

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MARCH 17, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 14

**SENATE**

MONDAY, March 17, 2014

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

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

**PRAYER**

The Chaplain, Reverend J. THOMAS SHELLEY, STS, of Zion (Shaffer's) United Lutheran Church, Loganville, offered the following prayer:

Let us pray.

Great God, out from whose mighty hand the ages roll like grains of sand, who was of our old Father's friend, be with us to our journey's end. We thank and praise You with the words that clerk-elect Donetta's family, and mine, have sung for over 100 years. We gather in reunion as descendants of Swiss German immigrant Casper Glattfelder who crossed the sea and found a home for you and me in these stars and stripes of liberty. We thank You for all who have crossed the sea. Remembering on this 17th day of March the immigrants from Ireland, and most especially Bishop Patrick, the equal to the Apostles who crossed the Irish Sea to bring the peace and freedom of the gospel to the very people who had once enslaved him. We thank You that here in Penn's Woods we enjoy the legacy of William Penn's Holy Experiment, that we can worship You freely and without fear; that we are spared the sectarian strife which continues to divide the Emerald Isle.

Be with us to our journey's end. Be with Your handmaiden Donetta as she makes history as the first woman to accept the position of Chief Clerk. Be with all who make, administer, and judge our laws. Be with the voters of my 28th Senatorial District on the morrow as they select one to serve in this Chamber. Be with us as You have guided Abraham and Sarah, as You have led the children of Israel, as You have led the magi by the light of the star to find the Christ. Be with us, for our government is upon His shoulder of His peace. Let there be no boundary from this time forth and forever more. Amen.

The PRESIDENT. The Chair thanks Reverend Shelley, who is the guest today of Acting Chief Clerk Donetta D'Innocenzo.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**NOMINATIONS REFERRED TO COMMITTEE**

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

**MAGISTERIAL DISTRICT JUDGE**

March 12, 2014

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, Ronald A. Armoni, 4751 Hilltop Lane, Bethel Park 15102, Allegheny County, Thirty-Seventh Senatorial District, for appointment as Magisterial District Judge, in and for County of Allegheny, Magisterial District 05-2-20, to serve until the first Monday of January 2016, vice The Honorable Robert Wyda, deceased.

TOM CORBETT  
Governor

**MAGISTERIAL DISTRICT JUDGE**

March 12, 2014

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, Wendy B. Roberts, 3796 Brookcroft Lane, Garnet Valley 19060, Delaware County, Ninth Senatorial District, for appointment as Magisterial District Judge, in and for County of Delaware, Magisterial District 32-2-49, to serve until the first Monday of January 2016, vice The Honorable Richard M. Cappelli, resigned.

TOM CORBETT  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF CLARKS SUMMIT STATE HOSPITAL**

March 14, 2014

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 L. Corselius, 2462 Milwaukee Road, Clarks Summit 18411, Lackawanna County, Twenty-second

Senatorial District, for appointment as a member of the Board of Trustees of Clarks Summit State Hospital, to serve until the third Tuesday of January 2015, and until his successor is appointed and qualified, vice Samuel Cali, Dunmore, whose term expired.

TOM CORBETT

## HOUSE MESSAGE

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 895**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

### BILLS INTRODUCED AND REFERRED

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

March 14, 2014

Senators TARTAGLIONE, TEPLITZ, BREWSTER, WOZNAK, RAFFERTY, DINNIMAN, FONTANA, GREENLEAF, SCHWANK, SOLOBAY, COSTA, SMITH, KITCHEN, YUDICHAK, HUGHES, TOMLINSON and BAKER presented to the Chair **SB 1141**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for duties of the Department of Health.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 14, 2014.

Senators CORMAN, BAKER, PILEGGI, COSTA, ERICKSON, MENSCH, STACK, FONTANA, KASUNIC, RAFFERTY, SOLOBAY, SMITH, ALLOWAY, YUDICHAK, HUGHES, TOMLINSON and TEPLITZ presented to the Chair **SB 1269**, entitled:

An Act requiring public schools to develop policies to ensure the proper application of the Commonwealth's veterans' preference law when making hiring decisions; and imposing duties on the Department of Education.

Which was committed to the Committee on EDUCATION, March 14, 2014.

