

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, APRIL 2, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 19

SENATE

WEDNESDAY, April 2, 2014

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

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend MARK KEARSE, of Cornerstone Baptist Church, York, offered the following prayer:

May we bow our heads.

May America use her freedom wisely and well. May we not squander her abundance on frivolity. May our strength be always on the side of justice. May our leaders be strong enough to seek peace. May the great strong hearts of our people be open. May our labors be a benefit to America and the world. May our legacy be one of enduring quality and liberty. Bless America this day and every day with greatness. We, each of us, are the guardians of America's faith. We, the people, are the greatest strength of America. We bless America this day and celebrate freedom. Amen.

The PRESIDENT pro tempore. The Chair thanks Reverend Kearse, who is the guest today of Senator-elect Wagner.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

April 2, 2014

Senators FONTANA, FERLO, STACK, FARNESE, BREWSTER, KASUNIC, SMITH, SCHWANK, WILEY, COSTA, VULAKOVICH, HUGHES, SOLOBAY and YUDICHAK presented to the Chair **SB 1313**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for reissuance of film production tax credits.

Which was committed to the Committee on FINANCE, April 2, 2014.

Senators WOZNIAK, WASHINGTON, TEPLITZ, ERICKSON, SMITH, RAFFERTY, HUGHES, FONTANA, GREENLEAF, KASUNIC, ALLOWAY, BREWSTER, SCHWANK, COSTA, VULAKOVICH and BRUBAKER presented to the Chair **SB 1314**, entitled:

An Act designating the bridge on State Route 3023, Johns Road, Johnstown, Cambria County, as the Clara Barton Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, April 2, 2014.

Senators ERICKSON, YUDICHAK, SCHWANK, GREENLEAF, HUGHES, TEPLITZ and RAFFERTY presented to the Chair **SB 1315**, entitled:

An Act amending Title 58 (Oil and Gas) of the Pennsylvania Consolidated Statutes, in unconventional gas well fee, further providing for expiration of provisions; and providing for the taxation of natural gas extraction in Pennsylvania.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 2, 2014.

Senators BROWNE, PILEGGI, ERICKSON, FOLMER, SCHWANK, HUGHES, SMUCKER, BAKER, YAW, RAFFERTY, ALLOWAY, McILHINNEY, FONTANA, TEPLITZ, YUDICHAK and BRUBAKER presented to the Chair **SB 1316**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for cost of tuition and maintenance of certain exceptional children in approved institutions; in charter schools, further providing for funding for charter schools; and, in reimbursements by Commonwealth and between school districts, further providing for special education payments to school districts and for extraordinary special education program expenses.

Which was committed to the Committee on EDUCATION, April 2, 2014.

Senators LEACH, STACK, WASHINGTON, FONTANA, KITCHEN and HUGHES presented to the Chair **SB 1317**, entitled:

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions, for minimum wages and for civil actions.

Which was committed to the Committee on LABOR AND INDUSTRY, April 2, 2014.

Senators ERICKSON, EICHELBERGER, ROBBINS, WOZNIAK and BLAKE presented to the Chair **SB 1318**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for powers of the board of township commissioners as to building and housing regulations and inspectors; and providing for Uniform Construction Code, property maintenance code and reserved powers.

Which was committed to the Committee on LOCAL GOVERNMENT, April 2, 2014.

Senators ERICKSON, EICHELBERGER, ROBBINS, WOZNAK and BLAKE presented to the Chair **SB 1319**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for building and housing regulations; repealing provisions relating to building and housing inspectors; and providing for Uniform Construction Code, property maintenance code and reserved powers.

Which was committed to the Committee on LOCAL GOVERNMENT, April 2, 2014.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNAK and BLAKE presented to the Chair **SB 1320**, entitled:

An Act amending the act of July 10, 1987 (P.L.246, No.47), known as the Municipalities Financial Recovery Act, further providing for the duration and termination of fiscal emergency and suspension of powers; in receivership in cities of the third class, further providing for termination of receivership; and providing for continuation of recovery plan.

