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Legislative Journal

WEDNESDAY, OCTOBER 16, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 60

SENATE

WEDNESDAY, October 16, 2013

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

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

PRAYER

The Chaplain, Reverend JOSEPH FARRELL, of Our Lady of Consolation, Philadelphia, offered the following prayer:

Good morning. I would like to begin with a little quiz for you, a question a Sunday school student asked me recently. She said, who is the only person in the history of the world to break all Ten Commandments at one time?

Senator RAFFERTY. Moses.

Reverend FARRELL. That is right, the answer is Moses.
(Applause.)

Let us pray.

God in heaven, we ask You to send down Your wisdom upon us this day as we discern the challenging and difficult issues of our times. But most of all, we ask You to send down the charity that burns in Your sacred heart, so that our love and concern for the citizens of our great Commonwealth be our ultimate motivation this day. We thank You for hearing these petitions, Lord God, Amen.

The PRESIDENT. The Chair thanks Father Farrell, who is the guest today of Senator Stack.

The Chair commends Senator Rafferty on his correct answer.

PLEDGE OF ALLEGIANCE

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

BILL INTRODUCED AND REFERRED

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

October 16, 2013

Senators WARD, ARGALL, YUDICHAK, RAFFERTY and WHITE presented to the Chair **SB 1114**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for municipal housing code avoidance.

Which was committed to the Committee on JUDICIARY, October 16, 2013.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

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

October 16, 2013

HB 1527 -- Committee on State Government.

BILLS REPORTED FROM COMMITTEE

Senator FOLMER, from the Committee on Education, reported the following bills:

SB 847 (Pr. No. 1487) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for guidelines on religious expression.

SB 874 (Pr. No. 969)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in community colleges, further providing for financial program and reimbursement of payments.

SB 1085 (Pr. No. 1488) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, extensively revising charter school provisions.

HB 1424 (Pr. No. 1940)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for Holocaust, genocide and human rights violations instruction.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Hughes, Senator Tartaglione, and Senator Williams.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator White, and a legislative leave for Senator Waugh.

Senator Costa requests legislative leaves for Senator Hughes, Senator Tartaglione, and Senator Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of September 23, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of September 23, 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-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUESTS OF SENATOR MICHAEL J. STACK
PRESENTED TO THE SENATE**

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

Senator STACK. Mr. President, it is a great pleasure to introduce Father Joseph Farrell, the Pastor of Our Lady of Consolation in Philadelphia. He is joined by his sister, Margaret Farrell Juergens, and brother-in-law, Rodney Juergens. They are in the gallery. Father Farrell is one of our great pastors from northeast Philadelphia. In 2010, through a merger, Father Farrell took over

Saint Leo Parish and followed in the footsteps of Bishop Joseph McFadden, who many of us knew. He is also the pastor of Our Lady of Consolation in Philadelphia. So, these mergers, as you know, Mr. President, are very sensitive issues and it takes a very distinguished, diplomatic politician as well to balance these things, and I think Father has done that by all accounts in a tremendous way.

Father Farrell's family is from Narberth, and Father played football at Saint Joe's Prep, so we can talk to him about that later. He is a graduate of IUP, so we have the geographical balance that we like to have here. He has done a great job, and we are proud to have him here. He has done part of his ministry in bringing two parishes together. His sermons are about love, understanding, and communication, and that is a lesson for all of us in our regular dealings with our friends, family, and people we deal with. But, Saint Leo's and Our Lady of Consolation have really merged in a great way, and we want to thank Father Farrell for that and also for his very nice prayer here today in the Senate. I ask, Mr. President, that we offer and extend our usual, customary, and perhaps beyond even our customary welcome to Father Farrell.

