

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 21, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 61

SENATE

MONDAY, October 21, 2013

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

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

PRAYER

The Chaplain, Reverend GLEN BAYLY, Pastor of Christian and Missionary Alliance, Mifflinburg, offered the following prayer:

Will you join me in prayer.

Our gracious Heavenly Father, we pause at this time to recognize Your presence in this place. We pause to honor You and to seek Your blessing. We ask for wisdom for the business of this day. We ask that this Chamber might be pleasing in Your sight, in the things that are said and done and would be productive and beneficial to the people of Pennsylvania. We thank You for Your many blessings today for food, shelter, and clothing. We thank You for the freedoms that we share, unlike many in the world who are under great duress today. We pray for those parts of the world that are suffering in violence and warfare.

We think of the nation of Syria today and the many who have lost their lives, and we ask for peace in that land. We pray for Egypt as well, where there has been recent violence. We pray for all of those who are being persecuted, especially for their faith, that You might give them strength and courage today. We pray for this legislative body, that each of the Members might have a desire for a relationship with You and seek as William Penn desired, the founder of Pennsylvania, a Holy Experiment in this State; that we might desire to live holy lives and that this State, as well, might be an example of the right way to live.

We pray for those in our State who are less fortunate today. We ask You to meet their needs. We pray for those who are suffering from unemployment, that they might find jobs. We pray for those having marital struggles and struggles in the home. We pray for those with disease and those who have lost loved ones. May Your kindness and mercy be in each heart. Lord, we now commit our way to You. We ask You to guide and direct, again, that Your will might be done and not ours. So, we pray all of this seeking Your presence, Your wisdom, and Your guidance, which is all perfect. In Your holy name, we pray. Amen.

The PRESIDENT. The Chair thanks Pastor Bayly, who is the guest today of Senator Yaw.

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 STATE ATHLETIC COMMISSION

October 17, 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, Rudy N. Battle, 319 West Mt. Pleasant Avenue, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for reappointment as a member of the State Athletic Commission, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT
Governor

HOUSE MESSAGES

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 493**.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 648**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

October 17, 2013

HB 913 -- Committee on Judiciary.

October 21, 2013

HB 36, 125, 1513 and **1677** -- Committee on Finance.

HB 1041 -- Committee on Veterans Affairs and Emergency Preparedness.

HB 1584 -- Game and Fisheries.

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:

October 21, 2013

Senators TEPLITZ, FONTANA, WOZNIAK, STACK, SCHWANK, LEACH, DINNIMAN, BLAKE, HUGHES, KASUNIC, COSTA, FARNESE, SOLOBAY and TARTAGLIONE presented to the Chair **SB 1103**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for tolling limitations of civil actions; and, in matters affecting government units, further providing for exceptions to sovereign immunity and governmental immunity.

Which was committed to the Committee on JUDICIARY, October 21, 2013.

Senators ERICKSON and WOZNIAK presented to the Chair **SB 1125**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, in airport operation and zoning, providing for first class city consolidated car rental facility.

Which was committed to the Committee on TRANSPORTATION, October 21, 2013.

Senators ROBBINS, PILEGGI, COSTA, STACK, MENSCH, ERICKSON, FONTANA, GREENLEAF, RAFFERTY, WHITE, YUDICHAK and BLAKE presented to the Chair **SB 1129**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veterans' pensions and benefits, further providing for paralyzed veteran's pension.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 21, 2013.

RESOLUTION INTRODUCED AND REFERRED

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

October 17, 2013

Senators KITCHEN, COSTA, GREENLEAF, ARGALL, WILLIAMS, SCHWANK, FONTANA, FARNESE, HUGHES,

STACK and TARTAGLIONE presented to the Chair **SR 238**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to conduct a study on the inefficiencies of the criminal justice system in this Commonwealth.

Which was committed to the Committee on JUDICIARY, October 17, 2013.

GENERAL COMMUNICATION

ANNUAL REPORT OF THE FIREARM EDUCATION AND TRAINING COMMISSION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Pennsylvania Firearm Education and Training Commission

September 19, 2013

Section 5 (6) of the County Probation and Parole Officers' Firearm Education and Training Law (Act Number 1994-158), which created the County Probation and Parole Officers' Firearm Education and Training Commission (FETC), provides for the issuance of: "...an annual report to the Governor and to the General Assembly concerning: (i) the administration of the program; and ii) the activities of the commission together with any recommendations for executive or legislative actions."

