

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 24, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 44

SENATE

MONDAY, June 24, 2013

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

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

PRAYER

The following prayer was offered by Senator JOHN R. GORDNER:

Shall we pray.

Dear Father, we hear in the book of Genesis about the breath of God. On Sundays when I go to my worship, our Pastor often starts us out by just having us stand in order to get rid of troubles and anxiety, fears and concerns, to just stand and take a breath. He references the breath of God that was talked about in the book of Genesis and throughout Scripture. As of this Monday, as we head into what may be a long week, we should do the same. Whether it is here now, whether it is in our office at some point, but to just take a moment and take that breath, to breathe in that sustenance, the life that God has given us. For a moment forget about the troubles, concerns, worries, and the issues that may be troubling us. To breathe in that breath, that spirit, bring in that hope, bring in that opportunity, and to change the attitude as we head into this week. Be with us through each and every day that we are here and to guide us and direct us in all that we do, in Your heavenly name we pray. Amen.

The PRESIDENT. The Chair thanks Senator Gordner.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

MEMBER OF THE COUNCIL OF TRUSTEES OF
MANSFIELD UNIVERSITY OF PENNSYLVANIA OF
THE STATE SYSTEM OF HIGHER EDUCATION

June 24, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until her successor is appointed and qualified, vice Carol Tama, Blossburg, resigned.

TOM CORBETT
Governor

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 579**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

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 24, 2013

Senators WILEY, KITCHEN, COSTA, HUGHES, TARTAGLIONE, KASUNIC, FONTANA, ALLOWAY, BLAKE, BREWSTER, FARNESE, FERLO, LEACH, SOLOBAY, STACK, TEPLITZ, WASHINGTON and YUDICHAK presented to the Chair **SB 624**, entitled:

An Act requiring long-term care nursing facilities to maintain certain nurse aide staffing levels in order to protect the health and safety of residents and employees; providing for powers and duties of the Department of Health; and imposing civil penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 24, 2013.

Senators SMITH, TEPLITZ, FONTANA, WILEY, YUDICHAK, BREWSTER, FERLO, KASUNIC and WASHINGTON presented to the Chair **SB 625**, entitled:

An Act requiring long-term care nursing facilities to submit to the Department of Health, in a uniform format, direct care staffing information.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 24, 2013.

Senators SMITH, FONTANA, WASHINGTON, TARTAGLIONE, WILEY and KASUNIC presented to the Chair **SB 626**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for medical assistance payments for institutional care.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 24, 2013.

Senators FOLMER, EICHELBERGER and ALLOWAY presented to the Chair **SB 999**, entitled:

An Act prohibiting certain individuals from providing support in the implementation of certain sections of the National Defense Authorization Act of 2012.

Which was committed to the Committee on INTERGOVERNMENTAL OPERATIONS, June 24, 2013.

Senators BAKER, TEPLITZ, KITCHEN, STACK, WASHINGTON, RAFFERTY, SCHWANK, YUDICHAK, WOZNIAK, HUGHES, FERLO, TOMLINSON, COSTA, ERICKSON, VULAKOVICH, FONTANA, SOLOBAY, BREWSTER, FARNESE and TARTAGLIONE presented to the Chair **SB 1004**, entitled:

An Act providing for duties of certain institutions of higher education relating to services for veterans and for the powers and duties of the Department of Education.

Which was committed to the Committee on EDUCATION, June 24, 2013.

Senators ALLOWAY, FARNESE, HUGHES, GREENLEAF, COSTA, LEACH and BROWNE presented to the Chair **SB 1008**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for disposition of funds.

Which was committed to the Committee on FINANCE, June 24, 2013.

Senators WASHINGTON, HUGHES, GREENLEAF, RAFFERTY, TEPLITZ, STACK, SOLOBAY, FONTANA, SCHWANK, COSTA, TARTAGLIONE, YUDICHAK, MENSCH, FARNESE, BREWSTER, KASUNIC, FERLO and WILLIAMS presented to the Chair **SB 1009**, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in Pharmaceutical Assistance for the Elderly, further defining "income"; and further providing for determination of eligibility.

Which was committed to the Committee on FINANCE, June 24, 2013.

Senators SOLOBAY, KASUNIC, BLAKE, FONTANA, TARTAGLIONE, BREWSTER, SCHWANK and WILEY presented to the Chair **SB 1025**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, regulating appropriations to the Department of Corrections.

Which was committed to the Committee on JUDICIARY, June 24, 2013.

Senators LEACH and FERLO presented to the Chair **SB 1032**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for procedures regarding the request and dispensation of lethal medication to patients seeking to die in a dignified and humane manner, for duties of attending physicians, for duties of consulting physicians, for insurance or annuity policies; imposing duties on the Department of Health; providing for immunities and for attorney fees; and imposing penalties.

Which was committed to the Committee on JUDICIARY, June 24, 2013.

Senators VOGEL, SOLOBAY, FERLO, ALLOWAY, WARD, ROBBINS, YAW, WOZNIAK, KASUNIC, FOLMER, PILEGGI, WHITE, HUTCHINSON, EICHELBERGER, VULAKOVICH and COSTA presented to the Chair **SB 1037**, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for Environmental Quality Board.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 24, 2013.

Senator EICHELBERGER presented to the Chair **SB 1040**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for manner of providing proof of financial responsibility, for required financial responsibility and for availability of uninsured, underinsured, bodily injury liability and property damage coverages and mandatory deductibles.

Which was committed to the Committee on BANKING AND INSURANCE, June 24, 2013.

Senators VANCE, KITCHEN, MENSCH, ERICKSON, BAKER, HUTCHINSON, RAFFERTY, TOMLINSON, VULAKOVICH, YUDICHAK, FONTANA, SOLOBAY, FARNESE, SMITH, BLAKE, STACK, WAUGH, WILEY, WARD, FOLMER and McILHINNEY presented to the Chair **SB 1042**, entitled:

An Act amending the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act, further providing for definitions, for inspection, for unlawful conduct and for penalty.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 24, 2013.

Senator BROWNE presented to the Chair **SB 1043**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in preliminary provisions, further providing for method of filing; in agents for collection, further providing for corporate treasurers; in bonus and tax records, further providing for corporate loans and tax, for municipal loans and tax and for monthly statements by registers of wills; and in collections other than by settlement, further providing for driver's license fees and for amounts payable to State institutions.

Which was committed to the Committee on FINANCE, June 24, 2013.

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 21, 2013

- HB 1214 -- Committee on Transportation.
HB 1259 -- Committee on Public Health and Welfare.
HB 1274, 1429 and 1462 -- Committee on Judiciary.
HB 1424 -- Committee on Education.

June 24, 2013

- HB 128 and 131 -- Committee on Finance.
HB 430, 433, 434 and 1076 -- Committee on Aging and Youth.
HB 1377 -- Committee on Agriculture and Rural Affairs.

BILL SIGNED

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

HB 571.

LEGISLATIVE LEAVES

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

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

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

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

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

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

Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 13, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of May 13, 2013.