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

**GUEST OF SENATOR JOHN P. BLAKE
PRESENTED TO THE SENATE**

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

Senator BLAKE. Mr. President, I am delighted to introduce a young gentleman who is shadowing me here in the Capitol today from back home in the 22nd Senatorial District. His mom, Lynn, has been a very close friend of mine for many years, and her son, Evan, has come to Harrisburg to get a glimpse of work in the Senate. His name is Evan Zavada, and he is the Valley View High School senior class secretary. He has also held office in each of his other years at the high school. He is interested in politics and labor law and is considering attending law school after college. We will see if we can deter him from that, Mr. President, but I am not sure we can. He is not afraid to be an advocate for a cause. He recently ruffled some feathers back home, literally, as he has taken up an issue to try to adjust some ordinances that relate to the raising of poultry. So, he is not afraid to mix it up, Mr. President. We are glad to welcome him here. I would appreciate a warm welcome for Evan Zavada.

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

**GUESTS OF SENATOR ROBERT B. MENSCH
PRESENTED TO THE SENATE**

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

Senator MENSCH. Mr. President, it is my honor today to introduce two families from the Easton area. As some of you may know, Senate Resolution No. 222 designates October as "Pennsylvania's Promise for Children Month." I am pleased to introduce the Buie family and the McIntyre family, who came to Harrisburg today to honor Pennsylvania's Promise for Children

Month. Joining us are Clara Buie and her twin children, Jorel and Keana. Jorel and Keana started Pre-K Counts in the 3-year-old classroom and their parents have seen their growth in many ways. As twins, the parents feared that they might have social problems or anxiety from being separated. On the contrary, they love making friends and have developed individual personalities. Their parents credit the amazing staff and teachers at Pre-K Counts for their growth. Jorel and Keana are now in the 4-year-old classroom and are well on their way to being ready for kindergarten.

We also have with us the McIntyre family. Joining us today is Hannah. Hannah has thrived during her time at Pennsylvania Pre-K Counts. She has two older sisters, so she looked forward to preschool for many years. She has a wild imagination and loves to play. She is also the teacher and wants to be a teacher when she grows up. Her preschool experience has molded her into such a curious student and a leader among her peers. Hannah's family credits Pre-K Counts for her growth.

We appreciate both the Buie and McIntyre families for coming today to share their success stories and to honor Pennsylvania's Promise for Children's Month. Please join me, Mr. President, in giving them our usual warm Senate welcome.

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

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 24 (Pr. No. 1473) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions; providing for electronic reporting; further providing for mandatory reporting and post mortem investigation of deaths; providing for responsibility for investigation, for access to reports, for disposition of initial reports, for disposition of reports, for cooperation with county agency and for access to information in Statewide database; further providing for information in Statewide central register, for confidentiality of reports and for release of information in confidential reports; and providing for background checks.

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?

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring, Shall the bill pass finally?

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

Senator FARNESE. Mr. President, very briefly, I rise, of course, in support of the child protection legislation we are considering today. Many months of hard work have gone into these bills and I thank the Members, staff, and stakeholders who were involved in that process. In particular, Mr. President, I thank Senator Vulakovich, my counterpart on the Committee on Communications and Technology, for his collaboration on Senate Bill No. 24, as well as Senator Washington's office, and our former deputy chief counsel, Commissioner Gladys Brown, for their assistance throughout the negotiations.

It is a good day here in Harrisburg, Mr. President. We are moving forward with meaningful legislation that will provide children with the necessary safeguards and make accountability for their safety even more prominent. As you know, Senate Bill No. 24 will provide for electronic, confidential reporting and the establishment of a statewide database of protective services and provide for collaboration amongst agencies charged with the welfare of children. I stand in support of this legislation and the other bills which are part of this package, which will also be voted on today. Again, I thank those who have worked so hard on these very important and critical issues.

Thank you, Mr. President.

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

Senator VULAKOVICH. Mr. President, I think there is no need for me to repeat everything that Senator Farnese has just said. I thank him for his support on this piece of legislation, and everybody on the committee and the staff who worked very hard on Senate Bill No. 24. I think it is going to be a part of larger pieces of legislation that will be very beneficial to help us do the right thing for our children with regard to children in abusive situations. So, thank you, everyone, and I ask for unanimous support on Senate Bill No. 24.

Thank you, Mr. President.

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-49

Table with 4 columns listing names of Senators who voted 'YEA'.

