

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 3, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 30

SENATE

TUESDAY, June 3, 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 CHUCK LOCKARD, Pastor of Church of the Nazarene, Homer City, offered the following prayer:

Let us pray.

Lord God, we acknowledge Your power, presence, and knowledge this afternoon in this Senate Chamber. We humbly ask for Your guidance upon our Senators as they conduct the affairs before them this day and throughout this Session. May each one honor You through their decisions concerning the betterment of the Commonwealth of Pennsylvania. May their conduct please You as well as making their constituents proud. Give each one the wisdom they need in determining what is best for the people of Pennsylvania. Give them courage to do what is best for America. Give them understanding beyond themselves in order to not only compete, but to win in today's global economy. Lord God, help each Member of the Senate to put their trust in You and to seek Your guidance so Pennsylvania may impact our global community in a way that pleases You. Thank you, Lord God, for hearing and answering our prayer. Amen.

The PRESIDENT. The Chair thanks Pastor Lockard, who is the guest today of Senator White.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 3, 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, Brenda L. Hage, Ph.D., CRNP, 73 Briarcrest Road, Dallas 18612, Luzerne County, Twentieth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2016, and until her successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 3, 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, Estella M. Hyde, 14176 S. Townline Road, Linesville 16424, Crawford County, Fiftieth Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2016, and until her successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 3, 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, John Kordish, 718 Lincoln Avenue, Curwensville 16833, Clearfield County, Thirty-fifth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2016, and until his successor is appointed and qualified, vice Judith Harding, Noxen, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 3, 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, Orla M. Nugent, 16 Golfview Lane,

Reading 19606, Berks County, Eleventh Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2016, and until her successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
COUNCIL ON AGING

June 3, 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, Gwendolyn M. Ogle, 206 Canterbury Drive, Moon Township 15108, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2016, and until her successor is appointed and qualified.

TOM CORBETT
Governor

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 1045** and **SB 1254**, with the information the House has passed the same without amendments.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1077**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILLS INTRODUCED AND REFERRED

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

June 3, 2014

Senators DINNIMAN, RAFFERTY, STACK, SCHWANK, KASUNIC, FONTANA, SMITH, GREENLEAF, HUGHES, YAW and WILEY presented to the Chair **SB 1376**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for definitions; providing for opioid-related drug overdose death prevention programs; imposing duties on the Department of Drug and Alcohol Programs and the Department of Health; and making editorial changes.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, June 3, 2014.

Senators YUDICHAK, ERICKSON, EICHELBERGER, FARNESE, TEPLITZ, FONTANA, COSTA, BREWSTER, SMITH, HUGHES, VULAKOVCH, RAFFERTY and BRUBAKER presented to the Chair **SB 1398**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for short title of chapter, for purpose and for definitions; providing for establishment and operation of nominating committee, for Pennsylvania Public Integrity Commission, for limitations on activities by commissioners and employees, for powers and duties of commission, for authority, qualification, training and identification of investigative employees designated as law enforcement officers, for photo identification, for immunity of witnesses and for enforcement of subpoenas; further providing for restricted activities, for statement of financial interests required to be filed, for State Ethics Commission, for its powers and duties, for investigations by commission and for penalties; providing for costs, restitutions and forfeiture; and further providing for wrongful use of chapter; providing for disclosure of executive session testimony and investigative records, for privileged statements and reports, for commission disclosure of economic interests and for applicable statutes.

Which was committed to the Committee on STATE GOVERNMENT, June 3, 2014.

Senator CORMAN presented to the Chair **SB 1400**, entitled:

An Act providing for the capital budget for the fiscal year 2014-2015.

Which was committed to the Committee on APPROPRIATIONS, June 3, 2014.

RESOLUTION INTRODUCED AND REFERRED

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

June 3, 2014

Senators SMITH, FONTANA, TEPLITZ, FERLO, KASUNIC, BREWSTER, VULAKOVICH, COSTA, ARGALL, GORDNER, STACK, YUDICHAK, WILEY, HUGHES, SOLOBAY, TARTAGLIONE, BOSCOLA and FARNESE presented to the Chair **SR 396**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study of workforce investment programs of the Commonwealth and their effectiveness.

Which was committed to the Committee on LABOR AND INDUSTRY, June 3, 2014.

BILLS SIGNED

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

SB 1045 and **SB 1254**.

BILLS REPORTED FROM COMMITTEES

Senator YAW, from the Committee on Environmental Resources and Energy, reported the following bills:

SB 1256 (Pr. No. 2079) (Amended)

An Act establishing a Heritage Areas Program to identify, protect, enhance and promote the historic, recreational, natural, cultural

and scenic resources of this Commonwealth and to stimulate community revitalization and economic development through regional heritage conservation, recreation, tourism and partnerships; and making a related repeal.

SB 1262 (Pr. No. 2080) (Amended)

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled, "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions, for creation of a Sewage Disposal System Fund and for expenditure of fund; providing for expenditure of public funds for private lateral sewer lines; and further providing for grants of moneys.

SB 1355 (Pr. No. 1980)

An Act amending the act of July 10, 1984 (P.L.688, No.147), known as the Radiation Protection Act, in fees, further providing for nuclear facility and transport fees.

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

SB 1388 (Pr. No. 2064)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, repealing provisions relating to report of racial and ethnic groupings, to study of public schools that provide Internet instruction, to corporate seal, to submission of plans, to approval of plans, to disapproval of plans, to department of public instruction to prepare plans, to establishment of reorganized school districts, to advance establishment, to special school watchmen-school districts in townships of the second class, to copies of school laws, to educational broadcasting, to residences for teachers and janitors, to heating stoves to be shielded, to ventilation and thermometer, to fireproof construction, to doors to open outward and fire escapes, etc., to water-closets and out-houses, to completion of abandoned WPA projects, districts of the third and fourth class, to condition of grounds and shade trees, to summer schools, etc., to possession of telephone pagers prohibited, to nonprofit school food program, to antitruancy programs, to medical care for children under six with defective hearing, to report, to care and treatment of pupils and to local wellness policy; further providing for fire and emergency evacuation drills; repealing provisions relating to foreign language academies, to monthly reports to school directors in districts second, third and fourth class, to alcohol, chemical and tobacco abuse program, to read to succeed, to reporting, to department duties and powers; further providing for duties of State Board for Vocational Education and reports; repealing provisions related to schools or classes, supervisors, principals, instructors and etc., to estimate of expenses and reimbursement and appropriations and to teachers of evening schools; further providing for powers and duties of the board of trustees; repealing provisions related to annual report, to duties of public institutions of higher education, to medical education loan assistance, to special study on the revenue impact of out-of-State tax credits, and to powers and duties of the board and to reports and recommendations.

HB 803 (Pr. No. 3643) (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, providing for school access to emergency epinephrine.

HB 1816 (Pr. No. 3644) (Amended)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development; providing for baccalaureate certification basic skills; and further providing for Pennsylvania School Leadership Standards.

HB 2013 (Pr. No. 2997)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school directors, further providing for filling of vacancies.

HB 2106 (Pr. No. 3175)

An Act amending the act of June 27, 1991 (P.L.70, No.10), entitled "An act requiring the superintendent of every public school district to make available, upon request, lists of graduating seniors to armed forces recruiters; and providing a penalty for the misuse of any such lists," further providing for title and for legislative intent; providing for short title and for definitions; and further providing for list of seniors to be compiled, for optional compliance by nonpublic schools and for reimbursement of costs.

Senator MENSCH, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

SB 1342 (Pr. No. 1975)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for incentives for municipal volunteers of fire companies and nonprofit emergency medical services agencies.

SB 1377 (Pr. No. 2054)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency telephone service, further providing for expiration of chapter.

RESOLUTION REPORTED FROM COMMITTEE

Senator MENSCH, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following resolution:

SR 397 (Pr. No. 2055)

A Resolution urging the President of the United States and the Congress to immediately consider and pass H.R. 3930, which establishes the National Commission on the Structure of the Army.

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

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request temporary Capitol leaves for Senator McIlhinney and Senator Smucker.

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

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

The PRESIDENT. Senator Pileggi requests temporary Capitol leaves for Senator McIlhinney and Senator Smucker.

Senator Costa requests temporary Capitol leaves for Senator Smith and Senator Williams.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

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

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 28, 2014, is now in print.

The Clerk proceeded to read the Journal of the Session of April 28, 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-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

GUESTS OF SENATOR STEWART GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, I rise to introduce to the Senate Michael Thomas, who is a junior at Hatboro-Horsham High School and is 16 years of age. He broke the national age group record in winning the State 100-meter backstroke. He won that event by 46.65 seconds in the PIAA Class AAA State Swimming Championship. He surpassed the mark of 46.72 seconds in 2011. So, it was a rela-

tively longstanding record that he broke. He also took second place in the 200-meter individual medley at the PIAA Class AAA Championship. He won a gold medal in the PIAA Class AAA District Boys' 100-meter backstroke and the 200-meter individual medley, setting district records at both events. He is here today with his coach, Kip Emig, and they are both in the balcony. I ask that they be introduced and welcomed.

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

(Applause.)

GUEST OF SENATOR PATRICK M. BROWNE PRESENTED TO THE SENATE

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

Senator BROWNE. Mr. President, it is a pleasure for me to introduce to the Senate today a young man who is interning in my Allentown office who is assisting us with our legislative and constituent work, Andrew Berdahl. He is currently attending Muhlenberg College and is excelling in the majors of political science and religious studies. Please give him our usual warm Senate welcome.

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

(Applause.)

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on 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. The Chair recognizes the gentleman from Allegheny, Senator Costa.

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

The PRESIDENT. For purposes of a meeting of the Committee on Rules and Executive Nominations to be held immediately in the Rules room, 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.

SPECIAL ORDER OF BUSINESS GUEST OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Mr. President, it is my pleasure today to be job-shadowed by Dr. Kim Accardi. Dr. Accardi is a staff orthopedic surgeon at Hahnemann Univer-

sity Hospital in Philadelphia, Pennsylvania. She is a mother of one child, and what is most significant is her taking time out not only being an orthopedic surgeon, but she has done three tours of duty in Iraq and Afghanistan. Presently, she is part of the U.S. Army Reserve, and has been in Operation Iraqi Freedom, Operation New Dawn, and Operation Enduring Freedom. She is here with us today in the Senate job-shadowing me and I would appreciate a warm welcome by the Senate.

The PRESIDENT. Would the guest of Senator Scarnati please rise.

(Applause.)

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL AMENDED

HB 112 (Pr. No. 3628) -- 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 sexual offenses, providing for the offense of sexual assault by sports official, volunteer or employee of nonprofit association; and, in sentencing, further providing for sentences for offenses against infant persons.

On the question,

Will the Senate agree to the bill on third consideration?

Senator SCARNATI offered the following amendment No. A7290:

Amend Bill, page 1, line 3, by inserting after "OFFENSES,": further providing for drug delivery resulting in death;

Amend Bill, page 1, lines 9 and 10, by striking out all of said lines and inserting:

Section 1. Section 2506(b) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:
§ 2506. Drug delivery resulting in death.

(b) Penalty.--

(1) A person convicted under subsection (a) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

(2) Paragraph (1) shall not apply to a person convicted under section 2502(c)(relating to murder) when the victim is less than 13 years of age and the conduct arises out of the same criminal act.

Section 2. Title 18 is amended by adding a section to read:

Amend Bill, page 3, line 4, by striking out "2" and inserting

3

Amend Bill, page 3, line 30; page 4, line 1, by striking out all of said lines on said pages

On the question,

Will the Senate agree to the amendment?

LEGISLATIVE LEAVES CANCELLED

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

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL OVER IN ORDER

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

BILL AMENDED

SB 1001 (Pr. No. 2074) -- The Senate proceeded to consideration of the bill, entitled:

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; and further providing for application for appointment to the office of notary public.

On the question,

Will the Senate agree to the bill on third consideration?

Senator FOLMER offered the following amendment No. A7288:

Amend Bill, page 2, line 12, by inserting after "information":
as provided in 18 Pa.C.S. Ch. 91 (relating to criminal history record information)

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.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 1023 (Pr. No. 2076) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for the duties of the council, for revised or successor codes and for education and training programs.

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-47

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

NAY-1

Hutchinson

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

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

BILLS OVER IN ORDER

SB 1085, SB 1219, SB 1220, SB 1261, HB 1271, SB 1316 and SB 1341 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL AMENDED

HB 1460 (Pr. No. 3631) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for educational leave of absence; and providing for heroic service website.

On the question,

Will the Senate agree to the bill on third consideration?

Senator DINNIMAN offered the following amendment No. A7323:

Amend Bill, page 2, lines 23 and 24, by striking out "TO CREATE, ADMINISTER AND MAINTAIN" and inserting:
the department shall provide public access to

Amend Bill, page 2, lines 25 and 26, by striking out "AS WELL AS ANY OTHER AWARD OR DECORATION THAT IS" and: inserting

. the Distinguished Service Cross, the Navy Cross, the Air Force Cross and the Silver Star, which are

Amend Bill, page 3, line 6, by striking out "OF" and inserting:

to

Amend Bill, page 3, line 15, by striking out "THE DATABASE ESTABLISHED UNDER PARAGRAPH (1)" and inserting:

Information pursuant to this chapter

Amend Bill, page 3, line 17, by inserting after "WEBSITE":

within three months of the effective date of this chapter

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1738 (Pr. No. 2878) -- 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 basic education funding commission.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

Senator BOSCOLA. Mr. President, I rise to support House Bill No. 1738. This bill is exactly the kind of all-encompassing study that we need to reform our school funding distribution formula so it is more fair, equitable, and reflects modern-day trends and issues. In my Senate district, the Bethlehem Area School District is a good example of a district that is being slighted and short-changed by the State's antiquated funding formula. In a kind of perfect storm scenario, the district has a high poverty rate coupled with a high market value/personal income ratio. This ultimately penalizes and deprives the district of the level of funding it truly deserves. Ranging from high growth factors to tax base issues, this study will hopefully focus on some of these complex circumstances and produce a new formula that better assesses and reflects true modern needs. Mr. President, no one would dispute the fact that our school districts have struggled to make ends meet in recent years. However, a crucial component of any changes made to how we fund our schools must include a new funding distribution formula that is more fairly derived and more equitable in supporting all of our schools. Mr. President, this unbiased commission and study called for in House Bill No. 1738 is a good first step toward pinpointing the fairest way to fund our schools.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I rise to support this bill, too. Unfortunately, I had a couple of amendments that actually dealt with something because I think it does not go far enough. I have been here long enough to know that we have talked about school funding since 1968, but that was when we consolidated our schools to 501 school districts from 2,700. And the year after 1968 was the beginning of when the school funding formula slowly became outdated. It looks as if we are approaching the 50th year since we actually looked at structural changes in our school system. Any changes to the funding formula will not work unless we take some very bold action into the actual physical dimensions of our school districts. This is not the same Pennsylvania as it was in 1968. Schools that were rural are now urban. Intercity schools that were relatively large are now smaller. The economic changes have been legion throughout Pennsylvania and every single Member of

the Senate and every single Member of the House has complained to their Leadership about the inequities in the school funding formula.

Under Governor Ridge, we had a Special Session on school funding. Thousands of hours of testimony, and do you know what? Nothing changed. Every year we got through the budget, a little bit of duct tape, paper clips, and enough votes to get through the next funding formula. If you really want to make it fairer, it could never be the fairest, but as close as you can get, you need to look at the structural changes of our schools. It is tough politics. Nobody likes change, but everybody wants their taxes to be fairer. This is a good beginning. It is unfortunate that I had our staff work on the language, but the two bills that I had transferred into the amendments actually mandated changes and I wanted it to be crafted so that the commission would study it. So at a future date I will take those two bills and actually put them in the form of a commission, too, so perhaps we can put it on paper before we see it in reality.

But you are not going to make a fairer funding formula until you make fairer school districts. And if it is not us, who? If it is not now, when? That clock is ticking and every year we go by that discrepancy, that inequality continues to grow. So while this is a good first step and I am sorry I missed my opportunity here today, there is no reason not to support this bill and let us move forward with it.

Thank you very much, 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	Farnese	Rafferty	Vogel
Baker	Ferlo	Robbins	Vulakovich
Blake	Folmer	Scarnati	Wagner
Boscola	Fontana	Schwank	Ward
Brewster	Gordner	Smith	Washington
Browne	Greenleaf	Smucker	White
Brubaker	Hughes	Solobay	Wiley
Corman	Kitchen	Stack	Williams
Costa	Leach	Tartaglione	Wozniak
Dinniman	McIlhinney	Teplitz	Yaw
Eichelberger	Mensch	Tomlinson	Yudichak
Erickson	Pileggi	Vance	

NAY-1

Hutchinson

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 without amendments.

BILLS OVER IN ORDER

HB 1831, HB 1873, HB 1938, HB 1939, HB 1945 and HB 2081 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 43, HB 119, HB 128, HB 198, HB 201, HB 272, HB 336, SB 621, SB 803, SB 1169, SB 1243 and SB 1314 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1420 (Pr. No. 3544) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for newborn child pulse oximetry screening.

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

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

BILL ON SECOND CONSIDERATION

HB 1646 (Pr. No. 2269) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

HB 1672 and HB 2003 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

April 29, 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

March 10, 2014, for the appointment of Jon Anzur (Public Member), 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Accountancy, to serve until March 16, 2014 and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Virginia Birmingham, Lititz, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF BARBER EXAMINERS

May 27, 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 March 10, 2014, for the appointment of Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wade Lipscomb, Pittsburgh, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF BARBER EXAMINERS

May 28, 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 April 7, 2014, for the appointment of Frank Ranalli, 144 Steeplechase Circle, Gibsonia 15044, Allegheny County, Thirty-eighth Senatorial District, as a member of the State Board of Barber Examiners, to serve until April 15, 2016, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Vincent Iacono, York, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

May 27, 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 March 10, 2014, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Pennsylvania

Energy Development Authority, to serve until April 8, 2014, and until his successor is appointed and qualified, vice Robert G. Sanders, Philadelphia, resigned.

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

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF FUNERAL DIRECTORS

May 27, 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 March 10, 2014, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Pinkerton, Prospect, whose term expired.

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

TOM CORBETT
Governor

MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION

May 27, 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 March 10, 2014, for the appointment of Bryan Troop, 2 South Market Street, Apartment 205, Elizabethtown 17022, Lancaster County, Forty-eighth Senatorial District, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Celestino R. Pennoni, Bryn Mawr, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2016, vice The Honorable Joseph M. James, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
BERKS COUNTY

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Berks County, to serve until the first Monday of January 2016, vice The Honorable Jeffrey L. Schmehl, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
BRADFORD COUNTY

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Bradford County, to serve until the first Monday of January 2016, vice The Honorable Jeffrey A. Smith, resigned.

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

TOM CORBETT
Governor

JUDGE, COURT OF COMMON PLEAS,
PHILADELPHIA COUNTY

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Court of Common Pleas, Philadelphia County, to serve until the first Monday of January 2016, vice The Honorable Nitza I. Quinones Alejandro, resigned.

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

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2016, add to complement.

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

TOM CORBETT
Governor

JUDGE, PHILADELPHIA MUNICIPAL COURT

May 27, 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 March 10, 2014, for the appointment of Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, as Judge, Philadelphia Municipal Court, to serve until the first Monday of January 2016, add to complement.

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

TOM CORBETT
Governor

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

April 9, 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 February 7, 2014, for the appointment of Bruce L. Vickery, Esquire, 15 Woodridge Circle, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve until January 20, 2015, and until his successor is appointed and qualified, vice Charles R. Ike, Clarks Summit, resigned.

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

TOM CORBETT
Governor

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

April 9, 2014

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

