

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 25, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 45

SENATE

TUESDAY, June 25, 2013

The Senate met at 1 p.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 Deputy Chief Counsel of the Democratic Caucus, GLADYS M. BROWN:

Let us pray.

Dear Heavenly Father, ruler of all things, judge of all men, we call upon You to bless this legislative Session of the Senate of Pennsylvania. We know through Your word that You can provide the wisdom of Solomon for these Members as they deliberate, debate, and vote upon legislative proposals. We call upon You, Lord, to help us remember the words of the prophet Micah, requiring us to do justice, to love kindness, and walk humbly with You. Keep these words upon our hearts each and every day. Amen.

The PRESIDENT pro tempore. The Chair thanks Gladys Brown for the prayer today.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 381**, with the information the House has passed the same without amendments.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 891**.

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 25, 2013

HB 1490 -- Committee on Consumer Protection and Professional Licensure.

BILLS SIGNED

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the presence of the Senate signed the following bills:

SB 381 and **HB 891**.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Permission have been granted to add House Bill No. 391 to today's off-the-floor meeting of the Committee on Finance.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator Browne, Senator Hutchinson, and Senator Ward.

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

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

The PRESIDENT pro tempore. Senator Pileggi requests temporary Capitol leaves for Senator Browne, Senator Hutchinson, and Senator Ward.

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

Without objection, the leaves will be granted.

BILLS REPORTED FROM COMMITTEES

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

SB 430 (Pr. No. 360)

An Act authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Borough of Ashland or their assigns certain lands situate in the Borough of Ashland, Schuylkill County, Pennsylvania, a portion of which is subject to Project 70 restrictions.

SB 684 (Pr. No. 674)

An Act amending the act of May 28, 1923 (P.L.458, No.250), entitled "An act authorizing the Department of Forestry, with the approval of the Governor and Attorney General, to lease for periods of not more than fifty years, on terms, conditions, and stipulations expressed in each lease, any portions of the State forests for dams, reservoirs, canals, pipe lines and other water conduits, power houses and transmission lines, for the development of water power, for steam raising and condensation, and for the generation and transmission of electric energy," providing for wind, solar and other renewable energy projects.

SB 813 (Pr. No. 852)

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part; and providing for local government unit roofing projects.

HB 1478 (Pr. No. 2118)

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Carlisle, Cumberland County; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Bear Valley Franklin County Pennsylvania Joint Authority, or its assigns, two permanent utility and access easements from lands of the Commonwealth of Pennsylvania at the Ft. Loudon Historical Site situate in Peters Township, Franklin County, for purpose of groundwater withdrawal; authorizing the Department of General Services, with the approval of the Governor, to accept a conveyance of real property from the County of Lackawanna Transit System Authority, certain lands situate in the City of Scranton, Lackawanna County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a public solicitation for proposals, certain lands, buildings and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County.

HB 1482 (Pr. No. 2153) (Amended)

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to Gettysburg Foundation, or its successors or assigns, certain land situate in Gettysburg Borough, Adams County; to grant and convey to the Scranton School District, or its successors or assigns, certain lands situate in the City of Scranton, Lackawanna County; to grant and convey to Redevelopment Authority of the City of Bethlehem, or its successors or assigns, certain land situate in the City of Bethlehem, Lehigh County; and to grant and convey to La Salle University, or its successors or assigns, certain land and improvements situate in the 17th Ward (formerly 49th Ward), City of Philadelphia, Philadelphia County, known as the Ogontz Armory; and authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to the City of Lock Haven certain lands situate in the City of Lock Haven, Clinton County; authorizing the Department of General Services, with the approval of the Governor, at a price to be determined through a public solicitation for proposals, certain land, buildings and improvements situate in East Allen Township, Northampton County; and authorizing the Department of General Services, with the approval of the Governor, to release restrictive covenants in the City of Hazleton, Luzerne County.

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

HB 1438 (Pr. No. 2140) (Amended)

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for definitions and for subjects of taxation enumerated.

HB 1439 (Pr. No. 2141) (Amended)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions and for exemptions from taxation.

HB 1440 (Pr. No. 1951)

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions.

Senator VANCE, from the Committee on Public Health and Welfare, reported the following bills:

SB 840 (Pr. No. 906)

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, changing the name of the Department of Public Welfare to the Department of Human Services; and providing for a transition period.

SB 1042 (Pr. No. 1278)

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.

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of May 14, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of May 14, 2013.

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT pro tempore. Senator Ward and Senator Stack have returned, and their temporary Capitol leaves are cancelled.

