

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MARCH 18, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 15

SENATE

TUESDAY, March 18, 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 RICHARD MAISONO, of St. Gabriel of the Sorrowful Mother Church, Avondale, offered the following prayer:

Almighty God and Father, we acknowledge Your presence and are grateful for all of Your blessings and gifts, which You so graciously bestow upon us in Your gracious providence. We humbly ask that You bless and guide the elected Senators of our beloved Commonwealth of Pennsylvania in the discharge of their solemn duties. May they be mindful of the trust placed in them by their constituents to promote the common good of the citizens of this Commonwealth above any individual or personal advancement or special interest. May they be especially concerned for the welfare of the poor and marginalized men, women, and children of our Commonwealth. May they promote opportunities for all of our citizens to realize what our State motto envisions: virtue, liberty, and independence. Relying upon Your guidance, almighty Father, may our Senators promote these opportunities by first exemplifying these qualities in their own personal lives and in exercising their senatorial roles. May they strive to live what our founder, William Penn, expressed so eloquently as he envisioned his settlement as a Holy Experiment and a model for a new nation, when he said, "He that does good for good's sake seeks neither paradise nor reward, but he is sure of both in the end."

Almighty God, we take pride in regarding Pennsylvania as the Keystone State, having an important role in supporting our nation, and its ideals of life, liberty, and the pursuit of happiness. Grant, O Lord, that Pennsylvania and its Senate may also be a spiritual keystone promoting the virtues of honesty, accountability, respect for all life, and respect for freedom of conscience. Finally, give our Senators wisdom and prudence in an earnest desire to serve to advance the good of all and to be mindful of their accountability to You, Heavenly Father, now and forever and ever. Amen.

The PRESIDENT. The Chair thanks Reverend Maisono, who is the guest today of Senator Pileggi.

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 EMPLOYEES'
RETIREMENT BOARD**

March 17, 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, Stephen Aichele, 2424 Dickson Lane, Malvern 19355, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified, vice Nicholas J. Maiale, Philadelphia, resigned.

TOM CORBETT
Governor

LEGISLATIVE LEAVES

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

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

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

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

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

Senator Costa requests a legislative leave for Senator Stack. 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 February 3, 2014, is now in print.

The Clerk proceeded to read the Journal of the Session of February 3, 2014.

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-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	McIlhinney	Teplitz	Yudichak
Eichelberger	Mensch	Tomlinson	

NAY-0

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

The PRESIDENT. The Journal is approved.

LEAVE OF ABSENCE

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

**GUEST OF SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

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

Senator BAKER. Mr. President, it is my privilege to introduce a young lady who is job shadowing me today. Her name is Gabby Olshemski of Shavertown in Luzerne County. She is the daughter of Frank and Cindy Olshemski, and she is a senior who will graduate in May from Indiana University in Bloomington, Indiana, with a degree in history and a minor in environmental policy and telecommunications. She has been a Big Ten academic and athletic All-American. She was an All-State field hockey player here in Pennsylvania, and for the past 4 years, she has played Division I with the Indiana Hoosiers. She hopes to pursue law school upon graduation. She is the young woman I have watched grow and flourish with great delight, and I know that she will continue to make us proud in her future endeavors. So I ask for a warm welcome to my job-shadower today, Gabby Olshemski of Luzerne County.

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

(Applause.)

**GUESTS OF SENATOR MATTHEW H. SMITH
PRESENTED TO THE SENATE**

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

Senator SMITH. Mr. President, I rise today to welcome University of Pittsburgh junior and constituent of the 37th Senatorial District, Marissa Kolarosky, of Moon Township. Marissa is in the Capitol today with fellow University of Pittsburgh undergraduate students for the Institute of Politics' Legislator for a Day program. Marissa is a driven young woman who began her college career at the Community College of Beaver County with 23 credits under her belt. She completed her associate degree last May and enrolled at the University of Pittsburgh in the legal studies program. She is an accomplished musician and was insightful on music education issues when we met with a constituent on the topic earlier today. In fact, she has studied violin for 9 years, piano for 11 years, and viola for 4 years. Marissa has played with the Pittsburgh Youth Pops Orchestra, Pittsburgh Youth Chamber Orchestra, Three Rivers Young Peoples Orchestra, and Pittsburgh Youth Symphony Orchestra. With an already lengthy list of achievements, she won the Steinway Young Artist competition and performed at Heinz Hall. In 2012, Marissa was chosen to perform as a member of the All-National Orchestra at the Kennedy Center in Washington, D.C. I know that students from Pitt are here to shadow us, but I, and I think my colleagues who participated today would agree with me, that it is actually the legislators who benefit most from the experience. I am impressed by Marissa's interest in the issues and her insight and wish her all the best as she rounds out her undergraduate studies and embarks on her career. I respectfully ask my Senate colleagues to join me in welcoming University of Pittsburgh junior Marissa Kolarosky to the Senate Chamber.

Thank you, Mr. President.

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

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Allegheny, Senator Smith, for other guests.

Senator SMITH. Mr. President, I rise to welcome the Moon Area High School Varsity Gymnastics Team to the Capitol today and congratulate them on winning the 2013-14 Pennsylvania Classic Team Gymnastic Championship. On their way to the championship, the team also earned their third consecutive WPIAL team gymnastics championship with a record of 32 wins and 1 loss over three seasons. This unstoppable team achieved the State championship and WPIAL three-peat only through tireless dedication, practice, and determination, as well as the expert guidance of coaches Amy Caprino and Nicole Caprino. These young women deserve to be recognized for their outstanding teamwork and commitment to their sport. I am happy they are with us today. I will announce those who are with us and announce all of those who were not able to make the trip: Krista Kennedy, Victoria Priola, Jessica Schreiber, Sunny Smolarek, Megan Tamilya, Michelle Tejchman, Holly Zucchero, Casey Rockenstein, Alexandra Bardusch, Loretta Carosone, Tara Cooney, Beth Eberts, Hannah Evanuk, Leah Hogle, Brandy McCarriher, Samantha Barone, Gianna D'Antonio, Nikki Jacobs, Mackenzie Kraft, Megan Meneskie, and Samantha Ryan. I also want to acknowledge the entire support athletic staff, including

managers, Taylor Hartz, Emily Mattioli, Sabrina Picciani, and Madison Taylor; Athletic Director Ricci Rich; high school Principal Barry Balaski; and Moon Area Superintendent Curt Baker were also instrumental in the girls' efforts.

