

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

THURSDAY, JUNE 20, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 43

**SENATE**

THURSDAY, June 20, 2013

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

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

**PRAYER**

The following prayer was offered by the Secretary of the Senate, Hon. MEGAN TOTINO CONSEDINE:

Let us pray.

Good and loving God, source of every grace and blessing, we bring You thanks this day for the many gifts You have given us. We seek to be good stewards, Lord. Bless us as we gather here to share Your gifts. Send us Your spirit and be present among us, in the mouth of all who speak, in the ears of all who listen, at the heart of all we say and do. Amen.

The PRESIDENT pro tempore. The Chair thanks Secretary Consedine for the prayer today.

**PLEDGE OF ALLEGIANCE**

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

**BILLS INTRODUCED AND REFERRED**

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

June 20, 2013

Senators KASUNIC, FONTANA, TARTAGLIONE, BOSCOLA, WOZNAK, KITCHEN, STACK, GREENLEAF, ERICKSON, FARNESE, SOLOBAY, RAFFERTY, WAUGH, BREWSTER, EICHELBERGER and BRUBAKER presented to the Chair **SB 1031**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for joint tenancy.

Which was committed to the Committee on FINANCE, June 20, 2013.

Senators PILEGGI, FONTANA, ERICKSON, FERLO, STACK, WASHINGTON, WOZNAK, BAKER, GREENLEAF, WARD, HUGHES, BREWSTER, SOLOBAY, YUDICHAK, WHITE, ARGALL, McILHINNEY, BROWNE,

COSTA, SCARNATI, RAFFERTY, LEACH, WILLIAMS, SMITH, MENSCH, TOMLINSON and CORMAN presented to the Chair **SB 1035**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in film production tax credit, further providing for definitions, for credit for qualified film production expenses and for limitations.

Which was committed to the Committee on FINANCE, June 20, 2013.

Senators RAFFERTY, VULAKOVICH, TEPLITZ, ERICKSON, MENSCH, WAUGH and SOLOBAY presented to the Chair **SB 1036**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for occupational limited license, providing for ignition interlock limited license and further providing for probationary license; in driving after imbibing alcohol or utilizing drugs, defining "ignition interlock limited license," further providing for penalties, for ignition interlock, for Accelerated Rehabilitative Disposition and for the offense of illegally operating a motor vehicle not equipped with ignition interlock.

Which was committed to the Committee on TRANSPORTATION, June 20, 2013.

Senators ALLOWAY, BRUBAKER, MENSCH, FOLMER, VOGEL, VULAKOVICH, WAUGH and WHITE presented to the Chair **SB 1038**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales tax, further providing for definitions, for credit against tax and for local receivers of use tax; in personal income tax, further providing for definitions, for classes of income and for taxability of partners; providing for tax treatment determined at partnership level and for tax imposed at partnership level; further providing for income of a Pennsylvania S corporation, for income taxes imposed by other states, for general rule, for return of Pennsylvania S corporation and for requirements concerning returns, notices, records and statements; in corporate net income tax, further providing for definitions, for imposition of tax and for reports and payment of tax; and, in realty transfer tax, further providing for definitions, for imposition and for acquired company; further providing for coal waste removal and ultraclean fuels tax credit; and, in inheritance tax, further providing for exemption for poverty.

Which was committed to the Committee on FINANCE, June 20, 2013.

Senator HUTCHINSON presented to the Chair **SB 1039**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a waste coal energy and reclamation tax credit; and imposing duties on the Department of Revenue and the Department of Community and Economic Development.

Which was committed to the Committee on FINANCE, June 20, 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 20, 2013

- HB 164 -- Committee on Judiciary.
- HB 1060 and 1202 -- Committee on Transportation.
- HB 1177 -- Committee on Local Government.
- HB 1438, 1439 and 1440 -- Committee on Agriculture and Rural Affairs.
- HB 1480, 1481 and 1483 -- Committee on Banking and Insurance.
- HB 1482 -- Committee on State Government.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a legislative leave for Senator Waugh, and temporary Capitol leaves for Senator Smucker and Senator Ward.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Boscola, Senator Brewster, Senator Washington, Senator Williams, and Senator Yudichak.