NAY-0

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

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

SB 28 (Pr. No. 1479) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of simple assault and for the offense of aggravated assault; and, in falsification and intimidation, providing for the offense of false reports of child abuse and for the offense of intimidation or retaliation in child abuse cases.

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 Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, I rise in regard to this legislation. First, I want to congratulate Senator Browne for introducing this legislation. It deals with many issues that will protect our children and I congratulate him and his work on this issue. In particular, this bill deals with one issue that has been a real injustice and an outrage for many years in the area of dealing with individuals who file false child abuse reports. This is a common situation occurring in the domestic relations area. If you check with your local courts you will find out that there are many complaints filed for a variety of reasons in order to give one party or the other an advantage. For example, recently, I had one of the individuals who administered the Domestic Relations Office in Philadelphia, and I mentioned this to him and he said that, yes, it is a problem that there are many false complaints that are filed involving that process. He told me verbally, so this is anecdotal, that 90 to 95 percent of them are unfounded. So, it is important that this legislation addresses that issue.

The only reason I rise is to make sure that the language is clear as to who it applies to. If anyone is charged with such an offense, it is covered. Right now, the legislation says a false report of suspected child abuse against a person, school employee, private residential rehabilitative institution employee, detention facility employee, or child care services employee. In statutory construction, there is a principle where a specific will cancel a general term. So, what I am concerned about is that the way it is worded now, I understand what the sponsor and also the staff means because we have talked to them. What it means is that it applies to false reports against any person, and the specific employees listed afterwards in no way limits the general meaning of the word "person," so that it can be filed against any person, as well as and including, but not limited to, these individuals who have been listed in the legislation. So, that is my interpretation of it, that is the sponsor's interpretation of it, and the staff and drafters' interpretation of this legislation, and I believe everybody here on the floor knows that is the intention of the legislature.

Thank you, Mr. President.

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-49

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

NAY-0

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

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

SB 29 (Pr. No. 1474) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions and for mandatory reporting of infants.

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 gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, very briefly, this allows newborns who may be affected by an illegal substance or have fetal alcohol spectrum disorder to get early treatment and have an opportunity for a healthy life.

Thank you, Mr. President.

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-49

Alloway	Farnese	Rafferty	Vulakovich
Argall	Ferlo	Robbins	Ward
Baker	Folmer	Scarnati	Washington
Blake	Fontana	Schwank	Waugh
Boscola	Gordner	Smith	White
Brewster	Greenleaf	Smucker	Wiley
Browne	Hughes	Solobay	Williams
Brubaker	Hutchinson	Stack	Wozniak
Corman	Kasunic	Tartaglione	Yaw

Costa	Kitchen	Teplitz	Yudichak
Dinniman	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	
Erickson	Pileggi	Vogel	

NAY-0

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

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

SB 31 (Pr. No. 1480) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse and for reporting procedure; and repealing provisions relating to definitions, school employees, administration, investigation, responsibilities of county agency for child protective services and report information.

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 Allegheny, Senator Fontana.

Senator FONTANA. Mr. President, I rise to urge the Senate to pass Senate Bill No. 31 and every other bill in this legislative package, which will go a long way to make our children safer. I want to publicly thank the Members of both the Committee on Education and the Committee on Appropriations for their bipartisan support - Senator Folmer, Senator Dinniman, Senator Corman, Senator Hughes - and all the Leadership in the Senate as well as in their efforts to prioritize this legislation.

Mr. President, I have been fighting for passage of this bill, this common sense legislation, for almost a decade. The bill would help protect our kids and insure their safety in schools. It does away with the separate reporting requirement for school employees and mandates that suspected child abuse be reported within 24 hours to the proper authorities for investigation. Senate Bill No. 31 would remove the different reporting requirements for school employees and put them on the same level as other mandated reporters. It requires that incidents be reported within 24 hours to ChildLine or to the police.