Which was committed to the Committee on LOCAL GOVERNMENT, April 2, 2014.

Senators WOZNAK, EICHELBERGER, ROBBINS, ERICKSON and BLAKE presented to the Chair **SB 1321**, entitled:

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for permits and for powers and duties of local agencies.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 2, 2014.

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNAK and BLAKE presented to the Chair **SB 1322**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for subjects of local taxation.

Which was committed to the Committee on LOCAL GOVERNMENT, April 2, 2014.

Senators BROWNE, FOLMER, ERICKSON, SMUCKER, SCHWANK, BAKER, ARGALL, FONTANA, VULAKOVICH, RAFFERTY, DINNIMAN, GREENLEAF, WASHINGTON, TEPLITZ, YUDICHAK, PILEGGI, BRUBAKER and ALLOWAY presented to the Chair **SB 1323**, 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 basic education funding commission.

Which was committed to the Committee on EDUCATION, April 2, 2014.

GENERAL COMMUNICATION

PA HUMAN RELATIONS COMMISSION 2012-13 ANNUAL REPORT

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

COMMONWEALTH OF PENNSYLVANIA
PA Human Relations Commission
333 Market Street, 8th Floor
Harrisburg, PA 17126-0333

April 2, 2014

Dear Governor Corbett and General Assembly,

The PA Human Relations Act requires us to report to you annually on alleged acts of discrimination in schools, workplaces and communities across PA. These statistics represent Pennsylvanians who have faced barriers in their efforts to build better lives for themselves and their families.

Each case represents a person who has hit a barrier in getting a job, a home, an education or a service - a person who believes someone has taken away his or her legal right to equal opportunity.

Each case also represents a person who is willing to take the time and effort to help ensure that what happened to them does not happen to others. For every person who files a complaint, there are dozens of others who are not willing to come forward or don't know their rights.

Barriers to equal opportunity hinder economic prosperity for all Pennsylvanians. We appreciate your continued support and partnership in our efforts to remove these barriers.

We are striving to find new ways to work more efficiently and cost-effectively without compromising anyone's rights or sacrificing the quality of investigations. PHRC's Mediation Program, now offered as an option in employment discrimination complaints, is one of several ways we are seeking to resolve cases faster. We hope to eliminate discriminatory workplace practices, bring quicker relief to victims and ultimately, reduce the number of cases filed in court.

This will save Pennsylvania taxpayer dollars and improve our business climate. Partnership with you, through Governor's Innovation Office funding, has made this pilot program possible.

This report outlines other commission initiatives undertaken with the goal of serving Pennsylvanians in a way that achieves the greatest possible positive impact on our families and economy.

U.S. Census data show that blacks, Latinos, women and people with disabilities in Pennsylvania face greater hurdles in obtaining education, jobs and finding homes than others do. Many of these challenges are due to longstanding disparities in income, educational attainment and housing conditions that persist despite decades of public effort and investment.

Persistent gaps in standard of living for minorities are often the long-term result of discriminatory practices in school discipline, grading, program access and other inequities that lead to high dropout rates, high unemployment, and ultimately, high crime and incarceration rates.

Unequal pay and other workplace disparities, combined with denied access to housing near good jobs and educational opportunities, contribute to a continuing vicious cycle of poverty and denied opportunity. This hits women, people with disabilities and their families doubly hard.

PHRC is in the midst of a strategic planning process to enable us to focus efforts on uncovering and eliminating the underlying causes of these persistent gaps. We hope you will join us in our efforts to address the long-lasting effects of discrimination and inequity, and eliminate the root causes of prosperity gaps through investigation, and targeted, research-based educational outreach.

Thank you again for supporting us in these efforts to build a more equitable, prosperous Pennsylvania!

Sincerely,

GERALD S. ROBINSON
Chairman

JOANN L. EDWARDS
Executive Director

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

BILLS REPORTED FROM COMMITTEES

Senator BRUBAKER, from the Committee on Finance, reported the following bills:

SB 1078 (Pr. No. 1707)

An Act amending the act of August 31, 1971 (P.L.398, No.96), known as the County Pension Law, further providing for supplemental benefits.

SB 1169 (Pr. No. 1563)

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for definitions.

Senator VULAKOVICH, from the Committee on Communications and Technology, reported the following bill:

SB 1290 (Pr. No. 1903) (Amended)

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

RESOLUTION REPORTED FROM COMMITTEE

Senator VULAKOVICH, from the Committee on Communications and Technology, reported the following resolution:

SR 325 (Pr. No. 1888)

A Resolution designating May 7, 2014, as "Pennsylvania Health Care Information Technology Awareness Day."

The PRESIDENT pro tempore. The resolution will be placed on the Calendar.

LEAVES OF ABSENCE

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

Senator COSTA asked and obtained leaves of absence for Senator LEACH, Senator TARTAGLIONE, and Senator WASHINGTON, for today's Session, for personal reasons.

JOURNAL APPROVED

The PRESIDENT pro tempore. The Journal of the Session of March 11, 2014, is now in print.

The Clerk proceeded to read the Journal of the Session of March 11, 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-45

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

NAY-0

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

The PRESIDENT pro tempore. The Journal is approved.

GUEST OF SENATOR STEWART J. GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, I rise to introduce Sydney Szopo, who is an Upper Moreland High School senior. She won first place at the PIAA Class AA Girls' 1-meter diving event during the 2013-14 State swimming and diving championship held at Bucknell University just a few days ago. She won her second consecutive district gold medal in February. She had placed third in this event last year and she actually defeated the previous champion, who then placed second. She started at the Willow Grove Swim Club in Willow Grove, Pennsylvania, the community I live in, a local swim club. So, it is a place that not only people enjoy but also produces statewide champions, which Sydney is. She is moving on to LaSalle University to be involved with their diving team. She is here today and I ask the Senate to welcome her.

The PRESIDENT pro tempore. Would the guest of Senator Greenleaf please rise to be welcomed by the Senate.

(Applause.)

STATEMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair wishes to announce that I have given permission for a photographer from the Patriot-News and a photographer from the York Dispatch to take still photographs on the floor of the Senate during today's swearing-in ceremony.

SPECIAL ORDER OF BUSINESS SWEARING-IN OF NEW MEMBER

The PRESIDENT pro tempore. 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 to receive the returns of election for the special election held in the 28th Senatorial District on the 18th day of March, and that the oath of office be administered to Senator-elect Scott Wagner.

The PRESIDENT pro tempore. At the request of Senator Pileggi, and without objection, as a special order of business, the Senate will now proceed to receive the official election returns for the special election held in the 28th Senatorial District and administer the oath of office to Senator-elect Wagner.

ELECTION RETURNS PRESENTED

The PRESIDENT pro tempore. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary of the Commonwealth, the Honorable Carol Aichele.

The PRESIDENT pro tempore. The Chair recognizes the Secretary of the Commonwealth.

Secretary AICHELE. Mr. President, I have the honor of presenting the official returns and statement of campaign expense compliance for the special election held on March 18, 2014, in the 28th Senatorial District.

The PRESIDENT pro tempore. The Chair thanks Secretary Aichele.

The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the twenty-eighth Senatorial District, as the same have been certified to and filed with my office by the York County Board of Elections. Scott Wagner, having received the highest number of votes in the Special Election, and having complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this thirty-first day of March in the year of our Lord two thousand fourteen and of the Commonwealth the two hundred thirty-eighth.

CAROL AICHELE
Secretary of the Commonwealth

OFFICIAL
RETURNS
SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
28th Senatorial District

March 31, 2014

VOTES

REPUBLICAN -	Ron Miller	5,951
DEMOCRATIC -	Linda Small	5,744
WRITE-IN WINNER -	Scott Wagner	10,654
SCATTERED WRITE-IN VOTES		76

STATEMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. For the record, the Secretary of the Commonwealth has also certified that Senator-elect Wagner has filed the accounts and affidavits as required by Section 1632(b) of the Pennsylvania Election Code.

GUESTS OF SENATOR-ELECT SCOTT WAGNER PRESENTED TO THE SENATE

The PRESIDENT pro tempore. Before proceeding to the administration of the oath of office, the Chair would like to introduce some special guests, members of Senator-elect Wagner's family who are here with us today. As I read your name, please stand so that you may be recognized. His parents, Jack and Anne; his sister, Sue; his daughters, Katharine and Cristina; his fiancée, Tracy; his brothers, Randy and Bruce; Tracy's parents, Betty and Frank; Tracy's brother, Gary, and his son, Shane.

We welcome all of you.
(Applause.)

ANNOUNCEMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. The Chair would now take this opportunity to politely remind all of our guests that taking still pictures or videotaping in the Senate Chamber is not permitted. So, I ask that during the administration of the oath of office no pictures or video be taken. At the end of today's ceremony, however, the Senate will be at ease so that you may take photos and video.

ADMINISTRATION OF THE OATH OF OFFICE

The PRESIDENT pro tempore. It is an honor and privilege to have with us today the Honorable John W. Thompson, Jr., Judge of York County Court of Common Pleas. He has kindly consented to be with us today to administer the oath of office to Senator-elect Wagner in accordance with Article IV, Section 3, of the Pennsylvania Constitution.

Members and guests, please rise.

Judge Thompson will now administer the oath of office.

Judge THOMPSON. Thank you. Place your left hand on your Bible and raise your right hand and repeat after me:

I, (Scott Wagner), 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 my duties with fidelity.

Congratulations.
(Applause.)

REMARKS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT pro tempore. On behalf of all of the Senate, the Chair would like to thank Judge Thompson for presiding at today's ceremony and congratulates Senator Wagner.

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 428, HB 434, HB 436 and SB 799 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 974 (Pr. No. 3276) -- 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 school health services, further providing for automated external defibrillators.

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

On the question,
Shall the bill pass finally?

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

YEA-46

Alloway	Erickson	Mensch	Vance
Argall	Farnese	Pileggi	Vogel
Baker	Ferlo	Rafferty	Vulakovich
Blake	Folmer	Robbins	Wagner
Boscola	Fontana	Scarnati	Ward
Brewster	Gordner	Schwank	White
Browne	Greenleaf	Smith	Wiley
Brubaker	Hughes	Smucker	Williams
Corman	Hutchinson	Solobay	Wozniak
Costa	Kasunic	Stack	Yudichak
Dinniman	Kitchen	Teplitz	
Eichelberger	McIlhinney	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 1085 and SB 1096 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 1107 (Pr. No. 1895) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for definitions and for revocation or refusal of kennel licenses.

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 pro tempore. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I stand to congratulate Senator Alloway. This is a good bill. It protects dogs in the Commonwealth and it is part of the package that Senator Alloway and I have been working on. Senator Alloway's commitment to a humane approach to the dogs, cats, and animals of this Commonwealth is outstanding, and he should be congratulated on this bill, and I urge all to vote for it.

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-46

Alloway	Erickson	Mensch	Vance
Argall	Farnese	Pileggi	Vogel
Baker	Ferlo	Rafferty	Vulakovich
Blake	Folmer	Robbins	Wagner
Boscola	Fontana	Scarnati	Ward
Brewster	Gordner	Schwank	White
Browne	Greenleaf	Smith	Wiley
Brubaker	Hughes	Smucker	Williams
Corman	Hutchinson	Solobay	Wozniak
Costa	Kasunic	Stack	Yudichak
Dinniman	Kitchen	Teplitz	
Eichelberger	McIlhinney	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 present said bill to the House of Representatives for concurrence.

BILL REREFERRED

SB 1188 (Pr. No. 1884) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act, further providing for definitions; repealing provisions related to the State Horse Racing Com-

mission and State Harness Racing Commission; and providing for racing oversight and for the cessation of the State Horse Racing Commission and the State Harness Racing Commission.

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

BILLS OVER IN ORDER

SB 1236, SB 1237, SB 1238 and HB 1263 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1301 (Pr. No. 1866) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for promulgation of rules and regulations by department.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-46

Table with 4 columns: Alloway, Erickson, Mensch, Vance, Argall, Farnese, Pileggi, Vogel, Baker, Ferlo, Rafferty, Vulakovich, Blake, Folmer, Robbins, Wagner, Boscola, Fontana, Scarnati, Ward, Brewster, Gordner, Schwank, White, Browne, Greenleaf, Smith, Wiley, Brubaker, Hughes, Smucker, Williams, Corman, Hutchinson, Solobay, Wozniak, Costa, Kasunic, Stack, Yudichak, Dinniman, Kitchen, Teplitz, Eichelberger, McIlhinney, 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 present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 1513 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1719 (Pr. No. 3275) -- 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 third time and agreed to,

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

On the question, Shall the bill pass finally?

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

YEA-46

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

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 411 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 959 (Pr. No. 1853) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, providing for the definition of "certified registered nurse anesthetist" and for certified registered nurse anesthetists.

Considered the second time and agreed to,

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

BILL LAID ON THE TABLE

HB 1053 (Pr. No. 2653) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL REREFERRED

SB 1149 (Pr. No. 1755) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in fertilizer, further providing for labels and labeling and for disposition of funds; and providing for fertilizer for use on turf.

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

BILL ON SECOND CONSIDERATION

HB 1154 (Pr. No. 3285) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offenses of harassment, stalking and threat to use weapons of mass destruction.

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

BILLS OVER IN ORDER

SB 1155, SB 1180, HB 1214, SB 1219, SB 1220, SB 1225 and **HB 1246** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1254 (Pr. No. 1773) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 6, 1989 (P.L.207, No.33), known as the Plumbing System Lead Ban and Notification Act, further providing for definitions.

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

BILLS OVER IN ORDER

SB 1255, SB 1261, SB 1287, SB 1312 and **HB 1431** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1794 (Pr. No. 3278) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating Route 11 in Montour County as Veterans Highway.

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

BILLS OVER IN ORDER

HB 1899 and **HB 2019** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED

Senators GORDNER, PILEGGI, COSTA, TEPLITZ, ERICKSON, GREENLEAF, WASHINGTON, FERLO, DINNIMAN, FONTANA, STACK, SMITH, FARNESE, WHITE, KASUNIC, HUGHES, VULAKOVICH, RAFFERTY, FOLMER, YUDICHAK, ALLOWAY, HUTCHINSON, BRUBAKER and BROWNE, by unanimous consent, offered **Senate Resolution No. 336**, entitled:

A Resolution recognizing the month of April 2014 as "Financial Literacy Month" in Pennsylvania.

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

Senator COSTA, on behalf of Senators STACK, WASHINGTON, KITCHEN, ERICKSON, WOZNIAK, TEPLITZ, GREENLEAF, TARTAGLIONE, DINNIMAN, RAFFERTY, BAKER, ALLOWAY, FERLO, ARGALL, SCHWANK, KASUNIC, FONTANA, SMITH, COSTA, PILEGGI, BREWSTER, HUGHES, BOSCOLA, VULAKOVICH, FARNESE, SOLOBAY, YUDICHAK, HUTCHINSON, BRUBAKER and BROWNE, by unanimous consent, offered **Senate Resolution No. 337**, entitled:

A Resolution recognizing the month of April 2014 as "Autism Awareness Month" and April 2, 2014, as "World Autism Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator COSTA. Mr. President, on behalf of Senator Stack, I offer the following remarks for the record.

The PRESIDENT pro tempore. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA, on behalf of the gentleman from Philadelphia, Senator STACK:)

Mr. President, the resolution before us marks "Autism Awareness Month" in Pennsylvania, and it is important to note that awareness of autism is more than understanding a definition or set of criteria. Autism is a term for a group of complex disorders of brain development that affect 1 in 88 American children. The number of children affected by autism disorders has grown significantly over the years as researchers learn more and are better able to identify the symptoms.

Autism Awareness Month is intended to remind people that there is still much work to be done, still a long way to go toward identifying the cause and the most effective treatment. This slow evolution of autism in the public consciousness has produced some encouraging developments in diagnosis and treatment. Unfortunately, for the parents and caregivers of the 2 million Americans on the autism spectrum, the landscape is littered with misinformation, false hope, and quack cures. Autism awareness is not just understanding what autism is, it is also understanding what it is not.

That is why I urge my colleagues in this Chamber today, as well as all of the citizens of Pennsylvania, to take some time this month to learn the facts about autism and do what they can to help improve the communication of this knowledge to parents and loved ones across the State.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Curt H. Grim by Senator Alloway.

Congratulations of the Senate were extended to the members and coaches of the Marian Catholic High School Girls' Basketball Team by Senators Argall and Yudichak.

Congratulations of the Senate were extended to Dr. William B. Bush by Senators Baker and Yaw.

Congratulations of the Senate were extended to Fred C. Lokuta, Bethany Stevens, Bridget McGowan and to the Rotary Club of Scranton by Senator Blake.

Congratulations of the Senate were extended to David M. Ahearn, Matthew David Hassick, Daniel Pfaff, Jonathan Freed, Dimitri Patsis, David Donlick and to Bacchanalia and the PITA Committee by Senator Boscola.

Congratulations of the Senate were extended to Matthew Thomas Haines by Senator Brewster.

Congratulations of the Senate were extended to Mary Ellen Bobi, Jean Sheetz, Gretchen Selma Spier, Harriet Baylies Mantell, Phoebe M. Derr, Sawyer Long, John Henry Carl, Resiliency Forum, Lehigh University Women's Center and to the Allentown Police Department by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Clyde Martin, Mr. and Mrs. Charles Campbell and to the Retirement Housing Foundation by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Melvin T. Harshbarger by Senator Corman.

Congratulations of the Senate were extended to Helen Daley by Senator Costa.

Congratulations of the Senate were extended to Mr. and Mrs. LaVerne Smeltz, Christian Stump and to Danielle Farber by Senator Gordner.

Congratulations of the Senate were extended to Helen E. Barunas, Rachel S. Howanetz and to Gwendolyn S. Yale by Senator Greenleaf.

Congratulations of the Senate were extended to Dr. Judith A. W. Thomas, Anthony Joseph Cappetti and to Charles Robert Cappetti, Jr., by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Bill Eisenhuth, Mr. and Mrs. Richard O. Way, Allison Lanza, Madison Brown, Tessa Cybach and to Logan Keth by Senator Hutchinson.

Congratulations of the Senate were extended to Heather Ferrari Milkent by Senator Kasunic.

Congratulations of the Senate were extended to Nicholas M. Lee and to The Quadrangle by Senator Leach.

Congratulations of the Senate were extended to Justin Dale Ziegler by Senator Mensch.

Congratulations of the Senate were extended to Dr. Harry J. Morris, Joseph P. Coin, Frances C. Burnam and to Frederick Edward Welte by Senator Pileggi.

Congratulations of the Senate were extended to Mary Elaine Schaffer Ralston by Senator Rafferty.

Congratulations of the Senate were extended to William Mihailoff and to Eva Elliott by Senator Robbins.

Congratulations of the Senate were extended to Riley Austin by Senator Scarnati.

Congratulations of the Senate were extended to Nancy O'Leary by Senator Schwank.

Congratulations of the Senate were extended to Quaker Valley High School Ice Hockey Team by Senator Smith.

Congratulations of the Senate were extended to Mr. and Mrs. John M. Hudock, Maurice Mathieu, Milfred Holmes, Tony Segzda, Charles Smith and to Ed Zuraw by Senator Solobay.

Congratulations of the Senate were extended to Charlyn Sellers-Jones by Senator Teplitz.

Congratulations of the Senate were extended to Gregory Hoff, Brice G. Demuro, Raymond B. Hopkins, Jr., Robert T. Beck, Albert J. Sylvester, Gerry Hathaway and to the Northampton Township Volunteer Fire Company by Senator Tomlinson.

Congratulations of the Senate were extended to the Westmoreland Economic Development Initiative for Growth by Senator Ward.

Congratulations of the Senate were extended to Gerald Schatz, Sabrina D. Rowe, Jordan Gilchrist, Colton Arizini, Eric Portone, Daniel Q. Nikander, Diane Vernon, Jack Griffin, Seth Berkowitz, Phil Rutherford and to Sherry Bohm by Senator Washington.

Congratulations of the Senate were extended to the Reverend Dr. Simon P. Bouie, Steven Scott Bradley, Diane L. Miller, Derrick T. Busch, Sr., Arnold L. Covert, Sr., and to James J. Sandone by Senator Williams.

Congratulations of the Senate were extended to Infant Development Program of Lock Haven by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Merritt T. Robinson, Jr., Mr. and Mrs. Robert W. Miller, Mr. and Mrs. Jack Wells Crayton and to Patrick Parks by Senator Yaw.

Congratulations of the Senate were extended to Raymond Bernardi by Senator Yudichak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Richard Vincent Gassmann by Senator Baker.

Condolences of the Senate were extended to the family of the late Salvatore Manfredi, Sr., and to the family of the late Thomas R. Williams III by Senator Solobay.

Condolences of the Senate were extended to the family of the late Garrett L. Anderson by Senator Vance.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late John A. Maczuzak was extended to the family by Senator Solobay.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 1078, SB 1169 and SB 1290.

And said bills having been considered for the first time, Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, APRIL 7, 2014

11:30 A.M.	STATE GOVERNMENT (to consider Senate Bill No. 1327)	Room 461 Main Capitol
Off the Floor	APPROPRIATIONS (to consider Senate Bill No. 1267; and House Bills No. 1164 and 1259)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 33 and 267; and certain executive nominations)	Rules Cmte. Conf. Rm.

TUESDAY, APRIL 8, 2014

9:00 A.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing on DCED budget initiatives, an overview of the DCED programs available for PA businesses, and a summary of the economic impact of the PA travel and tourism industry)	Hrg. Rm. 1 North Off.
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10:30 A.M.	EDUCATION (to consider Senate Bill No. 1316; and House Bills No. 1460 and 1738)	Room 8E-A East Wing
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11:30 A.M.	JUDICIARY (to consider Senate Bills No. 705, 979 and 1325; and Senate Resolution No. 304)	Room 8E-B East Wing
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Off the Floor	GAME AND FISHERIES (to consider Senate Resolution No. 338)	Rules Cmte. Conf. Rm.
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WEDNESDAY, APRIL 9, 2014

10:30 A.M.	BANKING AND INSURANCE (to consider Senate Bills No. 594 and 1329; Senate Resolution No. 340; and a confirmation hearing on James R. Biery to the Banking and Securities Commission)	Room 461 Main Capitol
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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)	Phila. Bar Assoc. Conf. Ctr.
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TUESDAY, APRIL 29, 2014

9:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing to discuss Electric Reliability)	Room 8E-A East Wing
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10:30 A.M.	JUDICIARY (public hearing on Senate Bill No. 1215)	Hrg. Rm. 1 North Off.
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RESIGNATION OF CHAIRMAN FROM STANDING COMMITTEE OF THE SENATE

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
President Pro Tempore
Senate of Pennsylvania

FROM: Senator BOB MENSCH

SUBJECT: Chair - Aging and Youth Committee Resignation

DATE: April 2, 2014

I hereby resign Chairmanship of the Senate Aging and Youth Committee and as a member of the Committee on Communications and Technology.

RESIGNATION OF CHAIRMAN FROM STANDING COMMITTEE OF THE SENATE

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
President Pro Tempore
Senate of Pennsylvania

FROM: Senator KIM L. WARD
 SUBJECT: Aging & Youth Committee
 DATE: April 2, 2014

I hereby resign as Vice Chair and as a member of the Committee on Aging and Youth.

**RESIGNATION OF CHAIRMAN FROM
 STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
 President Pro Tempore
 Senate of Pennsylvania
 FROM: Senator RANDY VULAKOVICH
 SUBJECT: Communications and Technology Committee
 DATE: April 2, 2014

I hereby resign as Chairman of the Senate Communications and Technology Committee effective immediately. If you have any questions or concerns regarding this request please contact me. Thank you for your attention to this matter.

**RESIGNATION OF CHAIRMAN FROM
 STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
 President Pro Tempore
 Senate of Pennsylvania
 FROM: Senator SCOTT E. HUTCHINSON
 SUBJECT: Intergovernmental Operations Committee
 DATE: April 2, 2014

Due to my new role as Chairman of the Committee on Communications and Technology, I hereby resign as Chairman and a member of the Committee on Intergovernmental Operations.

**RESIGNATION OF CHAIRMAN FROM
 STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
 President Pro Tempore
 Senate of Pennsylvania
 FROM: Senator JOHN R. GORDNER
 SUBJECT: Labor and Industry Committee
 DATE: April 2, 2014

I hereby resign as Chairman of the Labor and Industry Committee.

**RESIGNATION OF MEMBER FROM
 STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
 President Pro Tempore
 Senate of Pennsylvania
 FROM: Senator JOHN H. EICHELBERGER, JR.
 SUBJECT: Transportation Committee
 DATE: April 2, 2014

I hereby resign as a member of the Committee on Transportation effective April 2, 2014.

Thank you for your attention to this matter.

**RESIGNATION OF CHAIRMAN FROM
 STANDING COMMITTEE OF THE SENATE**

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

SENATE OF PENNSYLVANIA

TO: Honorable Joe Scarnati
 President Pro Tempore
 Senate of Pennsylvania
 FROM: Senator LISA BAKER
 SUBJECT: Veterans Affairs and Emergency Preparedness Committee
 Game and Fisheries Committee
 DATE: April 2, 2014

I hereby resign as chair of the Veterans Affairs and Emergency Preparedness Committee. However, I wish to continue as a member and resign my membership on the Game and Fisheries Committee.

**APPOINTMENT OF MEMBERS TO
 STANDING COMMITTEES OF THE SENATE**

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

Senator Elisabeth J. Baker as chairman of the Committee on Labor and Industry; and as a member of the Committee on Veterans Affairs and Emergency Preparedness.

Senator Scott E. Hutchinson as chairman of the Committee on Communications and Technology.

Senator Robert B. Mensch as chairman of the Committee on Veterans Affairs and Emergency Preparedness; as a member of the Committee on Aging and Youth; and as a member of the Committee on Game and Fisheries.

Senator Robert D. Robbins as a member of the Committee on Community, Economic and Recreational Development.

Senator Randy Vulakovich as chairman of the Committee on Aging and Youth; and as a member of the Committee on Communications and Technology.

Senator Scott Wagner as chairman of the Committee on Intergovernmental Operations; as vice chairman of the Committee on

Aging and Youth; as a member of the Committee on Local Government; as a member of the Committee on Transportation; as a member of the Committee on Urban Affairs and Housing; and as a member of the Committee on Veterans Affairs and Emergency Preparedness.

Senator Kim L. Ward as vice chairman of the Committee on Agriculture and Rural Affairs.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Monday, April 7, 2014, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 11:53 a.m., Eastern Daylight Saving Time.