The PRESIDENT pro tempore. Senator Pileggi requests a legislative leave for Senator Waugh, and temporary Capitol leaves for Senator Smucker and Senator Ward.

Senator Costa requests legislative leaves for Senator Boscola, Senator Brewster, Senator Washington, Senator Williams, and Senator Yudichak.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

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

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

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of May 8, 2013, is now in print.

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

Senator PILEGGI. Mr. President, I move that further reading of the Journal be dispensed with and that the Journal be approved.

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

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

YEA-48

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, I am happy to introduce my guests who won me at an auction. Actually, we make a great deal of money for nonprofits in my county by me being auctioned off, as some of you might be auctioned off as well for purposes of our nonprofits in the county. Who we have is Mr. and Mrs. Larry and Janet Sternson of my district. Mr. Sternson has been a leader in the biopharma industry within my district. With them is their grandson, who has thoroughly enjoyed the day today, Jaden Healy. So I ask the Senate to give a warm welcome to the members from my district, Mr. President.

The PRESIDENT pro tempore. Would the guests of Senator Dinniman please rise to be welcomed by the Senate.

(Applause.)

GUEST OF SENATOR MICHAEL J. STACK PRESENTED TO THE SENATE

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

Senator STACK. Mr. President, I just want to make sure I give a special introduction. This is one of my interns. We are very fortunate here in Harrisburg, we have a lot of young people who want to be involved in public service, they want to see how this great institution functions, and they want to make a difference in the lives of Pennsylvanians. I want to talk about my intern, Eric Pettis, who is actually not from my particular area, although he has family members in my constituency. Eric is a senior at Millersville University, majoring in government and political economics. He is actually Senator Smucker's constituent. Senator Smucker is a good friend of mine and has great people from his area.

I met Eric through serving in the military. One of the other officers with whom I serve told me he had a young man who was interested in interning and I said, have him come to my office and we will see if we can put him to work. I came in basically that next day and he was already on staff as an intern doing research. He has done a great job and he is here on the floor. Eric previously served as an intern at the Department of State's Bu-

reau of Professional and Occupational Affairs. I say to my colleagues, do not try to steal Eric, he is my intern. He has done a great job. Mr. President, I ask the Senate to offer our customary warm welcome to Eric Pettis.

The PRESIDENT pro tempore. Would the guest of Senator Stack please rise to be welcomed by the Senate.  
(Applause.)

**LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT pro tempore. Senator Ward has returned, and her temporary Capitol leave is cancelled.

**RECESS**

The PRESIDENT pro tempore. 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 Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Rules and Executive Nominations, Senate Democrats will meet in the rear of the Chamber for a brief caucus.

The PRESIDENT pro tempore. For purposes of a meeting of the Committee on Rules and Executive Nominations, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

**AFTER RECESS**

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

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

**BILLS REPORTED FROM COMMITTEE**

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following bills:

**SB 419 (Pr. No. 1158) (Rereported) (Concurrence)**

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

**SB 644 (Pr. No. 1173) (Rereported) (Concurrence)**

An Act amending Titles 3 (Agriculture) and 34 (Game) of the Pennsylvania Consolidated Statutes, providing for swine hunting preserves; and further providing for the definition of "wild animals."

**LEGISLATIVE LEAVE CANCELLED**

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

**CALENDAR**

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**BILL OVER IN ORDER**

**SB 526** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

**THIRD CONSIDERATION CALENDAR**

**BILL LAID ON THE TABLE**

**SB 303 (Pr. No. 921)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**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 Hutchinson.

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

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR RESUMED**

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**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.

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-48**

Alloway	Erickson	Pileggi	Vance
Argall	Farnese	Rafferty	Vogel
Baker	Ferlo	Robbins	Vulakovich
Blake	Fontana	Scarnati	Ward
Boscola	Gordner	Schwank	Washington
Brewster	Greenleaf	Smith	Waugh
Browne	Hughes	Smucker	White

Brubaker	Hutchinson	Solobay	Wiley
Corman	Kasunic	Stack	Williams
Costa	Kitchen	Tartaglione	Wozniak
Dinniman	McIlhinney	Teplitz	Yaw
Eichelberger	Mensch	Tomlinson	Yudichak

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.

