

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, MAY 6, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 27

SENATE

TUESDAY, May 6, 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 WILLIAM A. VANDERSLICE, of St. Paul's Evangelical Lutheran Church, Red Hill, offered the following prayer:

Let us pray.

Gracious God, we gather today from different corners of this Commonwealth, bringing together diversity of our communities for the common good of all people. Grant the wisdom of Your spirit to all elected leaders and to all who work in public service, so that the lives of every person and the well-being of all of our communities will be strengthened throughout this nation. God of compassion, help us to see in Your face those who are poor, and in serving them to serve You. Give us generous hearts so that those living in poverty may have adequate food, clothing, and shelter. By Your spirit, move us to affirm the dignity of all people and to work for just laws that protect the most vulnerable in society. O God, it is Your will to hold both Heaven and earth in Your hands. Let the design of Your great love shine among us and give peace among nations, peace in our homes, and peace in our hearts. In the name of the One who creates, redeems, and sustains life. Amen.

The PRESIDENT. The Chair thanks Reverend Vanderslice, who is the guest today of Senator Mensch.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATION
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 BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS**

May 6, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated May 5, 2014, for the appointment of Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, as a member of the State Board of Examiners of Nursing Home Administrations, to serve until December 12, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Diane Howarth, RN, Holtwood, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM CORBETT
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

**JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY**

May 5, 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2016, vice The Honorable Thomas Nocella, removed from office.

TOM CORBETT
Governor

**JUDGE, COURT OF COMMON PLEAS,
YORK COUNTY**

May 5, 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, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, York County, to serve until the first Monday of January 2016, vice The Honorable Sheryl Ann Dorney, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

May 5, 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, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until December 12, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Diane Howarth, RN, Holtwood, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

May 5, 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, Helen Hanna Casey, 14 West Woodland Road, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Planning Board, to serve for a term of four years and until her successor is appointed and qualified, vice Jane Billings Swarthmore, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

May 5, 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, Alexander Graziani, 514 Harrison Avenue, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for reappointment as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE PLANNING BOARD

May 5, 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, David Sciocchetti, 217 Wallingford Avenue, Wallingford 19086, Delaware County, Ninth Senatorial District, for reappointment as a member of the State Planning Board, to serve for a term of four years and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF SOCIAL
WORKERS, MARRIAGE AND FAMILY THERAPISTS
AND PROFESSIONAL COUNSELORS

May 5, 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, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Linda Hartocollis, M.S.S., Ph.D., Philadelphia, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE
TRANSPORTATION COMMISSION

May 5, 2014

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with the law, I have the honor hereby to nominate for the advice and consent of the Senate, James Kingsborough, 6 Wellington Court, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Transportation Commission, to serve until October 15, 2018 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice William L. Patterson, Erie, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

May 6, 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, Anna Messmer-Wise, RN, 340 Springfield Avenue, Washington 15301, Washington County, Forty-sixth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until December 12, 2015, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Diane Howarth, Holtwood, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

May 6, 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, Brian J. Fill (Public Member), 1120 Stone Crest Drive, Tarentum 15084, Allegheny County, Fortieth Senatorial District, for reappointment as a member of the State Board of Optometry, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1037**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILL SIGNED

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

HB 2019.

BILLS REPORTED FROM COMMITTEES

Senator SMUCKER, from the Committee on State Government, reported the following bills:

SB 1001 (Pr. No. 2023) (Amended)

An Act amending Title 57 (Notaries Public) of the Pennsylvania Consolidated Statutes, in revised uniform law on notarial acts, further providing for appointment and commission as notary public, qualifications and no immunity or benefit.

SB 1253 (Pr. No. 1772)

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in powers and duties of Pennsylvania Historical and Museum Commission, further providing for specific powers and duties, for personal property and for documents; providing for Commonwealth archival records, for local government archival records and for access to older public records; in historic properties, further providing for powers over certain historic property; and prescribing a penalty.

HB 201 (Pr. No. 3535) (Amended)

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, in source selection and contract formation, further providing for competitive sealed proposals; providing for investment activities in Iran; and imposing civil penalties.

HB 744 (Pr. No. 3536) (Amended)

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in lobbying disclosure, further providing for registration, for reporting, for prohibited activities, for penalties, for registration filing system and for registration fees, fund established, system and regulations.