I would be remiss if I did not mention the outstanding parents and fans of Moon Township who supported all of the girls' efforts. Your support, involvement, and enthusiasm helped motivate these young women and helped them achieve this level of success. On behalf of the Senate of Pennsylvania, I would like to congratulate the team members, coaches, and community of the Moon Area High School Varsity Gymnastics Team and wish them continued success in the years to come.

I ask my colleagues to join me in giving them a warm Senate welcome.

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

(Applause.)

GUEST OF SENATOR JAY COSTA PRESENTED TO THE SENATE

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

Senator COSTA. Mr. President, I am pleased today to introduce to my colleagues a University of Pittsburgh student who is visiting with us today as part of the University's Legislator for a Day program through the Institute of Politics. The institute conducts the Legislator for a Day program each spring to provide students of the university with the opportunity to shadow a Member of the General Assembly and gain insight into the legislative process, as well as the roles and functions of State Senators and State legislators.

Mr. President, I ask that my colleagues join me welcoming Daniel Ryan O'Rourke of Feasterville, Pennsylvania. Ryan is a senior at the university, majoring in history and political science. He is also currently serving as an intern in my district office in Forest Hills. He is placed there through the Institute of Politics seminar and placement course. In addition to the district office activities that Ryan provides, he also serves an internship with the city of Pittsburgh's Department of Planning. At the University of Pittsburgh, Ryan does a number of things, Mr. President. He works with the office of residence life as an assistant in preparing, implementing, networking, and recruitment programs for the university clubs, as well as being a resident assistant, mediating conflicts between residents as well as organizing floor meetings and weekend social programs. In addition, he serves in the prestigious Pitt Pathfinders Program, providing campus tours to prospective and first-year students visiting the campus for the first time. Ryan has been an outstanding volunteer with both Goodwill and Living Ministry. Mr. President, I ask my colleagues to join me in welcoming another outstanding University of Pittsburgh student, Ryan O'Rourke, to the Senate of Pennsylvania.

Thank you, Mr. President.

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

(Applause.)

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators SCARNATI, WOZNIAK, WASHINGTON, BREWSTER, GREENLEAF, FERLO, SMITH, STACK, HUGHES, DINNIMAN, WHITE, SCHWANK, BROWNE, RAFFERTY, FONTANA, SOLOBAY, HUTCHINSON, ALLOWAY, VULAKOVICH, VOGEL, PILEGGI, KASUNIC and COSTA, by unanimous consent, offered **Senate Resolution No. 322**, entitled:

A Resolution designating March 18, 2014, as "Pitt Day" in Pennsylvania and commending Chancellor Nordenberg for his leadership of the University of Pittsburgh.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, I am pleased to rise today to ask the Senate to designate March 18, 2014, as "Pitt Day" in Pennsylvania, and to commend Chancellor Nordenberg for his strong leadership at the University of Pittsburgh. The University of Pittsburgh was established in 1787, and over the past 227 years, it has developed into a world class learning and research institution. In 1966, Pitt became one of our Commonwealth's State-related universities providing outstanding cost-effective educational opportunities to students and families.

Strong leadership and guidance are vital components of the success of an institution, and for the past 19 years, Chancellor Nordenberg has served the university and provided steadfast direction for this institution. The Chancellor began his career at Pitt in 1997, when he was hired as a visiting contract instructor at the university law school. He later became the dean of the law school, and then served as interim provost and senior vice chancellor before being elected interim chancellor by the board of trustees in 1995. The following year he was named chancellor. I am very pleased to call Mark a friend whom I greatly admire and respect. His dedication and tireless efforts have helped Pitt to become one of our country's leading institutions of higher education.

In addition to his role at the university, the Chancellor also has been extensively involved in the western Pennsylvania community serving on numerous boards and engaging in a wide range of executive civic activities to strengthen the region. I know that the Members of this Chamber join me in wishing the Chancellor the very best as he begins his retirement later this year. I am confident that following his retirement, he will continue to be a strong voice for the western Pennsylvania community.

GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

The PRESIDENT pro tempore. Today, we are also fortunate to have numerous members of the University of Pittsburgh community here with us at the State Capitol. This is the 18th year that the University of Pittsburgh Day in Harrisburg has taken place. We are pleased to welcome them to the Capitol today. The

annual event provides the General Assembly an opportunity to speak with alumni, faculty, and students about their work and to gain a firsthand perspective of issues facing public higher education. The faculty and students are what make Pitt such an outstanding institution and are a vital part of the western region of our State.

On a personal note, Mark first became an acquaintance some 14 years ago, and he quickly became a friend. It is unusual in the world that we work in and live in to retire with such a large amount of friends as he will retire with this coming year. He has endeavored to be a source of pride not only for Pitt, but for the entire Commonwealth of Pennsylvania. So, I ask my colleagues to join me recognizing the accomplishments of Chancellor Mark Nordenberg and the University of Pittsburgh.

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

Senator COSTA. Mr. President, I am very honored and pleased today to join my colleague, Senator Scarnati, in the resolution recognizing today as Pitt Day in the Commonwealth of Pennsylvania. More significantly, I am very honored to be able to stand here and provide a few remarks about someone whom I consider to be a friend and someone who has made a significant difference in our Commonwealth, and more specifically in the western Pennsylvania region. Mr. President, Chancellor Nordenberg is no stranger to any of us. Many of my colleagues, particularly Members who have been here for a little while, recognize the work that Chancellor Nordenberg has done as an advocate, a strong advocate, for our State-related universities and making certain that we have the resources necessary to provide for a very fine academic opportunity for our students, a high-quality education at a reasonable price. Mr. President, I can tell you from personal experience as a longtime trustee on the university's board that many times that charge has been difficult and frustrating for both Mark and I think the board of directors. But despite that, I cannot think of any other person who in the face of some of the funding issues that have been addressed here in this Commonwealth, he managed it in an appropriate, delicate style where he did not offend folks but yet understood what the plan was going forward and was in a position to be able to make the best of a particular situation.