BILLS OVER IN ORDER

SB 379, SB 401 and SB 428 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

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 Scarnati.

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL AMENDED

SB 601 (Pr. No. 1188) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 44 (Law and Justice) and 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, modernizing publication of Commonwealth legal materials; providing for uniformity in electronic legal materials in the areas of designation, authentication, preservation and access; conferring powers and duties on various Commonwealth agencies; and, in publication and effectiveness of Commonwealth documents, further providing for definitions, for the Joint Committee on Documents, for general administration, for payment for documents, for distribution of publication expenses, for effect of future legislation, for publication of official codification, for deposit of documents required, for processing of deposited documents, for preliminary publication in Pennsylvania Bulletin, for permanent supplements to Pennsylvania Code, for pricing and distribution of published documents, for automatic subscriptions, for required contractual arrangements, for official text of published documents, for effective date of documents and for presumptions created.

On the question, Will the Senate agree to the bill on third consideration? Senator PILEGGI, on behalf of Senator SCARNATI, offered the following amendment No. A2419:

Amend Bill, page 8, line 8, by inserting after "502(a)": and (b) Amend Bill, page 8, by inserting between lines 29 and 30: (b) Compensation.--The members of the joint committee shall serve without compensation other than reimbursement for travel and

other actual expenses incurred in the performance of their duties. Reimbursement of expenses for a governmental member shall be paid by the governmental member's agency. Reimbursement of expenses for a public member shall be paid by the bureau.

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.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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 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-48

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

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.

SB 1002 (Pr. No. 1178) -- The Senate proceeded to consideration of the bill, entitled:

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

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-48

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

NAY-0

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

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

BILLS OVER IN ORDER

**HB 1112, HB 1119 and HB 1124** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL REREFERRED

**HB 22 (Pr. No. 115)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 13 (Commercial Code) of the Pennsylvania Consolidated Statutes, in transfers of funds, further providing for exclusion of consumer transactions governed by Federal law; and making an editorial change.

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 31 and HB 34** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

**HB 126 (Pr. No. 745)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 290 (Pr. No. 2099)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for the definitions of "daily drawing," "games of chance," "raffle," "public interest purpose" and "weekly drawing"; providing for the definitions of "auxiliary group," "conservation organization" and "race night game"; further providing for games of chance permitted, for prize limits, for limited sales, for distributor licenses, for regulations of department and for licensing of eligible organizations to conduct games of chance.

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 332, SB 391 and HB 421** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

**SB 456 (Pr. No. 1251)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for the Innovate in PA Program.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

**HB 488 and HB 493** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

**HB 513 (Pr. No. 556)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for settlement of small estates on petition and for estates not exceeding \$25,000.

Considered the second time and agreed to,

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

## BILLS REREFERRED

**HB 515 (Pr. No. 1946)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 622 (Pr. No. 598)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensure of persons providing debt settlement services, for powers and duties of the Department of Banking and for enforcement; imposing civil penalties; and making a related repeal.

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

## BILL ON SECOND CONSIDERATION

**SB 643 (Pr. No. 1254)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act, further providing for the composition of the State Horse Racing Commission and the State Harness Racing Commission.

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

## BILL LAID ON THE TABLE

**SB 699 (Pr. No. 707)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 4, 1996 (P.L.911, No.147), known as the Telemarketer Registration Act, further providing for duration of a listing.

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

## SB 699 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 699, Printer's No. 707, be taken from the table and placed on the Calendar.

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

## BILLS OVER IN ORDER

**HB 784, SB 860, SB 862 and SB 878** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**SB 922 (Pr. No. 1252)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employees' Defined Contribution Plan, of administration and miscellaneous provisions and of health insurance for retired school employees; for military pensions, in the area of military leave of absence; for the State Employees' Retirement System, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of School Employees' Defined Contribution Plan and of contributions, of benefits, administration, funds, accounts, general provisions; and providing, as to the revisions, for construction, applicability, funding, amortization, re-amortization, recertification, liability and legal challenge.

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

**HB 925, HB 927, SB 931, SB 975, SB 976, SB 984 and SB 994** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## BILLS REREFERRED

**SB 995 (Pr. No. 1170)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing the requirements for livery provider liens.

