

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 17, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 40

SENATE

MONDAY, June 17, 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 RANDY FRIEDMAN, Pastor of North Chester Baptist Church, Chester, offered the following prayer:

Let us pray.

Dear God and Father, we come to You with reverence and humility seeking Your favor and guidance. We read in Kings 1, verse 3:9, that the great King Solomon, when faced with leading his people, sought Your wisdom, knowing that without You, all is done for nothing. Lord, we come to You today with the same request as King Solomon. As these men and women fill their responsibilities in governing this great Commonwealth, we seek Your wisdom and guidance. May this group find grace in Your sight and bring honor, glory, and prosperity to the people they serve. May they find unity and harmony in the administration of their responsibilities as they seek You. May each find peace that passes all understanding as they look to and follow You in the capacity to which they have been called. We thank You in advance for answering our requests, knowing that You, our Father, love us and give us the very best. We pray these things in the precious name of our Lord and Savior, Jesus Christ. Amen.

The PRESIDENT. The Chair thanks Pastor Friedman, who is the guest today of Senator Pileggi.

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
CHEYNEY UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, James H. Raith, 21 Abberly Road, Thornton 19373, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Edward Tomezsko, Media, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

June 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Debora S. Neatock, 4281 Morgantown Road, Mohnton 19540, Berks County, Forty-fourth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Sue Stewart, Adrian, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF CRANE OPERATORS

June 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anthony J. Lusi, Jr., 65 Stratford Avenue, Aldan 19018, Delaware County, Twenty-sixth Senatorial District, for reappointment as a member of the State Board of Crane Operators, to serve until December 8, 2016, or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OCCUPATIONAL THERAPY EDUCATION AND LICENSURE

June 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Edward Mihelcic, Ph.D., OTR/L, 344 North Ninth Street, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years and until his successor is appointed and qualified, vice Andrea L. Mowen, Chambersburg, whose term expired.

TOM CORBETT Governor

MEMBER OF THE STATE HARNESS RACING COMMISSION

June 13, 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, C. Edward Rogers, 200 Westview Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Richard J. Welsh, Wayne, resigned.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF CHIROPRACTIC

June 14, 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, Dr. John E. McCarrin, 605 W. State Street, First Floor, Media 19063, Delaware County, Ninth Senatorial District, for appointment as a member of the State Board of Chiropractic, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Steven Karp, D.C., Garnet Valley, resigned.

TOM CORBETT Governor

JUSTICE, SUPREME COURT OF PENNSYLVANIA

June 14, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Correale F. Stevens, 300 Laurel Professional Building, Hazleton 18202, Luzerne County,

Fourteenth Senatorial District, for appointment as Justice, Supreme Court of Pennsylvania, to serve until the first Monday of January 2016, vice The Honorable Joan Orié Melvin, resigned.

TOM CORBETT Governor

MEMBER OF THE PENNSYLVANIA LIQUOR CONTROL BOARD

June 14, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Tim Holden, 31 Pearl Street, St. Clair 17970, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Pennsylvania Liquor Control Board, to serve until the third Tuesday of May 2016, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick Stapleton, Malvern, resigned.

TOM CORBETT Governor

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

June 14, 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, Gladys M. Brown, Esquire, 2302 Rudy Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Public Utility Commission, to serve until April 1, 2018, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Wayne E. Gardner, Downingtown, whose term expired.

TOM CORBETT Governor

MEMBER OF THE STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

June 14, 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, Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donna Tonrey, Psy.D., LMFT, North Wales, whose term expired.

TOM CORBETT Governor

MEMBER OF THE PENNSYLVANIA
TURNPIKE COMMISSION

June 14, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Sean Logan, 1135 Balkan Drive, Pittsburgh 15239, Allegheny County, Forty-fifth Senatorial District, for appointment as a member of the Pennsylvania Turnpike Commission, to serve for a term of four years or until his successor is appointed and qualified, vice The Honorable J. William Lincoln, Connellsville, resigned.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
GAME COMMISSION

June 17, 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, Timothy S. Layton (District 4), 1308 Cambria Avenue, Windber 15963, Somerset County, Thirty-fifth Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of eight years or until his successor is appointed and qualified, but not longer than six months beyond that period, vice David Schreffler, Everett, 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 17, 2013

Senators FOLMER, EICHELBERGER, TEPLITZ, FERLO, ERICKSON, BRUBAKER, SCHWANK, VULAKOVICH and VANCE presented to the Chair **SB 1001**, entitled:

An Act amending the act of August 21, 1953 (P.L.1323, No.373), known as The Notary Public Law, further providing for application to become notary public.

Which was committed to the Committee on STATE GOVERNMENT, June 17, 2013.

Senators YAW, BOSCOLA, FOLMER, RAFFERTY, ROBINS, VOGEL, BAKER, WAUGH, WHITE, HUTCHINSON, SCHWANK and BRUBAKER presented to the Chair **SB 1010**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for permit for movement during course of manufacture.