As someone who grew up in the shadows of the Cathedral of Learning at the University of Pittsburgh, I saw firsthand, as I said as a trustee, some of the concerns of previous administrations, and I can share with you that things have changed dramatically at the University of Pittsburgh in a variety of ways. First and foremost, under Mark's leadership the university has grown in size as it relates to enrollment, up 21 percent to 32,000 students. Folks, I can tell you that applications for admission have increased more than threefold. What that does is allow for folks not only from Pennsylvania but from around the country and around the world who look at the University of Pittsburgh and the great success that they have had over several years in academics in particular, allows them the opportunity to continue that growth as a student at the university. The average SAT scores have increased since 1995 when Mark arrived by some 200 points. Mr. President, I may get in a little trouble for saying this, but my wife is a graduate from the University of Pittsburgh. When my son was able to attend the university a few years back, I made the comment to my wife that she would not get into Pitt today as my son did. Needless to say, it did not sit well in my home. My wife

is talking to me and we will celebrate 30 years together very soon, but that was not a smart thing on my part. It goes to the point of how the dramatic change that we see in the university, not only in the academics, of course, but also in a variety of other ways. But I think it is important for Members to know when you talk about how you measure the success of your students, there are places that you can go and look to see what the students are doing. I can share with you that Pitt undergraduate students have earned and been awarded multiple Rhodes Scholarships, multiple Truman Scholarships, Marshall Scholarships, Udall Scholarships, and Goldwater Scholarships. Several students, year in and year out, are awarded those very prestigious honors, and, again, it is because of the academics that take place there.

In the area of research, under Mark's leadership, along with Dr. Levine, the university has moved to number five in the country in Federal research dollars. At one point, I think our high-water mark was in excess of \$800 million, \$800 million in research dollars coming from Washington to the University of Pittsburgh into Pennsylvania. All of you who hear about those dollars that create jobs, they tell me that the ratio is for every billion dollars that we bring in, we create anywhere from 32,000 to 35,000 direct and indirect jobs. So, clearly this university has demonstrated its ability to grow jobs in our community, as well as keeping our best and brightest students in and around the Pittsburgh area.

But beyond that, Mark has figured out a way to navigate through the political climate in the city of Pittsburgh and Allegheny County and here in Harrisburg as well, where, I think, we all would agree that he has been the leader, in my view, of a group of college presidents who come before us year in and year out advocating for resources for the State-related universities, and for somebody in that particular role, he will be missed.

Even beyond that, Mark has been an outstanding champion for the athletic programs at the University of Pittsburgh, which all of us, and many of us in this room, except for our Penn State friends, take great pride in. Just kidding. But at the end of the day, Mark has been a major champion as it relates to the work that he has done in all of our programs and the facilities that have been built in partnership with this Commonwealth and in partnership with the community back in Pittsburgh and across the Commonwealth and the branch campuses as well. He has allowed us to be able to rise in stature as it relates to our athletic programs. A lot of folks do not know this, but a number of years back when the Big East Conference, for example, with respect to athletics, was at a very precarious stage, it was Mark Nordenberg who stepped in and led those efforts to make certain that the Big East Conference survived. And it did survive and became the best conference in the country for a number of sports. A few years later when it was time to make a move, Mark led the transition over the course of a couple of years into the Atlantic Coast Conference, another conference that really fits, in my view, the role that the University of Pittsburgh provides, not just as an athletic conference, but, more importantly, as an academic conference.

There is no way to better illustrate that than looking at the students who, more recently, were selected to various all-academic teams in the ACC. I think we can all agree that the ACC is one of the premier conferences as it relates to not only athletics, but academics. For example, we have six of our football players who were designated academic All-Americans, second-most in the whole conference, and I think it was Duke that

had more folks. More recently, just last week, one of the Pitt students, a basketball player, Cameron Wright, was named as an academic All-American. A tremendous and significant honor that I think we just cannot lose sight of the value that the role of academics play at the university, as well as the academics and athletics combined together. So, I know I have gone on a long time because I think what we have in Mark Nordenberg is someone who we may not see the likes of, in my view, for a long time, at least in the city of Pittsburgh and the University of Pittsburgh.

So, Mark, to you and your team, and he has an outstanding team that has led them for a number of years, you will be missed. But I can share with my colleagues that the effort to bring in a new chancellor, what I think we have done as a board is to have brought in somebody who in many ways to me resembles a young Mark Nordenberg in Dr. Patrick Gallagher. We are excited about where we are going forward. So, Mark, all the best to you.

Mr. President, I thank you and my colleagues for the patience you have allowed me to talk about my friend, Mark Nordenberg.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I am going to be brief, because as a Penn State graduate, I am sick of hearing about Pitt. But in all seriousness, this Penn State alum, and somebody who grew up in the shadows of Beaver Stadium, I stand here in my blue and gold tie and my Pitt button to honor a friend. You know, Mr. President, the one thing I get asked quite often in this line of work is, what is your favorite part of the job of being a Senator? To a person, I always tell them it is the people that you meet, the people that you are exposed to that you would not normally be exposed to in your normal everyday life. Never in my life did I dream, growing up in State College and Happy Valley, that I would even know the chancellor of the University of Pittsburgh, let alone become friends with the chancellor of the University of Pittsburgh. And I think Senator Scarnati said it best when he said "friend." I have developed a relationship with Mark where he has come to me for advice at times on certain issues, and I have gone to him on personal matters and issues of concern where I thought he could be helpful. He has mentored me through some of those issues, and that is what friends do. I said at the hearing of the Committee on Appropriations this year that, Mark, you are the gold standard of university presidents, and that is coming from a Penn State guy. The Commonwealth of Pennsylvania owes you a great debt for the tremendous work that you did in educating the young people and turning out graduates that are now producing great things here in the Commonwealth of Pennsylvania. And I, as an individual, appreciate our friendship and look forward to continuing that friendship many years after your days as chancellor of the University of Pittsburgh are done. I will look forward to the next time Pitt plays Penn State so I can get rid of that 12 to 0 football score that you have in your office so that we can replace it with a new one that has a Penn State victory. So, Mr. Chancellor, well done, and thank you for your service.