HB 1271 (Pr. No. 2774)

An Act authorizing the release of all restrictions imposed by the Project 70 Act on a portion of certain lands situated in the Borough of Brentwood, Allegheny County, in exchange for the imposition of Project 70 restrictions on other lands owned by the Borough of Brentwood, Allegheny County.

HB 1672 (Pr. No. 2428)

An Act providing for the testing of new, environmentally beneficial and energy efficient technologies within various State agencies.

HB 1873 (Pr. No. 2741)

An Act authorizing the release of restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act on certain land owned by the Pennsylvania Fish and Boat Commission in Benner Township, Centre County.

HB 1945 (Pr. No. 3537) (Amended)

An Act authorizing the Department of General Services to survey certain lands and buildings situate partly in the City of Harrisburg and partly in Susquehanna Township, Dauphin County; authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to East Liberty Development Corporation certain lands and improvements situate in the City of Pittsburgh, Allegheny County; authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the City of Pittsburgh, Allegheny County, and the Borough of Pine Grove, Schuylkill County; authorizing the Department of General Services, with the approval of the Governor to remove and release the restrictive use covenants imposed on certain real property situate in the Borough of Blossburg, Tioga County; authorizing the Department of General Services, with the approval of the Department of Labor and Industry and the Governor, to grant and convey to the Coatesville Area Senior Center, or its successors or assigns, certain lands, buildings and improvements situate in the City of Coatesville, Chester County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Technician Training School certain lands situate in the City of Philadelphia, Philadelphia County.

Senator GREENLEAF, from the Committee on Judiciary, reported the following bills:

SB 621 (Pr. No. 2022) (Amended)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in orphans' court divisions, further providing for nonmandatory exercise of jurisdiction through orphans' court division; in wills, further providing for rules of interpretation; in dispositions independent of letters, family exemption, probate of wills and grant of letters, providing for submission to jurisdiction; in administration and personal representatives, further providing for continuation of business and for incorporation of estate's business; in accounts and distribution, further providing for determination of title to decedent's interest in real estate; in health care, further providing for

authority of health care agent and for relation of health care agent to court-appointed guardian and other agents; in powers of attorney, further providing for form of power of attorney, for implementation of power of attorney, for durable powers of attorney and for account; providing for investigation of financial abuse and mismanagement and for jurisdiction and venue; in estates, further providing for release or disclaimer of powers or interests; in estates, providing for release of powers and interests and disclaimer of powers; providing for powers of appointment; in trusts, further providing for nonjudicial settlement agreements - UTC 111, for representation of parties in interest in general, for division of trusts, for resignation of trustee and filing resignation, for duty to inform and report, for limitation of action against trustee and for powers, duties and liabilities identical with personal representatives; codifying provisions of the Charitable Instruments Act of 1971; in principal and income, further providing for charitable trusts; and making a related repeal.

SB 1341 (Pr. No. 1970)

An Act amending Titles 18 (Crimes and Offenses), 22 (Detectives and Private Police), 23 (Domestic Relations), 42 (Judiciary and Judicial Procedure), 44 (Law and Justice) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in preliminary provisions, providing for short title of title; codifying provisions relating to the Pennsylvania Commission on Crime and Delinquency, to sheriffs and to crimes victims; and making editorial changes and related repeals.

HB 112 (Pr. No. 103)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of sexual assault by sports official, volunteer or employee of nonprofit association.

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

SB 1210 (Pr. No. 2021) (Amended)

An Act amending the act of December 8, 2004 (P.L.1801, No.238), known as the Transit Revitalization Investment District Act, in general provisions, further providing for definitions; in TRID creation and location, further providing for criteria for proposed TRID, for TRID designation, for implementing authority, for TRID planning study factors, for roles and responsibilities of public transportation agencies and municipalities and for amendments to TRID planning study; in land development powers of public transportation agencies, further providing for development or redevelopment of property; in value capture approaches, further providing for creation of value capture area and for dedication of tax revenues; providing for capture of TRID tax revenue; and, in community involvement, further providing for public meeting to explain TRID and alternative implementation approaches.

SB 1314 (Pr. No. 1905)

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

HB 1646 (Pr. No. 2269)

An Act designating the section of Pennsylvania Route 232 in Bryn Athyn, Montgomery County, as the SPC Tristan C. Smith Memorial Highway.

HB 1831 (Pr. No. 2644)

An Act designating a bridge on that portion of State Route 15 over the Yellow Breeches Creek, Carroll Township, York County, as the Glenn Bowers Memorial Bridge.

HB 1938 (Pr. No. 2992)

An Act designating a bridge on that portion of 17th Street over the 10th Avenue Expressway, City of Altoona, Blair County, as the Blair County Veterans Memorial Bridge.

HB 1939 (Pr. No. 3528) (Amended)

An Act designating a bridge on that portion of S.R. 764 over 31st Street, City of Altoona, Blair County, as the Alvin E. Morrison Memorial Bridge.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request temporary Capitol leaves Senator Farnese, Senator Hughes, Senator Kitchen, Senator Tartaglione, Senator Washington, and Senator Williams.

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

Senator Costa requests temporary Capitol leaves for Senator Farnese, Senator Hughes, Senator Kitchen, Senator Tartaglione, Senator Washington, and Senator Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of April 1, 2014, and April 2, 2014, are now in print.

The Clerk proceeded to read the Journals of the Sessions of April 1, 2014, and April 2, 2014.

Senator PILEGGI. Mr. President, I move that further reading of the Journals be dispensed with and that the Journals be approved.

On the question,

Will the Senate agree to the motion?

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journals are approved.

**GUEST OF SENATOR DOMINIC F. PILEGGI
PRESENTED TO THE SENATE**

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

Senator PILEGGI. Mr. President, it is my honor today to introduce a very special guest, Andrea Canepari, the Consul General of Italy in Philadelphia, who is visiting the State Capitol today to meet with Governor Corbett, Lieutenant Governor Cawley, and other State officials, including Members of the Senate. Andrea Canepari was appointed Consul General on August 26, 2013. In his position, his duties are to advance economic, educational, and cultural opportunities between Italy and Pennsylvania, but also New Jersey, Delaware, Maryland, Virginia, West Virginia, and North Carolina. He has held numerous diplomatic positions since joining the Italian Foreign Service in 1999. He was born in Pavia, Italy, graduated with top honors from Bocconi University in Milan with a degree in economics, and the University of Parma Law School. He then received a Master of Law degree from the University of Pennsylvania Law School. Mr. President, I ask that my colleagues join me in welcoming Consul General Canepari to the Senate today.

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

(Applause.)

Consul General CANEPARI. It is a great honor to address the Senate of the Commonwealth of Pennsylvania, and I thank Majority Leader Pileggi for organizing my visit to Harrisburg with such a great agenda and very important and fruitful meetings. Thank you. I would also like to thank Lieutenant Governor Jim Cawley, President pro tempore Joe Scarnati, and Minority Leader Jay Costa for the opportunity to speak today to the Members of this Senate.

As the Consul General of Italy in Philadelphia, I am responsible for improving political, economic, and cultural relations between Italy and especially Pennsylvania. My first predecessor Consul General from Italy was a merchant from Genoa who came to Philadelphia in 1791.

But let us look at the future. I am convinced that there are immense opportunities for deeper economic and cultural cooperation with Pennsylvania since there is such a distinguished and successful Italian-American community in Pennsylvania. We have to remember that more than 10 percent of people here claim to be of Italian origin. The results are a huge and qualified community of Italian researchers and professors, and our economic systems complement each other. Pennsylvania and Italy both have a significant structure of reserve centers and universities promoting innovation jointly, and that should pave the way to more business opportunities. I do believe in the prosperity of more interaction, and I will give you two quick examples.

Last week, I promoted the creation of a business council between Italy and Philadelphia's region. We see, also, top U.S. companies dealing with Italy, and Italian companies willing to expand here. We should create a more structured path to promote investments. I also promoted the kickoff of an organization called the Italian Language Initiative to support the teaching of

Italian in Pennsylvania schools. We put together philanthropists, universities, companies, and teachers. It is a way to give more educational opportunities to Pennsylvania's kids, to compete in the global arena, to raise international status of Pennsylvania, and to promote Italian heritage at the same time.

Thank you very much for your attention and for your support in strengthening the ties between Italy and the Commonwealth of Pennsylvania. Thank you.

(Applause.)

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

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

Senator MENSCH. Mr. President, today, it is my honor to introduce Reverend William A. Vanderslice, who is the pastor of my own church, St. Paul's Evangelical Lutheran Church in Red Hill, Pennsylvania. He also serves as the dean of the Upper Montgomery Conference, one of nine conferences within the Southeastern Pennsylvania Synod of the Evangelical Lutheran Church in America. Today is Lutheran Day at the Capitol, with over 130 Lutheran leaders from around Pennsylvania gathering to worship together, learn, and visit legislators around the core values and concerns of hunger and poverty. Tonight, the Lutheran community will honor Senator Smucker for his service at a reception and banquet in the Rotunda of the Capitol building. Mr. President, join me in giving a great senatorial welcome to the Reverend William Vanderslice.

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

(Applause.)

**GUESTS OF SENATOR JOHN C. RAFFERTY
PRESENTED TO THE SENATE**

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

Senator RAFFERTY. Mr. President, in the gallery, I would like to welcome the members of the Pennsylvania Academy of General Dentistry. The academy is the largest organization in Pennsylvania solely representing the interests of general dentists with over 1,800 members. I recently had the opportunity to speak to the academy when they hosted a continuing education event in West Conshohocken. The mission of the academy is to serve the needs of general dentists, to promote the oral health of patients, and to foster continued proficiency of dentists through quality continuing dental education in order to better serve the public.

The academy believes strongly in community outreach and is dedicated to providing services to those who cannot afford quality dental care. I had the experience of talking firsthand with many of the dentists involved in that and I commend them for reaching out and helping those who cannot afford dental care. In support of the commitment, they have created PAGD Cares, a program that helps dental offices provide donated dentistry at their local office to serve the communities. To date, the PAGD dentists and staff have provided nearly \$500,000 in free dental services to local communities statewide.

Mr. President, we are joined today by Doctors Carcinella, Casey, Fields, Kokai, Knowlton, Laemmer, Schroeder, Shelly,

and Stewart. Mr. President, I ask that the Senate extend its traditional warm welcome to this fine group of dentists and commend them for their work.

Thank you, Mr. President.

The PRESIDENT. Would the the guests of Senator Rafferty please rise to be welcomed by the Senate.

(Applause.)

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

GUESTS OF SENATOR MICHAEL J. FOLMER PRESENTED TO THE SENATE

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I would like to introduce a very special family visiting the Senate today, Vicky and David Martin and their 8-month-old son, Isaiah. The Martins reside in Senator Smucker's district and are here for Wishbone Day. Later today, I, along with Senator Smucker, will be offering the first-ever Wishbone Day in Pennsylvania resolution. Wishbone Day is an international awareness effort for osteogenesis imperfecta, or OI. OI is a genetic disorder characterized by fragile bones that break easily, also known as brittle bone disease. As you can see, I am wearing yellow today and last week I sent a memo to my Senate colleagues asking them to wear yellow, and I thank those who remembered. Yellow is the awareness color for OI. Last year, I was asked by my staff member to wear yellow on May 6 in support of friends of her's who were expecting their first child with OI. My staff member explained OI to me and over the last year, I have followed Isaiah's story and his progress. I decided to take it a step further this year and introduce this resolution for all of the OI families in Pennsylvania, as I was made aware of OI through the Martins, who are constituents of Senator Smucker. I asked if he would introduce it with me and I was very appreciative that he would, and I thank Senator Smucker for that.

Isaiah was born with 8 to 12 fractures. The number is approximate because of the fractures that were still healing when he was in utero. When the Martins were first introduced to OI when Vicky was 20 weeks pregnant, Isaiah's limbs were short and curved. Throughout most of the pregnancy, it was thought Isaiah had Type II OI, because even his ribs had breaks in utero. Type II OI is lethal. Thankfully, through genetic testing, Isaiah was found not to have Type II OI but, instead, Type III, which is non-lethal. Isaiah has been receiving Pamidronate, or PAM, which increases bone density and thickness and helps control pain. Although Isaiah has restrictive lung disease caused by the size and shape of his rib cage, PAM has helped with his breathing and Isaiah has been off the CPAP machine for a month. Isaiah's bones in his legs are curved in 90-degree angles, but hopefully, he will have surgery in the future to place rods, and fingers crossed, give him the ability to walk.

Vicky and Dave have noticed that every time Isaiah receives a PAM treatment, he hits another new milestone. He is developing faster than most Type III OI children but is still behind children without OI. Vicky and Dave have found numerous support groups online and friends with OI families across this great State, including families from Lebanon, Chester Springs, Altoona, and other areas of Pennsylvania. Isaiah is one of the happiest, and I

have to say this, definitely one of the happiest children I have had the pleasure and honor to meet. According to Vicky, it gets to be a little confusing when Isaiah is still smiling and giggling even when he is suffering a fracture. Vicky and Dave admit that being special-needs parents is hard, but they continue to see the positives in life. Isaiah may have OI, but Vicky and Dave vow that OI will never have them. They will be sure that Isaiah lives his life to be the happiest and fullest.

In closing, I was told Isaiah would be very upset with me if I did not mention his love for Mickey Mouse and his cat, Carl, who also serves as his personal bodyguard. Senators, please join me in a warm Wishbone Day welcome to Vicky and Dave and especially little Isaiah Martin.

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

(Applause.)

GUEST OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, I rise to introduce Andrew Seder, who has just started working in my Hawley district office as my field representative. Many of you may recognize his name. Andrew worked for the Wilkes-Barre Times-Leader for many years as both a staff writer, columnist, business editor, and he also covered legislation and politics. He graduated from Slippery Rock University with a B.A. degree in communications. I am delighted to have him join my staff because I know he will work hard on behalf of the constituents of the 20th Senatorial District. Andrew lives in Gouldsboro with his wife, Marissa, and their three children, Adam, Makenna, and Maxwell. So, I ask you to join me in offering a very warm Senate welcome to Andrew Seder.

Thank you, Mr. President.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Washington has returned, and her temporary Capitol leave is cancelled.

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators WASHINGTON, KITCHEN, GREENLEAF, FERLO, TEPLITZ, FONTANA, DINNIMAN, SMITH, SOLOBAY, ERICKSON, ALLOWAY and COSTA, by unanimous consent, offered **Senate Resolution No. 380**, entitled:

A Resolution honoring Alpha Kappa Alpha Sorority by designating May 6, 2014, as "Alpha Kappa Alpha Sorority Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT pro tempore. The Chair recognizes the gentlewoman from Philadelphia, Senator Washington.

Senator WASHINGTON. Mr. President, this resolution marks May 6, 2014, as AKA Day in Pennsylvania. AKA Day is a pub-

lic policy initiative that is taking place in many States across the nation bringing members of the Alpha Kappa Alpha Sorority to the State Capitol for a day of legislative briefing, fellowship, and activism. Incorporated in 1908, AKA became the first Greek-letter organization established by African American colleges for women. Our roots date back to Howard University and have since spread across the country and the world. We now boast more than 240,000 sorors across the United States, the Caribbean, Europe, and Africa. In Pennsylvania, AKA is 23 chapters strong, including 8 graduate chapters, and 15 undergraduate chapters. The AKAs are about more than sisterhood. Our international theme of "Global Leadership Through Timeless Services" shows the dedication that AKAs have to make this world a better place not only for us, but for generations to come. We build relationships, cut racial and social barriers, and lift up our communities.

**GUESTS OF SENATOR LEANNA M. WASHINGTON
PRESENTED TO THE SENATE**

Senator WASHINGTON. Mr. President, each year, I am so honored to welcome the ladies of Alpha Kappa Alpha to the Capitol. I am pleased to be able to talk to everyone about the landmark child protective legislative package that we continue to work on here in the Senate and the House. Mr. President, again, as a proud member of Lincoln University's Omega Omega Chapter of Alpha Kappa Alpha, I ask the Senate to give AKA a warm welcome. I would like to thank Gladys Brown, who coordinated today's activities.

Thank you, Mr. President.

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

(Applause.)

And the question recurring,

Will the Senate adopt the resolution?

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Farnese has returned, and his temporary Capitol leave is cancelled.

**GUESTS OF SENATOR ANDREW E. DINNIMAN
AND SENATOR JOHN C. RAFFERTY
PRESENTED TO THE SENATE**

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

Senator DINNIMAN. Mr. President, we have a group of students from the Phoenixville Middle School, and I do this introduction on behalf of myself and Senator Rafferty. These students are part of a group called TATU, it is an antismoking group. I want to thank these students for leading the way against smoking, and also because they have started to help other students understand the difficulty of chewing tobacco. We might not think much of chewing tobacco. The days of the spittoons on the Senate floor are long gone, but they were here. The majority of people chewing tobacco today are not adults, they are young people

between the ages of 14 and 21. This is a serious threat to oral health, to cancer of the mouth, and cancer of the throat. It is so refreshing to know that a group of students are leading the way educating other students. They are here with their teachers and some of their advisors educating other students about the evils of tobacco. So, Mr. President, I think they are still up there, they are indeed. If we could give a welcome, I would appreciate it.

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

(Applause.)

Senator DINNIMAN. Mr. President, I just want to pay tribute to AKA as well and thank Senator Washington for inviting them. Thank you.

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

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

Senator WARD. Mr. President, I am very honored and happy today to welcome Hempfield Area High School's Project 18 class. Project 18 is made up of seniors in high school and they combine government and community service, and they learn all about the political process. They do a lot of good work and learn a lot of really wonderful things. I want to thank Ken Stough for bringing them, along with the other chaperones. Every year, they come here to Harrisburg where they talk to administration officials, they talk to elected officials, we talk about bills, what we are doing here, how it affects them, and they get to make their own judgments. Hopefully someday, they will decide they want to run for office and make a big difference in their communities. So with that, I want to say thanks, guys, for coming. It was great seeing you. Thank you.

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

(Applause.)

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator Williams has returned, and his temporary Capitol leave is cancelled.

**GUESTS OF SENATOR ROBERT TOMLINSON
PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, I would like to welcome an outstanding group of young students today, the 2013 Franklin Delano Roosevelt Middle School Eco Crew, who are being honored for the most comprehensive recycling project award during the Wheelabrator Symposium for Environment and Education, which is held in Sunrise, Florida, from April 29 to May 2. The Eco Crew created a public awareness campaign to increase recycling and decrease littering in the schools and community. The students are accompanied today by their teachers, Jayne Murphy and Bonnie Jean Fry. I was very, very happy to have them out on the Senate floor and have them in my office for lunch, and I am very impressed by the demeanor and educational level of these students. I would like the Senate to welcome them to the Chamber.

The PRESIDENT pro tempore. Would the guests of Senator Tomlinson please rise to be welcomed by the Senate. (Applause.)

RECESS

The PRESIDENT pro tempore. 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 Rules and Executive Nominations to be held in the Rules room immediately, to be followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the meeting scheduled, Senate Democrats will meet in the rear of the Chamber for a caucus as well.

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

AFTER RECESS

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Hughes and Senator Tartaglione have returned, and their temporary Capitol leaves are cancelled.

LEGISLATIVE LEAVE

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator Baker.

The PRESIDENT. Senator Pileggi requests a temporary Capitol leave for Senator Baker. Without objection, the leave will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 428 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 705 (Pr. No. 710) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, further providing for establishment.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator BLAKE. Mr. President, very briefly on Senate Bill No. 705, first of all, I want to thank Senator Pileggi for bringing this legislation to the floor for a vote. I also want to thank Chairman Greenleaf and Senator Leach from the Committee on Judiciary for moving this along, and the DA's Association, and my own Lackawanna County DA, Andy Jarbola. Basically, this bill amends Title 61. It grants district attorneys in third, fourth, and fifth class counties the option of serving on their respective county prison boards. Counties of sixth, seventh, and eighth class currently have this option. Under current law, the district attorneys of the third, fourth, fifth, and sixth class must serve on the prison boards. As there are occasions when they must prosecute inmates, guards, or employees of said prison, there is a prospective or a perceived conflict of interest. This bill would allow counties to opt out. It is not mandatory, but an opt-out provision that would allow the district attorney, via resolution of the county commissioners, to opt out of serving on the prison board in order to avoid conflicts of interest. So I appreciate the support of this bill and appreciate favorable consideration today.

Thank you, Mr. President.

And the question recurring, Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

SB 1085 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

