

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

THURSDAY, JUNE 27, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 47

**SENATE**

THURSDAY, June 27, 2013

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

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

**PRAYER**

The following prayer was offered by Senator JOHN P. BLAKE:

Even at the founding of our great Republic, the voices of our forebears confided in us the meaning of one nation under God. Benjamin Franklin once said, which is captured in this Chamber for the ages in the art of Violet Oakley, "I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth - that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?" We have been assured in the sacred writings that unless the Lord builds, they labor in vain who build it.

So, we begin our proceedings in this Chamber every day with prayer. As we know well, it has power and meaning and influence in and over all we do here. So let us pray, because the words of my faith tradition instruct it is truly right and just, our duty and our salvation always and everywhere, to give You thanks, Father. Lord, we pray for goodness, kindness, understanding, empathy, and sensibility. We pray as St. Ignatius prayed, may it please the supreme and divine Goodness, to give us all abundant grace, ever to know His most holy will, and perfectly fulfill it. We pray as St. Francis de Sales prayed that all gathered on this day, commend themselves to this wisdom. Do not look forward to the changes and chances of this life with fear. Rather, look to them with full confidence that, as they arise, God to whom you belong will, in His love, enable you to profit by them. He had guided you thus far in life. Do you but hold fast to His dear hand, and He will lead you safely through all trials. Do not look forward to what may happen tomorrow. The same eternal Father who takes care of you today will take care of you tomorrow, and every day of your life.

As we undertake the work of the Commonwealth of Pennsylvania, and in the Jewish tradition, work together to fix and heal the world, Tikkum Olam. We look to improve the lives of our citizens, and to secure to their posterity a more peaceful, prosperous, tolerant, and loving world, and we look to our God for courage and guidance. As we recall the words of Abraham Lincoln who said, "Let us diligently apply the means, never doubting that

a just God, in his own good time, will give us the rightful result." God bless us in our public work and in our private discourse. Inspire us to protect the weak, to be generous, honest and merciful to all, to be conscientious in our duties, give us wisdom, enable us to be a sign in Your grace, and a conduit for your justice. Amen.

The PRESIDENT. The Chair thanks Senator Blake.

**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  
MILLERSVILLE UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

June 27, 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, Richard L. Frerichs, 128 Creekgate Court, Millersville 17551, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Council of Trustees of Millersville 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 Julianne Dickson, Lancaster, whose term expired.

TOM CORBETT  
Governor

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

The SECRETARY. Permission has been granted for the Committee on Transportation to meet off the floor today to consider House Bill No. 1121, and permission has been granted for the Committee on Local Government to meet off floor today to consider House Bill No. 163.

**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 27, 2013

Senators WHITE, STACK, GORDNER, BOSCOLA, RAFFERTY, MENSCH, HUGHES, PILEGGI and BRUBAKER presented to the Chair **SB 1045**, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, making extensive substantive and editorial changes; further providing for definitions, exempt securities, exempt transactions, required documents for registration statements, rules for filing federally covered securities, exemptions from registration provisions, powers for the Department of Banking and Securities, administration of the act, increasing assessments, methods of payment of funds and requirements for administrative proceedings under the act; making a repeal; and establishing a restricted account in the General Fund.

Which was committed to the Committee on BANKING AND INSURANCE, June 27, 2013.

Senators MENSCH, PILEGGI, YUDICHAK, VULAKOVICH, BAKER, SOLOBAY, BRUBAKER and BLAKE presented to the Chair **SB 1046**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for the operating reserve fund.

Which was committed to the Committee on LOCAL GOVERNMENT, June 27, 2013.

Senators SMITH, RAFFERTY, YUDICHAK, BREWSTER, TARTAGLIONE, KASUNIC, WAUGH, FONTANA, ERICKSON, GREENLEAF, ALLOWAY, WOZNIAK, VULAKOVICH, HUGHES, BAKER, COSTA, SOLOBAY, STACK and BOSCOLA presented to the Chair **SB 1049**, entitled:

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

Which was committed to the Committee on FINANCE, June 27, 2013.