Mr. President, let me briefly tell you why I first introduced this bill back in 2005. A constituent called me and told me her son had been taken to the emergency room with bleeding brush burns, choke marks around his neck, and broken blood vessels on his face, all caused by a school employee. Even though the mother, the emergency room doctor, and social worker all tried reporting the incident to ChildLine, they were told that the law prevented the investigation. To me, it is an outrage that we have a lesser child protection standard in our schools, and that is why I have reintroduced my legislation over and over and over again.

I am proud today that the bipartisan Legislative Task Force on Child Protection endorsed my bill earlier this year as part of its package of recommended bills. We have a public and ethical

responsibility to protect our children and insure their safety in our schools. It does not matter who is suspected of abuse, each case should be handled the same. Senate Bill No. 31 is a good step in that direction, and I ask everyone for an affirmative vote.

Thank you, Mr. President.

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-49

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 88, HB 89 and HB 388 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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

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

Considered the 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-49

Alloway	Erickson	Orie	Vogel
Argall	Farnese	Piccola	Ward
Baker	Ferlo	Pileggi	Washington
Blake	Folmer	Rafferty	Waugh

Boscola	Fontana	Robbins	White Donald
Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

NAY-0

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

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

BILLS OVER IN ORDER

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 493 (Pr. No. 2493) -- The Senate proceeded to consideration of the bill, entitled:

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

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-49

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

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

SB 497, SB 894, SB 895, HB 925, SB 1046, SB 1066, SB 1090, SB 1097 and SB 1102 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1116 (Pr. No. 1475) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for services for prevention, investigation and treatment of child abuse and for investigation of reports.

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-49

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

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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 164, SB 703, SB 704, HB 798 and SB 863 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILL RECOMMITTED

SB 901 (Pr. No. 1181) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in indebtedness and borrowing, further providing for definitions, for classification and authority to issue bonds and notes, for cost of project, for exclusion of other self-liquidating debt to determine net nonelectoral debt or net lease rental debt and for preliminary authorizations as to financing; providing for preliminary approval by the department of the issuance of debt; further providing for submission to department, for manner of sale of bonds or notes, for fees for filing, for certificate of approval of transcript, for effect of failure of timely action by department, for records of department; providing for duty of advisors; further providing for treatment of costs upon refunding; providing for the offense of knowingly participating in an ultra vires act of a local government unit and for the offense of knowingly filing materially false or misleading certifications or statements with the department; and making a related repeal.

Upon motion of Senator BROWNE, and agreed to by voice vote, the bill was recommitted to the Committee on Local Government.

BILLS OVER IN ORDER

SB 1035, SB 1051 and HB 1060 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

BILLS ON SECOND CONSIDERATION

SB 1068 (Pr. No. 1348) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for dog training areas.

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

SB 1081 (Pr. No. 1354) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for filing and recording of ordinances.

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

SB 1082 (Pr. No. 1355) -- 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, further providing for filing and recording of ordinances.

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

BILLS OVER IN ORDER

SB 1108, HB 1193, HB 1263 and HB 1337 -- Without objection, the bills were passed over in their order at the request of Senator BROWNE.

**MOTION TO REREFER SB 1085,
RECONSIDERED AND WITHDRAWN**

SB 1085 (Pr. No. 1488) -- Senator BROWNE. Mr. President, I move that Senate Bill No. 1085 be rereferred to the Committee on Appropriations.

On the question,
Will the Senate agree to the motion?
A voice vote having been taken, the question was determined in the affirmative.

The PRESIDENT. The Senate will be at ease.
(The Senate was at ease.)

RECONSIDERATION OF SB 1085

SB 1085 (Pr. No. 1488) -- Senator BROWNE. Mr. President, I move to reconsider the vote by which the bill was rereferred to the Committee on Appropriations.

The motion was agreed to by voice vote.

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

MOTION WITHDRAWN

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

Senator BROWNE. Mr. President, I withdraw my motion to rerefer Senate Bill No. 1085 to the Committee on Appropriations.

The PRESIDENT. Senator Browne withdraws his motion to rerefer Senate Bill No. 1085.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators VANCE, BAKER, ERICKSON, PILEGGI, KITCHEN, SCHWANK, TEPLITZ, COSTA, ALLOWAY, BRUBAKER, GREENLEAF, RAFFERTY, WHITE, BLAKE, DINNIMAN, FARNESE, FERLO, FONTANA, HUGHES, KASUNIC, SMITH, SOLOBAY, STACK and WASHINGTON, by unanimous consent, offered **Senate Resolution No. 233**, entitled:

A Resolution designating the week of November 11 through 15, 2013, as "Forensic Nurses Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, forensic nurses recognize that violence is a healthcare problem affecting individuals and communities throughout Pennsylvania. They insure that victims

of sexual assault, child abuse, elder abuse, and other forms of violence receive specialized and compassionate care and complete collection of forensic evidence and preservation. I ask for unanimous adoption.

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.

Senator SCHWANK, by unanimous consent, offered **Senate Resolution No. 234**, entitled:

A Resolution recognizing the week of October 20 through 26, 2013, as "Hospital & Health-System Pharmacy Week" in Pennsylvania.

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

Senators SOLOBAY, FERLO, KITCHEN, TEPLITZ, WASHINGTON, DINNIMAN, STACK, ERICKSON, WILLIAMS, RAFFERTY, BROWNE, SCHWANK, PILEGGI, FONTANA, GREENLEAF, ALLOWAY, COSTA and HUGHES, by unanimous consent, offered **Senate Resolution No. 235**, entitled:

A Resolution designating October 26, 2013, as "Make a Difference Day" in Pennsylvania.

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

Senators ALLOWAY, WASHINGTON, KITCHEN, WOZNIAK, STACK, SMITH, GREENLEAF, BROWNE, DINNIMAN, PILEGGI, FONTANA, FERLO, RAFFERTY, WHITE, ERICKSON, SCARNATI, VULAKOVICH, SOLOBAY, MENSCH, COSTA, BRUBAKER and KASUNIC, by unanimous consent, offered **Senate Resolution No. 236**, entitled:

A Resolution designating the week of October 20 through 26, 2013, as "Respiratory Care Week" in Pennsylvania and commending respiratory therapists for their outstanding contributions to health care.

On the question,

Will the Senate adopt the resolution?

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

Senator ALLOWAY. Mr. President, I rise to offer this resolution designating the week of October 20 through October 26, 2013, as "Respiratory Care Week" in Pennsylvania. I commend all respiratory therapists for their outstanding contributions to healthcare. National Respiratory Care Week will be observed October 20 through 26 nationwide, and this observance celebrates the contributions that our respiratory therapists make to the healthcare system.

Mr. President, I have to, of course, as I always do, give full disclosure that my wife is a registered respiratory therapist here in Pennsylvania. She does a wonderful job, as do many of her coworkers, and I want to rise to recognize them in this special week.

Thank you very much.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators ALLOWAY, WASHINGTON, WOZNIAK, BAKER, TEPLITZ, SMITH, BROWNE, DINNIMAN, GREENLEAF, WARD, PILEGGI, HUGHES, FONTANA, FERLO, RAFFERTY, WHITE, ERICKSON, VULAKOVICH, SOLOBAY, FARNESE, MENSCH, YUDICHAK, COSTA, BRUBAKER and BREWSTER, by unanimous consent, offered **Senate Resolution No. 237**, entitled:

A Resolution recognizing October 20 through 26, 2013, as "Adopt a Shelter Pet Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator ALLOWAY. Mr. President, I rise today to offer this resolution recognizing October 20 through 26, 2013, as "Adopt a Shelter Pet Week" in Pennsylvania. Mr. President, as many of you in this building know, this is something that is near and dear to my heart. I work closely with my good colleague, Senator Dinniman from Chester County, on trying to find homes for animals in shelters. In fact, next week we are having a huge "Bring Your Dog to the Capitol" day and we are asking everyone around Pennsylvania to bring their pet and rally here in Harrisburg for some sensible solutions in pet adoption. Many of these shelter animals are euthanized because they are not reclaimed by their owners or adopted by new owners. Young, healthy, friendly animals are often euthanized simply because there are not enough good homes for them, making it important to help every local shelter by adopting a pet. Mr. President, this is such an important issue, I believe, in Pennsylvania and for every citizen. I truly believe in my heart that we will be judged by how we treat those that are lesser than us, and these animals have no voice and no one to speak for them. If anyone is considering adopting any type of pet or getting a pet, please, please, please go to your local shelter, look at those wonderful animals. All they need is some love and care, and please give them a good home.

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 Biglerville Hose and Truck Company No. 1 by Senator Alloway.

Congratulations of the Senate were extended to Dr. James S. Shadle and to Dayne R. Coleman by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Paul Kunkle by Senator Baker.

Congratulations of the Senate were extended to William Bonavoglia and to Eugene Ruddy by Senator Blake.

Congratulations of the Senate were extended to Victoria Dolinich, Fernando Vasquez, SmileKrafters, Saint Luke's Evangelical Lutheran Church of Allentown, Ripple Mennonite Church Food Pantry Leadership Team, Allentown Symphony Association and to William Allen High School Latino Leadership Club by Senator Browne.

Congratulations of the Senate were extended to Don Cunningham and to the Harry C. Trexler Trust by Senators Browne and Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. Elwin Peet, Mr. and Mrs. John Coonney, Mr. and Mrs. James Axe, Mr. and Mrs. Ralph Paine, Nicholas Ezard and to Thelma Cochran by Senator Brubaker.

Congratulations of the Senate were extended to Rabbi James A. Gibson, Wendell G. Freeland, Pearl L. McCourt and to Karla Boos by Senator Costa.

Congratulations of the Senate were extended to Christopher Muth, Matthew Waldschmidt, Steven Paul Ringenbach and to Paoli Hospital by Senator Dinniman.

Congratulations of the Senate were extended to Forrest Montgomery and to Patrick Francis Hislop by Senator Erickson.

Congratulations of the Senate were extended to Frank Caparelli by Senator Fontana.

Congratulations of the Senate were extended to Mr. and Mrs. George Wilt, Mr. and Mrs. Lee Everett, Mr. and Mrs. George Bucher and to Mr. and Mrs. Donald Lebo by Senator Gordner.

Congratulations of the Senate were extended to Mr. and Mrs. William Mohr by Senator Greenleaf.

Congratulations of the Senate were extended to Mr. and Mrs. Barry Hart by Senator Hutchinson.

Congratulations of the Senate were extended to Lorraine B. Gilbert, Henry Paul and to Walter H. Greenfield by Senator Pileggi.

Congratulations of the Senate were extended to Catherine Kernen by Senator Rafferty.

Congratulations of the Senate were extended to Dr. Patrick Hurley and to the citizens of Lower Providence Township by Senators Rafferty and Mensch.

Congratulations of the Senate were extended to Susan Cattie by Senators Rafferty and Washington.

Congratulations of the Senate were extended to Matthew Stenczak by Senators Rafferty, Dinniman and Mensch.

Congratulations of the Senate were extended to P&N Coal Company by Senator Scarnati.

Congratulations of the Senate were extended to the members of Saint Mary Polish Roman Catholic Church of Exeter and to the staff, donors and volunteers of the Greater Berks Food Bank by Senator Schwank.

Congratulations of the Senate were extended to Brent Paul Jones by Senator Smith.

Congratulations of the Senate were extended to Dr. L. James Kiscaden and to Christopher Robin Budusky by Senator Smucker.

Congratulations of the Senate were extended to Mr. and Mrs. Gabriel Luba and to Mr. and Mrs. Lee Goozdich by Senator Solobay.

Congratulations of the Senate were extended to Jewish Family and Children's Service of Greater Philadelphia by Senator Stack.

Congratulations of the Senate were extended to Glenda Farner-Strasbaugh and to Robert P. Ziegler by Senator Vance.

Congratulations of the Senate were extended to PinnacleHealth Auxiliary by Senators Vance and Teplitz.

Congratulations of the Senate were extended to Donna Powell by Senator Washington.

Congratulations of the Senate were extended to Samuel H. Winslow and to Goodwill Fire Company No. 1 of York Township by Senator Waugh.

Congratulations of the Senate were extended to American Association for the Treatment of Opioid Dependence, Inc., by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Edward P. Wojnaroski and to Mr. and Mrs. Richard D. Lehman by Senator Wozniak.

Congratulations of the Senate were extended to Lycoming County Association of Township Officials by Senator Yaw.

Congratulations of the Senate were extended to Reverend Monsignor John Bendik, Joseph D. Burke, Greater Pittston Chamber of Commerce and to Fidelity Deposit and Discount Bank by Senator Yudichak.

Congratulations of the Senate were extended to Wilkes-Barre Family YMCA by Senators Yudichak and Baker.

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 Daniel T. Kapis, Jr., by Senator Solobay.

Condolences of the Senate were extended to the family of the late Augusta Clark by Senator Washington.

POSTHUMOUS CITATIONS

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

Posthumous citations honoring the late Thomas Ustick Walter and to the late Newell Convers Wyeth were extended to the family by Senator Dinniman and others.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 847, SB 874, SB 1085 and HB 1424.

And said bills having been considered for the first time,

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

BILL REREFERRED

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

SB 1085.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, OCTOBER 18, 2013

9:00 A.M. GAME AND FISHERIES (joint hearing with the House Game and Fisheries Committee to gather information about expanding the use of the funds brought in from the Lake Erie Permit and PA Fish and Boat Commission fee expansions)
C A N C E L L E D

Erie Yacht Club, 1 Ravine Dr. Erie, PA

MONDAY, OCTOBER 21, 2013

10:00 A.M. STATE GOVERNMENT (public hearing to discuss the Right to Know law; and the executive nomination of Joel Frank to State Athletic Commission)

Hrg. Rm. 1 North Off.

Off the Floor APPROPRIATIONS (to consider Senate Bill No. 81; and House Bills No. 290, 390, 1098 and 1128)

Rules Cmte. Conf. Rm.

Off the Floor EDUCATION (to consider Senate Bill No. 1113)

Rules Cmte. Conf. Rm.

TUESDAY, OCTOBER 22, 2013

9:30 A.M. LOCAL GOVERNMENT (to consider Senate Bills No. 733, 901, 903, 904 and 935)

Room 8E-A East Wing

10:00 A.M. BANKING AND INSURANCE (to consider Senate Bills No. 1045, 1118 and 1130)

Room 461 Main Capitol

10:30 A.M. AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 1107 and 1131; and House Bill No. 920)

Room 461 Main Capitol

11:00 A.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bills No. 923 and 1115)

Room 8E-B East Wing

11:30 A.M. JUDICIARY (to consider House Bills No. 27, 714, 764, 1356 and 1594)

Room 8E-B East Wing

WEDNESDAY, OCTOBER 23, 2013

9:30 A.M. URBAN AFFAIRS AND HOUSING (public hearing to consider Senate Bill No. 48)

Room 461 Main Capitol

10:00 A.M. FINANCE (to consider House Bill No. 546)

Room 8E-A East Wing

10:15 A.M. LOCAL GOVERNMENT (joint public hearing with the House Local Government Committee on DCED plan for Community Services Block Grant Program)

Room 8E-B East Wing

10:30 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 814)

Rules Cmte. Conf. Rm.

THURSDAY, OCTOBER 24, 2013

1:00 P.M. EDUCATION (public hearing seeking input from students on educational issues in schools)

HBG Univ. Harrisburg, PA

FRIDAY, OCTOBER 25, 2013

10:00 A.M. VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS and MAJORITY POLICY COMMITTEE (public hearing focusing on challenges facing firefighters)

Adams Co. Emergency Serv. Facility Gettysburg, PA

TUESDAY, OCTOBER 29, 2013

1:00 P.M. JUDICIARY (public hearing to discuss the following topic: Civil legal representation of the indigent: Have we achieved equal access to justice?)

Koppers Bldg. Pittsburgh, PA

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, October 21, 2013, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 11:55 a.m., Eastern Daylight Saving Time.