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

Senator FERLO. Mr. President, I do not have prepared comments and will try to be brief. I want to thank the Leadership for offering this important resolution recognizing our good Chancellor Nordenberg. I want to add a little bit of perspective on this,

being a public official for the last 25 years in the city of Pittsburgh. Senator Fontana, Senator Costa, and I share some portion of the University of Pittsburgh's ever-growing and expansive campus, to their credit. I go back to the riotous and raucous days of the late 1960s with Chancellor Posvar. It was difficult times for the city, the community, and, certainly, the University of Pittsburgh. Those were days of much aggravation over the issue of South African divestiture, battles around affirmative action and employment, both at the level of the academic staff and certainly the employees. There were many union battles that directly or indirectly related to the University of Pittsburgh or to the UPMC medical empire that we have in the city of Pittsburgh. And many other issues including the expansive nature, the natural manifest destiny of the University of Pittsburgh within the Oakland community, something that is very contentious at times because the neighborhood has changed from 30 years or so ago when I lived in south Oakland when it was much more residential and many homeowners owned or occupied homes and maybe had a little rental income. It is much more of a student community now, which sometimes brings contentious changes in the socioeconomic realities of the Oakland community.

Moving forward to Chancellor Nordenberg's leaving from the dean of the law school to then taking on the chancellorship was significant. I want to say as a public official that while there were some contentious battles, the Chancellor is a class act. He has the trust and confidence not only of community leaders, but certainly government and myself included. I want to thank him, and it is always a personal sacrifice when someone takes on a leadership position that he rose to that occasion and stepped up to the plate. I have to say it is amazing what the University of Pittsburgh has accomplished under his leadership in the last number of years, more than a decade at this point.

So, I just want to personally thank Chancellor Nordenberg, thank him for his continual commitment to the well-being not only of the city of Pittsburgh proper, but as other colleagues have mentioned, the economic engine, the academic engine that the University of Pittsburgh represents. We could not have asked, if we had to say a prayer every day, the good Lord would have delivered us as He did the good Chancellor Nordenberg. So, we want to thank him very much from the bottom of our hearts, and, at least my constituents thank you, Chancellor, for your leadership. 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.

(Applause.)

The PRESIDENT. The Chair takes note of some special guests from the University of Pittsburgh who are in the gallery and welcome them to the Chamber of the Senate as well.

GUEST OF SENATOR RANDY VULAKOVICH PRESENTED TO THE SENATE

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

Senator VULAKOVICH. Mr. President, I would like to recognize Andrew Stefanick, who is participating in the Institute of Politics' Legislator for a Day student program. Andrew is a ju-

nior at the University of Pittsburgh majoring in accounting with a minor in economics in the college of business administration. At Pitt, Andrew works with Panthers Central as a customer service representative, helping to solve a vast range of student issues, as well as serving as a risk management chairman with Phi Delta Theta. Andrew is also a community service flight commander in the Air Force Reserve Officers' Training Corps, ROTC, and was recently awarded a USAA Spirit Award for best exemplifying the spirit of service to the nation, community, and ROTC. In addition, he serves with the Coast Guard Auxiliary, Pittsburgh division, and is a lector and eucharistic minister at St. Nicholas parish in the town of Milvalle.

When we talk about a small world, I had never met the young man before, we sat down and I recognized the last name as being familiar in my area and I found out that I grew up with his dad, who lived two streets over from where I did. Andrew is also very active in his church. It was the church that I was baptized in and my father, as a young man, used to work at that church. So it is amazing what a small world it is today and I was pleased to be able to take Andrew around. He witnessed a very good hearing that we had on a sensitive issue and we talked to some other people who came into the office to see me. So, hopefully, he had a good day finding out what it is all about here in Harrisburg. So, with that, I would like to recognize Andrew Stefanick from the University of Pittsburgh.

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

(Applause.)

**SPECIAL ORDER OF BUSINESS
FAREWELL TO THE HONORABLE
W. RUSSELL FABER**

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

Senator PILEGGI. Mr. President, as a special order of business, I ask that you recognize Senator Scarnati to begin a farewell tribute to our former Chief Clerk of the Senate, Russ Faber.

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, today we are going to take a few moments to recognize the distinguished career of W. Russell Faber, another Senate icon who has joined the retirement team in the front row seated in the front of the Chamber. It is my privilege to congratulate him for over 30 years of service to the Commonwealth. He has been a tremendous leader, a public servant, not only for the Senate but for all of Pennsylvania, and I can tell you he will be missed by all. While Russ retired on December 31 of last year, we have still had the pleasure of seeing him around the Capitol working to finish up a few items that were left undone upon his retirement and helping with the orderly transition to our new Chief Clerk, Donetta D'Innocenzo.

During the past 8 years, since I have served as President pro tempore of this wonderful body, I have had the opportunity to appreciate, to get to know and respect Russ in a very professional and personal way. He has, from the day I began and I know the day he began, crossed every "T" and dotted every "I" right to the last day of his employment here with the Senate. Now, he has

done a remarkable job of providing constant accessibility, predictability, and thoughtful guidance in his career here as our Chief Clerk. As you know, the Chief Clerk has quite a few responsibilities here in the Senate, oversees a staff of some 70 employees, including those in his office, accounting operations, benefits administration, facilities management, mail room, and the Commonwealth mail processing center. He has also served as secretary of the Senate Committee on Management Operations and the Senate open records officer. He has earned a great bit of respect as being bipartisan throughout these 30 years. His work with Members of the Senate from both sides of the aisle has really helped create a much more open and transparent Chamber. His vast knowledge of all of our policies and institutional knowledge will be greatly missed. Not only that, I will miss seeing that great head of hair that he has every day around the Senate, and those of us who are here who do not have that same wonderful head of hair do like seeing that.