Senators SMITH, TARTAGLIONE, FONTANA and COSTA presented to the Chair **SB 1050**, entitled:

An Act providing for powers of local authorities to establish maximum speed limits on roadways and State-designated highways within their physical boundaries.

Which was committed to the Committee on TRANSPORTATION, June 27, 2013.

Senators SMITH, TEPLITZ, WASHINGTON, FONTANA, COSTA, HUGHES, SOLOBAY, TARTAGLIONE, BOSCOLA, LEACH, STACK and WILLIAMS presented to the Chair **SB 1052**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control,

sell or transfer firearms and for Pennsylvania State Police; and requiring mental health data to be transmitted.

Which was committed to the Committee on JUDICIARY, June 27, 2013.

**LEGISLATIVE LEAVE**

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

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

The PRESIDENT. Senator Costa requests a legislative leave for Senator Leach. Without objection, the leave will be granted.

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of June 3, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of June 3, 2013.

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

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

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

**YEA-50**

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

**NAY-0**

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

The PRESIDENT. The Journal is approved.

**SENATE RESOLUTION**

**NOMINATION RECALLED**

Senator PILEGGI, by unanimous consent, offered the following resolution:

A Resolution recalling the certification of the nomination of Camille Baughman from the Governor for further consideration by the Senate.

WHEREAS, The nomination of Camille Baughman as a member of the State Board of Massage Therapy was before the Senate; and

WHEREAS, The term of office for the nomination was incorrectly indicated to run until October 9, 2015; and

WHEREAS, The correct term of office for the nomination will run until October 9, 2016; and

WHEREAS, The nomination was approved by the Senate on June 3, 2013; therefore be it

RESOLVED, That the Senate request that the Governor return the June 3, 2013, letter certifying the nomination of Camille Baughman as a member of the State Board of Massage Therapy for the Senate's further consideration of the nomination; and be it further

RESOLVED, That the Senate request the Governor to provide a correction reflecting the October 9, 2016, term.

On the question,  
Will the Senate adopt the resolution?

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

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 followed by a meeting of the Committee on Community, Economic and Recreational Development, to be followed by a meeting of the Committee on Transportation, to be followed by a meeting of the Committee on Appropriations, to be followed by a meeting of the Committee on Local Government, all to be held in the Rules room beginning immediately. Following those meetings there will be a Republican caucus held in the Majority Caucus Room.

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

Senator WILLIAMS. Mr. President, Senate Democrats will also have a caucus after recess.

The PRESIDENT. For purposes of meetings of the Committee on Rules and Executive Nominations, to be followed by the Committee on Community, Economic and Recreational Development, to be followed by the Committee on Transportation, to be followed by the Committee on Appropriations, to be followed by the Committee on Local Government, 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.

COMMUNICATION FROM THE GOVERNOR

CORRECTION TO 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 STATE BOARD OF MASSAGE THERAPY

June 27, 2013

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

Please note the nomination dated April 10, 2013, for the appointment of Camille Baughman, BS, MA, LMT, 24 Walnut Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Jantsch, Pittsburgh, whose term expired, should be corrected to read:

Camille Baughman, BS, MA, LMT, 24 Walnut Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment 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, vice Robert Jantsch, Pittsburgh, whose term expired.

TOM CORBETT  
Governor

CALENDAR

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 725 (Pr. No. 1295) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

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

On the question,  
Shall the bill pass finally?

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Ward
Blake	Fontana	Scarnati	Washington
Boscola	Gordner	Schwank	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 two-thirds 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 726 (Pr. No. 1296)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 two-thirds 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 727 (Pr. No. 748)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University--Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, I know that I and several other Members of my Caucus simply wish to stand up. We certainly support these appropriations, but we believe, and we want to remind the body that we have been struggling to get Right-to-Know legislation and ethics legislation to cover the State-related institutions. In terms of Penn State, as you know, Mr. President, we have been struggling to change the composition of the board.