Which was committed to the Committee on TRANSPORTATION, June 17, 2013.

Senators FOLMER, YUDICHAK, GREENLEAF, SMUCKER, WHITE, HUTCHINSON, MENSCH and SCHWANK presented to the Chair **SB 1015**, entitled:

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for definitions.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 17, 2013.

Senators BOSCOLA, HUGHES, BROWNE, WAUGH, ALLOWAY, STACK, SCHWANK, SOLOBAY, FARNESE, WOZNIAK, VULAKOVICH, MENSCH, RAFFERTY, BRUBAKER and VANCE presented to the Chair **SB 1016**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for State income tax intercept.

Which was committed to the Committee on JUDICIARY, June 17, 2013.

Senators BOSCOLA, HUGHES, BROWNE, WAUGH, STACK, SCHWANK, FARNESE, SOLOBAY, WOZNIAK, VULAKOVICH, BRUBAKER, MENSCH, ALLOWAY, RAFFERTY and VANCE presented to the Chair **SB 1017**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for lottery winnings intercept.

Which was committed to the Committee on JUDICIARY, June 17, 2013.

Senators CORMAN, WAUGH, RAFFERTY, ERICKSON, ALLOWAY, VOGEL, VULAKOVICH, HUTCHINSON and BREWSTER presented to the Chair **SB 1018**, entitled:

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

Which was committed to the Committee on FINANCE, June 17, 2013.

Senators CORMAN, WAUGH, ALLOWAY, ERICKSON, VOGEL, VULAKOVICH and HUTCHINSON presented to the Chair **SB 1019**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, providing for carryforward of losses by individual taxpayers and further providing for limitation of pass-thru of losses to shareholders.

Which was committed to the Committee on FINANCE, June 17, 2013.

Senators BROWNE, VANCE, RAFFERTY, GREENLEAF, BRUBAKER, TEPLITZ, SMITH, HUGHES, FARNESE and WILEY presented to the Chair **SB 1020**, entitled:

An Act providing for the regulation of indoor tanning facilities; establishing the Indoor Tanning Regulation Fund; and providing for penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 17, 2013.

Senators WHITE, RAFFERTY, WOZNIAK, FOLMER WAUGH, VULAKOVICH and HUTCHINSON presented to the Chair **SB 1021**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for mileage reimbursement and paratransit services for individuals receiving methadone treatment.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 17, 2013.

Senators WHITE, STACK, WOZNIAK, RAFFERTY, WAUGH, GREENLEAF, MENSCH COSTA and BRUBAKER presented to the Chair **SB 1022**, 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.

Which was committed to the Committee on BANKING AND INSURANCE, June 17, 2013.

Senators McILHINNEY, SOLOBAY, FERLO, DINNIMAN, HUGHES, FONTANA, STACK, LEACH, TOMLINSON, SMITH and FARNESE presented to the Chair **SB 1023**, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for the duties of the council, for revised or successor codes and for education and training programs.

Which was committed to the Committee on LABOR AND INDUSTRY, June 17, 2013.

Senators RAFFERTY, FARNESE, SCHWANK, YUDICHAK, HUGHES, ALLOWAY, ERICKSON, VULAKOVICH, FONTANA, SOLOBAY, BREWSTER, WAUGH, PILEGGI and MENSCH presented to the Chair **SB 1024**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for possession of firearm or other dangerous weapon in court facility, for arson and related offenses and for sentences for second and subsequent offenses; and providing for sentencing for arson offenses.

Which was committed to the Committee on JUDICIARY, June 17, 2013.

Senators DINNIMAN, WOZNIAK, TEPLITZ, COSTA, FONTANA, SOLOBAY, STACK, FARNESE, TARTAGLIONE and YUDICHAK presented to the Chair **SB 1026**, entitled:

An Act making an appropriation to the Department of Education to promote activities and services to increase the preparation, enrollment and success of low-income students in postsecondary education.

Which was committed to the Committee on EDUCATION, June 17, 2013.

Senators DINNIMAN, TEPLITZ, FONTANA, RAFFERTY, WOZNIAK, KASUNIC HUGHES, VULAKOVICH, BOSCOLA and TARTAGLIONE presented to the Chair **SB 1027**, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, further providing for definitions and for exceptions for public records.

Which was committed to the Committee on STATE GOVERNMENT, June 17, 2013.

Senators SCHWANK, KASUNIC, TARTAGLIONE and RAFFERTY presented to the Chair **SB 1028**, 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 yearbook pictures.

Which was committed to the Committee on EDUCATION, June 17, 2013.

Senators BOSCOLA, BROWNE, WAUGH, TEPLITZ, SOLOBAY, SCHWANK, WOZNIAK, VULAKOVICH, ARGALL, FOLMER, RAFFERTY, ALLOWAY, BRUBAKER and VANCE presented to the Chair **SB 1029**, entitled:

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

Which was committed to the Committee on JUDICIARY, June 17, 2013.