Senators FARNESE, STACK, SCHWANK, KASUNIC, RAFFERTY, FONTANA, TARTAGLIONE and WILLIAMS presented to the Chair **SB 1270**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, further providing for accidents involving death or personal injury.

Which was committed to the Committee on JUDICIARY, March 14, 2014.

Senators WASHINGTON, MENSCH, FONTANA, STACK, TARTAGLIONE, HUGHES, FARNESE, WILLIAMS, BAKER, BOSCOLA and KITCHEN presented to the Chair **SB 1272**, 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.

Which was committed to the Committee on AGING AND YOUTH, March 14, 2014.

Senators FONTANA, WASHINGTON, ARGALL, COSTA, KASUNIC, SOLOBAY, TARTAGLIONE, SCHWANK, HUGHES and SMITH presented to the Chair **SB 1276**, entitled:

An Act providing standards for carbon monoxide alarms in child care facilities; and imposing penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 14, 2014.

Senators FONTANA, WASHINGTON, ARGALL, COSTA, KASUNIC, SOLOBAY, TARTAGLIONE, SCHWANK, HUGHES and SMITH presented to the Chair **SB 1277**, entitled:

An Act providing standards for carbon monoxide alarms in schools; and imposing penalties.

Which was committed to the Committee on EDUCATION, March 14, 2014.

Senators FONTANA, WASHINGTON, ARGALL, COSTA, KASUNIC, SOLOBAY, TARTAGLIONE, SCHWANK, HUGHES and SMITH presented to the Chair **SB 1279**, entitled:

An Act providing standards for carbon monoxide alarms in dormitories; and imposing penalties.

Which was committed to the Committee on EDUCATION, March 14, 2014.

Senators FONTANA, WASHINGTON, ARGALL, COSTA, KASUNIC, SOLOBAY, TARTAGLIONE, SCHWANK, HUGHES and SMITH presented to the Chair **SB 1280**, entitled:

An Act providing standards for carbon monoxide alarms in dependent care facilities; and imposing penalties.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, March 14, 2014.

Senators WOZNAK, FERLO, ALLOWAY, TEPLITZ, KASUNIC, YUDICHAK and FARNESE presented to the Chair **SB 1285**, entitled:

An Act providing for a constitutional convention with limited powers; providing for a referendum on the question; providing for the selection, nomination and election of delegates; defining the powers and duties of the convention; providing for its operation; conferring powers and imposing duties on the Governor, the Secretary of the Commonwealth, officers of the General Assembly and county election boards; providing for a referendum on the convention's report; and making an appropriation.

Which was committed to the Committee on STATE GOVERNMENT, March 14, 2014.

Senators STACK, WOZNAK, COSTA, BRUBAKER and ALLOWAY presented to the Chair **SB 1286**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for audit of certain financial reports.

Which was committed to the Committee on STATE GOVERNMENT, March 14, 2014.

Senators YAW, VULAKOVICH, SMITH, YUDICHAK, GORDNER, ALLOWAY, VOGEL, SOLOBAY, KASUNIC, BOSCOLA, HUTCHINSON and ROBBINS presented to the Chair **SB 1287**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in snowmobiles and all-terrain vehicles, further providing for definitions.

Which was committed to the Committee on TRANSPORTATION, March 14, 2014.

Senators SCHWANK, VOGEL, TEPLITZ, COSTA, RAFFERTY, ARGALL, BOSCOLA, SMITH, YUDICHAK, KASUNIC, VULAKOVICH, BAKER, SOLOBAY and BRUBAKER presented to the Chair **SB 1288**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for roll-back taxes and special circumstances.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, March 14, 2014.

Senators TEPLITZ, SMITH, SCHWANK, COSTA, ERICKSON and BLAKE presented to the Chair **SB 1289**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further prohibiting text-based communications; and prohibiting certain calls on hand-held mobile telephones.

Which was committed to the Committee on TRANSPORTATION, March 14, 2014.

Senators VULAKOVICH, ALLOWAY, BROWNE, COSTA, HUGHES, MENSCH, SMITH, SOLOBAY and TARTAGLIONE presented to the Chair **SB 1290**, entitled:

An Act requiring the disclosure of wireless device location information; and providing for immunity.