GUESTS OF SENATOR JOHN P. BLAKE PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, I stand here very proud as an alumnus of Valley View High School in northeastern Pennsylvania, in the 22nd Senatorial District, because I get to introduce some very, very special guests, the Valley View Girls' Softball Team, 2013 PIAA Class AAA State Champions. Led by coach E.J. Weston, this team returned to the State championship one year after a heartbreaking loss in the deciding game for the State title last year. Mr. President, this time they went all the way. They shut out Erie's Fort LeBoeuf High School 5-0 on June 14, and it is now the second time in 13 years that Valley View has won the State softball crown. I am deeply proud of these young women and these great athletes, Mr. President. They are represented here not only by their coach, E.J. Weston, but also by their bat boy, Tommy Moruya, and by school board members Dominick Perini and Ellen Nielsen.

Mr. President, one last comment before I ask for a welcome and congratulations. The seniors on this team have a combined record of 75-4 in 4 years. Quite a remarkable achievement for these young ladies. So, if you would please give these young ladies a great welcome and a warm congratulations, I would be very grateful.

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

(Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

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

Senator BOSCOLA. Mr. President, I rise today to introduce a set of interns who are working in my Bethlehem office. Yesterday I talked about three of them, and today I have an additional three. My first intern with us today is David Weidman, who is a senior psychology major at Penn State University's Lehigh Valley campus. I met David at the Meet Your Legislator Event at Penn State Lehigh Valley last year, and was so impressed with his determination to learn more about government. As a veteran serving 7 years in the Air Force, I told him right there on the spot that he would become an intern in my office. Since coming on board this summer, he has had a great and tremendous impact in my office.

Next, Mr. President, I would like to introduce Marissa LaWall, a junior at Cedar Crest College in Allentown. Marissa is majoring in criminal justice with a concentration in pre-law. She is currently the vice president of her class, the cheerleading captain--so was I, Marissa--and a member of the forensic speech team. Marissa is also treasurer for Society for Human Resource Management.

Finally, we have Ben Ahmad. Ben will be entering his sophomore year at Moravian Academy High School in Bethlehem, where he has consistently made high honors. Ben is a member of the debate team and student council. He truly enjoys running and being a member of the cross country and track teams at Moravian Academy.

Mr. President, as I discussed yesterday, this year my interns are undertaking a local project with the Bethlehem Library. The project includes being assigned to certain research projects by the public and presenting those findings at a public meeting. I am so proud to have these interns working with us this year, they have done such great work so far. I look forward to working with them the entire summer, and I ask that the Senate give them our usual warm welcome.

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

(Applause.)

GUEST OF SENATOR WAYNE D. FONTANA PRESENTED TO THE SENATE

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

Senator FONTANA. Mr. President, today I would like to introduce a special guest who is in the gallery, Mark Wolfe. He is serving as a summer intern in my Capitol office here in Harrisburg. Mark recently completed his freshman year at Gettysburg College where he is a political science and public policy major. He also has a minor in Middle East and Islamic studies. In addition to his course work, Mark is active in several extracurricular groups and community organizations. He is a member of the Gettysburg College Student Senate and belongs to Alpha Phi Omega service fraternity. Mark also takes time to volunteer at the Gettysburg Community Soup Kitchen. Mark is a 2012 graduate of Trinity High School in Camp Hill, where he was a member of the National Honor Society. Mark and his family are residents of Hampden Township in Cumberland County.

Mr. President, during his time with my office, Mark has proven himself to be a hardworking, motivated young man, and I am certain he will continue to succeed upon the conclusion of his employment here in the Capitol. I ask that you join me in giving Mark our usual warm Senate welcome.

Thank you, Mr. President.

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

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

(Applause.)

GUESTS OF SENATOR ROBERT TOMLINSON PRESENTED TO THE SENATE

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

Senator TOMLINSON. Mr. President, I am pleased to have Tyler Grainey from Levittown with me today. Tyler is a constituent whose family has been dear friends of mine for years. Tyler has achieved the rank of Eagle Scout this year for Troop 123. For his Eagle Scout community service project, he repositioned the

flagpole and provided an American flag for the Levittown-Fairless Hills Rescue Squad. Tyler has been accepted to Lock Haven University and is going there this fall to major in sports management. With Tyler is his mom, Kelly Grainey; his grandmother, Patricia Grainey; his aunt, Tricia Dornisch; and cousin, Rachel Dornisch. This is a fine young man who has a great future. We just recognized him for achieving the rank of Eagle Scout, and I would like to have the Senate give Tyler and his family a warm welcome.