Senators CORMAN, FOLMER, SCARNATI, ROBBINS, SMUCKER, MENSCH, WARD, WAUGH and BRUBAKER presented to the Chair **SB 1030**, entitled:

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

Which was committed to the Committee on EDUCATION, June 17, 2013.

RESOLUTION INTRODUCED AND REFERRED

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

June 17, 2013

Senators KITCHEN, COSTA, FERLO, DINNIMAN, STACK, WAUGH, ALLOWAY, WOZNIAK, WASHINGTON, FONTANA, ERICKSON, RAFFERTY, FARNESE, YUDICHAK, GREENLEAF, BRUBAKER, SMITH, HUTCHINSON, SOLOBAY, TARTAGLIONE and BAKER presented to the Chair **SR 161**, entitled:

A Resolution urging the Congress of the United States to commend Korean-American veterans of the Vietnam Conflict for their valor and loyal service to the United States.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 17, 2013.

HOUSE MESSAGE

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 13, 2013

HB 1075 -- Committee on Public Health and Welfare.
HB 1437 -- Committee on Appropriations.

June 14, 2013

HB 1141 -- Committee on Education.
HB 1319 and **1363** -- Committee on Urban Affairs and Housing.
HB 1325 -- Committee on Environmental Resources and Energy.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator McIlhinney and Senator White, and legislative leaves for Senator Tomlinson and Senator Ward.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Smith, and a legislative leave for Senator Yudichak.

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator McIlhinney and Senator White, and legislative leaves for Senator Tomlinson and Senator Ward.

Senator Costa requests a temporary Capitol leave for Senator Smith, and a legislative leave for Senator Yudichak.

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, June 17, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 24, 2013, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 24, 2013, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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.

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

LEGISLATIVE LEAVE CANCELLED

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

GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, today, I have the pleasure of introducing Miranda and Matthew Irons from Warren, Pennsylvania, who are members of the Watson Grange and have been awarded the Grange Loyalty Title, Grange's Young Couple. Matt teaches science courses to grades 9-12 at Tidioute Community Charter School. Miranda works in the special assets department at the Northwest Savings Bank. As a reigning young couple, they travel to Grange events throughout the state to promote Pennsylvania Grange membership and involvement in local and statewide activities. They both enjoy reading, spending time with friends and family, and volunteering in their community. Would the Senate join in welcoming my special guests.

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

(Applause.)

GUEST OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, it is a real honor to introduce a member of the Pennsylvania State Grange royalty from the 48th Senatorial District, Ashley Mohn. She serves as a Grange Youth Ambassador. The Grange, by the way, is a great support organization of our number-one industry in the State, agriculture. Please welcome Ashley to the State Senate.

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

(Applause.)

GUEST OF SENATOR MICHAEL W. BRUBAKER PRESENTED TO THE SENATE

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

Senator BRUBAKER. Mr. President, I have a very special young lady in the gallery today. She is an intern in my district

office, where she is doing a terrific job. Her name is Jenna Gessey, and she is currently attending Shippensburg University, majoring in political science. She also plays on the tennis team, and is visiting the State Capitol all day today to observe how we do the people's business. Mr. President, I ask for a warm welcome, please.

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

(Applause.)

GUESTS OF SENATOR DOMINIC F. PILEGGI PRESENTED TO THE SENATE

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

Senator PILEGGI. Mr. President, it is my pleasure this afternoon to introduce the Senate Chaplain today, Pastor Randy Friedman, of the North Chester Baptist Church in my hometown of Chester, Delaware County. Pastor Friedman is a graduate of Cairn University of Langhorne and has been senior pastor of the North Chester Baptist Church since 1998. He is joined today by his wife, Pam, who is seated in the gallery. Pam is a nurse's assistant at the Christian Academy in Brookhaven. Also seated in the gallery is their son, Josh, who just graduated from the Thaddeus Stevens School of Technology in Lancaster; and friend, Hannah Shive, a junior at the Christian Academy in Brookhaven. Mr. President, I ask that we extend our usual warm welcome to our guests.

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

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, I am really delighted today to introduce my guests who won a lunch with me today and a tour of the Capitol by making a contribution to our community. They have been lifelong contributors to our community in many ways. Barry and Linda Strain started dating when they were only 15 and 16 years old, and now this year they celebrate 34 years of marriage. They are the proud parents of two children, and they have three beautiful grandchildren. They are both active in their community, where each of them is self-employed. Barry is the owner of Barry J. Strain, Inc., a home-remodeling business since 1978. Linda has been a full-time realtor in the Exeter Township area, where she works as a team with her son in the business. Linda is also a current board member of the Exeter Community Library. They both love to travel, garden, cook, and play cards. And it sounds like they are pretty serious card players too, since they are attempting to earn a spot in the World Series of Poker main event. I ask that you join me in welcoming Barry and Linda Strain to the Senate today.

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

(Applause.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Agriculture and Rural Affairs also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meetings of the Committee on Appropriations and the Committee on Agriculture and Rural Affairs, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, followed by a meeting of the Committee on Agriculture and Rural Affairs, followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Smith, Senator McIlhinney, and Senator Tomlinson have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVE

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

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

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator White.