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUEST OF SENATOR 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 Michael Quillen, an intern in my district office, who is visiting Harrisburg for the day. Michael resides in Boothwyn, Delaware County. He will be entering his junior year at West Virginia University, and is pursuing a bachelor's degree in political science with a concentration in government and business. Currently, Michael is vice president of the West Virginia University chapter of Phi Delta Theta, overseeing all aspects of the fraternity. Michael is seated in the gallery today. Mr. President, I ask that we extend our traditional warm welcome to our guest.

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

(Applause.)

GUESTS OF SENATOR PATRICIA H. VANCE PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, today I have the distinct pleasure of introducing a Carlisle High School rising junior, Zach Brehm. Zach captured the 2013 PIAA Class AAA boys' 800-meter State title on May 25 with a time of 1 minute and 54 seconds. He is also an Eagle Scout and just returned from a mission trip. He really is an outstanding young man. He is the son of Therese and Leslie Brehm, who are in the gallery, and is joined in the gallery by his sister, Maggie, who is also a swimmer, so maybe we will see her here; his grandfather, Ron Brehm; and coach Ed Boardman. Please give a warm Senate welcome to Zach and his family.

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

(Applause.)

**GUESTS OF SENATOR DAVID G. ARGALL
AND SENATOR JOHN R. GORDNER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, on behalf of myself and Senator Gordner, we would like to ask you to convey a warm Senate welcome to the Williams Valley High School Softball Team. They are here in the gallery today after being congratulated upon winning the 2013 PIAA State Class A Softball Championship. The Lady Vikings this year went 23-4, and we are very, very pleased that they could join us today.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

**GUEST OF SENATOR DAVID G. ARGALL
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, also joining us today is Sarah Blugis from Schuylkill Haven. She is a student in the School of Media and Public Affairs at George Washington University. This summer, she is working as an intern in my Schuylkill County office where she is doing, according to my staff, a phenomenal job.

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

(Applause.)

**GUESTS OF SENATOR RANDY VULAKOVICH
PRESENTED TO THE SENATE**

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

Senator VULAKOVICH. Mr. President, today I am here to introduce a young man from my school district. He is a real go-getter and tries to make a difference in the community. Sam Bartsch is the senior class president of Shaler Area High School and he is the founder of Neper, a program that grows produce in lower-income areas using hydroponic watering systems. It is a big word for a young man, but his family comes from a long history of running nurseries. Sam plans to one day get into politics so he can more effectively help people in his community. He is very interested in that. He is a wonderful young man. I met him on several occasions. I ask that the Senate give Sam Bartsch, his father, Brian Bartsch, and his uncle, Jim Hensel, our usual warm welcome.

The PRESIDENT. Would the guests of Senator Vulakovich 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 think all of my colleagues would agree that we have nonprofit organizations in our communities that are doing an outstanding job. I would like to introduce you to two of my constituents who are leading that charge for the Catholic Charities in the Diocese of Allentown. Pamela Russo, a resident of Berks County, is the executive director of Catholic Charities. She provides services in Berks, Carbon, Lehigh, Northampton, and Schuylkill Counties. Programs include counseling, adoption, immigration work, case management, housing, pregnancy and parenting support, adult day care, and services for older adults. Over 28,000 individuals in our community were assisted by Catholic Charities last year.

She is joined by Will Miller, who is Catholic Charities' county administrator for Berks County. He managed the refugee resettlement and immigration programs at Catholic Charities for many years before taking his new position in Berks County, and also has a background in juvenile probation as well. I had a wonderful visit with them today, and I ask that the Senate join me in welcoming them.

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

(Applause.)

Senator SCHWANK. Mr. President, I also have the pleasure of introducing some pretty incredible and dedicated students who are here with YouthBuild. YouthBuild is a national education and training program for youth ages 17 to 24 who have not completed their high school degree. It is sponsored by United Community Services, a nonprofit in my district that provides community services as well as education and training and is run by a good friend of mine, Ruth Matthews.

YouthBuild partners with many community services to assure that these youth are given support to get their GED, work-readiness training, work skills, and case management. As part of their preparation to be active in their community, YouthBuild students govern themselves through a youth advisory council that meets regularly on policies and procedures. These students understand the connection between education and community. Right now, they are actually working at the Reading Housing Authority, where they are renovating apartments. They also volunteer at the Berks Community Health Center. The YouthBuild students are accompanied by their instructors, case managers, and program manager. Also please note that these students raised their own funds to make this trip to Harrisburg today. Mr. President, please give them a warm welcome to the Senate.

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

(Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

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

Senator BOSCOLA. Mr. President, I am always very honored to have great interns working in my Bethlehem district office throughout the year, and this summer is no different. Today, three of those interns are joining us in the gallery. First, I would like to recognize Allison Snyder, who attends Temple University. She is a junior strategic communications major with a minor in political science. At Temple, Allison is a member of both the Public Relations Student Society of America and the National Society of Collegiate Scholars. She is also a proud member of the Delta Zeta Sorority.

Mr. President, my second intern who is with us today is Ryan Bartel. He and his entire family are very good friends of mine. He is a senior economics major attending my alma mater, Villanova University. In his spare time he enjoys hosting his own radio show on WXVU at Villanova where he trains interns who are looking to get into the communications field.

Finally, Mr. President, our third intern with us today is Alex Battisti, the son of a very good friend of mine, Northampton County Judge Paula Roscioli. Alex is a high school senior at Moravian Academy in Bethlehem. At Moravian, he has consistently made the honor roll as well as serving his junior year as class president. Alex also enjoys playing sports and is a member of the Moravian Academy boys' tennis and soccer teams. I also enjoy seeing him at a pool that we all go to during the summer where he knows how to swim as well.

Mr. President, in working with our local Bethlehem public library, we developed a program that will allow interns to learn more about State-related topics and issues, and then present their research findings to the public at the library later this summer. This project is meant to keep the public updated on State issues of importance to our region and beyond. Meanwhile, my interns are able to learn research issues that affect all of our constituencies. I am so proud of them coming here today and interning in my office. I thank them for the great work they are doing and have done so far. I wish them the best of luck, but you can tell by their credentials that they are going to go far in life. I ask the Senate to give them its usual warm welcome.

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

(Applause.)

RECESS

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

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

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

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

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

AFTER RECESS

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

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDING OFFICER. Senator Tomlinson and Senator Smucker have returned, and their legislative leaves are cancelled.

LEGISLATIVE LEAVES

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I request temporary Capitol leaves for Senator Scarnati, Senator Corman, Senator Pileggi, and Senator Browne.

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

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

The PRESIDING OFFICER. Senator Waugh requests temporary Capitol leaves for Senator Scarnati, Senator Corman, Senator Pileggi, and Senator Browne.

Senator Costa requests a temporary Capitol leave for Senator Leach.

Without objection, the leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 526 (Pr. No. 1156) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 526?

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 526.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Senator WAUGH 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	Mclhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL AMENDED

SB 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.

On the question,

Will the Senate agree to the bill on third consideration?

Senator YAW offered the following amendment No. A2422:

Amend Bill, page 1, lines 1 through 11, by striking out all of lines 1 through 10 and "repealing existing laws," adding provisions" in line 11 and inserting:

Providing for benevolent gestures

Amend Bill, page 1, lines 12 through 14, by striking out "; and further" in line 12, all of line 13 and "provisions" in line 14

Amend Bill, page 1, lines 17 through 23; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 20, by striking out all of said lines on said pages and inserting:

Section 1. Short title.

This act shall be known and may be cited as the Benevolent Gesture Medical Professional Liability Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Assisted living residence." As defined in section 1001 of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

"Benevolent gesture." Any action, conduct, statement or gesture that conveys a sense of apology, condolence, explanation, compassion or commiseration emanating from humane impulses.

"Health care provider." A primary health care center; a personal care home licensed by the Department of Public Welfare under the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code; a person, including a corporation, university or other educational institution licensed or approved by the Commonwealth to provide health care or professional medical services as a physician, certified nurse

midwife, podiatrist, hospital, nursing home or birth center; or an officer, employee or agent of any of them acting in the course and scope of employment.

"Relative." A patient's spouse, parent, stepparent, grandparent, child, stepchild, grandchild, brother, sister, half-brother, half-sister or spouse's parent or any person who has a family-type relationship with a patient.

"Representative." Any legal guardian, attorney, agent designated to make medical decisions under a power of attorney over health care matters, health care representative who is authorized to make health care decisions for a principal under applicable law, surrogate designated in an advance directive for health care or person recognized in law or custom as a patient's agent.

Section 3. Benevolent gesture by health care provider, assisted living residence or ostensible agent.

(a) Scope.--This section applies to any benevolent gesture made prior to the commencement of a medical professional liability action, administrative action, mediation or arbitration:

(1) by a health care provider or an officer, employee or agent of a health care provider, to a patient or resident or the patient's or resident's relative or representative regarding the patient's or resident's discomfort, pain, suffering, injury or death, regardless of the cause, resulting from any treatment, consultation, care or service or omission of treatment, consultation, care or service provided by the health care provider, assisted living residence or its employees, agents or contractors; or

(2) by an assisted living residence or an officer, employee or agent of an assisted living residence to a patient or resident or the patient's or resident's relative or representative regarding the patient's or resident's discomfort, pain, suffering, injury or death, regardless of the cause, resulting from any treatment, consultation, care or service or omission of treatment, consultation, care or service provided by the health care provider, assisted living residence or its employees, agents or contractors.

(b) Admissibility.--

(1) Except as set forth in paragraph (2), any benevolent gesture described in subsection (a) shall be inadmissible as evidence of liability.

(2) Notwithstanding any other provision of this act relating to benevolent gestures, paragraph (1) shall not apply to a communication, including an excited utterance, which also includes a statement or statements of negligence or fault pertaining to an accident or event.

(c) Applicability.--This section shall apply to actions commenced after the effective date of this section.

Section 20. Effective date.

This act shall take effect in 60 days.

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 WAUGH.

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

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

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

BILL REREFERRED

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.

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

BILL OVER IN ORDER

HB 513 -- Without objection, the bill was passed over in its order at the request of Senator WAUGH.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 601 (Pr. No. 1266) -- 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.

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 1112, HB 1119, HB 1124 and HB 1217 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 31, HB 34, SB 128, HB 252 and SB 332 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL ON SECOND CONSIDERATION

SB 391 (Pr. No. 433) -- The Senate proceeded to consideration of the bill, entitled:

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

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 493, SB 699, HB 784, SB 860, SB 862 and SB 878 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 914 (Pr. No. 1025) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

BILLS OVER IN ORDER

HB 925, HB 927 and SB 931 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL LAID ON THE TABLE

SB 975 (Pr. No. 1126) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 7 (Banks and Banking) and 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for micro loan reform and imposing penalties; further providing for deceptive or fraudulent business practices; and providing for unlicensed short-term lending.

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

SB 975 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Senate Bill No. 975, Printer's No. 1126, 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

SB 976, SB 984, SB 994, SB 1013, SB 1030, HB 1122 and HB 1223 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILL REREFERRED

HB 1225 (Pr. No. 1832) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes, in codification and publication of documents, providing for electronic publication of municipal codes; and making an inconsistent repeal.

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

BILLS OVER IN ORDER

HB 1229 and HB 1319 -- Without objection, the bills were passed over in their order at the request of Senator WAUGH.

BILLS ON SECOND CONSIDERATION AND REREFERRED

HB 1359 (Pr. No. 1754) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1995 (P.L.320, No.49), entitled "An act amending the act of May 17, 1929 (P.L.1798, No.591), entitled 'An act providing a fixed charge, payable by the Commonwealth, on lands acquired by the State and the Federal Government for forest reserves, or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania, and preserving and maintaining the same as public places and parks; and the distribution of the same for county, school, township, and road purposes in the counties, school districts, and townships where such forests are located; and making an appropriation,' increasing the amount paid by the Commonwealth; and providing for an annual charge for tax-exempt lands," further providing for an annual charge for tax-exempt lands.

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

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

HB 1363 (Pr. No. 2086) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 26, 2008 (P.L.1672, No.135), known as the Abandoned and Blighted Property Conservatorship Act, further providing for definitions, for initiation of action, for appointment of conservator, for powers and duties of conservator, for incurring indebtedness and for sale of property.

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

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

DISCHARGE RESOLUTION No. 1 LAID ON THE TABLE

D.R. No. 1 -- The PRESIDENT. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that Discharge Resolution No. 1 be placed on the table.

The PRESIDENT. Senator Waugh moves that Discharge Resolution No. 1 be placed on the table.

On the question,

Will the Senate agree to the motion?

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

DISCHARGE RESOLUTION No. 1 TAKEN FROM THE TABLE

Senator WAUGH. Mr. President, I move that Discharge Resolution No. 1 be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The resolution will appear on the Calendar.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

Senator McILHINNEY, from the Committee on Law and Justice, reported the following bills:

SB 100 (Pr. No. 1280) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers; in Pennsylvania liquor stores, further providing for time of sales and for sales by Pennsylvania liquor stores; in liquor, alcohol and malt and brewed beverages licenses and regulations, further providing for authority to issue liquor licenses to hotels, restaurants and clubs, for license districts, periods, hearings, sales and restrictions, for sale of malt or brewed beverages, for liquor importers' licenses, fees, privileges and restrictions, for interlocking businesses; providing for expanded permits and for enhanced distributor and importing distributor permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for number and kinds of licenses allowed same licensee, for distributors' and importing distributors' restrictions, for retail dispensers' restrictions, for interlocking businesses, for breweries, for county retail licenses, for assignability and transfers, for local option, for surrender of license, for shipment of wine into Commonwealth; establishing the Pennsylvania Wine Industry Promotion Board; further providing for unlawful acts, for alcohol and liquor licensees, for identification cards and prosecution and for vacation of premises by patrons; in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries; in disposition of collected funds, further providing for money returned to municipalities; providing for money paid into the General Fund for use of the Commonwealth; further providing for money for use of the Commonwealth; establishing the Senior Citizens Property Tax Relief Fund; providing for a transfer from the State Stores Fund; providing for studies of the wine and spirits wholesale system in this Commonwealth; and making a related repeal.

HB 790 (Pr. No. 2139) (Amended)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in preliminary provisions, further providing for definitions; in Pennsylvania Liquor Control Board, further providing for general powers; in Pennsylvania liquor stores, further providing for time of sales and for sales by Pennsylvania liquor stores; in liquor, alcohol and malt and brewed beverages licenses and regulations, further providing for authority to issue liquor licenses to hotels, restaurants and clubs, for license districts, periods, hearings, sales and restrictions, for sale of malt or brewed beverages, for liquor importers' licenses, fees, privileges and restrictions, for interlocking businesses; providing for expanded

permits and for enhanced distributor and importing distributor permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for number and kinds of licenses allowed same licensee, for distributors' and importing distributors' restrictions, for retail dispensers' restrictions, for interlocking businesses, for breweries, for county retail licenses, for assignability and transfers, for local option, for surrender of license, for shipment of wine into Commonwealth; establishing the Pennsylvania Wine Industry Promotion Board; further providing for unlawful acts, for alcohol and liquor licensees, for identification cards and prosecution and for vacation of premises by patrons; in distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries; in disposition of collected funds, further providing for money returned to municipalities; providing for money paid into the General Fund for use of the Commonwealth; further providing for money for use of the Commonwealth; establishing the Senior Citizens Property Tax Relief Fund; providing for a transfer from the State Stores Fund; providing for studies of the wine and spirits wholesale system in this Commonwealth; and making a related repeal.

SENATE RESOLUTIONS ADOPTED

Senators FOLMER, DINNIMAN, TOMLINSON, WOZNAK, SOLOBAY, GREENLEAF, FERLO, ROBBINS, STACK, ALLOWAY, FONTANA, SMITH, ERICKSON, BROWNE, HUTCHINSON, RAFFERTY, PILEGGI, VULAKOVICH, COSTA, WAUGH, WHITE and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 168**, entitled:

A Resolution recognizing June 24, 2013, as "Smith-Lemli-Opitz Syndrome Awareness Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator FOLMER. Mr. President, I offer a resolution recognizing June 24, 2013, as "Smith-Lemli-Opitz Syndrome Awareness Day" in Pennsylvania. The syndrome affects 1 in every 20,000 to 40,000 births, including at least 40 families right here in Pennsylvania. This syndrome is a recessive genetic metabolic disorder that affects the development of children before and after birth. Most children with the syndrome are born with small brains, various degrees of slow development, and intellectual disability. This month, there is a conference in Pittsburgh for families who have children with Smith-Lemli-Opitz. Upon passage of this resolution, I will insure that they are notified of this special day.

Thank you very much, 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 SOLOBAY, WASHINGTON, FERLO, STACK, WOZNAK, DINNIMAN, HUGHES, GREENLEAF, SMITH, ERICKSON, RAFFERTY, ALLOWAY, FONTANA, KASUNIC, KITCHEN, HUTCHINSON, COSTA and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 169**, entitled:

A Resolution designating September 23, 2013, as "Restless Legs Syndrome Awareness Day" in Pennsylvania.

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

Senators VOGEL, ROBBINS, GREENLEAF, WOZNIAK, FOLMER, WASHINGTON, ARGALL, TEPLITZ, FERLO, MENSCH, RAFFERTY, BAKER, STACK, SMITH, KASUNIC, DINNIMAN, FONTANA, WAUGH, YAW, WHITE, PILEGGI, ALLOWAY, SOLOBAY, BROWNE, ERICKSON, HUTCHINSON, EICHELBERGER, VULAKOVICH, COSTA, BOSCOLA and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 170**, entitled:

A Resolution designating August 2013 as "Pennsylvania Produce Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, I rise to offer a resolution designating the month of August as "Pennsylvania Produce Month." We have plenty of fresh produce available now and through the rest of the summer. There are approximately 4,300 farms in our Commonwealth that produce more than 200,000 tons of "PA Preferred" vegetables, contributing \$155 million to the State's economy. This fresh produce is most abundant at community farmers markets, roadside stands, and supermarkets throughout our State during the month of August. Pennsylvania continuously ranks nationally in produce production, ranking 5th place in production of pumpkins, 6th in processed snap beans, 8th in cantaloupe and fresh market sweet corn, and 12th in fresh market tomatoes and cabbage. Pennsylvania produce meets high quality and safety standards and helps improve overall nutrition by providing necessary vitamins, fiber, and other dietary components to support a healthy, balanced diet.

Here at the State Capitol, we take part in the production of produce through our Hunger Garden, which distributes fresh vegetables to those in need throughout the State. Agriculture is the nation's largest employer and the number-one industry in our great Commonwealth, thanks in large part to Pennsylvania's strong produce industry which provides residents with a bountiful supply of fresh vegetables that contribute to improving their health while boosting our economy. For this reason, I recognize August as Pennsylvania Produce Month and ask for unanimous support.

Thank you, Mr. President.

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

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

Senators DINNIMAN, WOZNIAK, WASHINGTON, KITCHEN, FERLO, STACK, TEPLITZ, KASUNIC, GREENLEAF, ALLOWAY, GORDNER, BAKER, ERICKSON, COSTA, HUGHES, BOSCOLA, WHITE, FARNESE, PILEGGI, TARTAGLIONE, WAUGH, SOLOBAY and MENSCH, by unanimous consent, offered **Senate Resolution No. 171**, entitled:

A Resolution recognizing the month of September 2013 as "Senior Center Month" 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, because we will not be here in early September, I wanted to make sure before we left that we recognize September as "Senior Center Month" in this Commonwealth. I hope that all my fellow Senators will send a copy of this resolution to their senior centers. It is the senior centers of this Commonwealth that is the place where seniors can come to get good meals, nutritious meals, have good company, and enjoy their senior years. We are very fortunate to have some of the best senior centers in this nation within the Commonwealth. As you know, Mr. President, we have one of the largest senior populations in the United States, and it is our senior centers that serve these individuals. So, I ask, Mr. President, for unanimous support so that the citizens of this Commonwealth can know the value and the importance of senior centers to the senior community.

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 HUTCHINSON, SCARNATI, PILEGGI, ROBBINS, BROWNE, FONTANA, GREENLEAF, SMITH, ALLOWAY, DINNIMAN, ERICKSON, BAKER, RAFFERTY, TARTAGLIONE and WAUGH, by unanimous consent, offered **Senate Resolution No. 172**, entitled:

A Resolution honoring the life of the Honorable Charles Warren Stone on the 170th anniversary of his birth.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, today I rise to offer this resolution recognizing the life and work of Charles Warren Stone, as we commemorate the 170th anniversary of his birth. Mr. Stone led a long and distinguished life. He was superintendent of schools in Warren County, while serving 3 years as a member of the borough council. Stone worked briefly as a cotton planter in Mississippi before returning to Pennsylvania and becoming a partner in a law firm after he was admitted to the Warren County Bar.

He served as a State Representative, a State Senator, Lieutenant Governor under Governor Henry Hoyt, and was also appointed as Secretary of the Commonwealth. From there Stone moved on to Washington, D.C., representing Pennsylvania in Congress for 10 years. He was a candidate for the Republican nomination for Governor of Pennsylvania in 1898. He was elected as a Trustee of Pennsylvania State College, a member of

the Union League of Philadelphia, and of the Sons of the American Revolution.

Mr. President, I could go on, but instead I would like to note two aspects of Mr. Stone's distinguished life history that demonstrate the character of Charles Warren Stone. First, while studying as a student at Williams College in Massachusetts, Stone worked as a tutor for a private family, sawed wood, and did other chores so that he could graduate free from debt. This not only shows his early industrious nature, but also indicates that even back in 1863 student loans were a serious concern for students. Secondly, upon completing his term as presiding officer of the Senate, Lieutenant Governor Stone received more than the customary vote of thanks from the Members. For Stone, the Senate broke tradition, and with the support of every Member of both parties, they presented him with a gold watch of superior workmanship with a heavy gold chain and a charm shaped like a miniature gavel with diamond settings. The watch was inscribed: "Presented to the Honorable Charles Warren Stone, Lieutenant Governor of Pennsylvania, January 16, 1883, by the Members of the State Senate for the sessions of 1879, 1881, and 1883, as a testimonial to their high regard and great esteem for him as a public officer, and for the impartial and faithful performance of his duties as President of the Senate."

Mr. President, I ask that we follow the footsteps of our predecessors and honor this great man with adoption of this resolution.

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 the participants of the Gettysburg National Reenactments by Senator Alloway.

Congratulations of the Senate were extended to Mahanoy City Post Office, Schuylkill Hose Company No. 2, and to Hawk Mountain Sanctuary by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Floyd Imes by Senator Brubaker.

Congratulations of the Senate were extended to Nathan Alan Forbeck by Senator Costa.

Congratulations of the Senate were extended to Lezlie A. Hiner by Senators Dinniman and Washington.

Congratulations of the Senate were extended to Alexander S. Chasar by Senator Greenleaf.

Congratulations of the Senate were extended to East Liberty United Presbyterian Church of Vanderbilt and to Laurel Hill State Park by Senator Kasunic.

Congratulations of the Senate were extended to Arthur L. Powell and to Edward Sides III by Senator Leach.

Congratulations of the Senate were extended to Arlene Eichlin and to Decca Josephine Salvaggio Frey by Senator Mensch.

Congratulations of the Senate were extended to Helen A. Valente and to Linda Domingos by Senator Pileggi.

Congratulations of the Senate were extended to E. Joyce Honer by Senators Pileggi and Erickson.

Congratulations of the Senate were extended to Mr. and Mrs. James Wise by Senators Rafferty and Leach.

Congratulations of the Senate were extended to Matthew David Fick by Senator Smith.

Congratulations of the Senate were extended to Seton-La Salle Catholic High School Boys' Lacrosse Team by Senator Smith and others.

Congratulations of the Senate were extended to Lieutenant Colonel Paul L. Yarnell, Jr., and to Haps Boyer Central Pennsylvania Midget Tournament by Senator Teplitz.

Congratulations of the Senate were extended to Lowware Holliman by Senator Vance.

Congratulations of the Senate were extended to Victor E. Schall by Senator White.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 100 and HB 790.

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

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

June 24, 2013

HB 1478 -- Committee on State Government.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 25, 2013

10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider House Bills No. 1438, 1439 and 1440)	Room 461 Main Capitol
11:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 840 and 1042)	Room 461 Main Capitol
11:15 A.M.	JUDICIARY (public hearing to discuss Senate Bill No. 848, antitrust)	Room 8E-B East Wing

12:30 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 430, 684 and 813; and House Bills No. 1478 and 1482)	Room 8E-A East Wing
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 360, 725, 726, 727, 728, 729, 914 and 1010; and House Bills No. 82, 515, 1172, 1325, 1359 and 1437)	Rules Cmte. Conf. Rm.
Off the Floor	FINANCE (to consider Senate Bills No. 944 and 1043; and House Bills No. 388 and 390)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 579 and 583; and certain executive nominations)	Rules Cmte. Conf. Rm.
<u>WEDNESDAY, JUNE 26, 2013</u>		
9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bill No. 497; and House Bills No. 668, 669 and 1177)	Room 461 Main Capitol
<u>THURSDAY, JUNE 27, 2013</u>		
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.
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
<u>FRIDAY, SEPTEMBER 13, 2013</u>		
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

PETITIONS AND REMONSTRANCES

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

Senator RAFFERTY. Mr. President, I stand here today to talk about a vitally important issue for the Commonwealth of Pennsylvania: transportation. This is a core function of government to address, and I want to remind my colleagues in this building that it is our duty to provide safe transport and safe transit for people and adequate transportation for goods as they move through this Commonwealth of Pennsylvania. Recently, we passed Senate Bill No. 1 by a vote of 45 to 5, which is now in the House. I know they are working on some ideas of their own, and our dialogue between my office and Chairman Hess and Chairman McGeehan will continue to flow in that regard. Recently, I received in my office a letter signed by Governor Corbett congratulating us on Senate Bill No. 1 and the passage of Senate Bill No. 1.

Senate Bill No. 1 was based on a report issued by a committee handpicked by the Governor. And I would like to commend the Governor for handpicking the members of that committee because he picked individuals he had confidence in, respected, and admired them for their abilities in transportation. The Governor picked them, and I commend him for that. We had no input, it

did not come through the Senate, the Governor picked them. That committee came back with a report that said this Commonwealth needs no less than \$2.5 billion in transportation funding, and probably closer to \$3 billion. Mr. President, that report was finished 3 years ago. We are now working on transportation where we know that \$2.5 billion number is low, but it is the number that we in the Senate felt was practical and was a number that we could work with. We came to those revenue projections of \$2.5 billion in Senate Bill No. 1 by using the mechanisms, the roadmap, if you will, provided to us in the TFAC report, which is the report of the Governor's handpicked commission to come up with transportation funding solutions.

So we took that report, and from lifting that artificial cap on the oil franchise tax, which was set back in the 1980s, to increasing registration fees, and to surcharging the fines for traffic citations, which means those people who break the law would have to pay a greater amount for traffic citations, and for the first time in recent history, any money attached to an increase in traffic citations will be used for transportation. It is kind of unique in Pennsylvania when we look at the bottom of the ticket for all the other sundry items that the money goes for. But the fact is, we did not pull this number out of a hat. We used as a basis the hearings that we did as the Senate Committee on Transportation, the research that we did on transportation needs, both in my office and Senator Wozniak's office, and, once again, used it as a guideline and again, pardon the pun, a roadmap for us to come up with revenue and funding sources for Senate Bill No. 1. We also used that which was given to us by the Governor's handpicked committee, individuals who he had the utmost respect and confidence in, as we did, as we planned for Senate Bill No. 1. I am very encouraged that the Governor sent me the letter congratulating us for launching Senate Bill No. 1. I am very encouraged that the Governor will stand with us to make sure that we get the adequate transportation funding, which, to me, is no less than \$2.5 billion, through to the House of Representatives and to the Governor's desk.

This is a critical need as we see more and more bridges and more and more roads in need of repair. The fact, Mr. President, that the industry itself, all facets of the industry are supporting Senate Bill No. 1 - the chambers of commerce, the ABC, non-union contractors, the union contractors, the building and trades, the engineering council, construction council, AARP, mass transit, the rail freight, and the three ports are very grateful and very thankful for the increase in funding in Senate Bill No. 1. All the industries joined together and said we need Senate Bill No. 1, we need the \$2.5 billion revenue for transportation going forward here in the Commonwealth. I will continue to work with my colleagues here which had bipartisan support on Senate Bill No. 1, 45 to 5 vote, pretty good indication. I will continue to work with my colleagues on the other side of the aisle and my Caucus. We will continue with the dialogue with the House of Representatives, with their chairs and their Leaders. Most importantly, I am very grateful, once again, for the Governor recognizing the bipartisan efforts of Senate Bill No. 1 and will continue to work with Governor Corbett and his staff to make sure that we get a viable and valuable transportation bill to his desk to address the critical needs of transportation funding here.

There is no hiding from it, there is no running from it, we need to do it here in the Commonwealth, otherwise we are going to take a huge step backwards compared to our sister States that

have enacted aggressive transportation plans and drawing businesses here and keeping businesses here in the Commonwealth, and take a big step backwards if we do nothing or of little value. I am encouraging my colleagues to stand behind the numbers that we reached in formulating Senate Bill No. 1 and to get that piece of legislation to the Governor's desk for his signature to keep Pennsylvania moving forward, to provide that bridge that we need for the future.

Thank you, Mr. President, and I thank Governor Corbett for sending the letter and for standing with us.

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

Senator WOZNIAK. Mr. President, I rise to support my colleague and friend, Senator Rafferty, my partner in transportation. There is absolutely no question that we are poised to make a very difficult decision. I want to talk quietly to the people who are watching PCN right now. When Senator Rafferty was talking about \$2.5 billion, obviously that is revenue that has to be raised and we are asking that over the next 3 years it becomes relatively, about the price of a cup of coffee a week at a convenience store. A small price to pay for the safety of yourself and your children.

Just last week I was reading the USA Today and it had a list of the 10 States that have the most deficient bridges. Now, we all like being number one in many things, in sports, in school, but Pennsylvania is number one by sheer numbers and by percentages of having the most deficient bridges in the United States of America. The Governor's commission recommended almost \$3.5 billion in investment strategy. We found that was politically untenable to approach. Working together, Republicans and Democrats in the Senate, we came up with a plan that we think can deal with our mass transit, our ports, our rails, our airports, our bridges, our roads, our capacity and new construction all within the parameters of about \$2.5 billion. Most of you have read on occasion of a structure or bridge that has gone down. We have had them here in Pennsylvania. You have read about them in other States.

We have a few short weeks, or actually a week, to go and finalize what annually is the most important decision we make here in this Capitol, and that is the State budget. You are hearing a lot about pensions, you are hearing certainly about liquor stores, and a number of other issues. When you think about it, the liquor stores, no matter which way you fall on the issue, Pennsylvania is not going to fall apart. It is not going to create tens of thousands of jobs as a transportation investment bill will. When you talk about pensions, we can argue a defined contribution or a defined benefit plan, but ultimately Pennsylvania will find its way through that. But once again, those issues will not create the investment and the jobs that a transportation bill will.

The econometric experts say that for every \$1 billion invested in your transportation system, 25,000 good-paying jobs are created. So extrapolating at \$2.5 billion, I am looking at close to 60,000 jobs. Let us round it up a little bit more to 67,000, just to make a point. There are 67 counties in Pennsylvania. Could Cambria County use 1,000 construction jobs? Sure it could. Could Somerset County use 1,000 construction jobs? You bet it could. How about Lancaster, Pennsylvania, or maybe it is York, Senator? York, very good, 1,000 construction jobs. Now, they will not all be in the same county, but I am trying to make a point.

Our nation was founded on transportation. It is the driving force of the economy, the private sector. We as government could do no less to create an infrastructure so that people and goods can get across the Commonwealth of Pennsylvania so that we can be back to what we were originally called, the Keystone State.

I understand the House is deliberating, they are coming up with their own plan. I have no question that they have to put their DNA on a document too. But let us not lose sight of what we need to do. Our urban mass transit systems are deserving of revenues. Our rural roads that cannot pay for themselves are deserving of revenue. Our large city arteries, the aortas moving into our urban centers, need capacity. The Panama Canal, I will tell you how interesting this becomes, the Panama Canal is being widened and deepened so that larger craft can get across from the Pacific to the Atlantic. When they are coming from the Pacific to the Atlantic, they are coming up the eastern seaboard of the United States and they have a couple of choices: Baltimore, Delaware, perhaps New York, or perhaps Philadelphia. The Army Corps of Engineers is now developing a program of deepening the Delaware River so that those large watercraft can move up the Delaware River to reach the port of Philadelphia. We need to make that port capable of accepting those larger ships, putting those goods onto rail freight and letting the freight lines deliver it to distribution centers where the trucks distribute the goods across the Commonwealth or across the nation.

An investment package is not the wrong thing to do, it is the right thing to do. We are not doing this because we want to do it, we are doing it because we have to do it. In my terms in office, and I have been here a few, I have never seen such an overwhelming vote in the Senate of Pennsylvania, 45 to 5. Unheard of and probably unprecedented across this nation. So, I am proud that at least on this issue Democrats and Republicans, conservatives and liberals alike are supporting what could very well be the most important decision or vote we make in this first quarter of the 21st century.

Thank you, Mr. President, for the opportunity to address the people of Pennsylvania and this body.

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

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

Senator HUGHES. Mr. President, I will do my best to be brief, direct, and to the point. I am a little bit under the weather at this moment, so we will get right to the heart of the matter. First, I feel the need and am compelled to say thank you to a few folks, a few Senators on the Republican side, and maybe the entire Caucus, for responding to our what is now a 10-month call to advance the issue of Medicaid expansion in the context of adopting that program here in Pennsylvania. We have entered some conversations over the last several days and we seem to be possibly moving forward on this issue.

Our Caucus, the Senate Democrats, have been leaders in terms of trying to get this issue out, trying to make sure that folks understood the significance of it, trying to make sure that we not get lost in the politics of the conversation. We get fully ensconced in the fact that if we adopt this program, about a half-million people in Pennsylvania will have the opportunity to get

health insurance, and that is a good thing. The majority of those individuals are working, and the majority of those individuals are women.