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

**SB 996 (Pr. No. 1171)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 1003 (Pr. No. 1179)** -- The Senate proceeded to consideration of the bill, entitled:

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

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 1013** and **SB 1030** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION  
AND RECOMMITTED

**HB 1075 (Pr. No. 2089)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in kinship care, further providing for scope and for definitions; and providing for family finding.

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 recommitted to the Committee on Public Health and Welfare.

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**HB 1098 (Pr. No. 2101)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, further providing for definition applicability, for the definitions of "major league sports drawing" and "major league sports team," for distributor licenses, for major league sports drawing, for club licensee, for distribution of proceeds, for records and for raffle tickets; providing for background checks; further providing for enforcement; providing for tavern gaming and for a transfer; and making an editorial change.

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.

## BILL OVER IN ORDER

**HB 1122** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION  
AND REREFERRED

**HB 1141 (Pr. No. 1399)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for reopening of the school district annual budget.

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 1172 (Pr. No. 1606)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for limitations on rates of specific taxes.

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.

## BILL REREFERRED

**HB 1190 (Pr. No. 2090)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions, for administration, for licensure, for term and content of license and for reliance on accrediting agencies and Federal Government; and providing for reliance on national accreditation organizations for hospitals.

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

## BILL ON SECOND CONSIDERATION

**HB 1217 (Pr. No. 1580)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for schedules of controlled substances.

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

## BILLS OVER IN ORDER

**HB 1223, HB 1225, HB 1229, HB 1319, HB 1359** and **HB 1363** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

## 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 Browne.

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1**

**BILL ON CONCURRENCE  
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

**SB 419 (Pr. No. 1158)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 11, 1967 (P.L.205, No.69), entitled "An act to validate conveyances and other instruments which have been defectively acknowledged," extending the date for validation of certain conveyances and other instruments.

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 419?

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. 419.

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-48

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

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.

**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 Argall.

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

**LEGISLATIVE LEAVE CANCELLED**

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 1 RESUMED**

**BILL ON CONCURRENCE  
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

**SB 644 (Pr. No. 1173)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 3 (Agriculture) and 34 (Game) of the Pennsylvania Consolidated Statutes, providing for swine hunting preserves; and further providing for the definition of "wild animals."

On the question,  
Will the Senate concur in the amendments made by the House to Senate Bill No. 644?

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. 644.

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-32

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

NAY-16

Blake	Ferlo	Schwank	Teplitz
Costa	Fontana	Smith	Washington
Dinniman	Hughes	Stack	Wiley
Farnese	Kitchen	Tartaglione	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 inform the House of Representatives accordingly.

**COMMUNICATIONS FROM THE GOVERNOR  
REPORTED FROM COMMITTEE ON RULES  
AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excel-

lency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Mike Downing (Alternate Member), 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice Dr. Stephen Ostroff, Harrisburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

MEMBER OF THE STATE  
CIVIL SERVICE COMMISSION

May 22, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Civil Service Commission, to serve until April 9, 2016, or until her successor is appointed and qualified, vice John E. Stevens, State College, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

CONTROLLER, LANCASTER COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 2, 2013, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as Controller, in and for the County of Lancaster, to serve until the first Monday of January 2014, vice The Honorable Keith J. Greiner, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

MEMBER OF THE BOARD OF GOVERNORS OF  
THE STATE SYSTEM OF HIGHER EDUCATION

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Celestino R. Pennoni, Bryn Mawr, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
ALLEGHENY COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2014, vice The Honorable Judith L. A. Friedman, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BERKS COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Berks County, to serve until the first Monday of January 2014, vice The Honorable Linda K.M. Ludgate, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BLAIR COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Blair County, to serve

until the first Monday of January 2014, vice The Honorable Hiram A. Carpenter, III, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
CHESTER COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Chester County, to serve until the first Monday of January 2014, vice The Honorable Howard F. Riley, Jr., mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
CLINTON COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Clinton County, to serve until the first Monday of January 2014, vice The Honorable J. Michael Williamson, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
FAYETTE COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Fayette County, to serve until the first Monday of January 2014, vice The Honorable Gerald R. Solomon, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
FRANKLIN/FULTON COUNTIES