Senator Costa requests a temporary Capitol leave for Senator Stack.

Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL AMENDED

SB 150 (Pr. No. 342) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

On the question,
Will the Senate agree to the bill on third consideration?
Senator PILEGGI offered the following amendment No. A2186:

Amend Bill, page 9, line 15, by striking out "collected at" and inserting:

submitted from individuals upon

Amend Bill, page 9, lines 16 through 22, by striking out all of lines 16 through 21 and "(4)" in line 22 and: inserting:

(2)

Amend Bill, page 9, line 22, by striking out "ethnicity,"

Amend Bill, page 9, line 23, by striking out "collected at" and inserting:

submitted upon

Amend Bill, page 9, line 23, by inserting after "and":
the age, race and sex of those convicted from whom DNA samples were submitted

Amend Bill, page 9, line 25, by striking out "(5)" and inserting:

(3)

Amend Bill, page 9, line 27, by striking out "(6)" and inserting:

(4)

Amend Bill, page 9, line 29, by striking out "(7)" and inserting:

(5)

Amend Bill, page 9, line 30, by inserting a period after "Base"

Amend Bill, page 9, line 30; page 10, lines 1 through 4, by striking out "by request, by" in line 30 on page 9, all of lines 1 through 3 and "(8)" in line 4 on page 10 and inserting:

(6)

Amend Bill, page 10, line 4, by striking out "collection" and inserting:

receipt

Amend Bill, page 10, line 8, by striking out "(9)" and inserting:

(7)

Amend Bill, page 25, lines 2 through 5, by striking out all of said lines and inserting:

(4) The State Police shall publish information regarding the eligibility requirements for expungement under this section and the steps necessary to obtain an expungement under this section on the State Police's publicly available Internet website. The State Police shall publish the information in at least two commonly accessible formats, such as HyperText Markup Language and Portable Document Format.

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

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

YEA-48

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

NAY-2

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

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

AMENDMENT OFFERED

Senator WILLIAMS offered the following amendment No. A2062:

Amend Bill, page 7, lines 11 through 22, by striking out all of said lines

Amend Bill, page 15, line 30, by inserting after "sample.":

Blood samples may only be drawn from a person arrested for criminal homicide, a felony sex offense or other specified offense or an arrestee under a warrant issued by a judicial officer.

Amend Bill, page 16, lines 25 through 27, by striking out "Quality"

Assurance" in line 25 and all of lines 26 and 27 and inserting :
 [.] Quality Assurance Standards for forensic DNA testing laboratories and DNA data basing laboratories and CODIS policies and procedures. DNA samples from arrestees may not be placed in the DNA data base until the arrestee has received a preliminary arraignment.

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Ward has returned, and her legislative leave is cancelled.

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

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

Senator WILLIAMS. Mr. President, for the Members who may actually support this particular piece of legislation, I am offering this amendment, and I am not necessarily supportive of the bill, but to be fair, if they are concerned about this legislation being able to be implemented in Pennsylvania, there is a ruling from the highest court in the land, the U.S. Supreme Court, in *Maryland v. King* in 2013 which provided specific parameters. According to this latest Supreme Court opinion, once an individual has been arrested on probable cause for a dangerous or serious offense, they may require detention before trial, and his or her expectation of privacy under the Fourth Amendment is reduced. In this context, a cheek swab is not a major intrusion into one's body, which would otherwise trigger a stronger Fourth Amendment protection, i.e., searches such as blood tests would, indeed, be intrusive, needing additional Fourth Amendment protections like a warrant. So for those who are supportive of this particular bill, they should understand the following: in section 7 of this bill, it allows for the intrusion of a blood test. This amendment fixes that and basically removes that from the bill. It would require a search warrant in order to draw blood for a DNA sample. It also prohibits a DNA sample from being entered into a DNA database until after the preliminary hearing. And understand, there will be people who will be arrested and swabbed, will never be tried, and will certainly never be convicted.

These areas of concern, or cautionary details, have already been described and prescribed by the highest court of the land under *Maryland v. King*. So, this amendment, while there are those who can earnestly believe in it and want to support it, this is, in fact, a protection to refine the bill so that it does exactly what the author does, and that would allow for a swab upon arrest but does not allow for the withdrawing of blood in this DNA process.

Thank you, Mr. President.

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

Senator PILEGGI. Mr. President, I have the greatest respect for my friend from Philadelphia County, and I reluctantly rise to ask for a negative vote on his amendment. His amendment does three different things, none of which are required by the latest opinion of the Supreme Court of the United States. The first, and probably the most troublesome, is to remove from the offenses

that would trigger a collection of DNA identification information and material from all misdemeanors. Some of the misdemeanors that were included in the underlying bill, Senate Bill No. 150, included misdemeanors that require registration as a sex offender. So if we accept this amendment, we can have individuals who are arrested for an offense that would require that individual to register as a sex offender, yet, at no time prior, no time in that process would that offense trigger the collection of DNA evidence. I would think everyone would reasonably agree that that is exactly the kind of offense that we want to collect DNA evidence for.