We tie that issue, as I have done in the past, Mr. President, to the fact on this day at about 2 o'clock this afternoon, about 2 hours and 35 minutes ago, the findings of a poll were released that indicated the importance of the issue of funding for basic education in the Commonwealth of Pennsylvania. It was a state-wide poll done by Public Citizens for Children and Youth and the Pennsylvania Budget and Policy Center that indicated unequivocally, and the numbers were not even close, Mr. President. The poll was done by a professional firm, I believe it was the firm of Celinda Lake, that education and the funding of basic education now ranks number one with all voters across the Commonwealth of Pennsylvania. It is now tied with, and in some categories exceeds, the issue of jobs and job creation in the Commonwealth of Pennsylvania. The funding for basic education has now risen to the top of concerns of all of the folks in the Commonwealth of Pennsylvania. Rightfully so, as we have had the Governor cut out a billion dollars of funding for basic education over the last 2 years and we see over 70 percent of school districts across Pennsylvania have raised local property taxes. We see the fact that class sizes are increasing, resources for our children are decreasing, test scores for our children are dropping as opposed to Pennsylvania just 3 or 4 years ago being the number one State in the nation or the only State in the nation where test scores went up every grade level and in every subject matter. Now things are going in reverse.

Citizens are concerned, men are concerned, women are concerned. It is a concern that exists across the Commonwealth of Pennsylvania in every category, in every demographic group, and in every geography across Pennsylvania. The funding for education has vaulted to the top. The issue that was interesting in this poll that most folks should be able to access is the fact that people are very concerned and very disappointed in the fact that major corporations in the Commonwealth of Pennsylvania have received a major tax break to the tune of about a billion dollars while our schools have lost a billion dollars in State funding. There it is, it is evident in the details of this research that folks are not happy with the fact that those who have still continue to get, and those who do not have are losing in this process.

So we tie the issue of education funding to Medicaid expansion because we know that if we do Medicaid expansion—at least three different independent studies have come out indicating that in addition to creating healthcare opportunities for so many Pennsylvania citizens, we also free up current State spending by allowing Federal dollars to come in and replace those State spending dollars, and then we can use those now-available dollars to drive into our education system and help deal with this crisis that exists in education.

There are faces in both components. Sometimes we get lost in the discussion of the numbers, sometimes we get lost in discussing the statistics and details, but there are faces in each category. Think of the young man or the young woman who is trying to make ends meet and cannot find a job because unemployment remains far too high, and is trying to match different opportunities together to bring funds in to allow for them to continue to go forward. They are babysitting in one house, they are house-sitting in another house, they are maybe walking dogs at a third house, maybe they are cleaning up in the neighborhood in their

own community all to put a few dollars together in each circumstance to make things go forward. Maybe these individuals work at the local convenience store, but they do not get health benefits.

Very disturbing research came out today that talked about individuals who worked at a chain of 7-Elevens in various States across the country who are being paid, essentially, subminimum wage salaries and who are forced to live in hostels, if you would, they are forced to live in group homes and work in conditions that are just unacceptable for American citizens, for folks in this country who are working to be involved in. There are numerous categories of these individuals that we deal with on a daily basis, some are working, some are trying to work, folks are putting their whole circumstance together trying to make ends meet. They may make a few more dollars than the traditional Medicaid program allows for them to participate in, but they do not make enough to pay for their own insurance. They are security guards, or they work at personal care homes. They do everything and we depend upon them. They work in this building but they do not have health insurance. Medicaid expansion allows for them to have health insurance. Those are the faces to these numbers, and hopefully we can move forward in this process to getting that program put in place in Pennsylvania so that we can do the right thing for those individuals who deserve the right thing to be done for them.

But as I said, if you help one, you can help another. By putting this program in place, Mr. President, we can then make some dollars available to our education system. Just in the past 2 weeks, the largest school district in the Commonwealth of Pennsylvania, the School District of Philadelphia, sent out 3,900 pink slips. These are folks who will not be returning to work when school starts in August and September of this year. A third of these individuals, Mr. President, a third of these individuals make about \$10 or \$11 an hour. Where will they find work next? I am not sure. These are individuals we need to be responsive to. If we can find the dollars by doing Medicaid expansion, we can help out these individuals, we can help out our school districts like Philadelphia. But there are others. Allentown, 126 individuals received pink slips 2 weeks ago, Mr. President. York asked for a 40-percent pay cut for their school employees - teachers, bus drivers, cafeteria workers, support staff, and nurses. All of these individuals are losing work, but, unfortunately, the State still figures out a way, or this Governor still figures out a way, to take care of those who already have. He walks away from the issue of Medicaid expansion, allows the natural gas drillers to get one of the best breaks in the country, of any State in the country, lets them off the hook, provides a billion dollars of tax breaks to the wealthiest corporations in the Commonwealth of Pennsylvania. But these individuals, Mr. President, whom we are sent here to take care of, to look out for, to represent, to advocate for, to construct policy to address their circumstance, they are left wanting by this administration.

We have it in our power right now, Mr. President, 6 days before a budget is to be done, this coming Sunday, June 30. We have it in our power to meet the needs of individuals who are struggling mightily, who need us to stand up for them, who need the health insurance that is available for them right there in front of them, Mr. President. They can reach out and almost touch it. That health insurance is right there, that coverage is right there for them. These individuals who educate our children, who are responsible for the success of our children, allowing our children

to realize their dreams, we have an opportunity to stand up for them. Hopefully, we will have the wisdom, the political will, and the guts to stand for these individuals who need someone to step up for them. Hopefully our belief in these individuals will extend far beyond the disbelief that other folks have for them. Hopefully, Mr. President, we will be able, on June 30, when we leave here for summer recess, to be able to stand collectively, Democrats and Republicans, Senators and House Members, and hopefully this collective will be able to prevail upon our Governor to say that we did the right thing for those individuals who need the right thing done for them.

Thank you, Mr. President.

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

Senator STACK. Mr. President, I rise and echo many of the sentiments that my colleagues have talked about. Mr. President, you, sir, are right on infrastructure, Senator Rafferty, as the chair of the Committee on Transportation. You are right about infrastructure. Our colleague, Senator Wozniak, the Minority chair, is right. We have to accomplish this mission of infrastructure reform in Pennsylvania, and the number that you have identified is one of the reasonable numbers, which the Governor's own commission has said is appropriate for funding infrastructure the way it needs to be funded.

I know with a number of the other statements that have been said, I get a chance to read the papers and see the polling information. For whatever reason, infrastructure is not at the top of everybody's list out there, and I think it has something to do with people are not quite sure what we are talking about when we say infrastructure. But if you say to people, would you like to have 6,000 bridges that have already been found to be unstable and could collapse in disaster killing Pennsylvanians, let alone holding up commerce, most people, more like 99 to 100 percent, would say, yes, I want that problem fixed. If you told people that we were losing billions of dollars in additional income into the State and lost income from people sitting in traffic for long periods of time because we have not been able to fix the roads and that is why they are sitting in traffic, that is why they are spending their bottom dollar paying more money for fuel, then I think it would be like 99 or 100 percent of the folks would say, yes, I want to do infrastructure. It is a great idea.

So that is our job, to make sure people know what we are talking about. I think that is the Governor's job, as a leader. You have to let the people of Pennsylvania know what you think is important and then you have to execute the plan. We, here in the legislature, are here to be leaders, but we also want to work with the other leaders. The Governor is the chief executive, so we want him to let us know, what is your game plan, Governor? How is this fight going to play out? How is this battle going to play out? But at the end of the day, we want to get the mission done to serve the people of Pennsylvania. I think your infrastructure package hits it on the head. I am sort of going outside our protocol, Mr. President, by taking to you directly, so I will go back to referring to you in third person. But Senator Rafferty's plan for infrastructure and the \$2.5 billion, that expense is investment funding. It is an investment in the future of Pennsylvania, a Pennsylvania that is not in the 40s out of 50 States in economic development and job creation, but one that should be a leader, one that should be in the top 10 consistently.

When I look around and I meet the people of Pennsylvania, and I say, look at the smart kids we have in this State. Look at the tremendous schools we have in the University of Pittsburgh, Penn State, Lincoln, Temple, and all of the other State-relateds, and all the great colleges here, how can we not have a leading State with the wonderful job we do in education, with the great job that our parents do in helping our kids be able to afford that education, the sacrifices they make? There is no good answer, Mr. President, because we are not going in the right direction, we are not pursuing the policies that are going to help young people succeed in business and in opportunities, to help their parents maybe get off the hook a little bit with the economic pressures that they are under and helping their kids be able to afford the astronomical amounts that education seems to cost. There is no end in sight. Temple University, another State university, held the line last year and froze their tuition rates. This year, they are going up almost 3 percent, which, I guess, is a modest number, but in comparison to the amount that kids and parents are paying for higher education, it is a lot, Mr. President.

So, we have a lot of things that we have to straighten out in Pennsylvania. Infrastructure reform gets us on the road to being a leader. But, we cannot do infrastructure-lite, and that is what the House is trying to give us, half a loaf. It is a failure of leadership. If you are talking about an infrastructure package which is \$600 million less than every conceivable expert thinks is the right amount of money, then you are shirking your responsibility as a leader and you might as well not do it at all if you are not going to do it in a way that is going to be successful. Folks who have said that they are fiscally conservative and do not want to see good money go after bad or government funds wasted, that is what they would be doing by passing an infrastructure plan which is inadequate. So, once again, it is why we have to do the Rafferty-Wozniak infrastructure plan.

I talked about higher education. Just on the public education issue, we are still in a big crisis of funding for public education and being able to deliver it effectively here in Pennsylvania. I had a chance this weekend to spend time around a lot of teachers, my family, Mr. President. My sister, Mary Theresa, teaches at Hackett in Kensington, and they are doing a great job. But the teachers spend their own personal resources on education programs for these kids because the funding is not coming from Harrisburg and it is not coming from the School Reform Commission in Philadelphia. This happens across the State where you have teachers putting in their own money, and guess what, for most part, teachers are not paid a lot of money. They are public servants. They want to work hard in the classroom and help these kids, who are also going to be a huge part of Pennsylvania coming back. If we cannot educate these children at an early level in school, we are failing, we are failing as a government. Many of us have been able to achieve education and some amount of success in life. For us to then close the door and say, well, we got ours, now the rest of them, they can go pound sand, that is their own misfortune. That would be a failure, Mr. President.

So we have to do a better job of funding education. In Philadelphia, we almost have a plan. Combined with that the Governor says, he could possibly, along with our approval, send to Philadelphia schools--well, that is in combination with 3,500 workers in the public school system who are already being furloughed and given their pink slips. These are the people who teach music and art, they are the teachers' assistants who help in

the classroom, they are assistant principals who essentially run these schools. So, now, what we are left with is we are going to have principals who essentially are, I guess, chief executives of schools without any support staff under them. Once again, what I think the bottom line should be is, can you provide an effective educational product cutting numbers blindly? Once you take that support staff and those teachers of extracurricular activity out of the school equation, it is very difficult to deliver an effective public education.

One of the other aspects that we have talked about in Philadelphia for a long time, and I think we talked about statewide is that if schools are consistently failing and they are not able to perform, then, perhaps, just like in a lot of other things in life, that school should be allowed to let fail. But then we have to transition into a way that they are going to succeed. What we are doing in Philadelphia is closing schools and merging kids into other schools. What I am hearing is, we are merging schools where the number of problems with violence, safety, rivalries, and gangs that exist in a bigger city that may not exist in other places, additional challenges that make education so difficult, that is going to be exacerbated. Where you are going to have people going into ninth grade, a very challenging time in their education, and they are going to go into all of those other difficult social problems and potential for violence. When you think about the anxiety that adolescents deal with, just worrying about being able to keep up and be successful in school, on that anxiety-ridden Sunday night before Monday class, just think of the other turmoil they will be in thinking about violence and other issues. So we have to find a way to deal with the issue. We should have some kind of public education summit where everybody gets on the same page and tries to solve this problem for the long term. I do not think we are there yet. I still think we are just dealing with the issues as they come up on a monthly basis as opposed to looking at it globally for the next 10 to 20 years. So I hope we do that, Mr. President.

Lastly, I could not agree more on the Medicaid expansion because now I am hearing that the Governor wants to do it but he needs certain conditions met. God forbid, let us just do it because we can create tens of thousands of jobs, we can provide insurance for nearly 600,000 folks who are uninsured. That is another issue, Mr. President, where people say, well, how does that affect me when I have insurance, albeit it costs a fortune to have it, and I am not necessarily happy with the benefits that I have and the things that are not covered, at least I have it. Why should I worry about someone who does not have it? And the bottom line is, it costs us all more money when people get sick, and they always do. The first entrance into the healthcare system is through the emergency room doors. You know we live in a good moral country, we treat sick people who come in sick through the emergency room doors, often these people cannot afford these bills and it gets passed on to each of us through increased premiums. Once again, that is another job-killer and one of the reasons why is we are in the 40s, not in the top 10. We have to turn that around.

So I look forward to doing it, Mr. President. I am optimistic that we can turn things around, but we have to be ready to make the tough choices and we have to look at things not by week to week and month to month but year to year. The infrastructure plan that has been asserted by the Rafferty plan and by other folks, it is a good start. Now let us go all the way and serve the

people of Pennsylvania who demand more from us, expect more from us, and deserve a lot more from us.

Thank you, Mr. President.

BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President (Lieutenant Governor Jim Cawley) in the presence of the Senate:

SB 526 and HB 326.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from York, Senator Waugh.

Senator WAUGH. Mr. President, I move that the Senate do now recess until Tuesday, June 25, 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 4:58 p.m., Eastern Daylight Saving Time.