders; and, in Pennsylvania Board of Probation and Parole, further providing for supervisory relationship to offenders.

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

BILL REREFERRED

**HB 326 (Pr. No. 1130)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

**HB 488, HB 515, SB 546, SB 601, SB 622** and **SB 699** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON SECOND CONSIDERATION

**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.

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

BILLS OVER IN ORDER

**SB 706, HB 784, SB 869** and **SB 886** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON SECOND CONSIDERATION

**HB 891 (Pr. No. 1945)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for violations.

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

BILL OVER IN ORDER

**SB 914** -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

## BILL REREFERRED

**SB 969 (Pr. No. 1154)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for electronic delivery of information and posting of policies and endorsements and for risk management and own risk solvency assessment.

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

## BILLS OVER IN ORDER

**SB 975, HB 1124 and HB 1128** -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEE**

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

**SB 994 (Pr. No. 1209)** (Amended)

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.

**SB 995 (Pr. No. 1170)**

An Act establishing the requirements for livery provider liens.

**SB 996 (Pr. No. 1171)**

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

**SENATE RESOLUTION ADOPTED**

Senators SMITH, DINNIMAN, FONTANA, FERLO, TARTAGLIONE, ALLOWAY, RAFFERTY, COSTA, BREWSTER and HUGHES, by unanimous consent, offered **Senate Resolution No. 159**, entitled:

A Resolution recognizing the Borough of Ben Avon Heights on its 100th anniversary.

On the question,  
Will the Senate adopt the resolution?

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

Senator SMITH. Madam President, I rise today to recognize the borough of Ben Avon Heights on its centennial. The name is Scottish for "Hill by the Waters," and that is fitting as the borough is situated on a hill just above the Ohio River, 9 miles from

the city of Pittsburgh. The borough is now home to 148 homes, a community park, and the Shannopin Clubhouse, the only commercial property in Ben Avon Heights. The community is served by the Avonworth School District. Ben Avon Heights is celebrating the 100th anniversary of its founding with several community events, including a golf outing, family picnic, and architectural tours of the community.

The rich community history began in 1906, when Walter P. Fraser of Ben Avon bought 84 acres of the former Taylor farm and used 40 acres to build the Ben Avon Country Club and used the remaining acreage for residential development. The original intent was for the homes to serve as summer homes for Pittsburghers in what was considered at the time a rural area. By 1913, the development had progressed and the borough was incorporated. The Ben Avon Country Club closed in 1917, and the golf course property was divided into additional housing lots. Three years later, Shannopin Country Club opened its clubhouse in the borough and golf course in neighboring Kilbuck Township. The current Ben Avon Heights borough boundaries were finalized in 1936, when a portion of the John Wilson farm was annexed. The community remains a lovely place to live and raise a family.

I respectfully ask my Senate colleagues to join me in supporting this resolution recognizing Ben Avon Heights' centennial.

Thank you, Madam President.

And the question recurring,

Will the Senate adopt the resolution?

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

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Mr. and Mrs. Elmer Gulas, Mr. and Mrs. Joseph Griffin and to the Rotary Club of Hegins-Valley View by Senator Argall.

Congratulations of the Senate were extended to Shane Alexander Hansen by Senator Baker.

Congratulations of the Senate were extended to Jonathon A. Pawlowski by Senator Brewster.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Bird, Mr. and Mrs. Frank Owasiyan and to Mr. and Mrs. Clyde Keener by Senator Brubaker.

Congratulations of the Senate were extended to Thomas J. Comitta, Jr., and to Meridian Bank of Malvern by Senator Dinniman.

Congratulations of the Senate were extended to Surender S. Kohli and to the members and coaches of the Conestoga High School Boys' Tennis Team by Senators Dinniman and Erickson.

Congratulations of the Senate were extended to Ben Stapelfeld by Senator Eichelberger.

Congratulations of the Senate were extended to Richard Avicolti by Senator Farnese.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald Alberta, Mr. and Mrs. Bill Huber and to Mr. and Mrs. Dick Stone by Senator Hutchinson.

Congratulations of the Senate were extended to the citizens of Borough of Belle Vernon, members of the Brownsville Area High School Video Production Class, members of the Brownsville Area High School Students in Action Team and to the members of the Brownsville Area High School Entrepreneurship Class by Senator Kasunic.

Congratulations of the Senate were extended to Brendan Miller by Senators Leach and Dinniman.

Congratulations of the Senate were extended to Bess Risenhoover by Senator Pileggi.

Congratulations of the Senate were extended to Mr. and Mrs. Herb Crosby by Senator Scarnati.

Congratulations of the Senate were extended to Arthur Joseph Arnett, South Fayette High School Girls' Track and Field Team and to the South Park High School Baseball Team by Senator Smith.

Congratulations of the Senate were extended to the Reverend Steven Wetzel, Joseph J. Lynch, Jr., Evette Jones, Marianne Bellesorte and to Diane Mohny by Senator Tartaglione.

Congratulations of the Senate were extended to Mr. and Mrs. Walter Sobczak, Elizabeth Wilson, Darlene L. DeMore, John C. Washington, Elizabeth Stone, Katie Houseman, Lucie Loftus, Grace Wagner and to Rebecca Allen by Senator Teplitz.

Congratulations of the Senate were extended to Thomas DuCharme by Senator Vance.

Congratulations of the Senate were extended to the Abington Health Foundation Women's Board by Senator Washington.

**BILLS ON FIRST CONSIDERATION**

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

The motion was agreed to by voice vote.

The bills were as follows:

**SB 31, SB 57, SB 78, SB 128, SB 401, SB 606, SB 773, SB 860, SB 862, SB 878, SB 883, SB 899, SB 963, SB 964, SB 976, SB 994, SB 995, SB 996, HB 25, HB 82, HB 89, HB 108, HB 252 and HB 925.**

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

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 12, 2013

9:30 A.M.	PUBLIC HEALTH AND WELFARE (public hearing to consider the nomination of Beverly Mackereth as Secretary of Public Welfare; and to consider Senate Bill No. 358; and House Bill No. 602)	Room 461 Main Capitol
10:30 A.M.	LABOR AND INDUSTRY (to consider House Bills No. 26 and 421)	Sen. Maj. Caucus Rm.

THURSDAY, JUNE 13, 2013

10:00 A.M.	SPECIAL EDUCATION FUNDING FORMULA COMMISSION (to consider Special Education Funding in PA)	Hrg. Rm. 1 North Off.
10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the Future of PA's Cities, Large and Small)	York College of PA, Alumni Hall, York, PA

FRIDAY, JUNE 21, 2013

10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the Future of PA's Cities, Large and Small)	Reading Area Comm. College Schmidt Train. & Tech Cntr. Reading, PA
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FRIDAY, SEPTEMBER 13, 2013

2:00 P.M.	GAME AND FISHERIES (public hearing to gather information about: overview of elk herd in PA; elk viewing and economic development; overview of Keystone Elk County Alliance; and 100th Anniversary of the Reintroduction of the Elk Program in PA)	Elk County Visitors Cntr. 134 Homestead Dr., Benezette, PA
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**HOUSE MESSAGES**

**SENATE BILLS RETURNED WITH AMENDMENTS**

The Clerk of the House of Representatives returned to the Senate **SB 470** and **SB 526**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

**BILLS SIGNED**

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President in the presence of the Senate:

**SB 334 and HB 40.**

**RECESS**

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Madam President, I move that the Senate do now recess until Wednesday, June 12, 2013, at 11 a.m., Eastern Daylight Savings Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:25 p.m., Eastern Daylight Savings Time.