A couple of other examples of offenses that would be eliminated from the list of offenses for which DNA identification material would be collected are simple assault of a child under the age of 12 by an adult over the age of 21, an offense that carries a maximum sentence of 5 years' imprisonment; unlawful restraint; criminal trespass on school grounds; concealing the death of a child; trading, bartering, buying, selling, or dealing in infant children. If this amendment is accepted, all of those misdemeanors would be misdemeanors for which DNA evidence would not be collected. I have to assume that that is an unintended consequence of the amendment. I cannot imagine anyone who would support that position.

In addition, the amendment deals with blood sampling, which is really outside of the scope of the bill. It is in the underlying legislation that deals with collection of DNA samples post-conviction. My bill deals with the swab technique post-arrest. And lastly, it changes the time of collection from post-arrest to post-preliminary arraignment. The Supreme Court decision, as I read it, talks about the value of having that evidence and having the DNA collection prior to a bail setting hearing, which in Pennsylvania occurs post-arrest, not post-preliminary arraignment. For those reasons, Mr. President, I urge a negative vote on the amendment.

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

Senator WILLIAMS. Mr. President, indeed, while there are lists of scary people out there who certainly should not be in the public domain, I will confess, I am not an attorney and if there are unintended consequences, then look to the Supreme Court for those unintended consequences. It is their opinion that outlined probable cause for a serious or dangerous offense, it is not the Senator from Philadelphia County. It is not the Senator from Philadelphia County who has looked beyond the obvious, and that is, on occasion, would likely capture the innocent or the guilty in the process of when they are actually doing something that they should not be doing. But that has nothing to do with any of this in offering this amendment. Again, I return to if one is most concerned about these very dangerous people being amongst us and wanting this bill to fly through the Senate, through the House of Representatives, be signed into law by the Governor, as I am sure it will be, and then no longer being challenged by one person or another, which it will be, which will return us to refine this bill in its best and most appropriate practice, then I would turn to not me as a lay person and certainly not to my friend from Chester County, who has a lot more knowledge of the law than I do, but to the Supreme Court of this country that determines those categories of scary people that he talked about, in fact, constructed the moment for this amendment to be introduced. Further, I would also remind the gentleman that we

are not denying the ability to collect this data. We are talking about when the data is introduced or the information is introduced to the database.

So, while we understand, again, that there is a comment to be made about using this information in the database, which those who will be voting for the bill will fully support, this has nothing to do with that. This simply says that if you are arrested in Pennsylvania and released without prosecution or without being put in front of a judge or anything of that standard, that means a police officer on a given day can arrest you, make a decision, take you to the station, not process you, free you, that means in this country that you should be allowed to walk around, frankly, without Big Brother being a part of it.

So with all due respect, there are certainly people who may fall into that category that, unfortunately, may be arrested that surely should not have ever been arrested for any issue of that moment. Now, I am certainly not saying my view of this is perfect and that there are some people that you may miss in that process because you cannot capture it, but this is a country of laws and the U.S. Supreme Court has spoken, written an opinion, and by the way has extracted from the State. I do not think that Pennsylvania needs to go down that road. So while I agree with that list of dangerous individuals and those scary set of circumstances, I frankly cannot take that level of responsibility any higher than the Supreme Court of the country.

Thank you, Mr. President.

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

Senator PILEGGI. Mr. President, just briefly, I think maybe some of our disagreement on the meaning of the *Maryland v. King* opinion is at the root of our differing opinions on the proposed amendment. The Maryland case deals with a Maryland statute which was before the court. But the opinion is not limited to the facts of the Maryland statute. There are 28 States that have post-arrest collection of DNA evidence. Of course, the Federal government does the same and the holding of the case is much broader than the Maryland statute upon which the analysis revolves. We are holding cases at the end of the opinion of the court in its brief, and I would just read it so everyone is clear (Reading:)

"When officers make an arrest supported by probable cause to hold for a serious offense..."--**notice they did not say a serious offense which is a felony, but a serious offense**--"...and they bring the suspect to the station to be detained in custody, taking and analyzing a cheek swab of the arrestee's DNA is, like fingerprinting and photographing, a legitimate police booking procedure that is reasonable under the Fourth Amendment."

That is the holding of the case, Mr. President. I ask for a negative vote on the amendment.

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

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

YEA-23

Blake	Ferlo	Schwank	Washington
Boscola	Fontana	Smith	Wiley
Brewster	Hughes	Solobay	Williams

Costa	Kasunic	Stack	Wozniak
Dinniman	Kitchen	Tartaglione	Yudichak
Farnese	Leach	Teplitz	

NAY-27

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

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

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

BILLS OVER IN ORDER

SB 303, SB 305 and SB 546 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

HB 571 (Pr. No. 633) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 571 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that House Bill No. 571, Printer's No. 633, 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.