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

(Applause.)

GUESTS OF SENATOR JOHN N. WOZNIAK PRESENTED TO THE SENATE

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

Senator WOZNIAK. Mr. President, there are a whole lot of Keystone young men in the gallery who are all looking for the opportunity to perhaps attend our service academies - West Point, Annapolis, et cetera - ROTC, or some other military options that are out there. They are fine, strapping young men. I had the opportunity to take some from the Johnstown/Cambria County and Clearfield County areas on a tour of the Senate floor and House floor. I congratulate them for coming up and being chosen by their local American Legions. To all of those young men in the balcony, the Senate gives you a warm welcome and wishes you a great future.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

RECESS

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

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

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

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

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

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Browne and Senator Hutchinson have returned, and their temporary Capitol leaves are cancelled.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Dinniman and Senator Hughes, and legislative leaves for Senator Stack and Senator Williams.

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

Senator Costa requests temporary Capitol leaves for Senator Dinniman and Senator Hughes, and legislative leaves for Senator Stack and Senator Williams.

Without objection, the leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 379 (Pr. No. 1279) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for benevolent gestures relating to medical professional liability insurance.

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

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I rise in support of this bill and I ask my colleagues to support it as well. This is a benevolent gesture legislation which has been elusive for this body for many, many years and I think that, finally, we have reached an agreement whereby doctors can feel comfortable in making apologies to patients or to patients' families for the outcomes of certain procedures, or in the event of an unforeseen outcome. I also think it preserves the individual's rights in the event that some-

thing really egregious happens and there was fault or negligence involved. I thank my colleague from Cumberland County, Senator Vance, and her staff, for everything that she did in working on this piece of legislation because we really did put it together. It was a huge effort to do this and work it out, and I think it will be to the benefit of all Pennsylvanians.

Thank you, Mr. President.

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

Senator VANCE. Mr. President, apology has proven to be a dramatically effective way of resolving conflict. In the past, doctors and many other healthcare professionals wanted to apologize but they were deterred by fear of a lawsuit. The main motivation to sue a doctor by a caregiver is anger. Many times this anger can be assuaged by an apology. Actually, recent studies have shown that a large percentage of patients and their families may not have initiated medical malpractice suits if they had been given an explanation and an apology.

To date, 37 States have this apology law in effect. The big winners in this whole thing are obviously the patients and the people who get the healthcare. This could not have been done without some like-minded legislators seeking to do what I think is our job - to sit down, discuss both sides of the issue, and come to some resolution. I think the biggest compliment we heard was that both sides are a little unhappy, and that means it probably was a good compromise.

I want to give many thanks to Senator Yaw and his staff Nick Troutman, and to my staff Amy Bolze, as well as Kathy Eakin for the drafting. I must say I am very happy that this day has arrived. I have worked on this legislation for 8 years and, so, finally I hope we are getting close to the goal line.

Thank you, Mr. President.

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

And the question recurring,
Shall the bill pass finally?

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

YEA-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

SB 391, SB 401, SB 428 and HB 513 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

HB 1112 (Pr. No. 1426) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements used as State armories throughout this Commonwealth.

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

Senator SMUCKER offered the following amendment No. A2585:

Amend Bill, page 17, line 23, by striking out "The" and inserting:
(a) Authority to impose.--In addition to the restriction in subsection (b), the

Amend Bill, page 17, by inserting between lines 26 and 27:

(b) Restriction.--Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

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

The PRESIDING OFFICER. The Chair recognizes the gentleman from Lancaster, Senator Smucker.

Senator SMUCKER. Mr. President, this amendment prohibits the use of any of the properties conveyed by House Bill No. 1112 from being used by an entity which is licensed by the Gaming Control Board. That prohibition is language that is commonly used in this kind of land conveyance legislation.

Thank you, Mr. President.

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

It was agreed to.

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

BILLS OVER IN ORDER

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

SECOND CONSIDERATION CALENDAR

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 ON SECOND CONSIDERATION

SB 100 (Pr. No. 1280) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL REREFERRED

SB 128 (Pr. No. 1205) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 252 and **SB 332** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 421 (Pr. No. 1125) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further providing for qualifications required to secure compensation and for ineligibility for compensation.