When I was first elected to the Senate 14 years ago, I had a lot of people who helped get me here, but there is one individual, and that is Russ Faber, who really gave me probably some of the finest advice any individual has ever given in your conduct as State Senator, and that advice to me was very personal and I would hope to share that on a personal level with any Member who would like to hear it someday. But clearly his style and his management operations are greatly respected, and that advice I have kept for the last 14 years and I hope I can continue until the end of my career here. You have been a friend, a confidant, and a great counselor, and those relationships do not end with you leaving here. So, you will be greatly missed and we certainly want to bid you a wonderful retirement and we have a gift that I would like to present to you on behalf of all of us here at the Senate as well as we will be preparing a photo album from the photos taken today for you to enjoy. So with that, Mr. President, I ask Members of the Senate to join me in thanking Russ Faber for his many years.

(Applause.)

(Whereupon, a gift was presented by the body to the Honorable W. RUSSELL FABER.)

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

Senator BROWNE. Mr. President, it is a pleasure for me to join Senator Scarnati and the rest of the Members of the Senate in honoring Russ Faber, CPA, on his tremendous work on behalf of the citizens of the Commonwealth. As the Members are aware, any organization - State Senate, public or private organization - needs systems in place to run its financial affairs and people to run those systems. What is important to note is a Chamber like the State Senate and State House are very, very different than most organizations because you have to be able to manage essentially 50 subset organizations and merge them into a whole. And it is not like having 50 subsidiaries, it is like having 50 sole proprietorships that you have to manage under one central office, which for most financial professionals is something they have no experience with, is very difficult to do, but notwithstanding that, Russ Faber has been able to manage the affairs of the State Senate for his entire career in a way that presents effectiveness and accountability and security to not only the Members of the Senate but the entire State that we are accountable to.

It is also important to mention that Russ's footprint goes beyond this Chamber. It extends across this Chamber to the entire General Assembly. For the last 16 years I have had the opportunity to serve on the Legislative Audit Advisory Commission, whose role is somewhat unique, and that is, it is responsible, under statute, to audit and provide financial and management advice to the entire General Assembly. Russ has always been, as long as I have been involved in that commission, a knowledgeable component of the LAAC's affairs, but over the last 5 or 6 years, the Commonwealth's General Fund, just similar to situations across the country, experienced deficits. The interests and the work of the LAAC has received much more attention from Members of the General Assembly and much more attention from the public. Russ has been able to work both in front and behind the scenes to manage that additional scrutiny, to make sure that the work of the LAAC is credible, and that, by logical extension, the financial affairs of the entire General Assembly are seen by the public as something that is managed effectively and with much accountability. And that has much to do with Russ's expertise and his knowledge and his institutional knowledge of the work of the General Assembly.

Russ's contributions to the General Assembly are a credit not only to all of us, they are a credit to his family and a tremendous credit to his profession, and I wanted to take an opportunity on behalf of all CPAs in the Commonwealth and my constituents and to join my colleagues here today in recognizing Russ for his tremendous work. Russ, thank you very much.

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Brubaker.

Senator BRUBAKER. Mr. President, I wanted to stand to echo the comments made by Senator Scarnati, Senator Browne, and no doubt others, and for the vast number of Members who are not speaking, I am confident we all feel the same way. I started almost 8 years ago now, and from the first day, here is a gentleman who reached out and wanted to be supportive, wanted to insure that not only myself, but our office and each of our colleagues knew the guidelines to which we must adhere. It has been mentioned that he is professional, it has been mentioned that he crossed the T's and dotted the I's, and he certainly did that better than anyone I know that has the ability. But he was so much more than that. I say "was," still is. He is a person that you can just tell brings this incredible level of professionalism every day to his task. It is more than just a job for him. I want to emphasize a bipartisan statement. Viewers who observe the Chamber sometimes get the impression that bipartisanship here is quite rare. Here is a gentleman that every ounce of him is truly bipartisan, did not see us as one party or the other, he saw us as Members all working for the common good. Finally, the word "integrity" I believe is overused today, but I think this is a man who exudes integrity in every position that you can look at him, the way that he carries himself, the way he communicates to people, it shows without any doubt that he cares. He cares about people, he cares about this great institution, he cares about the Commonwealth of Pennsylvania, and for that, it has been a deep honor for me to get to know Russ Faber. Thank you very much, and God bless you.

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, I will keep this short, but I just want to jump on the bandwagon here and say, first of all, it

was rather revealing what Senator Scarnati said. You gave him some information, some advice, some counseling 14 years ago and he is now the Senate pro tempore and I am still a backbencher. So, I wish I would have been privy to that advice, too. But truly, Russ, for a guy who came out of the business world and never stepped foot into these glorious halls, you were a friend from day one. I truly appreciate everything you have done for me and all our colleagues around here. We have depended upon you for advice and to keep us out of trouble and to also set the tone for what I think has been a great working environment. I do not know what Andrea is going to do with you when she has you full-time, but I know personally about your skills as a handyman at my camp in Indiana County, where you will always be welcome. We love you and we are going to miss you. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, first, I think it is important today to let everyone know that Russ is a Penn State graduate, and the theme of the day is friendships. As I sit here watching friends moving on to different endeavors, it is obviously sad to see them going on because we enjoy working with them here, but we are glad to see in their life they are enjoying success and meeting new challenges. I was fortunate to know Russ, to be friends with Russ, before I got to the Senate, and so when you get here and the Chief Clerk is someone you already know and trust, that is a great advantage for you.