So, we are simply reminding the body today that these are issues that involve State-related universities, and we hope that when we return in the fall, we will look at these issues and come to conclusions that encourage transparency. So as we are putting all this money into these institutions, we want to be assured that that money will be spent right and in a totally transparent manner. So, we do not oppose these appropriations, we just wanted to remind the body that we still have some important business to do, Mr. President, when we return in the fall.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, just to echo my colleague's point, we are very supportive of these appropriations for Penn State and the other institutions. However, the fact that we are working on those appropriations, it is timely to remind the body that the issue of governance at Penn State is still an outstanding issue. My Caucus has been talking about this issue, the need to restructure the board, the need for greater transparency of the board, and the need to change how the board operates. There are bills that have been introduced that need attention. There is some suggestion from the other side and from Penn State itself that laws do not need to be changed and that the university or the administration, for that matter, can unilaterally, voluntarily make the changes that need to be made. It is encouraging to the extent that there is support for some of these changes, but the fact is that Penn State was created by this legislature, and only this legislature can change the structure of the board and address the other issues. Without going into detail, that is due to what has arisen to govern the board, the various documents that relate to governance of the board and the structure of the board. It is not just statute, it is a combination of statute going back to the 19th century, along with the university's charter, along with filings the university makes with the Department of State as a nonprofit organization, along with board bylaws and governing documents, and unless you take the time to lay all that out--

POINT OF ORDER

Senator PILEGGI. Mr. President, point of order.

The PRESIDENT. The gentleman will state his point of order.

Senator PILEGGI. Mr. President, I might be mistaken, but I thought we were talking about Senate Bill No. 727 regarding Temple University. I think the gentleman's comments are about a different university.

The PRESIDENT. Senator Pileggi's comments are well-taken. The matter before the Senate is Senate Bill No. 727 dealing with the appropriation to Temple University.

Senator TEPLITZ. Mr. President, if I may, and I will conclude, my point is that we are supporting all of these nonpreferred appropriations, not holding any of them up, not holding up Penn State's nonpreferred appropriation, but we have concerns about the need to address the legislation we introduced for Penn State. I will conclude by echoing my colleague's point that when we return in the fall, those are issues that need to be addressed. We have been hearing concerns from the other side as to whether or not legislation is required, and my point is that it is, and I hope we are able to do that in the fall.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, not to be confused, I am a Pitt undergraduate and Temple Law graduate. Since we are on Temple, I thought I would bring to the attention of those viewing that it was the Senate of Pennsylvania, both Rs and Ds, who increased the funding to the State-related universities over what the Governor asked for. We have four exceptional educational institutions within this Commonwealth of Pennsylvania - Pitt, Penn State, Lincoln, and Temple - that are deserving of this additional money, they do a fantastic job of educating those young people, and older people who have returned to college, and producing an intelligent, industrious workforce here for the Commonwealth of Pennsylvania. I am proud to be, along with Senator Yudichak, co-chair of the State-related caucus, and I am going to speak for all State-related universities in my comments. Although I am a Temple grad, I feel I can stand up and say this, that all of our State-related universities are worthy of our support and attention. I am glad that we are able to increase the dollars, and I ask for an affirmative vote on all four State-related universities.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, and I might humbly add, for the last time. We certainly endorse everything Senator Rafferty said. We have great universities, but we also want to remind the Senate, whether we are talking about Temple or any others, this is public money, public money we know will be well spent, but there should be transparency, whether it is Temple, Pitt, or Penn State, there should be Right-to-Know, Mr. President, and there should be a board at each of these universities that reflects this. Remember that these schools are neither private nor public, but when they come to us for money, we have to remind each of these schools--and they are wonderful institutions, Senator Rafferty is right on the mark. I am proud of my colleague from Montgomery County, and I am proud to have a doctorate degree from Penn State. But again, what we are trying

to say as a Caucus, very simply, is that it is public money, and we want to just remind the body, whether it is Temple or any other of these schools, let us return in the fall and look at this issue, and what better day to remind people than the day we are putting millions of dollars of public money into these institutions so they can continue to do their wonderful job, and what better day to say this so that my colleague from Delaware County, the Majority Leader, can make sure when we do Right-to-Know that we also at least consider including the State-related universities in that Right-to-Know legislation.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, some of the comments may have been appropriate two bills ago about some of the institutions. We are talking about Temple. Temple has stated at the hearing of the Committee on Appropriations how open they are, and their board has stated their president does not vote, and I am very proud of that at Temple. I do not want to get everything confused. The State-related universities are great institutions. If there is a problem that some people have with one, speak on that one, but let us not confuse Temple with one that may have another issue.