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 488 (Pr. No. 1131) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 493 and **SB 699** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

HB 784 (Pr. No. 1425) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,
Will the Senate agree to the bill on second consideration?
Senator PILEGGI offered the following amendment No. A2327:

Amend Bill, page 8, lines 18 through 23, by striking out all of said lines and inserting:

(a) Automatic suspension.--The expiration date of an approval by a government agency that is granted for or in effect during the extension period, whether obtained before or after the beginning of the extension period, shall be automatically suspended during the extension period.

On the question,
Will the Senate agree to the amendment?
It was agreed to.

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

BILL ON SECOND CONSIDERATION

HB 790 (Pr. No. 2139) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 860, SB 862, SB 878, HB 925, HB 927, SB 931, SB 975, SB 976, SB 984, SB 994, 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

HB 1122 (Pr. No. 2085) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of condominiums, further providing for contents of declaration for all condominiums, for contents of declaration for flexible condominiums and for amendment of declaration; in protection of purchasers, further providing for declarant's obligation to complete and restore; and, in creation, alteration and termination of planned communities, further providing for contents of declaration for all planned communities, for contents of declaration for flexible planned communities and for amendment of declaration.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

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

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

Senator PILEGGI, 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 PENNSYLVANIA
CANCER CONTROL, PREVENTION
AND RESEARCH ADVISORY BOARD**

April 11, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Oralia Garcia Dominic, 428 West Chocolate Avenue, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Cancer Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified, vice Colonel James Williams, Jr., Camp Hill, whose term expired.

TOM CORBETT
Governor

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

April 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, T. Anthony Iannelli, 5345 Princeton Drive, Macungie 18062, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Jacob Sayshen, Kutztown, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY**

April 10, 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, Tom Kramer, LMT, NCTMB, 474 Dohner Drive, Lancaster 17602, Lancaster County, Thirty-sixth Senato-

rial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Loreli H. Bauer, M.Ed., NCTMB, Perkasio, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

April 10, 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, Donna K. Ponessa, 160 Valley Road, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the State Board of Massage Therapy, to serve until October 9, 2016, or until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

May 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, John T. Durbin, 12 Emlyn Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2016, and until his successor is appointed and qualified, vice The Honorable A. Carville Foster, Jr., Seven Valleys, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

May 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, Michael P. Gleason, 2313 Engelwood Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2017, and until his successor is appointed and qualified, vice David F. Werner, York, whose term expired.

TOM CORBETT
Governor

SECRETARY OF PUBLIC WELFARE

April 30, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Beverly D. Mackereth, 307 Forge Court, Spring Grove 17362, York County, Twenty-eighth Senatorial District, for appointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice The Honorable Gary D. Alexander, Greenville, Rhode Island, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

April 9, 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, Mark B. Guise, M.S., V.M.D., 2336 Forest Hills Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

NOMINATIONS LAID ON THE TABLE

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

The PRESIDING OFFICER. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

Motion was made by Senator PILEGGI,
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 PILEGGI. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

MEMBER OF THE PENNSYLVANIA
CANCER CONTROL, PREVENTION
AND RESEARCH ADVISORY BOARD

April 11, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Oralia Garcia Dominic, 428 West Chocolate Avenue, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Cancer

Control, Prevention and Research Advisory Board, to serve for a term of four years and until her successor is appointed and qualified, vice Colonel James Williams, Jr., Camp Hill, whose term expired.

TOM CORBETT
Governor

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

April 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, T. Anthony Iannelli, 5345 Princeton Drive, Macungie 18062, Lehigh County, Sixteenth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Jacob Sayshen, Kutztown, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

April 10, 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, Tom Kramer, LMT, NCTMB, 474 Dohner Drive, Lancaster 17602, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2015, or until his successor is appointed and qualified, but not longer than six months beyond that period, vice Loreli H. Bauer, M.Ed., NCTMB, Perkasio, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

April 10, 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, Donna K. Ponessa, 160 Valley Road, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the State Board of Massage Therapy, to serve until October 9, 2016, or until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

May 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, John T. Durbin, 12 Emlyn Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2016, and until his successor is appointed and qualified, vice The Honorable A. Carville Foster, Jr., Seven Valleys, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

May 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, Michael P. Gleason, 2313 Engelwood Drive, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2017, and until his successor is appointed and qualified, vice David F. Werner, York, whose term expired.

TOM CORBETT
Governor

SECRETARY OF PUBLIC WELFARE

April 30, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Beverly D. Mackereth, 307 Forge Court, Spring Grove 17362, York County, Twenty-eighth Senatorial District, for appointment as Secretary of Public Welfare, to serve until the third Tuesday of January 2015, and until her successor is appointed and qualified, vice The Honorable Gary D. Alexander, Greenville, Rhode Island, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

April 9, 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, Mark B. Guise, M.S., V.M.D., 2336 Forest Hills Drive, Harrisburg 17112, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

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

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
BILLS REPORTED FROM COMMITTEES**

Senator BRUBAKER, from the Committee on Finance, reported the following bills:

SB 944 (Pr. No. 1185)

An Act authorizing school districts of the first class coterminous with cities of the first class to enact local cigarette taxes; and establishing the Local Cigarette Tax Fund.

SB 1043 (Pr. No. 1281)

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.

HB 388 (Pr. No. 1794)

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, further providing for municipal and tax claims and liens.

HB 390 (Pr. No. 401)

An Act amending the act of December 13, 1988 (P.L.1190, No.146), known as the First and Second Class County Property Tax Relief Act, further providing for conditions of deferral or exemption.

HB 391 (Pr. No. 1574)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in assessments of persons and property, providing for installment payments.

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

SB 360 (Pr. No. 1288) (Amended) (Rereported)

An Act establishing the Pennsylvania Community College Affordability Advisory Council within the Department of Education; and providing for its powers and duties and for administrative support.

SB 914 (Pr. No. 1289) (Amended) (Rereported)

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

SB 1010 (Pr. No. 1225) (Rereported)

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

HB 82 (Pr. No. 2154) (Amended) (Rereported)

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

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

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

HB 1172 (Pr. No. 1606) (Rereported)

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.

HB 1325 (Pr. No. 1706) (Rereported)

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for definitions, for official plans and for permits.

HB 1359 (Pr. No. 1754) (Rereported)

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.

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

SB 579 (Pr. No. 1193) (Rereported) (Concurrence)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and repealing an act relating to limitation on complement of the Pennsylvania State Police.

SB 583 (Pr. No. 1174) (Rereported) (Concurrence)

An Act amending the act of August 23, 1967 (P.L.251, No.102), known as the Economic Development Financing Law, further providing for competition in award of contracts.

SB 607 TAKEN FROM THE TABLE

Senator PILEGGI. Mr. President, I move that Senate Bill No. 607, Printer's No. 577, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDING OFFICER. The bill will be placed on the Calendar.

SENATE RESOLUTIONS ADOPTED

Senators SOLOBAY, WOZNAK, KITCHEN, KASUNIC, WASHINGTON, DINNIMAN, TEPLITZ, GREENLEAF, FERLO, ALLOWAY, STACK, BREWSTER, SMITH, ERICKSON, RAFFERTY, COSTA, BAKER, HUGHES, BOSCOLA, SCHWANK, FARNESE, WHITE, HUTCHINSON, BROWNE, FONTANA, PILEGGI, WAUGH, TARTAGLIONE and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 173**, entitled:

A Resolution designating the month of September 2013 as "Ovarian Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, I offer a resolution recognizing September 2013 as "Ovarian Cancer Awareness Month" in Pennsylvania. Unfortunately, Pennsylvania ranks fifth in the nation with the most deaths from ovarian cancer, with an estimated 810 deaths last year in 2012. This year, 1 in 71 women will be diagnosed with ovarian cancer. Fortunately, if ovarian cancer is diagnosed and treated early, when confined to the ovary, the 5-year survival rate is well over 90 percent. That is why awareness of early symptoms and education about the disease are so important. The National Ovarian Cancer Coalition has adopted an initiative called, Take Early Action and Live, or TEAL. The message of this initiative is that with increased awareness of ovarian cancer and its symptoms, more women can be empowered to recognize the warning signs and take early action and live. The Washington Wild Things, a local minor league baseball team back home in Washington County, will be sponsoring a special night this August to promote awareness of the disease and the TEAL initiative. This will be one of many

events held across the Commonwealth to spread the word about this critical women's health issue.

Mr. President, I offer this resolution today designating September 2013 as Ovarian Cancer Awareness Month so that more attention and awareness can be given to this disease, and I ask my colleagues to provide an affirmative vote.

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

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

Senator MENSCH, by unanimous consent, offered **Senate Resolution No. 174**, entitled:

A Resolution designating the month of September 2013 as "Women in Chronic Pain Awareness Month" in Pennsylvania to recognize the need to raise awareness concerning gender disparity in pain assessment and treatment.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, research indicates that differences in men and women exist in the experience of pain, with women generally experiencing more recurrent pain, more severe pain, and longer-lasting pain than men. Women have a higher prevalence than men of chronic pain syndromes and diseases associated with chronic pain, such as fibromyalgia, reflex sympathetic dystrophy, and osteoporosis. I ask that the Senate designate the month of September 2013 as "Women in Chronic Pain Awareness Month" in Pennsylvania.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. John Deyo, David Martin Madl III and to Lenny Javick III by Senator Baker.

Congratulations of the Senate were extended to Greater Wilkes-Barre Association for the Blind by Senators Baker and Yudichak.

Congratulations of the Senate were extended to Mr. and Mrs. Louis Jablonski, Mr. and Mrs. Edgar Buckwalter and to Mr. and Mrs. John Martin by Senator Brubaker.

Congratulations of the Senate were extended to Angela Rocco and to Sandy Tait by Senator Corman.

Congratulations of the Senate were extended to Dr. Charles T. Blockside by Senator Costa.

Congratulations of the Senate were extended to Lynda Limpert, Hunter Kruppenbach and to Brian Robertson by Senator Folmer.

Congratulations of the Senate were extended to Judi Moore by Senators Folmer and Solobay.

Congratulations of the Senate were extended to Mr. and Mrs. Kenneth Stone, Mr. and Mrs. Clifford Cochran and to Michael Martin Zidek by Senator Hutchinson.

Congratulations of the Senate were extended to Mission of Mercy Dental Mission by Senator Kitchen.

Congratulations of the Senate were extended to George E. Franklin by Senator Pileggi.

Congratulations of the Senate were extended to Chief Kevin Schurr by Senator Rafferty.

Congratulations of the Senate were extended to Pamela J. Meterko and to Cathy L. Riggie by Senator Scarnati.

Congratulations of the Senate were extended to Xavier Francis Galgano by Senator Schwank.

Congratulations of the Senate were extended to George Kokiko by Senator Smith.

Congratulations of the Senate were extended to Mr. and Mrs. John Moore, Mr. and Mrs. John Petrovic, Mr. and Mrs. Gerald H. Condit, Mr. and Mrs. Frank Robinson, Mr. and Mrs. Charles Cunningham, Samuel Brent Urban, and to Meadows Racetrack and Casino, by Senator Solobay.

Congratulations of the Senate were extended to Mr. and Mrs. David Blackledge and to Gordan William McGann by Senator Vance.

Congratulations of the Senate were extended to Connor Mario Burns, Alexander Michael Shidel and to Joshua Tyler Maywood by Senator Ward.

Congratulations of the Senate were extended to West York High School Baseball Team by Senator Waugh.

Congratulations of the Senate were extended to Mr. and Mrs. Richard Headrick by Senator White.

Congratulations of the Senate were extended to Hailey Innocenzo and to Loyalsock High School Baseball Team by Senator Yaw.

Congratulations of the Senate were extended to Robert Adams and to Jackie Fletcher Brozena by Senator Yudichak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Viola Beatrice Taylor by Senator Hughes.

Condolences of the Senate were extended to the family of the late William J. Chertok by Senators Dinniman and Rafferty.

Condolences of the Senate were extended to the family of the late Scott E. Novak by Senator Solobay.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 430, SB 684, SB 813, SB 840, SB 944, SB 1042, SB 1043, HB 388, HB 390, HB 391, HB 1438, HB 1439, HB 1440, HB 1478 and HB 1482.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, JUNE 26, 2013

9:30 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 497, 901 and 902; and House Bills No. 668, 669 and 1177)	Room 461 Main Capitol
10:15 A.M.	TRANSPORTATION (public hearing on the nomination of the Honorable Sean Logan to the PA Turnpike Commission; and a committee meeting to consider Senate Bill No. 551)	Room 8E-B East Wing
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider House Bill No. 1490)	Room 8E-A East Wing
10:45 A.M.	BANKING AND INSURANCE (to consider Senate Bill No. 1040; and House Bills No. 1480, 1481 and 1483)	Senate Maj. Caucus Rm.
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 725, 726, 727, 728, 729 and 922; and House Bills No. 22, 26, 602, 1190 and 1437)	Rules Cmte. Conf. Rm.

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.
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

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. Benzette
-----------	---	---

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, the Fair Labor Standards Act was signed into law by Franklin D. Roosevelt 75 years ago today. The act created the first minimum wage, established the 40-hour work week, and protected children from exploitation. More than that, however, the Fair Labor Standards Act created the middle class in America. By 1938, America had been through an economic collapse. A handful of big businesses had tremen-

dous influence over the government. These businesses had returned to record profits, but the profit was not reflected in the pay and working conditions for the men and women in the factories. The gap between rich and poor was wide and growing. Congress and the courts were siding with big business in preserving the system as it was. Does all of this sound familiar? Today, America is recovering from a historic economic collapse. Big business has tremendous influence over the government. In May, the Dow hit an all-time high, while the relative wealth of the middle-class family has hit a 30-year low. The gap between the rich and poor is wider than it has ever been before in decades. Congress and the courts are siding with big business to keep the system as it is.

In 1928, the top 1 percent held 23.9 percent of the wealth in the United States. In 1957, the top 1 percent held 10.1 percent in wealth. And in 2007, the top 1 percent was back raking in 23.5 percent of the total wealth. I have spent the last 3 months talking with labor leaders and middle class workers about how the conditions that sparked change 75 years ago are present today. In fact, if we look at the worker protections created by the Fair Labor Standards Act, all of them, even the protection of children, have been scaled back over the past three decades. Labor leaders and lawmakers who side with working families are facing the greatest challenge we have had in 75 years since our greatest progress. Research has shown that organized labor participation had a direct impact on the income and welfare of all families, whether they were protected by collective bargaining or not. Declining membership in organizational labor groups has resulted in historic decline in the wealth of the entire middle class. Anyone in this Chamber who says that they support working families has to be alarmed by the trends that have returned economic disparity to post-Depression levels.

The minimum wage has been eroded by insignificance. A decent pension is criticized as a luxury. Education comes with crippling debt. Over 40 million Americans who go to work every day do not have health insurance. That is not the America that our ancestors built. This is not the progress they intended. On the 75th anniversary of breakthrough legislation for the middle class, it is time for an earnest look at where we have been as a nation and where we need to go.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, today, I rise to talk about movies, taxes, and the city of Philadelphia. Actually, Mr. President, it sounds like a great title for a movie someday. Some people who know me around the Capitol and know me well know that I enjoy watching movies in my free time. I like to go to a lot of movies. I actually go to movies when I am in Harrisburg simply just to relax. And for many people, Mr. President, like myself, movies are just that, a way to spend time with friends and family. They are a way to relax a little bit and catch your breath. But movies also, Mr. President, are a multibillion dollar business in the United States. As I am sure you are all aware, the film industry is a frequent visitor to numerous communities throughout Pennsylvania. The city of Philadelphia and the district that I represent is looking to do more within the Commonwealth of Pennsylvania, specifically within the city of Philadelphia.

In fact, according to the Independent Fiscal Office's recent report on uncapping the film production credit in Pennsylvania, in 2012, the film industry brought in approximately \$367 million

in production expenses to the Commonwealth of Pennsylvania, and \$271 million in the Philadelphia region. In 2012, Mr. President, my senatorial district had 184 days of production, the largest of anywhere in the Commonwealth, with revenues in excess of \$46 million. Just think about that, 184 days of filming just in one district, the First Senatorial District in Philadelphia, and revenues of \$46 million, again, only within my senatorial district in Philadelphia. You can see that this industry wants to do business in Pennsylvania, wants to do more business in Pennsylvania, and clearly the numbers show that it is an economic generator, not only in terms of revenue, but for jobs.

Senator Pileggi has recently introduced Senate Bill No. 1035, a bill that would uncapped the film tax credit in the Commonwealth of Pennsylvania. I have no doubt that this will be included in whatever Tax Code bill we see move out of this body right before we leave for the summer recess. I want to be very clear about this, Mr. President. I support the film tax credit program, and I have every single year since I have been in the Senate. I think it is a significant economic generator to the Commonwealth, it creates jobs, and it also allows for significant revenues to be spent within those areas where the filming is taking place.

I can tell you many times over the last several years we have had film crews, like I said, in my district that generate in excess of probably millions of dollars over the years for local vendors and entrepreneurs that are doing business within Philadelphia. I think it is a vital incentive for Pennsylvania to stay competitive in the film industry, and I have supported it since taking office. I support Senator Pileggi's efforts to bring more of this business into our State and, specifically, to our shared region of the State. I also want to give a big shout-out to a good friend of mine, Sharon Pinkenson, the executive director of the Greater Philadelphia Film Office, who does an excellent job of shepherding around the different production crews and really advocating for Pennsylvania and for Philadelphia as a location for these films to be produced.

However, the legislation that we are dealing with right now, I believe Senate Bill No. 1035 is what is going to be moving forward, but there is an opportunity for us to take a step back and pause, to allow us to examine whether we are adequately, and this is important, Mr. President, whether we are adequately protecting the businesses that this credit is supposed to provide economic assistance to. I have shared my thoughts on why I am advocating at this time for additional protections from our Commonwealth's businesses that are doing work for film productions in our State with leadership in the Senate and our local film production office. I have shared some of the language that I want to amend into Senate Bill No. 1035, which would simply give protections that are not presently there to those vendors with whom the production companies are doing business in the cities around the Commonwealth. It is important that these production companies get the credit. We all understand that. We want the industry to come to the Commonwealth. We do not want to lose out on this business. We also must insure that those businesses with which they do business, those vendors with which they do business, are protected and that they get paid when the production wraps. It is my intention today, Mr. President, not to derail a program that has a strong economic benefit to the Commonwealth and the city of Philadelphia, but rather to make sure that the tax credits are not incentivizing productions to come to the Commonwealth and leave businesses empty-handed.

To help Members understand what brought this issue to my attention, last summer I read a news report about a production company behind the mob drama called "Dead Man Down." You might remember that "Dead Man Down" filmed within the city of Philadelphia for several months last summer. At the time that this article was written, the production company, "Dead Man Down," owed hundreds of vendors within the city of Philadelphia, and probably in the vicinity, significant amounts of money. A third party did step in and attempted to negotiate payment on behalf of the production company to its vendors. But, Mr. President, many were forced to take as little as 40 cents on the dollar. Many of the larger vendors were able to recover most of their money, leaving the smaller vendors with nothing. So let us get this straight, it is a multibillion dollar business. We are providing multimillion dollar tax credits. And at the end of the day, the production company packs up, leaves, and these Philadelphia vendors and around the area, some of which were forced to take 40 cents on the dollar from a multimillion dollar production company, or even worse, had nothing at all, zero, lost out completely. That is not where I think we want this tax credit to go, not what we want this tax credit to further.

So, as I was thinking about this, clearly, many of these small vendors that are doing business with the production companies just do not have the clout that the larger businesses do and they were not able to pursue payment to the extent they could not hire an attorney. They were not able to assume the costs that would have made it worth their while for them to even pursue these matters given what was owed and what it would cost to get there. So, Mr. President, I understand that the only clawback provision in Pennsylvania's film production tax credit program is the inability for an approved project to meet its necessary 60 percent of qualified production expenditures in Pennsylvania. As long as they meet this 60-percent threshold, they are eligible for release of the tax credit. Unfortunately, this could still leave, as it did last year in Philadelphia with the "Dead Man Down" production, businesses out of luck for payment if their cut of money is outside that minimum 60-percent expenditure threshold. We should not be allowing, Mr. President, a production company to have its cake and eat it too at the expense of our small businesses.

So, I stand here to say, once again, and I want to be very clear about this, I want 100 percent support of the expansion of the Pennsylvania film tax credit program. I support taking the cap off of the program and allowing this credit to expand and to bring additional productions to the Commonwealth of Pennsylvania. My district probably has the most out of anywhere in the entire Commonwealth of Pennsylvania, like I said, 184 production days last year. I also stand here to advocate the position that now is the time to enact a more thoughtful tax incentive program, one that provides real incentives to both production companies to locate their work here and for the program to be a true economic incentive to Pennsylvania's businesses. How many times do we talk about protecting businesses in this Chamber? How many times do we talk about protecting small businesses in this Chamber? This is the time to do it.

We are going to amend the film tax credit and we have the opportunity to make it better. Let us make it better not only for big production companies, but let us make it better for those businesses with which they work when they are in our districts. So, once again, I think we need to take a moment, pause to discuss, to really think about what we are doing right now. I hope

that in the next several days when this bill begins to move, that the stakeholders to which I provided my amendment language would take a serious look at it, understand that my goal is simply to protect those businesses and stand up for those small businesses, to insure that those cities and those businesses get paid for providing the services. We need to understand that when a production company comes in, it is a major deal for cities, especially in terms of traffic and other businesses that have to either close down and deal with streets that are closed and lost opportunities. So, this is the time to do that.

I hope that we can seriously look at these amendments. I hope that my colleague on the other side who is the prime sponsor will have an opportunity to look at that and is willing to work with me to get to a point where we can come out with a bill that does exactly what we want it to do: it brings as much film production business within the Commonwealth of Pennsylvania and it protects those small businesses. Let us make Pennsylvania, Mr. President, the next Hollywood.

Thank you.

RECESS

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Wednesday, June 26, 2013, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:58 p.m., Eastern Daylight Saving Time.