Which was committed to the Committee on COMMUNICATIONS AND TECHNOLOGY, March 14, 2014.

### RESOLUTIONS INTRODUCED AND REFERRED

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

#### March 13, 2014

Senators GREENLEAF, STACK, COSTA, RAFFERTY, BAKER and YUDICHAK presented to the Chair **SR 304**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to conduct a study of the Juvenile Act and related issues.

Which was committed to the Committee on JUDICIARY, March 13, 2014.

#### March 14, 2014

Senators FONTANA, SMITH, FARNESE, TEPLITZ, BREWSTER, KASUNIC and SOLOBAY presented to the Chair **SR 305**, entitled:

A Resolution amending Senate Rule XIV.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 14, 2014.

Senators McILHINNEY, MENSCH, ERICKSON, SMITH, VULAKOVICH, ALLOWAY, HUGHES and BOSCOLA presented to the Chair **SR 312**, entitled:

A Resolution directing the Senate of Pennsylvania to call upon the parties to the United States Supreme Court Consent Decree of 1954 to address the on-going risk of Delaware River Basin flooding in Bucks County.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 14, 2014.

#### March 17, 2014

Senator PILEGGI presented to the Chair **SR 321**, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2014, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 17, 2014.

### APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator John Blake as a member of the Public Employee Retirement Commission.

Senator Sean Wiley as a member of the Pennsylvania Higher Education Assistance Agency.

### LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request 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 Dinniman, Senator Smith, and Senator Boscola, and legislative leaves for Senator Stack, Senator Williams, and Senator Yudichak.

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

Senator Costa requests temporary Capitol leaves for Senator Dinniman, Senator Smith, and Senator Boscola, and legislative leaves for Senator Stack, Senator Williams, and Senator Yudichak.

Without objection, the leaves will be granted.

### LEAVES OF ABSENCE

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

Senator COSTA asked and obtained a leave of absence for Senator HUGHES, 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, March 17, 2014

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, March 31, 2014, 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 Monday, March 31, 2014, 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-47**

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

**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 P. BLAKE  
PRESENTED TO THE SENATE**

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

Senator BLAKE. Mr. President, happy St. Patrick's Day to you and to the Members of the Senate.

Mr. President, it gives me great pleasure to introduce some very, very bright young students I have in the gallery today, I refer to them as my student ambassadors. It is a program we began this January, these 16 students who were nominated by their high schools to be part of this program which is a 5-month program to expose these students to State government and to the legislative process. If you will bear with me, Mr. President, I would like to introduce them by name and the school from whence they come.

Tom Racek from Abington Heights High School, Moriah Mauro from Carbondale High School, Abby O'Neill from

Dunmore High School, Dylan Miller from East Stroudsburg South High School, Anthony Wilcox from Forest City Regional High School, Christian Anderson from Holy Cross High School, Bradley Lochen from Lackawanna Trail High School, Amanda Sheakoski from Lakeland High School, Matthew Caines from Mid Valley High School, Blake Bauman from North Pocono High School, Devon Brown from Old Forge High School, Steven Lee from Pittston Area High School, Daniel Shaykevich from Pocono Mountain East High School, Tyler Williams from Valley View High School, Cara Anzulewicz from West Scranton High School, and Lauren Larar from Wyoming Seminary.

I very much appreciate a warm welcome from the Senate for these fine young men and women, Mr. President.

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

(Applause.)

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

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

Senator BAKER. Mr. President, on behalf of Senator Yudichak and myself, it is a pleasure to introduce guests who are here visiting from the Children's Service Center in Wilkes-Barre, Mike Hopkins and Carey Mazzoni. On April 11, Children's Service Center will celebrate its 152nd anniversary of offering quality programs and services for children in northeastern Pennsylvania. It began in 1862 as the Home for Friendless Children created as a sanctuary for shelter, food, and instruction for disadvantaged children. It has grown into a respected organization that provides care and compassion to children and adolescents with emotional, behavioral, developmental disorders and disabilities.

So it is my pleasure to introduce our guests from Children's Service Center in Wilkes-Barre.

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

(Applause.)