BILL AMENDED

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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator VULAKOVICH offered the following amendment No. A2207:

Amend Bill, page 3, lines 7 through 12, by striking out all of said lines and inserting :

(3) Four members appointed by the county executive of the county where the authority is located composed of the following:

(i) Two appointees of the county executive of the county where the

authority is located.

(ii) Two appointees who are recommended by the organizations in subsection (g) by the county executive of the county where the authority is located subject to confirmation by a majority vote of the members of the county council.

(4) Two appointees who are recommended by the organizations in subsection (g) by the caucus of county council members in the county where the authority is located who are not of the same political party affiliation as the county executive.

Amend Bill, page 4, lines 3 through 30; page 5, lines 1 through 3, by striking out all of lines 3 through 30 on page 4, all of lines 1 and 2 and "(i) Appointees must be residents of this Commonwealth" in line 3 on page 5 and: inserting

(f) A member appointed by the county executive and county council shall serve an initial term as follows to be immediately followed thereafter by a four-year term:

(1) The appointees under subsection (c)(3)(i) shall serve an initial term of two or three years as designated by the county executive.

(2) The appointees under subsection (c)(3)(ii) shall serve an initial term of two years.

(3) The appointees under subsection (c)(4) shall serve an initial term of one year.

(g) The appointments made by the county executive under subsection (c)(3)(ii) and the appointments made by the caucus of county council members under subsection (c)(4) shall be made in accordance with the following:

(1) The county executive and the caucus of county council members shall select from a list of recommendations submitted by each of the following organizations to the appropriate appointing authority:

- (i) The Allegheny Conference.
- (ii) The Southwest Planning Commission.
- (iii) The Allegheny Council of Governments.
- (iv) The Committee for Accessible Transportation.

(2) The caucus of county council members shall be granted the first and fourth selections under this subsection.

(3) The county executive shall be granted the second and third selections under this subsection.

(4) The county executive and the caucus of county council members shall coordinate their appointments to ensure that all of the organizations listed under paragraph (1) are represented simultaneously on the board.

(h) Except for an appointee under subsection (c)(1) who shall be a resident of this Commonwealth, appointees shall be residents of the county where the authority is located

Amend Bill, page 5, line 6, by striking out "(j)" and inserting :

(i)

Amend Bill, page 5, line 9, by striking out "(k)" and inserting :

(i)

Amend Bill, page 5, line 11, by striking out "(l)" and inserting :

(k)

Amend Bill, page 5, line 13, by striking out "(m)" and inserting :

(l)

Amend Bill, page 6, line 16, by striking out "(n)" and inserting :

(m)

Amend Bill, page 6, line 21, by striking out "department" and inserting :

Department of Transportation

On the question,

Will the Senate agree to the amendment?

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

Senator VULAKOVICH. Mr. President, I offer my written remarks for the record.

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

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

Mr. President, Senate Bill No. 700, introduced by Senator Scarnati, restructures the Port Authority Transit (PAT) Board. I commend the President pro tempore for taking leadership on this issue. Over the past few years, several bills have been introduced which would change the configurations of the Port Authority board. Today's amendment represents an agreement between Leadership on both sides of the aisle, and I thank my fellow Senators from Allegheny County for working with Senator Scarnati and me. This legislation keeps local control by providing State appointments (Governor and four legislative leaders) just like the SEPTA Board in southeast Pennsylvania. Under current law, the county executive appoints all Port Authority board members. Many stakeholders agree that no one person has complete control of an entire board such as this. As such, this amendment would provide the county executive four picks, and the minority party on County Council with two picks. Two of the picks by the County Executive and the two picks by the County Council would be comprised of recommendations by the Allegheny Conference, the Allegheny Council of Governments, the Committee for Accessible Transportation, and the Southwest Planning Commission. Given the ever-increasing amount of funding the State contributes to the Port Authority, it is appropriate for State officials to have a voice on the board. It is also important that local influence on the board be attained from a diverse group of individuals. This proposal would allow various stakeholders a seat at the table in an effort to govern the Port Authority in the most efficient manner possible.

Lastly, and maybe of most importance, is the language that all appointees have expertise or substantial experience in budgeting, finance, economic development, transportation, or mass transit operations.

Mr. President, I ask for an affirmative vote.

And the question recurring,

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

HB 891 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 963 (Pr. No. 1107) -- 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 dedicate, grant and convey a right-of-way for a roadway situate in East Hanover Township, Lebanon County.

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.

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

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.

HB 987 (Pr. No. 1151) -- The Senate proceeded to consideration of the bill, entitled:

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

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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND CONSIDERATION CALENDAR

BILLS ON SECOND CONSIDERATION AND REREFERRED

HB 25 (Pr. No. 1551) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, enacting uniform laws on attestation in the areas of unsworn foreign declarations and notarial acts; making editorial changes; making related repeals; and abrogating a regulation.

Considered the second time and agreed to,

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

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

HB 26 (Pr. No. 1944) -- 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 second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 31, HB 126, SB 128 and HB 252 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 358 (Pr. No. 281) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring the notification of breast density to patients who receive a mammogram.

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

SB 379 (Pr. No. 302) -- 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, adding provisions relating to medical professional liability insurance; and further providing for the expiration of children's health care provisions.

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

SB 401 (Pr. No. 1192) -- 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 joint payment for emergency medical services agencies.

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

BILLS OVER IN ORDER

HB 421, HB 488, HB 515, SB 601, HB 602, SB 606, SB 622 and SB 699 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 706 (Pr. No. 711) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 773 (Pr. No. 1203) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

SB 860, SB 862, SB 869, SB 878, SB 883, SB 886, SB 899, HB 925, SB 975, SB 976, SB 994, SB 995 and SB 996 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES

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

SB 1003 (Pr. No. 1179)

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in food protection, further providing for registration of food establishments.

Senator CORMAN, from the Committee on Appropriations reported the following bills:

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

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 137 (Pr. No. 1240) (Amended) (Rereported)

An Act amending the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act, further providing for title of act, for short title, for declaration of policy, for definitions, for creation of board, appointment and term of members and officers, for powers and duties of board, for license required and persons and practices not affected and exclusions, for requirements for licensure and for application and fees; providing for certification for audiologists using intraoperative monitoring; further providing for examinations, for refusal to issue and revocation, for requirement of a medical examination, for renewal fees and records, for limitation of renewal time and new license and for certification to the board; providing for use of title; and further providing for enforcement of certification to board, for impaired professionals, for penalties, for injunction against lawful practice and for appropriation.

SB 391 (Pr. No. 433) (Rereported)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for expungement of criminal history record.

SB 428 (Pr. No. 359) (Rereported)

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

SB 437 (Pr. No. 1241) (Amended) (Rereported)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in teacher certification, providing for military science certificates.

SB 1002 (Pr. No. 1178)

An Act providing for the capital budget for the fiscal year 2013-2014.

HB 326 (Pr. No. 1130) (Rereported)

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 493 (Pr. No. 771)

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions, for legislative procedures, for reports related to redevelopment assistance capital projects and for appropriations and limitations on projects; providing for review of proposals; and further providing for funding and administration of projects.

HB 1124 (Pr. No. 2061) (Amended) (Rereported)

An Act amending Title 7 (Banks and Banking) of the Pennsylvania Consolidated Statutes, further providing for definitions, for license requirements, for exceptions to license requirements, for general requirements, for mortgage loan business prohibitions, for requirements as to open-end loans, for application for license, for prelicensing and continuing education, for licensee requirements, for licensee limitations, for surrender of license, for authority of department, for suspension, revocation or refusal, for penalties, for applicability and for procedure for determination on noncompliance with Federal law.

HB 1437 (Pr. No. 2003)

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2013, to June 30, 2014, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund and the Energy Conservation and Assistance Fund, to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2013, to June 30, 2014; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2013, to June 30, 2014, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2013; and to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2012, to June 30, 2013, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2013.

SENATE RESOLUTIONS ADOPTED

Senator ALLOWAY, by unanimous consent, offered **Senate Resolution No. 162**, entitled:

A Resolution recognizing the "Wear It Pennsylvania" campaign during the 2013 boating season to increase life jacket wear while boating in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ALLOWAY. Mr. President, I rise to offer this resolution recognizing the "Wear It Pennsylvania" campaign during the 2013 boating season to increase life jacket wear while boating in Pennsylvania. More Pennsylvanians than ever are heading to the waterways for recreation and relaxation. Boating has become the Commonwealth's premier recreational activity as people discover the Keystone State's wonderful waterways, from wilderness canoeing on the Clarion River to deep-water boating on the Delaware River to exhilarating white water rafting on the Youghiogheny River. Safe boating practices and boating safety education are more important than ever. Whether enjoying water sports for the first time or carrying on longstanding nautical traditions, all boaters need to start the season with the basic knowledge and skills required to insure their own safety and the safety of their fellow Pennsylvanians who take to the water.

The slogan "Wear It Pennsylvania" is designed to raise public awareness of the importance of the life jacket. Life jackets are the most important piece of equipment on any boat. In fact, nearly 80 percent of boating fatalities in Pennsylvania were not wearing a life jacket at the time of the incident. Lives could be saved each year by the simple act of wearing life jackets. And life jackets are more comfortable, more attractive, and more wearable than styles in the past, and the law requires that a wearable life jacket be carried for each person on the boat.

Please join me in supporting the goals of Wear It Pennsylvania and recognize this year's boating season as the start of the year-round effort to promote safe boating in Pennsylvania.

Thank you, Mr. President.

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

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

Senators DINNIMAN, FERLO, KASUNIC, WASHINGTON, BOSCOLA, MENSCH, RAFFERTY, FARNESE, FONTANA, TARTAGLIONE, BREWSTER, YUDICHAK, GREENLEAF, HUGHES, HUTCHINSON, SCHWANK, PILEGGI, SOLOBAY COSTA, VULAKOVICH and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 163**, entitled:

A Resolution designating the week of July 21 through 27, 2013, as "Probation, Parole and Community Supervision Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, each year, I rise to present this resolution because we need to be grateful and recognize those who are involved in the supervision of people on parole and people doing community service. We have far too many people in jail and our jails cannot even hold the numbers that we have. As more people go into the parole system, we need to recognize and thank those who do the difficult and hard work of getting people from the period of crime to a period of rehabilitation, and having them again become active and productive citizens of our community.

So, Mr. President, I ask that we pass this resolution to recognize the fine work that is being done by our parole officers of the Commonwealth.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Travis W. Hoshauer and to the Wanamaker, Kempton and Southern Railroad by Senator Argall.

Congratulations of the Senate were extended to Jason Michael Montemuro by Senators Argall and Yudichak.

Congratulations of the Senate were extended to Gloria Nwabueze by Senator Brubaker.

Congratulations of the Senate were extended to John Rodgers, Jr., by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Albert Frank Lepovsky, Sr., Mr. and Mrs. Richard Bell and to Mr. and Mrs. Bob Muse by Senator Hutchinson.

Congratulations of the Senate were extended to Joseph Fink and to Adam Michael Stevens by Senator Schwank.

Congratulations of the Senate were extended to Mr. and Mrs. Walter S. Johnson, Anthony L. Colaizzo, Arthur Maughan and to the Canon-McMillan High School Softball Team by Senator Solobay.

Congratulations of the Senate were extended to Nancy Minor by Senator Tartaglione.

Congratulations of the Senate were extended to Julie Beveridge and to Rebecca M. Cole by Senator Teplitz.

Congratulations of the Senate were extended to Mr. and Mrs. James Hart, Sarah Lamade and to Curt Jewett by Senator Yaw.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late John J. Brodbeck by Senator Alloway.

Condolences of the Senate were extended to the family of the late Percy C. Trumbower III by Senators Dinniman and Brubaker.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 1002, SB 1003, HB 493 and HB 1437.

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 17, 2013

Off the Floor	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bill No. 1003)	Rules Cmte. Conf. Rm.
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 57, 137, 267, 391, 428, 437, and 1002; and House Bills No. 108, 326, 493, 1124 and 1437)	Rules Cmte. Conf. Rm.

TUESDAY, JUNE 18, 2013

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bill No. 946 and House Bills No. 34 and 1325)	Senate Maj. Caucus Rm. 156
10:00 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 497 and 931; and House Bills No. 1223, 1225 and 1229)	Room 8E-A East Wing
10:00 A.M.	TRANSPORTATION (to consider Senate Bills No. 332, 676, 984 and 1010)	Room 8E-B East Wing
11:30 A.M.	JUDICIARY (to consider House Bills No. 22, 513 and 1217)	Room 8E-B East Wing
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 526; and certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, JUNE 19, 2013

9:00 A.M.	EDUCATION (to consider Senate Bills No. 871 and 1030; and House Bill No. 1141)	Senate Maj. Caucus Rm.
9:30 A.M.	FINANCE (to consider Senate Bills No. 456 and 922; and House Bills No. 1172 and 1359)	Room 8E-A East Wing
9:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider House Bill No. 1122)	Room 461 Main Capitol

FRIDAY, JUNE 21, 2013

10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the Future of PA's Cities, Large and Small)	Greater Reading Chamber of Com. & Ind. Wyomissing
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TUESDAY, JUNE 25, 2013

11:15 A.M.	JUDICIARY (public hearing to discuss Senate Bill No. 848, antitrust)	Rm. 8E-B East Wing
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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 Ctr. 134 Homestead Dr., Benezette, PA
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PETITIONS AND REMONSTRANCES

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

Senator WASHINGTON. Mr. President, as you already know, the Department of Public Welfare reported that last year Pennsylvania received more reports of child abuse than any other year on record. This report is startling and highlights the need for us to do more to protect our kids. A child protection legislative package will allow us to streamline our reporting and responses, help to provide resources to victims and their families, and punish those who harm our children. But, before we move forward with the hassling penalties for abusers, we need to be able to define child abuse in a clear fashion while still allowing parents to be parents.

The Committee on Aging and Youth held a hearing to discuss my legislation, Senate Bill No. 20, which provides a common-sense, revenue-neutral approach to defining child abuse. I know that there are a lot of people who really care about protecting our children, and I got so much out of the testimony from those who are on the front lines of fighting child abuse. While I was encouraged to see that Senate Bill No. 34 and Senate Bill No. 46 have already passed, we need to help the momentum by passing my bill and the rest of the child abuse protection package. Remember, one child abuse victim is one too many. We must work toward making Senate Bill No. 20 and the rest of the child protective package bills law, and the time is now. Let us get this done.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, June 18, 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 5:38 p.m., Eastern Daylight Saving Time.