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Franklin/Fulton Counties, to serve until the first Monday of January 2014, vice The Honorable Richard J. Walsh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
LACKAWANNA COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Lackawanna County, to serve until the first Monday of January 2014, vice The Honorable Chester T. Harhut, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
MERCER COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Mercer County, to serve until the first Monday of January 2014, vice The Honorable John C. Reed, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
PHILADELPHIA COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2014, vice The Honorable Sandra Mazer Moss, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2014, vice The Honorable Harvey W. Robbins, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, SUPERIOR COURT

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Superior Court, to serve until the first Monday of January 2014, vice The Honorable John L. Musmanno, mandatory resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
WASHINGTON COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Washington County, to serve until the first Monday of January 2014, vice The Honorable Janet Moschetta Bell, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
WESTMORELAND COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 28, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Westmoreland County, to serve until the first Monday of January 2014, vice The Honorable John J. Driscoll, mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

MAGISTERIAL DISTRICT JUDGE

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 31, 2013, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Berks, Magisterial District 23-2-04, to serve until the first Monday of January 2014, vice The Honorable Nicholas M. Bentz, Jr., mandatory retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

MAGISTERIAL DISTRICT JUDGE

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated April 3, 2013, for the appointment of Mike Downing, 123 Stanford Court, Mechanicsburg 17050, Cumberland County, Thirty-first Senatorial District, as Magisterial District Judge, in and for the County of Bucks, Magisterial District 07-2-08, to serve until the first Monday of January 2016, vice The Honorable Robert E. Gaffney, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT  
Governor

***NOMINATIONS RETURNED TO THE GOVERNOR***

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS**

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

**MEMBER OF THE STATE BOARD OF CRANE OPERATORS**

April 8, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Raymond A. Feidt, 401 Berrysburg Road, Millersburg 17061, Dauphin County, Twenty-seventh 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 CRANE OPERATORS**

April 8, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jack E. Pletcher, 1909 Cowling Road, Scottsdale 15683, Westmoreland County, Thirty-second 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

**NOMINATIONS LAID ON THE TABLE**

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

**EXECUTIVE NOMINATIONS**

**EXECUTIVE SESSION**

Motion was made by Senator ROBBINS, That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

**NOMINATIONS TAKEN FROM THE TABLE**

Senator ROBBINS. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD OF CRANE OPERATORS**

April 8, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Raymond A. Feidt, 401 Berrysburg Road, Millersburg 17061, Dauphin County, Twenty-seventh 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 CRANE OPERATORS**

April 8, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Jack E. Pletcher, 1909 Cowling Road, Scottsdale 15683, Westmoreland County, Thirty-second 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

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

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

YEA-48

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

**EXECUTIVE SESSION RISES**

Senator ROBBINS. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

**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 the Schuylkill County Fair by Senator Argall.

Congratulations of the Senate were extended to the Valley View High School Softball Team by Senator Blake.

Congratulations of the Senate were extended to Colin Charles Pratt and to Allen Daniel Fink by Senator Browne.

Congratulations of the Senate were extended to Benjamin Mueller by Senator Brubaker.

Congratulations of the Senate were extended to Episcopal House by Senator Dinniman.

Congratulations of the Senate were extended to Barbara Ann Davis and to Regino Flores by Senator Eichelberger.

Congratulations of the Senate were extended to the Annville Township Police Department by Senator Folmer.

Congratulations of the Senate were extended to Hiromi Chieko Hernandez by Senator Hughes.

Congratulations of the Senate were extended to Michael Guenther and to Peter Danielson by Senator McIlhinney.

Congratulations of the Senate were extended to Mary M. Rees by Senator Pileggi.

Congratulations of the Senate were extended to Staff Sergeant Charles H. Dengler, Matthew Thomas Svrbely, Scott Cooper, Bam Bam Child Development Center and to the Northern Dauphin County Branch YMCA Before and After School program by Senator Teplitz.

Congratulations of the Senate were extended to Dorothy Lafaw by Senator Tomlinson.

Congratulations of the Senate were extended to the Honorable Richard P. Vilello, Jr., by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. William L. Maule, Sr., and to Mr. and Mrs. Andrew C. Tressler by Senator Yaw.