**GUESTS OF SENATOR ROBERT F. TEPLITZ  
PRESENTED TO THE SENATE**

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

Senator TEPLITZ. Mr. President, I would like to welcome to the Senate today three local students and their teacher who are seated in the gallery. They are Louis Brown, Isaiah Eckenrode, and Juliano Rodrigues, along with their colleague, Jeremy Peffley, who are winners of my first "There Oughta Be a Law" Essay contest, which was open to high school students in my district. They are all seniors at Steelton-Highspire High School in the 15th Senatorial District, and they are here with their social studies teacher, Christopher Chyr. In their essay, the four students advocated for a more open primary election process. In their essay, they explained, quote, "We just believe that most Americans' beliefs are a melting pot of both Repub-

lican and Democratic ideals." They advocated for an open primary election process and argued that fairness in the political process is an important component for good government reform. Last year I happened to introduce Senate Bill No. 696 which would accomplish just that goal.

So, Mr. President, I ask that my Senate colleagues extend our usual warm welcome to these bright students and their teacher.

Thank you, Mr. President.

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

(Applause.)

### **GUESTS OF SENATOR KIM L. WARD PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, my guests today are the Hempfield Area School District jazz band. They were so great when they performed in the East Wing. I am so proud to have them here and I think, what a wonderful thing to have all of these students in music and sports, and all of these positive things that a student can do instead of some of the other things they could be getting in trouble with. So, I am very thankful to the school for bringing them up here and it was a pleasure to have them. Thank you.

The PRESIDENT. Would the guests of Senator Ward 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 appreciate the indulgence of the Senate as I introduce another very special guest today. I have an intern. I guess I would announce her today as "The Star of the County Down." She traces her lineage back to Ireland, and her name is Mary Brown. She is a Marywood University graduate student. Her undergraduate degree is in social work and administrative studies from Marywood University. Mary received an honorable mention for the Jenkins-Colis Gilroy Medal for Excellence. Mary is a member of the Alpha Delta Mu Honor Society and is currently interning in my office in Scranton. She is facilitating an affordable housing forum on April 4 where PHFA will participate back home in the 22nd Senatorial District. Mary was recently acknowledged with an award for excellence in policy experience for her student placement work while she has been in my office. I would appreciate a warm welcome for Mary Brown.

Thank you, Mr. President.

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 JAY COSTA PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I am pleased today to welcome to the Senate the State champion Woodland Hills Wolverine Rifle Team. Mr. President, the team competed with precision and had an outstanding season as they faced very tough rivals, Trinity and Hempfield. Mr. President, the Woodland Hills Wolverines captured the WPIAL Section 2 Team Rifle Championship and then went on to win the WPIAL Team Rifle Championship as well. They began their play early in December with the win against, as I mentioned earlier, Trinity, and proceeded to roll through their season posting 16 perfect 800 scores out of a possible 17, only 1 point dropped all season long. Mr. President, the Wolverines' record was a team record for our high school.

At the WPIAL championships in February, the team captured the WPIAL title for the second time in the past 3 years and their performance was an all-time record-breaking score for that particular event. Mr. President, eight Wolverines were named to the WPIAL all-tournament team. At the WPIAL individual tournaments in February, four of these athletes placed in the top 10 in the WPIAL - Mike Krivi, Becca DeVito, Maria Brucker, and Sonny Breeger. These young men and women all qualified to compete in the PIAA Individual Rifle Tournament where they all placed within the top 10 status for the Commonwealth of Pennsylvania. Mr. President, no school has ever had four shooters place in the top 10 in this event. At the end of February, the team then competed in the PIAA team championship. They overcame all the competition to become the first of any team in Woodland Hills High School to win a State championship, and five Wolverines were named to the State all-tournament team.

Mr. President, I am very pleased to have here with us today their coaches, Matt Rodrigues and Mario Saramouche, as well as volunteer coaches, Brendan Boyle and Dan Chapman. Some of the team members, Mr. President, whom I have known for many years, are team captains, Miranda Johnson and Laura Valenti, who not only are great rifle people, but they are also good battery in softball. I can tell you that from personal experience. The team is also joined by Maria Bruker, Nick Fisher, Mike Krivi, who I mentioned, Seamus McGuigan, Jake Klimko, Miguel Breight, Becca DeVito, and Sonny Breeger. I am very honored and proud to welcome this fantastic group of young student athletes from the Woodland Hills High School and from the 43rd Senatorial District, and extend congratulations to the team, their coaches, and their families on a record-breaking season. I ask that my colleagues give these individuals a warm Senate welcome.