Those of us who are old enough to remember the TV show, back in the 1970s, "Dragnet," the one detective always said, when he was taking a statement, "Just the facts, Ma'am; just the facts." When you talked to Russ, you got the facts. Russ never editorialized, never told you what you should do with those facts, but he gave you the facts as he knew them when you asked the question. As an institutional officer, that is exactly what you should get. You take those facts and do with them as you want. So, he was tremendous in that role. He has been a great friend. I could tell lots of golf stories, but they would not be very good ones because neither one of us is very good, but friendship is a theme of the day and Russ was a great friend to all of us. And as Senator White said, he tried to keep us all out of trouble, but he gave great advice no matter what you were looking for. So Russ, good luck to you, and my great friend, we will miss you here.

The PRESIDENT. The Chair is going to ask for the indulgence of the Senate as now he engages in a couple of reflections on Russ Faber, in that I have had the unique distinction of knowing Russ both in this capacity and as a Senate staffer, and I can tell you that as a Senate staffer, the man is an absolute tyrant. He was brutal. Actually, he treats everyone with exactly the same courtesy, the same kindness, and the same professionalism that has been noted by the numerous Members of the Senate here this afternoon. Russ has served as the Chief Clerk for the greater part of three and a half decades. He has overseen a staff of 70 people who handled the behind-the-scenes operations of this Chamber with absolute professionalism. He is, indeed, an indispensable and firm hand in guiding the Pennsylvania Senate ship of state.

Russ first came to work in 1981. It was a big year for Russ and it was a big year for me, as well: Russ came to work here, and I got my first bicycle. Webster's defines "old" as "dating from the remote past; ancient; persisting from an earlier time; belonging to an earlier period in the development of a language

or literature;" Faber-like. I can tell you that while there are those who would joke that when God said let there be light, Russ Faber flipped the switch, I am not among them. I would simply say this: Russ, thank you for your service to the people, the men and women who have served in this august body, thank you for your service to the people of the Commonwealth, and thank you for your personal insights to me as well. Our lives have been made better because of your service and for your sharing with all of us.

Thank you very much, sir. God bless you and Godspeed. (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 Education to be held in the Rules room beginning immediately, 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 meeting of the Committee on Education, Senate Democrats will meet in the rear of the Chamber.

The PRESIDENT. For purposes of 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

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Vogel, and a legislative leave for Senator Alloway.

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

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

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Vogel, and a legislative leave for Senator Alloway.

Senator Costa requests a legislative leave for Senator Farnese. Without objection, the leaves will be granted.

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

**BILLS ON CONCURRENCE
IN HOUSE AMENDMENTS**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 681 (Pr. No. 1812) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the protection of victims of sexual violence or intimidation, for duties of law enforcement agencies, for procedure and for penalties; and, in juvenile matters, further providing for definitions.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 681?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 681.

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

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

Senator GREENLEAF. Mr. President, I rise to ask for concurrence in this legislation. This bill was first introduced in the 2003-04 Session, in which the Pennsylvania Coalition Against Rape and others have struggled and advocated for protection for those who are sexual victims. What this would do is, we now have on our books a protection order for those who are involved in domestic disputes. This legislation would enable people who are victims of sexual violence to have a protection order, just as there is in domestic relations issues. In many cases, only about 28 percent of victims ever report their victimization to law enforcement, and the only protection they would have from further contact with this individual is such an order. This legislation would accomplish that for the first time in Pennsylvania. I ask for an affirmative vote.

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

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	McIlhinney	Teplitz	Yudichak
Eichelberger	Mensch	Tomlinson	

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 inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 895 (Pr. No. 1796) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for organization of commission.

On the question,
Will the Senate concur in the amendments made by the House to Senate Bill No. 895?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 895.

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-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	McIlhinney	Teplitz	Yudichak
Eichelberger	Mensch	Tomlinson	

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 inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 89 and **HB 431** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 770 (Pr. No. 3180) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for lost, stolen, damaged or illegible registration plate and for special registration plates generally; providing for personal organization registration

plates and for Appalachian Trail organization registration plates; in financial responsibility, further providing for required financial responsibility; in rules of the road in general, further providing for maximum speed limits; and, in size, weight and load, further providing for conditions of permits and security for damages.

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 recognize the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I want to thank the Members of the Senate working with us on the amendments that we added to this bill. The underlying bill is a very good bill. Representative Adolph created Appalachian Trail license plates, which raise money for the Appalachian Trail here in the Commonwealth of Pennsylvania, and the amendments cleared up some language in the recent transportation bill. I thank them for their time and I thank them for their courtesy. I ask 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-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	McIlhinney	Teplitz	Yudichak
Eichelberger	Mensch	Tomlinson	

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 1055 and **SB 1085** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

SB 1197 (Pr. No. 1793) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in criminal history record information, further providing for juvenile records; in juvenile matters, further providing for scope of chapter, for inspection of court files and records, for juvenile history record information and for conduct of hearings; and, in registration of sexual offenders, further providing for definitions and for court notification and classification requirements.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GREENLEAF offered the following amendment No. A6075:

Amend Bill, page 6, line 20, by inserting a bracket before the period after "offense"

Amend Bill, page 6, line 20, by inserting after "offense.":

]; or who was previously adjudicated delinquent for such an offense and, on the effective date of this paragraph, is subject to the jurisdiction of the court on the basis of that adjudication of delinquency.

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.

BILLS OVER IN ORDER

SB 1205, SB 1236, SB 1237, SB 1238, HB 1424 and HB 1513 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION, AMENDED

HB 316 (Pr. No. 3178) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth agency fees, further providing for the Department of Health; and providing for children's advocacy centers.

On the question,

Will the Senate agree to the bill on second consideration?

Senator PILEGGI offered the following amendment No. A6126:

Amend Bill, page 6, lines 9 and 10, by striking out all of said lines and inserting:

(c) Restrictions.--The funding under this section shall not be used to

Amend Bill, page 6, lines 14 through 17, by striking out all of said lines

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILLS OVER IN ORDER

HB 403, HB 408, SB 411, HB 434, SB 491 and SB 698 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 997 (Pr. No. 1177) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; and, in special vehicles and pedestrians, providing for operation of pedalcycles with electric assist.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION, AMENDED

SB 1000 (Pr. No. 1798) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for rural regional community college for underserved counties.