Thank you, Mr. President.

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

Senator FERLO. Mr. President, I think everybody on this side of the aisle is very honored and privileged to be able to vote in excess of \$550 million for all of the universities, and certainly such an honorable institution as Temple. I think the important matter, and I have been here for 10 years and I have voted consistently for each and every one of these wonderful universities and educational institutions, but let us not lose track, since the public is listening. The last I checked, \$550-plus million is a significant amount of money, a significant portion of our State revenues, an important activity that we are engaged in here today. But I have to say in my 10 years, I have yet to see a line-item budget that really gives the specificity of what the allocations are for Temple and the other institutions. I think my point solely is that there should be full accountability, which I believe there is, in most instances, but I do not think it should be the case that any institutional leader of any one of these institutions should in any way not be fully held accountable to this Senate, to the legislative body, to the taxpayers of the State when it comes to transparency and open records. Unfortunately, there continues to remain that culture within these institutions, and I hope that through legislative remedy, several bills have been introduced by my colleagues, as well as colleagues on the aisle opposite, and I hope we move to take up these matters in the future. Thank you.

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 two-thirds 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 728 (Pr. No. 1297)** -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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 two-thirds 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 729 (Pr. No. 1298)** -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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 two-thirds majority of all the Senators having voted "aye," the question was determined in the affirmative.

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

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**HB 26 (Pr. No. 1944)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 100, SB 391, SB 401 and SB 428 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 430 (Pr. No. 360) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

HB 513 (Pr. No. 2169) -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 515, HB 790, HB 925, SB 984, HB 1112 and HB 1119 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question, Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

**HB 1217** and **HB 1359** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

**HB 22** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

**HB 34 (Pr. No. 613)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring the design, construction and renovation of certain State-owned or State-leased buildings to comply with specified energy and environmental building standards; and providing for the powers and duties of the Department of General Services.

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

BILL ON SECOND CONSIDERATION

**HB 82 (Pr. No. 2154)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL LAID ON THE TABLE

**HB 252 (Pr. No. 1128)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

**SB 332, SB 360, HB 493, SB 497, SB 551, HB 602, HB 668, HB 669, SB 684, SB 699, SB 813, SB 901, SB 902, SB 975, SB 994, SB 1013, SB 1030, SB 1040** and **SB 1042** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

**HB 1076 (Pr. No. 1915)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, providing for family conferencing.

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

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

BILLS OVER IN ORDER

**HB 1117, HB 1438, HB 1439** and **HB 1440** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

**HB 1478 (Pr. No. 2118)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL OVER IN ORDER

HB 1480 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

HB 1481 (Pr. No. 2160) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 1482 (Pr. No. 2153) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL OVER IN ORDER

HB 1483 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1490 (Pr. No. 2138) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for definitions, for driver certification program and for budget and fees; providing for assessment notice and hearings; further providing for fund and for transfer of money from fund; providing for fees; further providing for special funds in cities of the first class, for power of authority to issue certificates of public convenience and for restrictions; and making an appropriation.

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

RECONSIDERATION OF VOTE

NOMINATION LAID ON THE TABLE

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

Senator PILEGGI. Mr. President, I move that the vote by which Camille Baughman as a member of the State Board of Massage Therapy was confirmed on June 3, 2013, be reconsidered, and that the nomination be laid on the table.

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 listing names of senators who voted 'YEA' (50 total): 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 nomination will be laid on the table.

COMMUNICATION FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

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

MEMBER OF THE COUNCIL OF TRUSTEES OF EAST STROUDSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 3, 2013, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Council of Trustees of East Stroudsburg University of Pennsylvania of the State System of Higher Education.

Education, to serve for a term of six years and until his successor is appointed and qualified, vice Hussain G. Malik, MD, Stroudsburg, resigned.

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

TOM CORBETT  
Governor

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

June 7, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 1, 2013, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2016, and until his successor is appointed and qualified, vice Kenneth M. Jarin, Newtown, resigned.

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

TOM CORBETT  
Governor

JUDGE, COURT OF COMMON PLEAS,  
BRADFORD COUNTY

May 31, 2013

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 7, 2013, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Bradford County, to serve until the first Monday of January 2016, vice The Honorable Jeffrey A. Smith, resigned.

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

TOM CORBETT  
Governor

***NOMINATIONS RETURNED TO THE GOVERNOR***

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

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

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

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

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by

His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

April 23, 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, Paula Vitz, 265 Brookview Drive, Red Lion 17356, York County, Twenty-eighth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2014, and until her successor is appointed and qualified, vice Stewart Cades, Carversville, whose term expired.

TOM CORBETT  
Governor

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

June 12, 2013

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

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

TOM CORBETT  
Governor

MEMBER OF THE STATE HARNESS  
RACING COMMISSION

June 13, 2013

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, C. Edward Rogers, 200 Westview Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice Richard J. Welsh, Wayne, resigned.

TOM CORBETT  
Governor

***NOMINATIONS LAID ON THE TABLE***

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

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

**EXECUTIVE NOMINATIONS**

***EXECUTIVE SESSION***

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

Which was agreed to by voice vote.

***NOMINATIONS TAKEN FROM THE TABLE***

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

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD  
OF 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, Camille Baughman, BS, MA, LMT,  
24 Walnut Street, Carlisle 17013, Cumberland County, Thirty-first  
Senatorial District, for appointment 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, vice Robert Jantsch, Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

April 23, 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, Paula Vitz, 265 Brookview Drive,  
Red Lion 17356, York County, Twenty-eighth Senatorial District, for  
appointment as a member of the Commonwealth of Pennsylvania Council  
on the Arts, to serve until July 1, 2014, and until her successor is  
appointed and qualified, vice Stewart Cades, Carversville, whose term  
expired.

**TOM CORBETT**  
Governor

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

June 12, 2013

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

In conformity with law, I have the honor hereby to nominate for the  
advice and consent of the Senate, James H. Raith, 21 Abberly Road,  
Thornton 19373, Delaware County, Twenty-sixth Senatorial District,  
for appointment as a member of the Council of Trustees of Cheyney

University of Pennsylvania of the State System of Higher Education, to  
serve for a term of six years and until his successor is appointed and  
qualified, vice Edward Tomezsko, Media, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE HARNESS  
RACING COMMISSION**

June 13, 2013

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

In conformity with law, I have the honor hereby to nominate for the  
advice and consent of the Senate, C. Edward Rogers, 200 Westview  
Drive, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial  
District, for appointment as a member of the State Harness Racing  
Commission, to serve for a term of three years and until his successor  
is appointed and qualified, vice Richard J. Welsh, Wayne, resigned.

**TOM CORBETT**  
Governor

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

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

**YEA-50**

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

**NAY-0**

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

Ordered, That the Governor be informed accordingly.

***EXECUTIVE SESSION RISES***

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

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

**HB 1121 (Pr. No. 1370)**

An Act designating the bridge that carries Seventh Street on State  
Route 611 over Interstate 80 in Stroudsburg Borough, Monroe County,  
as the Sheriffs Forrest B. Sebring and Todd A. Martin Bridge.

Senator EICHELBERGER, from the Committee on Local Government, reported the following bill:

**HB 163 (Pr. No. 2175) (Amended)**

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in prothonotary, clerks of courts, clerk of orphans' court, register of wills, recorder of deeds, further providing for how offices to be held.

Senator WARD, from the Committee on Community, Economic and Recreational Development, reported the following bill:

**SB 838 (Pr. No. 1302) (Amended)**

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, in fiscal affairs, providing for authorization of five percent hotel tax in certain counties of the fourth class.

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

**SB 586 (Pr. No. 1282) (Rereported) (Concurrence)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in ownership of property and legal title and equitable estate, further providing for right to dispose of a decedent's remains.

**SENATE RESOLUTION ADOPTED**

Senators KASUNIC, FERLO, GREENLEAF, WASHINGTON, ROBBINS, DINNIMAN, MENSCH, KITCHEN, ERICKSON, TEPLITZ, STACK, RAFFERTY, WAUGH, FONTANA, WHITE, SMITH, BAKER, PILEGGI, SOLOBAY, HUGHES, FARNESE, YAW, WOZNIAK, YUDICHAK, BROWNE, COSTA, BRUBAKER, HUTCHINSON and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 178**, entitled:

A Resolution commemorating July 27, 2013, as the 60th anniversary of the Korean War Armistice and urging all government agencies and citizens to participate in ceremonies in honor of those Americans who fought and died in service to the United States in the Korean War.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Kasunic.

Senator KASUNIC. Mr. President, millions of Americans, men and women alike, have answered the call to service for our country. They have left families and friends and they have traveled the globe protecting freedom. In most cases the cause was clear: America entered a call to fight aggression and battle oppression, making sure our nation was protected and our interests secure.

The Korean War seems so long ago. It was a different time, a different era, with a different feel. Yet those who were there and played a part in this war knew the devastation and despair of the war at its worst. They saw friends die, they saw destruction, they saw pain, anguish, and desperation. Mr. President, those things never change when a nation commits its young men and women overseas. It is the same kind of suffering we are seeing today. It has been said that combat and the experience of war

does not so much change a person, but rather reveals a person's soul. It reveals a person's character. There was plenty of soul and character on display by nearly 6 million Americans 60 years ago in places like Pusan, Inchon, Chosin, and so many other places with names or hills that are numbered and now known only to history.

Over 350,000 Pennsylvanians fought in the Korean War. Nearly 37,000 Americans died, including 2,333 Pennsylvanians. Whether in Korea or on its nearby shores or in the skies overhead, Americans fought bravely and honorably in service to their country. Korean War veterans have a unique place in our history, a place where a proud generation stood up and battled for freedom. They share a common thread, a common history, and a common fiber of resilience and resourcefulness. In acknowledging the July 27, 1953, armistice, this resolution honors our Korean War veterans and their commitment to this nation and its precious freedoms.

Thank you, Mr. President.

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

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

**CONGRATULATORY RESOLUTIONS**

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

Congratulations of the Senate were extended to Thomas McCormack by Senator Blake.

Congratulations of the Senate were extended to Jordan Oliver by Senator Boscola.

Congratulations of the Senate were extended to Grant LePard and to Brian Patrick Betz by Senator Dinniman.

Congratulations of the Senate were extended to Micaelina H. Shepard by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Pfindler, Theo Peterson, Evan Boben and to Harrisville Volunteer Fire Company by Senator Hutchinson.

Congratulations of the Senate were extended to Donald O. Wellington by Senator Pileggi.

Congratulations of the Senate were extended to Paige Starry, Wayne Hopkins and to Steve Renninger by Senator Schwank.

Congratulations of the Senate were extended to Peters Township High School Varsity Dance Team and to Sewickley Civic Garden Council by Senator Smith.

Congratulations of the Senate were extended to Frank Dufner by Senator Tomlinson.

**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 Carol A. Oelschlegel by Senator McIlhinney.

**BILLS ON FIRST CONSIDERATION**

Senator RAFFERTY. 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 838, HB 163 and HB 1121.**

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

FRIDAY, JUNE 28, 2013

3:30 P.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bill No. 555; and House Bill No. 1075)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider House Bills No. 784, 1190, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282 and 1437)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 304; and certain executive nominations)	Rules Cmte. Conf. Rm.

FRIDAY, SEPTEMBER 13, 2013

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

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

Senator WILLIAMS. Mr. President, I was going to introduce a resolution earlier today, but based upon the type of resolution I was offering, I was counseled that I might use my time in Petitions and Remonstrances to discuss it. Recently, and frankly, I do not talk about these issues a great deal because in this great country there are people who have limited views about all types of Americans. Regardless of your sexual orientation, your gender, your faith, the color or pigmentation of your skin, there are people in this country who do not necessarily accept you as a full American. But what I found to be particularly, and, I would say, outrageous, but actually, I had to break into a chuckle, was a recent activity by one of my own constituents, Darren T. Walp, of Ridley Park. He decided to go to a Toby Keith concert in Camden, New Jersey, where he scaled a conjoining wall to the Royal Court Apartment complex. He climbed a wall, descended onto the other side, and decided that the Confederate flag was to be raised, and hurled a number of racial slurs and expletives to the residents in the complex.

Now, I could say to you that I am moved and affected by this, I quite honestly was not. While I would say to you that the resi-

dents and most Americans stopped and stood up and protested, they did not, and we would not. But I would say, and the reason why I decided to reflect upon it was because this Mr. Walp decided to go to a Toby Keith concert, and for those who do not know who Toby Keith is, Toby Keith is a proud son of the South. He is a native of Oklahoma, and he is a favorite of the American Music Awards and the Academy of Country Music Awards. He has wrapped up 13 awards since the year of 2000. He is clearly a favorite when it comes to country music. And for some reason, Mr. Walp decided that Mr. Keith's view of southern music and tradition was akin to his view of the Confederate flag and his limited view of people of color being a part of this country.

What apparently Mr. Walp failed to recognize was not only is Toby Keith a proud southerner, but he also attended Villanova University, he served in the military, and he was proud to support President Obama. So I am going to replace Mr. Walp's last name with how I like to describe him, and that is as Joe Knucklehead. That environment apparently persists in this country for whatever reason, but it convenes most appropriately at times when people would decide to wrap themselves up in the flag and stand up and say they are true Americans and not recognize what America truly is about.

We are in the middle of a struggle for a budget. As long as you are a Pennsylvanian, I do not care if you are from Clearfield County, Clarion County, Philadelphia County, or someplace in Chester County, this budget will affect you. What we appropriate, or what we spend, hopefully will be for the good of all Pennsylvanians, regardless of economic status, regardless of whether they come from a constructive traditional family, whether they come from a struggling home, whether there are two moms in the house, or two dads in the house, or whether there is a mom and a dad in the house. We are constructing a budget with policies that will affect all Pennsylvanians. What Mr. Walp did, what Joe Knucklehead did was take a moment of pride from Mr. Keith, who enjoys country music because of the extraordinary, and decided to print upon Mr. Keith's moment that people associated with country-western music from the South, true southerners, have a limited view about what the entire country is about. Just as we approach this budget season, there are people who have that same view of what all Pennsylvanians are like. That is not a way to appropriate money in the State of Pennsylvania, that affects one particular section.

Regardless of whether you like that guy or that gal who may look like you, pray like you, come from a neighborhood like you, on 9/11, they blew up all of America. So while Mr. Walp would desire that there was a separate America, there is one nation, under God, indivisible, protected for all of us. I am grateful that Mr. Keith is an exceptional musician. And by the way, to Mr. Walp's surprise and chagrin, I have listened to a tune or two of Mr. Keith's music because it is quite extraordinary. And yes, I come from a neighborhood of primarily African Americans. We enjoy the American ethos. We enjoy the fact that on any given Friday we can have Chinese food, on Saturday, eat in an Italian restaurant, and on Sunday, celebrate traditional home cooking from our grandmother, which is southern cooking and described as soul food. That is America. These limited knuckleheads, who I am embarrassed to say reside in my district, I cannot wait until he is no longer in my district, because he will be written out. But what I will say is that the people of Ridley Park embraced me

too. I am not a Republican, and I am not Irish. There are a number of people who traditionally supported Republicans when I was written into that district and they are sorry to see me go today. I am sorry that they no longer will be my constituents.

I hope that these comments will strike someone's perspective and consciousness so that they have to scratch their head about the recent Supreme Court ruling with regard to same-sex marriages, that they may think about it before they let an ignorant comment part their lips. When they decide to go to an event that has people from a different faith, different ethnic background, or frankly, from just a different neighborhood, that they will think about it before they allow a dumb and ignorant perspective part their lips. Because truly I believe that we are all God's children, that we are all protected by his grace and mercy, that he believes—and by the way, I understand this. While I chide Mr. Walt's perspective for flying that Confederate flag, I equally condemn comments from my own community that sometimes are harsh of other ethnic groups. If we do not truly understand that the rest of the world is gaining on us while we are having these internal debates, and if we do not understand it is Pennsylvania, it is not Philadelphia against the rest of the State, we are doomed to the destiny that is printed in the newspapers every day, and that is, Pennsylvania will be a second-rate State and the nation will not be too far behind. It is our collection of differences and our diversity that makes us the envy of the world and demands that every immigrant try to find their way here.

So, Mr. Walt, fold up the flag, take it home, hang it in your basement, and by the way, have a Bud on that couch and just stay there. Please do not display your level of limited intellectual thinking and ability to think beyond your limited set of circumstances anymore because you embarrass not just your family, you embarrass Ridley Park, you embarrass your senatorial district, and you embarrass Pennsylvanians, because the majority of us embrace what America is truly about, and that is the collection of us as people. God bless us as a nation, God bless us as a Commonwealth, and God bless us as one people.

Thank you, Mr. President.

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

Senator WASHINGTON. Mr. President, earlier today I delivered to Governor Corbett hundreds of petitions and letters from Philadelphia public school students, parents, and teachers. Each letter and petition asked the Governor to restore the harsh and cruel cuts that he made in the past. The stack of letters were from students of Central High School, a college preparatory high school in Philadelphia. You may recall, I recently introduced some of them on the Senate floor and applauded their win in the Philadelphia regional mock trial competition and great performance at State competition.

I also delivered a stack of petitions from parents, students, and teachers who are concerned about the cuts to music education programs in public school. As you know, Philadelphia has a rich music tradition, and study after study shows how beneficial music education is to a student's academic performance. We are hurting the potential of our students if we cut such programs as these. These letters and petitions are deeply touching and highlighted just how much our public schools are suffering, yet time and time again the Governor has chosen to ignore their needs. Section 14 of the Pennsylvania Constitution states, "The General Assembly shall provide for the maintenance and support of a

thorough and efficient system of public education to serve the needs of the Commonwealth." Under Governor Ed Rendell, we did our duty and education was funded at a record level. We were able to see the outcomes and a rise in test scores, graduation rates, and other student success metrics. Our kids were learning well and the Commonwealth was showing signs of improvement. It is tragic that in just 3 short years Governor Corbett has slashed basic and higher education funding by more than a billion dollars.

As a result of these cuts in Philadelphia, on June 19, Germantown High School graduated its 99th and final class before shutting the doors on June 21. It should be a happy occasion, but it was marked with sadness over the great loss of the school that was so important to our community. Yet, instead of funding solutions, the Governor paraded around a partial reinvestment of just \$90 million to \$100 million of that initial billion-dollar cut. This is a slap in the face for Pennsylvania's struggling schools. Not investing in education sends the wrong message to our students, parents, and teachers, and threatens our future. We cannot let our kids worry about whether or not they are going to have a school to attend, or a guidance counselor to talk to, or a librarian to help them excel, or support staff to keep them safe. We cannot let our teachers be overwhelmed with the overcrowded classrooms where kids have to share outdated books.

Pink slips, large class sizes, and closures are not the solution to our problems. We are the solution, and we need to do better. We need to make our future our priority and restore the quality of our education system. Each and every dollar that we invest will yield so much more than a monetary return in our economic future. This funding will insure that our children have a chance to grow up and build the next generation of Pennsylvania success stories. Not one group should bear the sole burden of this funding crisis. But if we all lend a hand, we all can work together to find a creative solution to solve our education funding crisis. We can work together to insure that our students do not miss out on their potential because of partisan bickering and misplaced priorities. As one constituent commented on Facebook, this future is our future. So let us step up, do the right thing, and give Philadelphia and districts across the State the funding they deserve to provide quality education.

Thank you, Mr. President.

### BILLS SIGNED

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

**HB 1172 and HB 1325.**

### RECESS

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Friday, June 28, 2013, at 4 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

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