Thank you, Mr. President.

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

(Applause.)

**SPECIAL ORDER OF BUSINESS  
ELECTION OF THE CHIEF CLERK  
OF THE SENATE**

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

Senator PILEGGI. Mr. President, as a special order of business, I ask that the Senate proceed with the election of the Chief Clerk of the Senate.

The PRESIDENT. At the request of Senator Pileggi, and without objection, as a special order of business, the Senate will now proceed to elect the Chief Clerk of the State Senate.

The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, it is my distinct honor and pleasure to rise today to nominate Donetta D'Innocenzo to serve as Chief Clerk of the Senate. As all of you know, this is a very demanding and challenging position and one that is vital to the critical operations of the Senate. The Chief Clerk is responsible for all financial functions of the Senate. In addition, they act as the open records officer under the Pennsylvania Right to Know Law and serve as Secretary of the Senate Committee on Management Operations.

With Donetta D'Innocenzo, I feel confident we have found the right individual who will serve with integrity, independence, and a commitment to excellence. She will be the first woman in Pennsylvania history to serve in this role, but Donetta is well accustomed to being a leader after working in State government relations for almost 30 years. I am sure you are all aware by now of Donetta's impressive resume and recognize that she possesses a wealth of knowledge of business management, State government, and strong leadership skills.

Serving as Chief Clerk of the Senate requires respect for the institution, being a strong organizer, and ability to work effectively in a very bipartisan manner. Donetta brings to the table previous experience working as Chief Clerk, having served as the Acting Chief Clerk in the 1990s as well. I know Donetta will be an outstanding addition to the Chamber and provide excellent management as Chief Clerk of the Senate. Since December, when Donetta began to serve as Acting Chief Clerk, she has been working diligently to meet with Members of this body, learn every aspect of the position, and has done an excellent job of managing her responsibilities. And I am sure that after meeting with Donetta, you will agree with me that she is independent, that she is approachable, and she is clearly motivated. She has a high standard of strong principles.

Her family and guests who are joining us today know how hard Donetta has worked to get to this point. I would like to recognize a former colleague of ours here, Judge Michael Fisher, and Colonel Joseph Greenfield, who are here with us today for this important ceremony. We are also joined by three individuals who we can truly say know the journey Donetta is about to begin. We are very pleased to have with us today former Chief Clerks from the Senate: Russ Faber, Stanley Rapp, and Gary Crowell, each of whom served this Chamber with distinction. I know that Donetta will continue with that legacy and serve with integrity while bringing her unique style and attributes to this very important role. I look forward to serving with her and continuing to make this Chamber an open, bipartisan institution that we can all be proud of.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise to second the nomination of Donetta D'Innocenzo to serve as Chief Clerk of the Pennsylvania Senate. For nearly 30 years, Donetta has been involved in various aspects of State government. She is knowledgeable and experienced, forthright and earnest. She is a leader, as was mentioned, and is someone who has skillfully handled difficult tasks. I think it is very clear that Donetta's past experience illustrates the kind of person that she is and what she is capable of doing in the future. For the last decade or so she worked in the private sector for a company that closely interfaced with government. In this job, she had to learn quickly and be knowledgeable about the workings of the General Assembly and its Members, while simultaneously building relationships and credibility with not only Members, but also staff. Before she moved into the private sector, Donetta served as a bureau director for the Department of General Services and was director of communication services, comptroller, and as was mentioned, for a time even served as the Acting Chief Clerk here in the State Senate. Her vast experience and knowledge will benefit her and will be beneficial here in the Senate as we begin to tackle many new challenges.