On the question,

Will the Senate agree to the bill on second consideration?

Senator SCARNATI offered the following amendment No. A6094:

Amend Bill, page 2, line 18, by inserting after "institution":
of higher education

Amend Bill, page 2, line 20, by striking out "nonprofit organization" and inserting:
college

Amend Bill, page 4, line 10, by inserting after "year":

To the extent practicable, from those trustees initially appointed, an equal number shall draw lots to serve for a term of three years, for a term of two years and for a term of one year.

Amend Bill, page 5, line 9, by inserting after "reimbursed":

by the rural regional community college

Amend Bill, page 9, line 11, by striking out "biannually" and inserting:

annually

Amend Bill, page 10, lines 13 through 16, by striking out all of lines 13 through 15 and "associate of arts or sciences degree." in line 16 and inserting:

The rural regional community college established under this article may award any type of diploma, technical or career training certificate or associate degrees in the arts, sciences, technologies or general education upon successful completion of programs authorized by the board of trustees.

Amend Bill, page 10, lines 29 and 30; page 11, line 1, by striking out all of said lines on said pages and inserting:

(a) Initial partnership period.--During the rural regional community college's initial partnership with a partner institution, a student enrolled in the rural regional community college shall be eligible for consideration for a Pennsylvania State Grant and other Commonwealth-funded financial aid administered by the Pennsylvania Higher Education Assistance Agency, provided that the partner institution is an institution of higher education as approved by and in accordance with rules and regulations of the Pennsylvania Higher Education Assistance Agency.

(b) Post-transition period.--Upon the rural regional community college operating on its own without a partner institution, a student shall only be eligible for consideration for a Pennsylvania State Grant and any other Commonwealth-funded financial aid if the rural regional community college is approved by the Department of Education and is accredited or a recognized candidate for accreditation with an accrediting body recognized under rules and regulations of the Pennsylvania Higher Education Assistance Agency and satisfies any other institutional and administrative program requirements as the Pennsylvania Higher Education Assistance Agency may require.

Amend Bill, page 12, by inserting between lines 22 and 23: Section 1916-G. Transfers of credits.

For purposes of facilitating the transfer of credits attained by students of the regional community college, the regional community college shall be considered a public institution of higher education as defined in section 2001-C and, upon the regional community college being able to operate on its own, shall be required to fulfill all the duties and obtain for its students all the benefits of Article XX-C within two years of operation of the established regional community college.

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

The PRESIDENT. The Chair recognizes the gentleman from Jefferson, Senator Scarnati.

The PRESIDENT pro tempore. Mr. President, this amendment makes several technical changes to clarify certain provisions in the bill. Additionally, the amendment enhances sections of the bill that address degrees that may be awarded, financial aid, and transfer of credits.

Thank you, Mr. President.

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

On the question,
Will the Senate agree to the bill on second consideration, as amended?
It was agreed to.
Ordered, To be printed on the Calendar for third consideration.

BILL ON SECOND CONSIDERATION

SB 1037 (Pr. No. 1581) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for Environmental Quality Board.

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

BILLS OVER IN ORDER

HB 1053, SB 1096, SB 1107, SB 1149, SB 1155, HB 1164, SB 1191, SB 1254 and HB 1263 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 1281 (Pr. No. 1810) -- The Senate proceeded to consideration of the bill, entitled:

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, adding winter emergency provisions and further providing for days schools not to be kept open.

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

HB 1719 (Pr. No. 2699) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, consolidating The Borough Code; making revisions concerning definitions, applications, certificates, eligibility, collection of taxes, appointments and incompatible offices, council's powers, specific powers, preparation of plans and specifications and contracts, assessments, removal of elected official and appointee, recreation board and authority, ordinances and resolutions; making an editorial change; and making a related repeal.

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

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

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

Which was agreed to by voice vote.

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

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

January 24, 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, Vincent D. Gordon, MBA, 466 Brookfield Road, Drexel Hill 19026, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Thane Martin, Wilmington DE, whose term expired.

TOM CORBETT
Governor

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

January 24, 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, Leon R. Spencer, Jr., 423 South Union Street, Kennett Square 19348, Chester County, Ninth Senatorial District, for appointment as a member of the Council of Trustees of Cheyney University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Lynette M. Brown-Sow, Philadelphia, whose term expired.

TOM CORBETT
Governor

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

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

YEA-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	McIlhinney	Teplitz	Yudichak
Eichelberger	Mensch	Tomlinson	

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE**

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

HB 974 (Pr. No. 3197) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, further providing for automated external defibrillators.

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 Joshua R. Brennan, Paul Thomas Ermlich, Mishleen Maurice Bashour, Alexandra Abruzzi, Hannah Brough, Jamie Lee Miller, Elizabeth Anne Bina, Milena Nino, Amy Lebrecht, Gabrielle Grys, Rachel Sell, Brittney Stevenson, Jenna Atkinson, Kira A. Ivarsson, Jenna Peng, Luke Arthur Chassard, Ian Patrick Callahan, Brielle Diane Gemberling, Nathan Richard DeRaymond, Benjamin Knauss, Gina Civitella Baker, Apoorva Mathur, Amanda Hillegas, Michael Duffy, Alexander Mark Hagan, Vasil Hlinka, Elizabeth Brennan, Ryan Michael Schnabel and to Velisa Li by Senator Boscola and others.

Congratulations of the Senate were extended to Dr. Patricia Melzer and to Geoffery Peckham by Senator Baker.

Congratulations of the Senate were extended to Mr. and Mrs. Arthur Graveno, Jr., Robert V. McCarthy, Kyle Edward Gander and to Grant Williams by Senator Brubaker.

Congratulations of the Senate were extended to Paul Sepich, Chris Sommer, Michael Mazzara and to Evangelical Lutheran Church of Reedsville by Senator Corman.

Congratulations of the Senate were extended to Joshua Proud by Senator Kasunic.

Congratulations of the Senate were extended to Mr. and Mrs. William Sams, Dr. Emil A. Deliere, Rick Sonneborn, Raymond L. Natili III, George Messich, Angelo Morascyzk, Abraham Key, Jeffrey Breese, Patrick Rheam, Jerry Seaman, Bryan Barto, Michael H. Orstein and to Duane Day by Senator Solobay.

Congratulations of the Senate were extended to Hannah Kirby by Senators Solobay and Wiley.

Congratulations of the Senate were extended to Daniel N. Richard by Senator Teplitz.

Congratulations of the Senate were extended to T. C. Warner and to the Cumberland Valley High School Cheerleading Squad by Senator Vance.

Congratulations of the Senate were extended to Harrisburg Regional Chamber by Senator Vance and others.

Congratulations of the Senate were extended to John J. Sipper by Senator Yudichak.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late David Lowell Lamberton by Senator Baker.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Helen Paskutis Brown was extended to the family by Senator Solobay.

BILL ON FIRST CONSIDERATION

Senator MENSCH. Mr. President, I move that the Senate do now proceed to consideration of a 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:

HB 974.

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

WEDNESDAY, MARCH 19, 2014

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 799, 804 and 959)	Room 461 Main Capitol
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 1180 and 1267; and House Bill No. 1259)	Room 461 Main Capitol
10:00 A.M.	URBAN AFFAIRS AND HOUSING (Senate/House joint public hearing on Act 90 of 2010, Neighborhood Blight Reclamation and Revitalization Act)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Thaddeus Stevens College of Technology)	Hrg. Rm. 1 North Off.
2:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of State)	Hrg. Rm. 1 North Off.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)	Rules Cmte. Conf. Rm.

THURSDAY, MARCH 20, 2014

3:00 P.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on Electric Reliability)	Warminster Twp. Bldg.
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TUESDAY APRIL 1, 2014

10:30 A.M.	JUDICIARY (public hearing on Senate Bill No. 979 - indigent criminal defense representation)	Hrg. Rm. 1 North Off.
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WEDNESDAY, APRIL 2, 2014

9:00 A.M.	BANKING AND INSURANCE (public hearing on PPACA Navigators, Senate Bill No. 1268)	Hrg. Rm. 1 North Off.
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THURSDAY, APRIL 10, 2014

10:00 A.M.	LOCAL GOVERNMENT (public hearing on Financially Distressed Municipalities and Senate Bill No. 1157)	Room 8E-A East Wing
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THURSDAY, APRIL 24, 2014

9:30 A.M.	JUDICIARY (public hearing on Senate Bill No. 1095 - SLAPP suits)	Philadelphia Bar Assoc. Conf. Ctr.
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TUESDAY, APRIL 29, 2014

10:30 A.M. JUDICIARY (public hearing on Senate Bill No. 1215) Hrg. Rm. 1 North Off.

PETITIONS AND REMONSTRANCES

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

Senator BOSCOLA. Mr. President, I rise to talk briefly about legislation that I have introduced that will provide greater protections for Pennsylvania's electric customers. There is a great deal of consternation, anxiety, and even some outright anger from electric consumers who believe they have been duped by their electric suppliers. They feel that they have been subject to unfair practices and unfair treatment because of the variable rate contracts that they have selected. And while consumer choice is good and works in favor of those who shop and who are educated about our electric market, there is a sharp downside in the case of electric choice that the buyer had better beware.

This winter has been brutally cold and we have experienced a huge demand for electricity. As a result, the price per kilowatt hour has spiked on the spot market. This, in turn, has caused electric bills to skyrocket which, in turn, has caused consumers to be upset. In this situation, consumers have been caught in a vortex between choice and demand, crushed by market forces beyond their control. Now, given the details of their contracts with providers, they have little window to change and exercise choice. It is time for the General Assembly to step up and change the rules of the game so our electric consumers have options. As many of you know, I have introduced legislation today that will give consumers choice and put them in control. To prevent consumers from being locked into fluctuating pricing mechanisms, my legislation would shorten the timeframe for switching between suppliers. Now, it takes up to 45 days to switch electric suppliers. My legislation calls for switching to take no longer than 5 business days. This change alone empowers consumers to be able to make the choice that is right for their particular situation. I applaud the PUC, which today announced that they are writing regulations to lower the switch time to a mere 3 days.

Mr. President, my legislation will also direct the PUC to craft regulations regarding consumer notification standards that electric generation suppliers must follow if they offer variable rate contracts. The legislation outlines the standards including the following: Electric suppliers must send both a 45-day notice and a 15-day notice to customers who are currently on an expiring fixed rate plan that will be replaced by a variable rate plan. The notice will indicate that the customer is about to be moved to a variable rate plan if action is not taken. Suppliers will also be required to electronically notify consumers at times when their variable rate has increased by 50 percent or more from the previous month. Additionally, any supplier that offers a variable rate product will be required to post the rate on their Web site with continuous updates. Finally, my legislation will require the supplier to verify through person-to-person contact that the customer is requesting a variable rate plan and inform the purchaser that the variable rate plan is uncapped, how it is derived, and other terms and conditions.

Mr. President, while this winter has shown us flaws in our current economic market, and our electricity market in particular, it has also been very trying for consumers from one end of the

State to the other. There is no question that consumers are upset and that we need to act. To make informed choices, consumers need information and guidance, and they need our help to insure that they are provided the necessary information so they can make the right choice. To make the right choice, they need to act now so they are protected. Variable rate contracts can work and consumers should have choices to lower their bills. The strength of this proposal is that not only do we allow market forces to function properly, but it keeps consumers informed in order to make the right choices for them, for their home, or their businesses. We can help consumers by making sure that suppliers provide information and are upfront about it, and the potential impact of a person's choice. I look forward to working with my colleagues on this critical consumer protection legislation.

Thank you, Mr. President.

BILLS SIGNED

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

SB 681 and **SB 895**.

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 Wednesday, March 19, 2014, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 6:10 p.m., Eastern Daylight Saving Time.