Section 5 (16) of the County Probation and Parole Officers' Firearm Education and Training Law (Act Number 1994-158), which created the County Probation and Parole Officers' Firearm Education and Training Commission (FETC), provides for the issuance of: "...reports to the president judges of the courts of common pleas relating to compliance with this act."

This report, which is prepared and submitted in accordance with Act 158, contains statistics and data, which are current as of the end of Fiscal Year 2012-13.

Respectfully Submitted,

KEITH GRAYBILL
Chairman

TODD BURNS
Executive Director

The PRESIDENT. This report will be filed in the Library.

BILLS SIGNED

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

HB 79 and **HB 493**.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Smith and Senator Williams, and a legislative leave for Senator Hughes.

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

Senator Costa requests temporary Capitol leaves for Senator Smith and Senator Williams, and a legislative leave for Senator Hughes.

Without objection, the requests 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.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, October 21, 2013

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when Senate recesses this week, it reconvene on Tuesday, November 12, 2013, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, November 12, 2013, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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.

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

**GUESTS OF SENATOR JOHN T. YUDICHAK
AND SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, I rise to welcome the two incredibly talented teams from Luzerne County with my friend and Senator from Luzerne County, Senator Baker. We are here today to welcome the two teams that won the Babe Ruth Softball State Championship in their respective age groups over the Fourth of July weekend this year.

The Luzerne County Chaos Girls' 10-and-Under Team was coached to the championship by manager Bernard Tazinski, and coaches Christopher Parnell and Christopher Slusser. The Luzerne 12-and-Under Team was led by manager Timothy Wren, and coaches Edward and Cathy Cragle. Both of these teams made all of Luzerne County very proud with their championship performance. It is my hope both teams can repeat a State championship in 2014 and bring the world series championship back to Luzerne County. I ask the Members to please extend our usual warm Senate welcome to all the members of the Luzerne County Chaos State Championship teams and their coaches who are in the gallery today.

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I am pleased to join Senator Yudichak in congratulating the Luzerne County Chaos All-Star Softball Teams who are here today and we recognize them for their outstanding achievement. Being a State champion takes a lot of hard work, committment, and dedication. These young girls are from communities throughout Luzerne County. I am here to offer my special congratulations to them. But, I would also like to recognize my constituent, Chloe VanGorder, who was presented the Sportsmanship Award for best exemplifying the Babe Ruth League code. She also received the MVP award for games 4 and 5, and her commitment to cooperation and team play has been demonstrated by her actions. She gave up the second MVP award to one of her teammates who also worked very hard. What I understand from Chloe's mom is that Chloe said, this young lady deserved it more than I did.

So, congratulations to the Luzerne County Chaos, we are very proud to have you here today and we wish you continued success.

Thank you, Mr. President.

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

(Applause.)

**GUEST OF SENATOR SEAN D. WILEY
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Wiley.

Senator WILEY. Mr. President, I take great pleasure today in introducing to my colleagues someone who came down from Erie, Pennsylvania, this week to join us for a couple of days. If any of you get a chance to meet him, I would truly appreciate it. Mr. President, sitting behind the Leader's desk, my father, Mr. Dave Wiley.

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

(Applause.)

RECESS

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

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

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

Senator COSTA. Mr. President, at the conclusion of the two meetings that were referenced by the Majority Leader, Senate Democrats will immediately meet in the rear of the Chamber for a caucus.

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

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator McIlhinney, Senator Ward, Senator Smith, and Senator Williams have returned, and their temporary Capitol leaves are cancelled.

LEAVE OF ABSENCE

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 88, HB 89, HB 388 and HB 391 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 421 (Pr. No. 2415) -- 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, in preliminary provisions, further providing for definitions; in contributions, further providing for establishment and maintenance of employer's reserve accounts, for relief from charges and for reciprocal agreements; in compensation, further providing for qualifications required to secure compensation and for ineligibility for compensation; in penalties, further providing for false statements and representations to obtain or increase compensation and for recovery and recoupment of

compensation; and, in shared-work program, further providing for definitions, for application to approve shared-work plan, for shared-work plan requirements and for expiration.

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 Tomlinson has returned, and his legislative leave is cancelled.

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-48

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

NAY-0

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

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

BILL OVER IN ORDER

SB 497 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

SB 894 (Pr. No. 994) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, authorizing the Pennsylvania Board of Law Examiners to obtain criminal history record checks.

On the question,
Will the Senate agree to the bill on third consideration?
Senator ALLOWAY offered the following amendment No. A3973:

Amend Bill, page 1, line 16, by striking out "submit" and inserting:
be subject to
 Amend Bill, page 2, line 3, by striking out "If an applicant" and inserting:
All applicants
 Amend Bill, page 2, line 4, by striking out "submits" and inserting:
shall submit
 Amend Bill, page 2, line 6, by inserting after "checks,":
and
 Amend Bill, page 2, line 14, by inserting after "Examiners":
only

On the question,
 Will the Senate agree to the amendment?
 It was agreed to.
 Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER

SB 895 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL AMENDED

HB 925 (Pr. No. 2190) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating each of the bridges that carry Lincoln Highway over Electric Avenue, in North Braddock Borough, Allegheny County, State Bridge No. 02 0030 0230 0001 and State Bridge No. 02 0030 0231 0000, as the AMVETS Memorial Bridge; designating a portion of Pennsylvania Route 662 in Ruscombmanor Township, Berks County, as the Chief Warrant Officer 2 Jarett M. Yoder Highway; designating a certain interchange in Greene County as the Sergeant Michael Todd May, Monongalia County Sheriff's Department, West Virginia, Interchange; and designating the Murtland Avenue Exit from Interstates 79 and 70 onto State Route 19 in Washington, Washington County, as the Lance Corporal Ryan J. Kovacicek, USMC, Exit.

On the question,
 Will the Senate agree to the bill on third consideration?
 Senator FERLO, on behalf of Senator COSTA, offered the following amendment No. A4020:

Amend Bill, page 1, lines 8 and 9, by striking out "MONONGALIA COUNTY SHERIFF'S DEPARTMENT, WEST VIRGINIA,"
 Amend Bill, page 3, line 28, by inserting after "TOWNSHIP" where it occurs the first time:
 , Berks County,
 Amend Bill, page 4, lines 5 and 6, by striking out ", MONONGALIA COUNTY SHERIFF'S DEPARTMENT, WEST VIRGINIA,"
 Amend Bill, page 5, line 14, by striking out ", MONONGALIA COUNTY SHERIFF'S DEPARTMENT, WEST VIRGINIA,"
 Amend Bill, page 5, lines 18 and 19, by striking out ", MONONGALIA COUNTY SHERIFF'S DEPARTMENT, WEST VIRGINIA,"

On the question,
 Will the Senate agree to the amendment?
 It was agreed to.
 Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1046 (Pr. No. 1304) -- 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 the operating reserve 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-48

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 1066 and **SB 1068** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

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 third time and agreed to,

On the question,
 Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

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 third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

SB 1090 (Pr. No. 1423) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for resident license and fee exemptions.

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

And the question recurring,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, Senate Bill No. 1090 expands the current benefit of free hunting licenses for veterans who are 100-percent disabled. Under this amendment, any veteran who is eligible for disability compensation can obtain a resident hunting license for \$1. Thus, it will capture all of those who are rated at less than 100 percent but are totally disabled due to unemployability. We worked with Senator Scarnati's office to mirror our bill with his fishing license bill, which will be voted upon shortly, Senate Bill No. 1102.

Senator Hutchinson and I had been contacted by the Pennsylvania State Association of County Directors of Veterans Affairs who were telling us that the benefit was not being applied uniformly across the State. So, by expanding this bill to include any veteran rated as disabled, this will eliminate confusion, simplify the process, and expand the benefit to capture those veterans and make many more disabled veterans eligible. And also, by charging a nominal fee of \$1 instead of making it free, Pennsylvania will be able to draw down Federal funds for this benefit.

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-48

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

NAY-0

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

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

BILL OVER IN ORDER

SB 1097 -- Without objection, the bill was passed over in its order at the request of Senator ARGALL.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1102 (Pr. No. 1424) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for disabled veterans and former prisoners of war.

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

On the question,
Shall the bill pass finally?

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

YEA-48

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

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 164, SB 703, SB 704, HB 798, SB 847, SB 863, SB 874, SB 1035, SB 1051, HB 1060, SB 1108, HB 1193, HB 1263, HB 1337 and HB 1424 -- Without objection, the bills were passed over in their order at the request of Senator ARGALL.

SENATE RESOLUTION No. 70, AMENDED AND ADOPTED

Senator ARGALL, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 70**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to study the issue of specialty tier prescription drug pricing in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

Senator MENSCH offered the following amendment No. 4030:

Amend Resolution, page 2, line 12, by striking out "January 30, 2014" and inserting:
July 15, 2014

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

On the question,
Will the Senate adopt the resolution, as amended?

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

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

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

SB 1113 (Pr. No. 1502) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams; and, in State Board of Education, further providing for powers and duties of the board.

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

SB 81 (Pr. No. 1047) (Rereported)

An Act amending the act of December 4, 1996 (P.L.893, No.141), known as the Volunteer Health Services Act, providing for volunteer mental health services for military families; limiting liability of persons who hold volunteer licenses and provide mental health services to military families; and making editorial changes.

HB 390 (Pr. No. 401) (Rereported)

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

HB 1128 (Pr. No. 1377) (Rereported)

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, codifying the provisions of the Motor Vehicle Sales Finance Act and the Goods and Services Installment Sales Act; making conforming amendments to Titles 7 and 42; and making related repeals.

SENATE RESOLUTIONS ADOPTED

Senators TARTAGLIONE, WOZNIAK, DINNIMAN, WASHINGTON, KITCHEN, FERLO, STACK, FONTANA, ERICKSON, BROWNE, RAFFERTY, PILEGGI, SMITH, GREENLEAF, ALLOWAY, BRUBAKER, COSTA, HUGHES, KASUNIC and SOLOBAY, by unanimous consent, offered **Senate Resolution No. 239**, entitled:

A Resolution designating the week of October 20 through 26, 2013, as "Brachial Plexus Injury Awareness Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, we acknowledge and recognize many important causes on this floor. In keeping up with this tradition, I would like to bring awareness and attention to a fairly unknown but serious health issue known as a brachial plexus injury. Injuries to the brachial plexus are caused by severe trauma to a group of nerves that run from your shoulder to the fingertips. These types of injuries are often the result of incidents such as a vehicle-related collision, certain medical procedures, and complications during childbirth. Consider that brachial plexus injuries affect 2 to 5 out of every 100 newborn babies. In some instances, people with brachial plexus injuries recover fully; however, oftentimes these injuries are lifelong afflictions. Many persons experience complete, permanent paralysis in one or both arms as a result of this type of injury, and typically, it is accompanied by numerous health issues including muscle pain, weakness in the limbs, developmental problems, and speech dysfunction.

While brachial plexus injuries pose unique challenges for affected individuals, doctors and physical therapists can provide relief from symptoms as well as individualized solutions to help overcome daily obstacles. Unfortunately, many individuals do not recognize the symptoms or medical conditions associated with brachial plexus injuries, and as a result, they fail to receive a prompt diagnosis and treatment.

Mr. President, today, I offer a resolution designating the week of October 20 through 26, 2013, as "Brachial Plexus Injury Awareness Week" in Pennsylvania, so that people may become better informed about brachial plexus injuries. With greater knowledge and awareness about this type of injury, I hope we will be able to reduce the number of brachial plexus injuries that occur in the future, and I hope individuals would obtain the medical assistance that they need to live more satisfying, productive lives. I ask all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

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

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

Senators WARD, PILEGGI, ERICKSON, GREENLEAF, WHITE, STACK, WASHINGTON, FONTANA, ALLOWAY, SOLOBAY, SMITH, KASUNIC, BRUBAKER, SCHWANK,

BROWNE, COSTA, RAFFERTY and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 240**, entitled:

A Resolution designating the week of October 21 through 25, 2013, as "Juvenile Detention Centers Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, Pennsylvania has 17 secure juvenile detention centers which provide a stable environment for at-risk youth. These centers provide a key service to insure community and individual protection, while providing the youth in their custody with educational programs and other treatment opportunities for their growth and development and to help make sure they get on the right path and stay there. The employees of these facilities are dedicated to insuring the proper care and supervision of these young folks who reside in these centers. It is based on their efforts that Pennsylvania's juvenile detention centers, in coordination with the Juvenile Detention Centers Association of Pennsylvania and the Juvenile Court Judges' Commission, merit recognition for their unending service aimed at protecting our communities and assisting our youth, and I ask all of my colleagues for an affirmative vote. Thank you.

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

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

Senators FONTANA, KITCHEN, TOMLINSON, WOZNIAK, FERLO, DINNIMAN, STACK, WASHINGTON, GREENLEAF, RAFFERTY, FARNESE, SMITH, FOLMER, ERICKSON, ARGALL, WHITE, HUGHES, VULAKOVICH, ALLOWAY, MENSCH, YUDICHAK, SCHWANK, PILEGGI, COSTA, BRUBAKER, KASUNIC and SOLOBAY, by unanimous consent, offered **Senate Resolution No. 241**, entitled:

A Resolution congratulating the Pennsylvania Higher Education Assistance Agency's Board of Directors, work force and management during its 50th year of service to students and families of Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator FONTANA. Mr. President, I rise today to congratulate the Pennsylvania Higher Education Assistance Agency, also known as PHEAA, on their 50 years of service to students and families. Created in August 1963 by the Pennsylvania General Assembly, and approved by voter referendum to amend the Constitution of Pennsylvania in November 1963, PHEAA has evolved into one of the nation's leading student aid organizations. Since administering the State-funded Pennsylvania State Grant Program, PHEAA has distributed over \$8.7 billion in State grants to more than 2.2 million students in the Commonwealth. PHEAA's success as a student loan servicer has enabled the agency to become self-sufficient, free of any administrative sup-

port from the Commonwealth, which has saved taxpayers billions of dollars over the years. This success has also enabled us to provide a \$75 million supplement to the State Grant Program, which allows more students with needs to receive more meaningful grant awards. In fact, Mr. President, it has been estimated that more than 157,000 students of higher education will receive State grant awards for the 2013-14 school year.

PHEAA was also selected in 2009 by the United States Department of Education to help service the nation's growing portfolio of Federal direct student loans, resulting in the creation of the agency's FedLoan Servicing operation, which grants \$144 billion in loans for nearly 6.2 million students. This higher-education agency not only distributes the State Grant Program, but also other educational aid, such as work study employment to help students and individuals pay for their higher education aspirations, provides aid for military and PA National Guard students and families, as well as a loan forgiveness series. PHEAA has not only made available financial support to students over the years, but also a place of employment for thousands of citizens of Pennsylvania. Today, over 2,900 individuals are operating PHEAA facilities throughout the Commonwealth and continue to support PHEAA's public service mission.

As vice chair of PHEAA'S board of directors, Mr. President, I am proud of the work we do helping to continue to create access to education as PHEAA has become a model for the rest of the nation. I ask you to join us in congratulating PHEAA for their 50 years of service in aid to Pennsylvania.

Thank you, Mr. President.

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

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

Senators SOLOBAY, WOZNIAK, GREENLEAF, WASHINGTON, FERLO, ERICKSON, BROWNE, COSTA, DINNIMAN, STACK, RAFFERTY, SCHWANK, ALLOWAY, FONTANA, VULAKOVICH, PILEGGI and TARTAGLIONE by unanimous consent, offered **Senate Resolution No. 242**, entitled:

A Resolution recognizing the week of October 20 through 26, 2013, as "National Massage Therapy Awareness Week" in Pennsylvania.

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Joanna Wallace by Senator Baker.

Congratulations of the Senate were extended to Dylan William Caiazza by Senator Boscola.

Congratulations of the Senate were extended to the citizens of Borough of Plum by Senator Brewster.

Congratulations of the Senate were extended to Janice Peachey by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Carl Troutman by Senator Gordner.

Congratulations of the Senate were extended to the Honorable Arthur R. Tilson by Senator Greenleaf and others.

Congratulations of the Senate were extended to Beta Chapter of Omega Psi Phi Fraternity, Inc., by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Nelson Best by Senator Hutchinson.

Congratulations of the Senate were extended to Vincent Brunetto and to Austin D. Park by Senator McIlhinney.

Congratulations of the Senate were extended to Board of Directors and the members of the Central Pennsylvania African-American Museum and to the Washington Presbyterian Church of Reading by Senator Schwank.

Congratulations of the Senate were extended to Carol Jean Baits by Senator Smith.

Congratulations of the Senate were extended to John L. Gedid by Senators Vance, Teplitz and Alloway.

Congratulations of the Senate were extended to Katie Bradford by Senator Vogel.

Congratulations of the Senate were extended to Tarun Kumar and to Eric Mole by Senator Vulakovich.

Congratulations of the Senate were extended to Mr. and Mrs. James Sauers, Sr., and to Mr. and Mrs. Larry Lovell by Senator Yaw.

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 Marie W. Ciliberto by Senator McIlhinney.

BILL ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bill was as follows:

SB 1113.

And said bill 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

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
Off the Floor	APPROPRIATIONS (to consider House Bills No. 290 and 1098)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 358 and 648; and certain executive nominations)	Rules Cmte. Conf. Rm.
<u>WEDNESDAY, OCTOBER 23, 2013</u>		
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; and House Bills No. 1348 and 1351)	Rules Cmte. Conf. Rm.
<u>FRIDAY, OCTOBER 25, 2013</u>		
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
<u>TUESDAY, OCTOBER 29, 2013</u>		
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 PRESIDING OFFICER. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, I move that the Senate do now recess until Tuesday, October 22, 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 3:15 p.m., Eastern Daylight Saving Time.