The Chief Clerk of the Senate's job is multifaceted and involves multitasking for making sure that the institution's bills are paid, insuring that there are quality and cost control measures in order to experience expertise about our financing and operating rules and how they apply it to difficult situations. There is no question that the job could be difficult. A quality Chief Clerk is a person who can both stand firm and work through problems at the same time, and because of her experience here, Donetta is well aware of how the Senate operates and what makes this institution work well. For many years the Senate has been served by Russ Faber as our Chief Clerk. He has done an excellent job and set the bar very high. I think Donetta is a wonderful selection to follow in Russ's footsteps. Mr. President, I sincerely believe that Donetta has the qualities, experience, and background to be a superb Chief Clerk. I think she will do well because she understands that the Senate is made up of 50 individual Members from two different parties with lots of different characteristics and personalities who come together to do a job for all of the citizens of Pennsylvania.

Mr. President, I believe that Donetta understands that in her job, partisanship has no place. Fairness, balance, and honesty are the attributes that a respected Chief Clerk needs in order to succeed, and I believe that Donetta has those traits and would be successful in serving Members on both sides of the aisle. For those reasons, Mr. President, it is without equivocation that I second the nomination of Donetta for Chief Clerk, and I ask my colleagues for an affirmative vote.

Thank you, Mr. President.

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

Senator PILEGGI. Mr. President, I rise today to also second the nomination of Donetta D'Innocenzo to serve as Chief Clerk of the Senate of Pennsylvania. The nonpartisan office of Senate Chief Clerk has existed for at least 80 years. It is an institutional office. It is a nonpartisan office. In addition to the

duties that previous speakers have mentioned, it includes the important job as the Senate's open records officer and the secretary to the COMO committee. Essentially, in private terms, the Chief Clerk acts as the Senate's chief financial officer, a very important position serving Members from both sides of the aisle, serving staff in that most sensitive and confidential area of finances. Certainly, as we have heard, Donetta has the experience and training to fulfill that job, but what that position demands, above experience and training and knowledge, is integrity and fairness beyond question, and Donetta certainly has those unique and rare qualities which will serve her well in that position. I am certain that she will serve in that position with distinction.

It is very gratifying to me to see the previous Chief Clerks of the Senate here today to share in her special beginning of her journey, and hopefully her journey will be as long as some of the previous Chief Clerks who are here with us today. Mr. President, on behalf of Members of the Senate, I extend my best wishes to Donetta and her family on this momentous occasion and wish her a long and successful tenure. Again, Mr. President, it is my honor to second the nomination of Donetta D'Innocenzo to serve as Chief Clerk of the Senate of Pennsylvania.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Williams has returned, and his legislative leave is cancelled.

#### NOMINATIONS CLOSED

The PRESIDENT. Are there any further nominations? Any further nominations? Third and final call. The Chair hears none and declares nominations for Chief Clerk of the Senate to be closed.

The candidate for Chief Clerk of the Senate is Donetta D'Innocenzo of Cumberland County. All those in favor of Donetta D'Innocenzo will signify by saying "aye"; those opposed, "nay."

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

The PRESIDENT. The Chair takes great pleasure in declaring Donetta D'Innocenzo unanimously elected Chief Clerk of the Senate of Pennsylvania.

(Applause.)

#### SPECIAL ORDER OF BUSINESS GUESTS OF THE PRESIDENT PRESENTED TO THE SENATE

The PRESIDENT. Before proceeding to the administration of the oath of office, the Chair would like to introduce some special guests, members of the Chief Clerk's family who are here with us today. Her husband, Jim D'Innocenzo, who is standing; her children, Alexandra D'Innocenzo, Zack Smith, Jared Smith and her daughter-in-law Katie Smith; and her parents, Donald and Loretta Glatfelter. Will the Senate please join me in welcoming all these special guests.

(Applause.)

#### STATEMENT BY THE PRESIDENT

The PRESIDENT. We will now proceed to the administration of the oath of office for the Chief Clerk. The Chair would like to take this opportunity to politely remind our guests that taking still pictures or videotaping in the Senate Chamber is not permitted. I ask that during the administration of the oath of office, no pictures be taken or video be taped. At the end of the oath, however, the Senate will be recessed. The Chief Clerk, Donetta D'Innocenzo, will remain at the bar of the Senate and you may take as many pictures as you want to at that time.

#### OATH OF OFFICE ADMINISTERED TO THE CHIEF-CLERK ELECT

The PRESIDENT. It is now my honor and privilege to introduce a special guest that we have with us today, the Honorable D. Michael Fisher, Judge of the United States Court of Appeals for the Third Circuit, a former Senate colleague. He has kindly consented to administer the oath of office to the Chief Clerk-elect. I can tell you he administers a very fine oath of office, as he administered my oath of office.