Congratulations of the Senate were extended to Joe Morgan, Shawn Bradley, Eric Schrantz, Joe Rader, Erin Kennedy and to the members and coaches of the 1987 Jim Thorpe Area High School Baseball Team by Senator Yudichak.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, JUNE 21, 2013

10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the Future of PA's Cities, Large and Small)	Gtr. Reading Chamber of Com. & Ind. Wyomissing
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MONDAY, JUNE 24, 2013

Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 360, 725, 726, 727, 728, 729 and 1010; and House Bills No. 82, 1172 and 1437)	Rules Cmte. Conf. Rm.
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Off the Floor	LAW AND JUSTICE (to consider Senate Bill No. 100; and House Bill No. 790)	Rules Cmte. Conf. Rm.
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TUESDAY, JUNE 25, 2013

11:15 A.M.	JUDICIARY (public hearing to discuss Senate Bill No. 848, antitrust)	Room 8E-B East Wing
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12:30 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 430, 684, and 813; and House Bills No. 1482 and 1478)	Room 8E-A East Wing
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WEDNESDAY, JUNE 26, 2013

9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 497; and House Bills No. 668 and 669)	Room 461 Main Capitol
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THURSDAY, JUNE 27, 2013

9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to discuss royalty stub transparency issues and post-production costs from the development of natural gas)	Hrg. Rm. 1 North Off.
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10:15 A.M.	JUDICIARY (to consider the nomination of the Honorable Correale Stevens as Justice, Supreme Court of Pennsylvania)	Room 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. Benezette, PA
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**PETITIONS AND REMONSTRANCES**

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

Senator STACK. Mr. President, I know that we are in the middle of yet another budget stalemate. I am sure we will get the people's work done by our constitutional deadline of June 30, but in the meantime, we are still working on a number of projects here and I think it is very important not to take our eye off the ball of one of the most important policy issues that we will face, which the Commonwealth of Pennsylvania has been facing for at least a decade, and that is our huge infrastructure crisis. We still have huge problems here in Pennsylvania with the potential for dangerous bridge collapses and fatalities. We also have a huge problem economically with the fact that our roads are in disrepair. Commuters spend countless hours wasting fuel, wasting time, wasting energy, and at the end of the day, wasting economic resources and power. And that is one of the reasons why Pennsylvania is near the bottom nationally in job creation and economic development. It is why it is so important, Mr. President, that this Commonwealth moves forward on dramatic infrastructure development and reform.

I was pleased last week to be among the great majority of folks here, Democrat and Republican, to support my friend and colleague, Senator Rafferty's infrastructure legislative piece, along with my colleague, the Democratic chair of the Committee on Transportation, Senator Wozniak. We passed a bill that is going to provide about \$2.5 billion in infrastructure spending. It includes spending that should have been done for many years but has not. Governor Corbett's own Commission on Transportation and Infrastructure has pointed out that we have a multiple-billion-dollar spending deficit on infrastructure in the State. Once again, from one end of the State to the other, we have a problem with dilapidated roads, unstable and unsafe bridges, and just a general inefficiency in the way our transportation and infrastructure system works in the State.

So I am happy that we moved forward with passing that legislation, but we are a long way away from being done. I am hearing disheartening things about what is going on, along with our brothers and sisters in the other Chamber, the House of Representatives. I am hearing that there have been attempts to really scale down what we have done here in this Chamber, but we need an infrastructure package that is going to work, that is going to move Pennsylvania forward, that is going to get us on the road to economic recovery and to job creation. All the hard work that is going into that is being undone. Perhaps the House product will not get us to where we need to go. If we are going to reform, we need to do it all the way. We cannot have infrastructure-lite. Without full infrastructure spending and investment, we will not have an infrastructure package that is responsible and serves the people of Pennsylvania, and we should not pass it. If we have to be here all summer long or longer to pass a bill that responds to the issues that we face in Pennsylvania, we should do it.

So, I intend to continue to work with my colleagues on both sides of the aisle. We have had a very good collaborative working relationship, and I think everybody recognizes this is an area where we need to do more, we need to have dramatic change, and we cannot have a scaled-down infrastructure package.

I know people in public service are afraid of the issue of taxes. I have read a little bit about our Founding Fathers, and I studied the way that they solved policy issues over the years. The Founding Fathers never said, no taxes. They said, no taxation without representation. There are fees and taxes in this infrastructure reform package, and I think many of them are very responsible pieces of revenue enhancement. I wish--and I look forward to working on this--I wish we could be more innovative, more creative in raising revenue, and I look forward to finding ways to do that. In the meantime, we can only draw the revenue from where it is available. When government has to spend money to do things that serve the people, the taxpayers, it has to do so fearlessly. It cannot pause to worry what will people think. That is part of leadership. So, I understand that is a big issue in the House, that folks are concerned, and they have a right to be concerned, but they cannot let their concern freeze them into inaction. People in this State understand that nobody gets elected 100 percent. But people understand that leaders are sent to Harrisburg to do what leaders do, and that is to sometimes make decisions that are not popular with everybody. We have an infrastructure package that raises fees, raises taxes--I can say the word "taxes,"--but I think it is responsible, I think it needs to be done, and if we are going to do infrastructure reform, we need to do it all the way.

The last issue for today, Mr. President, that I would like to address is the issue that many of our public school districts are facing throughout Pennsylvania, a fiscal and funding crisis. If we fail the kids of Pennsylvania in an opportunity to get the best possible education that we can give them, we are not really serving the people of Pennsylvania. If we are going to be a leader or even get to the middle of the pack, we are going to have to turn out young people who are going to be able to do well in the world and fend for themselves. I think we all recognize that a great public education system, or even a good and passable public education system, is the way to do that. So we have an issue with a funding crisis throughout Pennsylvania. We have to resolve these issues. We cannot come back year after year after year, we cannot pass on property tax increases across Pennsylvania. We have to find a way to reform education in such a way that we consistently deal, we consistently provide a good public education product to our young people, and that we support our teachers who are doing a tough job in Philadelphia. I think many of the teachers there, and you know I hear different things out there, but for the most part every public schoolteacher works in a very challenging environment. There are not a lot of perks to teaching in the public education system in Philadelphia other than the perk of knowing that you can mold a young person's mind and help that person to be somebody and to contribute and make the State a better place to live. That may not be a financial perk, but I think that is a much more valuable perk, and I think we should support the people who are choosing that vocation and who are teaching in our public education system. We need to support our teachers. So, I intend to continue to do that. I hope we can continue to do that in this State. I think the answer is support teachers, help kids learn, figure out responsible fiscal initiatives, and make sure that these problems are solved once and for all and Pennsylvania becomes the leader it should be.

Thank you, Mr. President.

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

Senator WOZNIAK. Mr. President, earlier, Senator Stack from Philadelphia noted the importance of the investment of infrastructure. It is not just for rural Pennsylvania, it is not just for urban Pennsylvania, but it is a synergistic relationship. I think that we talked about that when we passed that bill out of this Senate. We are hoping that the House can be enlightened to realize the truth that this is something that needs to be done for the greater good of the four corners. The only point I want to make, because sometimes saying less is more, I was reading "USA Today," an article that I think was pretty accurate, and it had States stepping up to the plate, listing the top 10 States in the Union that have deficient bridges. I will leave you with this: Pennsylvania has not just the most number of deficient bridges in the United States, and one of the reasons is because we are a relatively large State, but we also have the largest percentage of deficient bridges. And I think that is the telltale story we have to express. We have to keep our motorists safe, we have to invest in infrastructure, and if it is not the politicians you wish to listen to, it is the statistics that are out there. We are number one in deficient bridges by all indicators in the nation. That is a sad sign for a State that proudly calls itself the Keystone State. We need to invest in our future, we need to invest in our infrastructure, and I certainly hope that we can do this in a bipartisan, bicameral

way because the Governor has already agreed to accept a bill on his desk. Let us put people to work and let us keep our roads safe.

Thank you, Mr. President.

### **SB 914 TAKEN FROM THE TABLE**

Senator GREENLEAF. Mr. President, I move that Senate Bill No. 914, Printer's No. 1025, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

### **BILLS SIGNED**

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

**SB 419** and **SB 644**.

### **RECESS**

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

Senator GREENLEAF. Mr. President, I move that the Senate do now recess until Monday, June 24, 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 1:15 p.m., Eastern Daylight Saving Time.