With that, I would ask that the Chief Clerk-elect please present herself at the bar of the Senate.

Members and all guests will please rise. Judge Fisher will now administer the oath of office.

Judge FISHER. Mr. President, it is a great honor for me to be here to administer this oath of office as a former Member of this body and as someone who knew Donetta when she first came to the Senate. Donetta actually taught me how to turn on a computer. And as someone who also has known her husband, Jim, for many years as he served as the chief of staff for me when I was in the Senate for many years. So, it is a real honor and privilege for me to be here this afternoon.

Please place your left hand on your Bible and raise your right hand and repeat after me:

I, (Donetta D'Innocenzo), do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations.

(Applause.)

The PRESIDENT. On behalf of the Senate, the Chair thanks Judge Fisher and congratulates the newly elected Chief Clerk of the Senate.

#### RECESS

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

Senator PILEGGI. Mr. President, I request a recess for purposes of a meeting of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Appropriations 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 committee meetings, Senate Democrats will meet in the rear of the Chamber for caucus as well.

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

### AFTER RECESS

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

### LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Tartaglione and Senator Williams.

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

Senator Costa requests temporary Capitol leaves for 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 BLAKE, for today's Session, for personal reasons.

### LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Smith and Senator Boscola have returned, and their temporary Capitol leaves are cancelled.

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

#### BILL OVER IN ORDER

**HB 89** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILL LAID ON THE TABLE

**HB 164 (Pr. No. 1941)** -- 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 the offense of cruelty to animals.

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

### BILLS AMENDED

**HB 431 (Pr. No. 2694)** -- 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 education and training.

On the question,

Will the Senate agree to the bill on third consideration?

Senator MENSCH offered the following amendment No. A6047:

Amend Bill, page 1, line 7, by inserting after "paragraphs":

and the section is amended by adding subsections

Amend Bill, page 2, line 29, by striking out "this"

Amend Bill, page 2, line 29, by inserting after "paragraph":

(3)

Amend Bill, page 3, lines 18 through 22, by striking out all of said lines and inserting:

(5) Upon biennial renewal of a license, a licensing board shall provide to professional licensees under its jurisdiction identified as mandated reporters information related to mandatory reporting of child abuse and the reporting requirements of licensees.

(6) A professional licensee identified as a mandated reporter may apply to the licensing board with jurisdiction over the licensee for an exemption from the training or continuing education required by paragraph (3). A licensing board may exempt the licensee if the licensee submits documentation acceptable to the licensing board that the licensee should not be subject to the training or continuing education requirement.

(c) Training of persons subject to department regulation.--

(1) The following persons shall be required to meet the child abuse recognition and reporting training requirements of this subsection:

(i) Operators of institutions, facilities or agencies which care for children and are subject to supervision by the department under Article IX of the Public Welfare Code, and their employees who have direct contact with children.

(ii) Foster parents.

(iii) Operators of facilities and agencies which care for children and are subject to licensure by the department under Article X of the Public Welfare Code and their employees who have direct contact with children.

(iv) Caregivers in family day care homes which are subject to registration by the department under Subarticle (c) of Article X of the Public Welfare Code and their employees who have direct contact with children.

(2) Within six months of the effective date of this subsection, operators and caregivers shall receive three hours of training prior to the issuance of a license, approval or registration certificate and three hours of training every five years thereafter.

(3) Employees who have direct contact with children and foster parents shall receive three hours of training within six months of the issuance of a license, approval or registration certificate and three hours of training every five years thereafter. New employees and new foster parents shall receive three hours of training within 90 days of hire or approval as a foster parent and three hours of training every five years thereafter.

(4) Training curriculum shall be approved by the department and shall address, but not be limited to, the following:

(i) Recognition of the signs of abuse and reporting requirements for suspected abuse in this Commonwealth.

(ii) For institutions, facilities and agencies under paragraph (1)(i), their policies related to reporting of suspected abuse.

(5) A person may be exempted from the requirements of this subsection if all of the following apply:

(i) The person provides documentation that the person has already completed child abuse recognition and reporting training.

(ii) The training was:



