

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, JUNE 10, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 33

SENATE

TUESDAY, June 10, 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 JEFFERY FACKLER, Pastor of Penn Run Church of the Brethren, Penn Run, offered the following prayer:

Most gracious God, we thank You for this day and all of the possibilities that will present to us today and all of our days. Your earth is stirring with life, seeds have been planted and are breaking forth through the soil to grow, mature, and produce a harvest. They instinctively know what to do. We turn to You this afternoon to seek Your guidance and Your wisdom for the work that is before these men and women. May their work today bring life in all of those who seek to do good for our great Commonwealth. Today, the citizens of this Commonwealth will care for someone in a hospital, teach in a school, build bridges that we will traverse, create the joy of a story or a painting, all because You have touched us with the talents we need to work and live together as a people.

May the work that is before this Senate bring life to each and every one who calls Pennsylvania home. We would ask Your blessing upon those who have in our history devoted themselves to the betterment of our State, nation, and world. May we, the living, today pick up and carry those same responsibilities in our time and for our children's future. May Your Holy Spirit be poured out upon these women and these men in this Chamber as they seek to serve this Commonwealth and its citizens. May we see Your sustaining life in others and treasure Your gift of life in each other. Lord, we ask for Your blessing upon our Governor, our Lieutenant Governor, our Justices, and all who serve in State government. We pray that You would protect our daughters and sons who are serving throughout the world under the flags of the State of Pennsylvania and the United States of America. Thank You for the life that we see today and the life that we see in the future. It is in Your midst that we pray, Amen.

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

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 112** and **HB 1460**.

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 707** and **SB 923**, with the information the House has passed the same without amendments.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 403** and **SB 1205**, 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 INTRODUCED AND REFERRED

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

June 10, 2014

Senators SCHWANK, WOZNIAK, BOSCOLA, BAKER, TEPLITZ, BRUBAKER, FONTANA, RAFFERTY, SMITH, HUGHES, COSTA, BREWSTER, SOLOBAY and YUDICHAK presented to the Chair **SB 1410**, entitled:

An Act designating a portion of Pennsylvania Route 12 in Alsace Township, Berks County, as the Special Warfare Operator Chief (SEAL) Lance M. Vaccaro Highway.

Which was committed to the Committee on TRANSPORTATION, June 10, 2014.

BILLS SIGNED

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

SB 707, SB 923, HB 112, HB 119, HB 1460 and HB 1873.

BILLS REPORTED FROM COMMITTEES

Senator VULAKOVICH, from the Committee on Aging and Youth, reported the following bills:

HB 1702 (Pr. No. 3706) (Amended)

An Act authorizing the Department of Aging to license and inspect community adult respite services programs; defining "community adult respite service providers"; and imposing additional powers and duties on the Department of Aging.

HB 2204 (Pr. No. 3707) (Amended)

An Act amending the act of December 19, 1990 (P.L.1372, No.212), known as the Early Intervention Services System Act, further providing for definitions and for child identification, assessment and tracking system; and making an appropriation.

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

HB 1090 (Pr. No. 2005)

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for protective custody of newborn children in the areas of criminal liability, child protective services and newborn protection.

HB 1429 (Pr. No. 3708) (Amended)

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in powers of attorney, further providing for general provisions and for special rules for gifts; providing for agent's duties and for principles of law and equity; further providing for form of power of attorney, for implementation of power of attorney and for liability; providing for liability for refusal to accept power of attorney and for activities through employees; and further providing for validity.

HB 2026 (Pr. No. 3011)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for grading of offense relating to police animals.

Senator EICHELBERGER, from the Committee on Local Government, reported the following bills:

SB 1207 (Pr. No. 2116) (Amended)

An Act amending the act of July 25, 1973 (P.L.217, No.53), entitled "An act authorizing cities of the first class and second class to invest all funds received and deposited with the city treasurer in certain commercial paper under certain terms and conditions," providing for investment of public corporation or authority funds.

SB 1322 (Pr. No. 1914)

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

HB 1052 (Pr. No. 3691) (Amended)

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for contents of subdivision and land development ordinance.

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

SB 369 (Pr. No. 292)

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for public access to procurement records; and further providing for competitive sealed proposals, for sole source procurement and for emergency procurement.

SB 1240 (Pr. No. 2119) (Amended)

An Act reorganizing the Board of Trustees of The Pennsylvania State University.

HB 1989 (Pr. No. 3629)

An Act designating the Piper J-3 Cub as the official State aircraft of the Commonwealth of Pennsylvania; and designating the Pennsylvania Long Rifle as the official firearm of the Commonwealth of Pennsylvania.

RESOLUTION REPORTED FROM COMMITTEE

Senator VULAKOVICH, from the Committee on Aging and Youth, reported the following resolution:

SR 62 (Pr. No. 753)

A Resolution directing the Legislative Budget and Finance Committee to study new approaches to family work support programs.

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

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Leach.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Leach.

Without objection, the leave will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 30, 2014, is now in print.

The Clerk proceeded to read the Journal of the Session of April 30, 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?

LEGISLATIVE LEAVE

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Tartaglione.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Tartaglione.

Without objection, the leave will be granted.

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Tartaglione has returned, and her temporary Capitol leave is cancelled.

GUESTS OF SENATOR PATRICIA H. VANCE PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, today I have the distinct pleasure of introducing two Carlisle High School students who earned gold at the PIAA State Track and Field Championship on May 23-24, 2014, at Shippensburg University. The first, Zach Brehm, a junior, won first place in the Class AAA boys' 1,600-meter run with a time of 4:11:73. He also won this race at the District III Championship meet early in May. I might say that he won gold last year as a sophomore in the 800-meter and we hope to see him next year as a senior.

Secondly, the other student, Deshawn Millington, a freshman, won the Class AAA boys' triple jump event with a jump of 48 feet 6.5 inches. He placed second in the event during the District III Championship meet and we look forward to seeing him again for 3 more years. The boys are coached by Ed Boardman and Mike Woodward. The athletes, their families, and coaches are in the gallery. Please give them a warm Senate welcome.

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

(Applause.)

GUESTS OF SENATOR KIM L. WARD PRESENTED TO THE SENATE

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

Senator WARD. Mr. President, I am very pleased today to welcome and to spotlight the winners of the Westmoreland County Fire Prevention Contest. These young ones, not real, real young, but these young adults made posters, drawings, and wrote essays on fire prevention and safety. It is such a valuable lesson to them and to their peers on this subject because we all know how devastating a fire can be. I want to take the opportunity, while I am here, to thank the fire chiefs, the fire companies, and our Westmoreland County commissioners for sponsoring this event every year. I am so happy to have all of these young adults here every year. Earlier today, we also had the chance to get some photos with the Lieutenant Governor, which was very nice of the Lieutenant Governor. So, I want to thank their parents for bringing them, and their families, and welcome them all here.

Thank you.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

The PRESIDING OFFICER. Would the guests of Senator Ward please stand to be greeted by the Senate of Pennsylvania. (Applause.)

GUESTS OF SENATOR STEWART GREENLEAF PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Greenleaf.

Senator GREENLEAF. Mr. President, today I would like to welcome special guests from my district, the Central Bucks South High School Girls' Relay Team, who just won the PIAA Class AAA 4 x 800 meter relay. The relay team members are: Senior, Kaitlin Poiesz; junior, Amber Stratz; senior, Alexa Kwapinski; and junior, Brianna Stratz. Their coach is here, Rachel Beck. The team set a PIAA Class AAA girls' record by almost 4 seconds in winning the State title in 8:51:49. Also with us is Taylor Hojnacki, who also attends Central Bucks South, and who won the State title in discus. This is Taylor's second consecutive State title with a throw of 140 feet 7 inches.

I ask the Senate to welcome our guests.

The PRESIDING OFFICER. Would the guests of Senator Greenleaf please stand and receive a warm welcome by the Pennsylvania Senate.

(Applause.)

The PRESIDING OFFICER. Congratulations to our champions.

GUESTS OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise to introduce two young men who have been job shadowing me today at the Capitol. First is Ben Field, who will be a sophomore at Western Wayne School District in Wayne County. He serves as the president of the freshmen class on student council, and is involved with Future Business Leaders of America, FBLA, where he placed third with the introduction to business event in the 2013-14 regional conference. He is a member of the local history club, on the basketball team, runs track and field, and enjoys weight training. Ben's courses this year were honors classes and advanced placement classes. His interests are history, politics, basketball, astronomy, hunting, and finance. After high school, he hopes to attend college to pursue a degree so that he can either become a teacher for high school or a college professor focusing on his love of history. Ben is the son of Kim and Brian Field, who are also with us in the gallery.

My second student is Aidan Cronin, a junior at Tunkhannock Area High School in Wyoming County. He is currently ranked third in his junior class with a grade point average of 4.0. He is the class president, in the gifted program, and is involved in the Hugh O'Brien Youth Leadership Program. He is a member of the honor society, the poetry society, and a musician in two bands. He is involved in Habitat for Humanity and volunteers at the Friendly Loaf Soup Kitchen. Aidan is also on the high school soccer team and plays mid-field and forward. Last year, he was selected as an All-State soccer player in his junior season. He is interested in studying politics and hopes to pursue a career in law. He is the son of Mick and Jennifer Cronin. Please join me in welcoming two very talented, bright young men from the 20th Senatorial District, who are with me today.

Thank you, Mr. President.

The PRESIDING OFFICER. Would the guests of Senator Baker please stand to receive a traditional warm welcome from the Senate of Pennsylvania.

(Applause.)

The PRESIDING OFFICER. Well done, young men. Thank you.

GUESTS OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, it is my pleasure to introduce some guests today, constituents from Doylestown, Andrew and Sheila Duffy, with their children, Madison and E.J. They won a day at the Capitol. Andrew is an environmentalist and Sheila works for Merck Pharmaceuticals. I need to point out that Madison is a fourth-grade classmate of my daughter, Gabriella, at Our Lady of Mount Carmel School, as well. If the Senate would join me in giving them a warm Senate welcome.

The PRESIDING OFFICER. Would the guests of Senator McIlhinney please stand to receive a warm welcome from the Senate of Pennsylvania.

(Applause.)

Senator McILHINNEY. Mr. President, it is also my pleasure to introduce my summer intern, Benjamin Kistler, who is from Doylestown and currently attends the University of Pittsburgh. His major study is philosophy and political science, with a minor in film studies. Please join me in giving Ben a warm Senate welcome.

The PRESIDING OFFICER. Would the guest of Senator McIlhinney please stand to receive a traditional warm welcome from the Senate of Pennsylvania.

(Applause.)

GUEST OF SENATOR ROBERT F. TEPLITZ PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, I would like to introduce Kaitlin Erickson, a student in my district, the 15th Senatorial District. Kaitlin just finished her freshman year at Muhlenberg College. She is a graduate at Lower Dauphin High School, and a resident of Hummelstown. Kaitlin is active in student government at college and active in her community. She is shadowing me today and I told her this is a typical day in that every day is different and busy and exciting and it is a great opportunity to serve our communities. I ask my colleagues to join me in welcoming Kaitlin to the Senate.

The PRESIDING OFFICER. Would the guest of Senator Teplitz please stand to receive the traditional warm welcome from the Senate of Pennsylvania.

(Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I am honored to introduce to the Senate today a truly outstanding young woman from my district, Sable Butler, who is the reigning Miss Pennsylvania U.S. International and will soon be competing in the 2014 Miss U.S. International pageant at the end of the month in Orlando, Florida. The winner of the Miss U.S. International pageant will then go on to compete against 70 other women all over the world when the finals are held in Okinawa, Japan.

Sable is here today visiting the Capitol with her parents, Sid and Barbara Butler. Sable is a licensed cosmetologist and a cosmetology teacher, as well as a print and runway model. She graduated with honors from Pocono Mountain East High School and Stroudsburg School of Cosmetology. In her free time, whenever she has it, Sable is an active member of Templo El Refugio, a church for all nations in Bethlehem, and also serves as youth leader for Warriors of the Kingdom. She enjoys playing the guitar, reading, collecting cookbooks--we have something in common--and spending time with her family and friends. Sable is fun, friendly, compassionate, traits that will certainly serve her well as she represents our Commonwealth later this month in Orlando.

So, Mr. President, I ask that we wish Sable luck in her upcoming competition, and give her our usual warm welcome here in the Senate as she comes to the podium to say a few words.

The PRESIDING OFFICER. Would the Senate of Pennsylvania give its traditional warm welcome to the guest of Senator Boscola.

(Applause.)

Miss BUTLER. Thank you, Mr. President. Greetings to the Honorable Senators of Pennsylvania, thank you for this opportunity. My name is Sable Butler and I am your Miss Pennsylvania U.S. International 2014. The Miss International organization is one of the most prestigious pageants in the world. In only 3 weeks, I will be joining delegates from across the country to compete for the title of Miss U.S. International, and the opportunity to represent the USA at the 54th annual Miss International beauty pageant in Japan this fall.

I am a licensed cosmetologist and cosmetology teacher, so I like to say that beauty is my job. As an ambassador of peace and beauty, I have developed a platform that is very close to my heart. My platform is, "It's Not Ethnic, It's Hair/No es etnico es cabello!" which provides hair and cultural education and promotes diversity. I would like to dismiss the term "ethnic hair" because for generations it has generalized the classification of hair causing unnecessary separation that unconsciously continues to desensitize many from the root of the real issue. We have two things in common immediately with every person we meet. Each of us in this room and under the sound of my voice has an ethnicity belonging to some or perhaps multiple human groups based on racial, linguistic, and other traits. Additionally, we all have hair. This is not exclusive, this is an educational platform. Beauty is everywhere, and this year I hope to advocate for beauty, peace, and diversity. I am an example of what happens when you never give up on a dream. I know firsthand that dreams come true with hard work, persistence, and faith.

It is an honor to represent my State of Pennsylvania. Thank you for your time and for joining me in this campaign to promote hair, cultural education, and diversity. I am Sable Butler, Miss Pennsylvania U.S. International 2014. Thank you and God bless.

(Applause.)

The PRESIDING OFFICER. The Chair thanks Miss Sable Butler for her comments, and the Chair and the entire Senate of Pennsylvania wishes you best of luck in the competition.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of meetings of the Committee on Rules and Executive Nominations to be held in the Rules room immediately, to be followed by the Committee on Appropriations also to be held in the Rules room, to be followed by a Republican caucus to be held in the Majority Caucus Room.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, after the meetings of the Committee on Rules and Executive Nominations and the Committee on Appropriations, we will hold a Senate Democratic caucus immediately.

The PRESIDING OFFICER. For purposes of meetings of the Committee on Rules and Executive Nominations, to be followed by the Committee on Appropriations, to be followed by Democratic and Republican 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.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 43 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 128 (Pr. No. 126) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

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-50

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

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 without amendments.

BILLS OVER IN ORDER

SB 324 and SB 428 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 621 (Pr. No. 2111) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-50

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

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.

BILLS OVER IN ORDER

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1355 (Pr. No. 1980) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-50

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

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.

LEGISLATIVE LEAVE CANCELLED

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

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

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 third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

Senator LEACH. Mr. President, I would like, for a moment, to give some credit. I originally introduced this bill in 2011. At the time, it was Senate Bill No. 1202, and the reason I did it is because there is a woman by the name of Mary Ellen Mannix who came to me who had lost her son due to a cardiac circulatory problem. She alerted me to the importance of this issue, to getting these tests done, these tests that will detect and allow treatment of a lot of diseases on a lot of sick children, which will cost virtually nothing to administer. This is one of the few bills, and I did not want it to go by without us taking note that it will actually save lives, that it will actually make a difference in the lives of people and very young children. So I am very excited that this is finally passing, and I think that there will be many children whose names we never know who will be here and live full lives as a result of this legislation we are passing today. Thank you.

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-50

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

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.

BILL OVER IN ORDER TEMPORARILY

HB 1424 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1602 (Pr. No. 2871) -- The Senate proceeded to consideration of the bill, entitled:

An Act approving the release of Project 70 restrictions on certain land owned by the Borough of Downingtown, Chester County, in return for the development of public park improvements within Kardon Park within the Borough of Downingtown and East Caln Township, Chester County; and making a related repeal.

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-50

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

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 without amendments.

BILLS OVER IN ORDER

HB 1646, HB 1831, HB 1938, HB 1939 and HB 1945 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2009 (Pr. No. 2986) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 17 (Credit Unions) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in incorporation, further providing for articles of incorporation, for Department of Banking consideration of articles and for by-laws; in corporate powers, duties and safeguards, further providing for powers, for fees and charges, for loan interest, for power to borrow, for loans and for dividends; in members, directors and officers, further providing for notice to members and for expulsion and withdrawal; in amendment of articles, further providing for procedure for amendment of articles; in conversion, merger and consolidation, further providing for conversion into Federal credit union and for adoption of plan; and, in dissolution, further providing for approval of voluntary dissolution.

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-50

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

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 without amendments.

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILLS ON SECOND CONSIDERATION

SB 1389 (Pr. No. 2065) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

Considered the second time and agreed to,

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

SB 1390 (Pr. No. 2066) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

Considered the second time and agreed to,

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

SB 1391 (Pr. No. 2067) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

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

SB 1392 (Pr. No. 2068) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

Considered the second time and agreed to,

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

SB 1393 (Pr. No. 2069) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

Considered the second time and agreed to,

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

SB 1394 (Pr. No. 2070) -- The Senate proceeded to consideration of the bill, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

Considered the second time and agreed to,

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

SB 1395 (Pr. No. 2071) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2014, to June 30, 2015.

Considered the second time and agreed to,

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

SB 1396 (Pr. No. 2113) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the State Gaming Fund to the Pennsylvania Gaming Control Board, the Department of Revenue, the Pennsylvania State Police and the Attorney General for the fiscal year beginning July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

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

SB 1397 (Pr. No. 2073) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2014, to June 30, 2015.

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

BILLS OVER IN ORDER

HB 201, HB 272, SB 312, SB 602, HB 803, SB 1155, SB 1169, HB 1234, SB 1243, SB 1253, SB 1256 and SB 1262 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 1337 (Pr. No. 1966) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for elimination of certain reporting duties of the Legislative Budget and Finance Committee.

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

BILLS OVER IN ORDER

SB 1342, SB 1356, SB 1357 and SB 1388 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

SB 1400 (Pr. No. 2082) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 1401 (Pr. No. 2078) -- The Senate proceeded to consideration of the bill, entitled:

An Act renaming the West Chestnut Street Bridge in Coudersport Borough, Potter County, as the Private Edwin Tubbs Memorial Bridge; and renaming the State Route 872 Bridge near Coudersport Borough/Eulalia Township Border, Potter County, as the Specialist Donald Stiles Memorial Bridge.

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

BILLS OVER IN ORDER

HB 1574, HB 1575, HB 1653, HB 1672, HB 1816, HB 1929, HB 2003, HB 2068 and HB 2072 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS ON SECOND CONSIDERATION

HB 2093 (Pr. No. 3147) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the 700 to 800 block of U.S. Route 13, also known as the Chester Pike, in Prospect Park Borough, Delaware County, as the Officers Luke Arlington Conner and John Horace Callaghan Memorial Highway.

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

HB 2106 (Pr. No. 3175) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

HB 2110 (Pr. No. 3342) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for powers and duties of secretary and for report.

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

THIRD CONSIDERATION CALENDAR RESUMED

HB 1424 CALLED UP

HB 1424 (Pr. No. 2766) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 3 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

HB 1424 (Pr. No. 2766) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for Holocaust, genocide and human rights violations instruction.

On the question,

Will the Senate agree to the bill on third consideration?

Senator FOLMER offered the following amendment No. A7411:

Amend Bill, page 1, by inserting between lines 7 and 8:

The General Assembly finds and declares as follows:

(1) To provide children with an understanding of the importance of the protection of human rights and the potential consequences of unchecked ignorance, discrimination and persecution, it is a matter of high priority that children in this Commonwealth be educated concerning the Holocaust, genocide and other human rights violations.

(2) Therefore, the General Assembly strongly encourages school entities in this Commonwealth to offer instruction in the Holocaust, genocide and other human rights violations.

Amend Bill, page 1, line 15, by striking out "SHALL" and inserting:

may

Amend Bill, page 2, lines 18 and 19, by striking out "make available" and inserting:

distribute

Amend Bill, page 2, line 20, by striking out "upon request of a" and inserting:

to each

Amend Bill, page 3, line 5, by inserting after "humanity":

, including the Rwandan genocide and other genocides committed in Africa, Asia and Europe

Amend Bill, page 3, line 9, by striking out "may" and inserting:

shall

Amend Bill, page 3, line 10, by inserting after "organizations":

and individuals

Amend Bill, page 3, line 10, by inserting after "educational":

expertise and

Amend Bill, page 3, line 12, by inserting after "guidelines":

The guidelines shall state the minimum amount of instruction necessary to adequately educate students on the Holocaust, genocide and human rights violations.

Amend Bill, page 3, line 16, by striking out "REQUIRED pursuant to" and inserting:

provided for under

Amend Bill, page 3, line 20, by inserting after "(a)":

providing instruction under subsection (a)

Amend Bill, page 4, line 8, by striking out all of said line and inserting:

(f) The State Board of Education shall:

(1) Conduct a study regarding the manner in which instruction in the Holocaust, genocide and human rights violations is offered by school entities in this Commonwealth. In conducting the study, the State Board of Education shall request that each school entity provide the State Board of Education with information concerning whether the school entity offers such instruction and the manner in which such instruction is offered. Each school entity shall provide information to the State Board of Education in response to a request under this paragraph. Following the 2016-2017 school year, but not later than November 30, 2017, the State Board of Education shall issue a report to the Governor, the Secretary of Education, the Chairman and Minority Chairman of the Education Committee of the Senate and the Chairman and Minority Chairman of the Education Committee of the House of Representatives addressing the following:

(i) The number of school entities offering instruction in the Holocaust, genocide and human rights violations.

(ii) The number of school entities using the curriculum guidelines established by the Department of Education under subsection (b).

(iii) The number of school entities using the in-service training programs made available by the Department of Education under subsection (c).

(iv) A description of the manner in which school entities are offering instruction in the Holocaust, genocide and human rights violations, including the number of hours of instruction offered, the grade levels at which such instruction is offered and the course within such instruction is integrated.

(v) The recommendations for improvements to the offering of instruction in the Holocaust, genocide and human rights violations, including recommended legislation.

(2) Adopt a regulation, pursuant to the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act," to require school entities to offer instruction in the Holocaust, genocide and human rights violations that is consistent with subsections (a) and (b), if the study conducted by the State Board of Education under paragraph (1) demonstrates that less than ninety percent of the school entities are offering instruction in the Holocaust, genocide and human rights violations consistent with subsections (a) and (b).

(3) Adopt rules and

Amend Bill, page 4, line 10, by striking out "the act of June 25, 1982 (P.L.633, No.181), known as"

On the question,

Will the Senate agree to the amendment?

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

Senator FOLMER. Mr. President, I offer this amendment today which reflects a compromise between the interested parties to bring Holocaust education to Pennsylvania. The crux of this amendment deals with the issue of whether Holocaust education will be a mandate. With this amendment, it will not be a mandate, rather it gives schools the option of offering Holocaust education to students by requiring the Pennsylvania Department of Education to develop how to increase the number of schools teaching about the Holocaust, genocide, and human rights violations. If the study shows that less than 90 percent of the schools are not offering such instruction, it then empowers the State Board of Education to require the schools to offer this very important instruction.

The PRESIDENT. The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I stand to support the amendment. For those who do not know, about a year ago, myself and a few other Members introduced the original legislation which would mandate or require such language and curriculum to be a part of the Commonwealth experience. Additionally, to removing the required mandate, there were other substantive changes with regard to how we title different ethnic groups and different origins with regard to genocide. It is very significant in these conversations that one recognizes the significance of the Holocaust as it relates to the Jewish community, but also includes other communities that have also, unfortunately, survived human indignities. The African American community, the Asian community, there are a whole host of others who are included in this legislation today that we are raising up the language directly so that they understand they are part of this conversation.

It is not simply about the Holocaust environment, it is about all human indignities and genocide. And, so therefore, the calls that I received, the letters that I received that were concerned that other communities' histories may be denied, they can feel comforted that, in fact, this amendment not only allows for "shall"

provisions, but also allows for other communities to be recognized under the same considerations when educating our children about indignities and human tragedies that may have occurred regardless of where you are on the global experience.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, I agree with my two colleagues and the one who is about to speak, the gentleman from Allegheny County, Senator Costa. I proposed the amendment in the Committee on Appropriations for "must" or "shall" under the teaching of the Holocaust education. Being a history major myself, it is a horrific event in the history of this world and one that I believe should be mandated in school districts. But standing out in the Senate and being one of those who was saying it should be "shall" along with Senator Williams, Senator Costa, Senator Tomlinson, and there were others who were saying we want to get this bill moving because of the importance of that subject matter, the Holocaust, and as Senator Williams said, the expansion of genocide worldwide, especially at a time when it is continuing in the world.

Mr. President, I would today vote again for "shall," but realizing that since that time we moved the bill with the word "shall," this has sat and languished in the Senate. The House kept saying they were not going to do it, and I did not want this Session to continue on with another school year beginning in September--this is now June--without something done to push and prod school districts to teach on the subject of the Holocaust and genocide.

So, I will join my colleagues and vote "yes" for an amendment that I think Senator Folmer, the chairman of our Committee on Education, along with Senator Dinniman, worked very hard on to make sure that they could put together an amendment that is very forthright in its approach and will not only make sure the subject is taught in our school districts, but in the matter of 2 years, will make sure it is taught in all of our school districts, in all of our schools throughout the Commonwealth of Pennsylvania. It is one that is going to get us to that final goal that I tried to with my colleagues in inserting the word "shall." I commend Senator Folmer for his efforts in trying to move this project forward. I will vote in the affirmative, still rather would have it "shall" today, but realizing the practicality of the situation that we want to make sure, and again I will stress this, we want to make sure that this subject matter is available in the next school year which begins in September. Otherwise, we will break here in June and that bill will still be languishing. So, I thank Senator Folmer for his efforts, and I will be casting an affirmative vote.

Thank you, Mr. President.

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

Senator LEACH. Mr. President, I stand to echo what my colleagues have said. I, too, would have supported a mandate, but I understand the importance of incremental progress and sometimes you have to get what you can get and then take the next step in the future. As you know, Mr. President, there are still people who are not clear on what happened during the Holocaust, and even prominent columnists and others who often deny what happened during the Holocaust. There are also others who, in a more benign but equally troubling way, are just ignorant of what happened in the Holocaust. When you poll people on their

knowledge of the subject, it is truly frightening how little grasp of history many people have. So, this is very important, and I will be supporting it for that reason.

I just want to say one additional thing, which is, this is not only personal for me as a Jewish American, but also as the husband of an Armenian American. I just note that it is important that we also remember that the Holocaust was not the only genocide of this century, and, in fact, the first genocide was the Armenian genocide where 1.5 million Armenians were slaughtered right around World War I, 1915 to 1923. When Hitler was asked about Germany's reputation in the wake of the Holocaust, he said, nobody remembers the Armenians. So, hopefully, this will lead to people being educated on the Armenian genocide as well as the Holocaust, so we have a full picture of how these things work in history.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I echo the eloquent comments of my colleagues who spoke before me. In many respects I am in the same place as a number of those individuals, particularly Senator Rafferty and Senator Williams, on the issue with respect to supporting the "shall" versus "may" provision. I did support the change that was offered by Senator Rafferty in committee a long time ago. But at the end of the day, I think, as it was stated, the most important thing is that this measure moves forward and it moves forward in a timely fashion as we are here until June 30. My concern is, if we do not get something over to the House that is agreeable to them and to most of the folks in this room, then nothing gets done, and that is a disservice to our students and our Commonwealth. As Senator Rafferty mentioned, the effective date is 60 days from its passage, which allows it to be implemented and included in the curriculum as we go forward for the upcoming school year, which I think is essential. If we delay a conversation, delay a compromise, that may not necessarily happen.

So, I stand to support it. While I continue to support it, my preference would be to maintain the "shall" language, the mandate language. I agree, I will be supporting the thoughtful compromise that has been crafted by my friend and colleague, Senator Folmer, on this particular issue along with Senator Dinniman. So, I rise to support it and ask my colleagues to do the same as we move forward and hopefully get this signed into law before the end of the year so the young men and women across this Commonwealth will have the opportunity to learn about the history that two of my colleagues very eloquently spoke about.

Thank you, Mr. President.

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.

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

Senator ROBBINS, from the Committee on Rules and Executive Nominations, reported the following nominations made by

His Excellency, the Governor of the Commonwealth, which were read by the Clerk as follows:

**MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS**

April 1, 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, Patrick A. West, RLA, ASLA, LEED AP BD+C, 470 Willow Drive, Pittsburgh 15243, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Landscape Architects, 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 William Mullin, Monroeville, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF NURSING

March 19, 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, Robert E. Ames (Public Member), 129 Second Street, Coaldale 18218, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE**

March 26, 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, Joanne M. Baird, PhD, OTR/L, 3334 Benden Circle, Murrysburg 15668, Westmoreland County, Forty-first Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve until November 1, 2014, and until her successor is appointed and qualified, vice Denise Chisholm, Pittsburgh, resigned.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE**

April 24, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenda Brion (Public Member), 922

Scenelltown Road, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robin Bernstein, Pittsburgh, whose term expired.

TOM CORBETT
Governor

NOMINATIONS LAID ON THE TABLE

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be laid on the table.

The PRESIDENT. The nominations will be laid on the table.

EXECUTIVE NOMINATIONS

NOMINATIONS TAKEN FROM THE TABLE

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

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS**

April 1, 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, Patrick A. West, RLA, ASLA, LEED AP BD+C, 470 Willow Drive, Pittsburgh 15243, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Landscape Architects, 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 William Mullin, Monroeville, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF NURSING

March 19, 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, Robert E. Ames (Public Member), 129 Second Street, Coaldale 18218, Schuylkill County, Twenty-ninth Senatorial District, for reappointment as a member of the State Board of Nursing, to serve for a term of six years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD OF OCCUPATIONAL
THERAPY EDUCATION AND LICENSURE**

March 26, 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, Joanne M. Baird, PhD, OTR/L, 3334 Benden Circle, Murrysburg 15668, Westmoreland County, Forty-first Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve until November 1, 2014, and until her successor is appointed and qualified, vice Denise Chisholm, Pittsburgh, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD
OF VETERINARY MEDICINE

April 24, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Glenda Brion (Public Member), 922 Sconnettown Road, West Chester 19382, Chester County, Nineteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robin Bernstein, Pittsburgh, whose term expired.

TOM CORBETT
Governor

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

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

YEA-50

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

NAY-0

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

UNFINISHED BUSINESS

BILLS REPORTED FROM COMMITTEES

Senator CORMAN, from the Committee on Appropriations, reported the following bills:

SB 1383 (Pr. No. 2123) (Amended) (Rereported)

A Supplement to the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, itemizing additional State and local bridge projects.

SB 1384 (Pr. No. 2121) (Amended) (Rereported)

An Act providing for the highway capital budget project itemization for the fiscal year 2014-2015 to be financed from current revenue or by the incurring of debt.

Senator PILEGGI, from the Committee on Rules and Executive Nominations, reported the following bills:

SB 1077 (Pr. No. 2122) (Amended) (Rereported) (Concurrence)

An Act amending the act of October 9, 2008 (P.L.1408, No.113), known as the Scrap Material Theft Prevention Act, further providing for definitions, for commercial accounts and for restricted materials; providing for Statewide registry of scrap processors and recycling facilities and for duty to register and for criminal registry; and further providing for penalties.

SB 1205 (Pr. No. 1944) (Rereported) (Concurrence)

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, in private colleges, universities and seminaries, further providing for certification of institutions; and providing for change of designation to university and for change of designation to college.

HB 1559 (Pr. No. 3709) (Amended) (Rereported) (Concurrence)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for youth suicide awareness and prevention and for child exploitation awareness education.

SENATE RESOLUTIONS ADOPTED

Senators KITCHEN, HUGHES, COSTA, STACK, TEPLITZ, WOZNIAC, FERLO, WASHINGTON, WILLIAMS, GREENLEAF, SOLOBAY, FONTANA, DINNIMAN, BROWNE, ERICKSON, KASUNIC, TARTAGLIONE, SMITH, ALLOWAY, PILEGGI, RAFFERTY, FARNESE, VANCE, BRUBAKER, SCHWANK and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 405**, entitled:

A Resolution expressing condolences upon the passing of Maya Angelou, internationally acclaimed poet, singer, actress and activist.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Mr. President, this resolution is being presented by myself and my colleague, Senator Hughes. Dr. Maya Angelou was born in St. Louis as Marguerite Annie Johnson in 1928. The iconic artist passed away on May 28. Dr. Angelou first gained acclaim for her 1969 autobiography, "I Know Why the Caged Bird Sings," making her one of the first

African American women to write a best-seller. The rest is history, or rather her story.

Dr. Angelou was a strong African American woman. She broke barriers as a teenager when she became San Francisco's first African American streetcar conductor. Her first album, "Calypto Lady," influenced an entire generation of artists after its debut in 1957. Among other attributes, Dr. Angelou joined the Harlem Writers Guild and sang at the Apollo Theater. Her passion fueled her fight for racial equality. The theater show she wrote and performed, "Cabaret for Freedom," happened after she met Dr. Martin Luther King, Jr., for the first time. Dr. Angelou was later drafted by Dr. King as the Northern Coordinator for the Southern Christian Leadership Conference.

She directed for film and television, acted on Broadway and in the TV series "Roots," in which she played Kunta Kinte's grandmother, and co-authored the script of the TV movie "Caged Bird." Dr. Angelou was the first African American woman nominated for a Pulitzer Prize for the screenplay of the 1972 film "Georgia, Georgia." In 2008, she composed poetry and narrated the documentary "The Black Candle" to critical acclaim. She received more than 50 honorary degrees and was a Reynolds Professor of American Studies at Wake Forest University.

She visited students at Commonwealth universities like Penn, York College, Penn State, and others. She touched the lives of many Pennsylvanians and she made a difference. Her words will live forever and help generations of women grow stronger. Maya Angelou has left our physical world but her legacy remains. It is in this spirit that I extend our condolences and raise up the life of Dr. Maya Angelou.

Thank you, Mr. President.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

The PRESIDING OFFICER. The Chair thanks the gentlewoman from Philadelphia for her eloquent comments regarding a poet who has a great legacy. Thank you very much, Senator Kitchen.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators LEACH, WASHINGTON, ERICKSON, GREENLEAF, BRUBAKER, TEPLITZ, KITCHEN, FERLO, STACK, KASUNIC, DINNIMAN, BOSCOLA, WOZNIAK, ALLOWAY, HUGHES, FONTANA, TARTAGLIONE, RAFFERTY, FARNESE, YUDICHAK, SMITH and COSTA, by unanimous consent, offered **Senate Resolution No. 406**, entitled:

A Resolution designating June 7, 2014, as "Alex's Lemonade Stand Day" in Pennsylvania and encouraging all citizens to contribute to the Alex's Lemonade Stand Foundation and other pediatric cancer research programs.

On the question,

Will the Senate adopt the resolution?

The PRESIDING OFFICER. The Chair recognizes the gentleman from Montgomery, Senator Leach.

Senator LEACH. Mr. President, very briefly, many people know the story of Alex already. She was a little girl from my district, Wynnewood, Pennsylvania, who contracted a terrible pediatric cancer, something called neuroblastoma. In an effort to raise money to fight this cancer, she opened up a lemonade stand hoping to raise a few dollars. Her idea caught on, and now about 10 years later, we have Alex's Lemonade Stands all across the country and her lemonade stands have raised over \$80 million to fund pediatric cancer research which is funding all kinds of clinical trials and all kinds of research. It has made a huge difference in the lives of many children with pediatric cancer already. Sadly, Alex did not benefit from that. She passed away a few years ago, but her legacy lives on. They are hoping within another year they will be over the \$100 million mark and, again, this is something that will make a huge difference in lives all across Pennsylvania.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair thanks the gentleman for his comments on this wonderful project.

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 PRESIDING OFFICER laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Technical Sergeant William P. Corrigan and to Jason Piatt by Senator Alloway.

Congratulations of the Senate were extended to Francis Salovay, Jr., M & S Hardware and to citizens of the Borough of Slatington by Senator Argall.

Congratulations of the Senate were extended to Dominic Hockenbury and to Rose Geraldine Smith by Senator Baker.

Congratulations of the Senate were extended to Aloysius J. Wagner, Thelma Mae Ronemus and to Matthew Gibson by Senator Browne.

Congratulations of the Senate were extended to Paul E. Andriole by Senator Dinniman.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Kockler, Mr. and Mrs. Gerald Wendt and to Mr. and Mrs. John Yager by Senator Hutchinson.

Congratulations of the Senate were extended to Arthur T. McGann by Senator Kasunic.

Congratulations of the Senate were extended to the Honorable Robert Brady, John F. Street, Jamaaladeen Tacuma, Wendy Clark, Yumy Odom and to MPrynt by Senator Kitchen.

Congratulations of the Senate were extended to Mitchell Plummer by Senator Mensch.

Congratulations of the Senate were extended to Paul Greco by Senator Rafferty.

Congratulations of the Senate were extended to Mary Lynn Spilak, Dorothy Koval and to the citizens of the Borough of McDonald by Senator Solobay.

Congratulations of the Senate were extended to Nicholas Anthony Haldis by Senators Tartaglione and Washington.

Congratulations of the Senate were extended to Clint Volle by Senator Vulakovich.

Congratulations of the Senate were extended to Robert Monko by Senator Yudichak.

Congratulations of the Senate were extended to Kathleen McCarthy Lambert by Senators Yudichak and Baker.

CONDOLENCE RESOLUTIONS

The PRESIDING OFFICER 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 Robert D. Rosner by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late William D. Davis, Sr., by Senator Yaw.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Ronald E. Wentzel, Jr., was extended to the family by Senator Argall.

BILLS ON FIRST CONSIDERATION

Senator ARGALL. 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 369, SB 1207, SB 1240, SB 1322, HB 1052, HB 1090, HB 1429, HB 1702, HB 1989, HB 2026 and HB 2204

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

WEDNESDAY, JUNE 11, 2014

9:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 918, 1036 and 1229; and House Bill No. 1317)	Room 8E-B East Wing
9:30 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund)	Hrg. Rm. 1 North Off.
10:30 A.M.	GAME AND FISHERIES (to consider Senate Bills No. 1332, 1334, 1348 and 1402; and House Bills No. 1144 and 2169)	Senate Maj. Caucus Rm.

THURSDAY, JUNE 12, 2014

10:00 A.M.	LOCAL GOVERNMENT (joint public hearing with the House Local Government Committee on Senate Bill No. 1111 and House Bill No. 1845)	Millersville University Steinman Hall
------------	---	--

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Stack.

Senator STACK. Mr. President, I rise to stand up for Pennsylvania as a State that can be a leader. Mr. President, I have said this time and again, I find it so disheartening and unbelievable that Pennsylvania is about 47 or 48, depending on what rating you look at, in job creation in America. We joke a lot in our legislative circles about James Carville and how he once said that Pennsylvania is Philadelphia and Pittsburgh with Alabama in between. But, Alabama appears to be ahead of us in many rankings and I believe even in job creation. So, we have to do a better job. We certainly have all of the resources we need in Pennsylvania to be a leader, not to be a State that is in the basement. We have such wonderful institutions of higher learning. We have great people and we have great young people. And some young people have greater challenges than others. Some kids come from urban settings where they have so many other obstacles to deal with that their chance to achieve great things is more difficult. But does that mean we should just say, well, these poor kids should not have a shot. It is unfortunate, but it is just too expensive to get them an education, it is too difficult to put them in a position to achieve things, so we just have to close schools and forget about it and we cannot afford to help them with their education. I think that is a horrible way to approach public education and I think we need to do better.

So when we go through this budget process, every year one of the biggest items we talk about is public education funding. And my view is that we should take care of what the funding should be for public education. Once we determine what it should be, we should make that a dedicated source of funding and not continually put people through emotional distress about whether they are going to have enough money for their kids to be able to go to school, or tell teachers that they are going to lose their jobs because we do not have the finances to pay. We should have dedicated funding for public education, first and foremost, make sure that happens and then go through the rest of our budget items. I keep interchanging what I am talking about which is public education and higher education, too, because we have such great institutions of higher learning. But, unfortunately, in Pennsylvania, we have put a lot of kids in a situation where they are practically bankrupt by the time they graduate from college. And also, their parents go into this kind of distress. So, we need to make sure that kids can afford higher education at our wonderful schools and we need to put them in a position to succeed and we are not doing that right now. So we have to do a better job.

But, Mr. President, if we take care of public education and we take care of higher education, and we solve these problems, I think that is investing in our greatest resource, and once again, that is our young people. If we invest in our young people, I think we will achieve in Pennsylvania. Senator Costa, our Leader, talks about jobs and job creation and job training which is so important for the new jobs that we have, for the new indus-

tries, including natural gas. So, we have to have that training ready but we have to take the raw material, which is the young person, get them educated, and then as we go forward, make sure that they are able to go to the jobs in Pennsylvania where they can drive our economy forward.

Mr. President, it was a long way to get to one of the things I want to talk about but we have discovered, once again, it seems to me I have never been in this body where we have not had a multihundred-million-dollar budget deficit, whether it has been a Republican Governor or a Democratic Governor. For the whole time I have been here, it has been, of course, a Republican Majority and we have worked in a bipartisan way on a lot of issues--sometimes we have, sometimes we have not. I do not mean you, Mr. President, we always have. But at times, we have agreed in this body and other times, we have not. But it is all solving this budget deficit and we are not doing it in any long-term way. It is year after year we have it, so we need to figure out more innovative ways to solve the deficits that we have here because the way we have been doing it has not necessarily worked.

So one of the things I always say, Mr. President, is it is my job to come up with ideas. If I want to say we are not doing it right, what is my idea that will help the problem? And I have a bill, Mr. President, and you are one of the leading cosponsors, and it is Senate Bill No. 918. I want to say to you, Mr. President, and to this body about you, that you have always been willing to move the ball forward in a bipartisan way to solve problems that affect Pennsylvanians. So, Mr. President, I salute you for the great job that you have done on the Committee on Transportation. The fact that you were able to achieve that heavy lift and move infrastructure funding forward last year was monumental. I am asking for your help in your capacity as chairman of that committee tomorrow to move my bill, Senate Bill No. 918, out of committee. You have said that you will do that, Mr. President, so I salute you. Why is that a good idea? Because the Pennsylvania court system, our judiciary, has showed us quantitative evidence that \$1.6 billion in judiciary fines and costs have not been collected and are outstanding. Something needs to be done about that. And if we would take some action to collect that deficit, we could go a long way to helping plug this budget deficit and also restore faith to the judiciary system.

So, although my bill calls for suspending anyone's driver's license who has not made a payment plan, who owes outstanding fines and costs, we think that is one way to collect a sizable amount of the revenue that has been uncollected. Let us just say, it is a moderate amount as opposed to the whole \$1.6 billion, say we collect \$400 million from doing it this way. That would be \$400 million to help plug this budget deficit that we do not have now. So, I think it is a good idea. It is a simple idea that can work, and I look forward to working with you and the rest of my Senate colleagues and House colleagues, and hopefully we can pass this commonsense legislation and get Pennsylvania moving toward being a leader in economic development, job creation, and having balanced budgets instead of being closer to Alabama.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Ferlo.

Senator FERLO. Mr. President, just to summarize some key points, first of all, I do want to draw attention, I know my colleagues, Senator Costa, Senator Dinniman, and maybe others, got

an opportunity to speak earlier today to a very large gathering of working people from across this great Commonwealth. Working people, many of whom had the fortunate benefit of being members of organized labor, specifically the building and construction trade unions. They were here throughout the Capitol today, many of them had information tables and booths, and they brought with them many of their younger workers, men and women who are part of their apprenticeship programs. And I think it is important to herald their arrival here today and give them credit for the work that they do. They are training working people, they have built this nation, historically, not only from an historical point of view but are the backbone of what is a dwindling, unfortunately, middle class. I want to take exception to the continual harangue on this floor by elected Senators, and I am not getting personal or mentioning any specific names, but I think it is a darn shame and I find it reprehensible when an elected official continues to rise, whether it be in this Chamber, the House, or any other legislative body, with this continual one-sided harangue against the livelihood, the benefits, and the quality of life of working people, and what we could best describe as the all-but-vanishing and dwindling middle class. I find that just reprehensible.

At a time when we keep--and it is almost a given at this point in our society that we say it is a dwindling middle class - the rich get richer, the poor get poorer. But never in the history of this country has this been more glaring than the reality of present-day capitalism and present-day economics in the good ole U.S. of A. I think it is terrible that we have individuals who are part of an organized, quote, vast right-wing conspiracy. The fact of the matter is there is a group called the American Legislative Exchange Council. It is a front-group for the Koch brothers and all others who basically want to decimate the middle class, even further stamping them and stomping them into the ground, even more than the ability for them to survive themselves and their families today.

When you look at the growing disparity between the richest of the rich, the 1 percent, and geez, what amounts to the rest of us, it is really just despicable. And I find it interesting that, daily, we will hear these organized rants that are part of a legislative initiative program by this ALEC organization, including this whole nonsensical issue about the collection of dues through State payrolls, as Senator Costa spoke yesterday, a simple non-costly flick of the switch in terms of deducting that amount of money. No different than what most governments do, locally or statewide, for the great United Way or other kinds of deductions that happen.

But it is a continual harangue, and the basis of this harangue, fundamentally, is to continue to attack working people and continue to defend those who are the wealthiest in our society. We look at the *Citizens United* case as a glaring example of that. Again, I just think it is time that we speak out collectively against that. Let us really review the condition of the people we really represent, and that is working people across the Commonwealth. If you want to call them middle class, fine, but the harsh reality is that middle class is fast diminishing. I think it is really a question at this time in our great society about whether or not we actually have a plutocracy, do we have a plutocracy, a government ruled by the richest people? I think there is a strong argument that suggests yes, we have a plutocracy. We have a government that is governed by the richest people. I would argue

that we could say we have an oligarchy, a country that is controlled by a small group of people. I think that is hard to argue with. I mean, is that what we are supposed to do in a democratic society - further the narrow self-interests of this plutocracy, of this oligarchy, or are we here to really represent and advance the needs of all of the people that we are representing here today?

When you look at the problem, you know, the percentage increase in salary growth of the median worker from 1979 to 2012 was 5 percent. The percentage drop in average real income for a family since 2007, 8.3 percent. The median net worth of a family in 2010 was \$77,300. In 2007, it was \$126,400. The percentage of Americans who are unemployed or underemployed is officially listed as 14 percent, despite the continued drop at the Federal level. The number of States at which poverty rates rose between 2007 and 2010, 46 States, 46 States where the poverty rate has increased. We look at the issue of work itself. The average number of hours, this is why I get so upset at these continual harangues of unions, the continual harangue and attack on working people. When we look at the facts, the average number of hours that United States workers put in annually is 1,790. What the Norwegians work, 1,420; the French, 1,479. So I am sick and tired of these characterizations of working people not lifting their full share and not carrying the workload when nothing can be further from the truth.

The fact of the matter is that corporations and capitalism in today's America has existed and continues to basically beat down working people forever and ever, with a greater amount of hours worked for less and less dollars earned. The percent increase in worker productivity from 1979 to 2012, a 75-percent increase, at the same time the real wages have been greatly reduced. Again, with the median income, middle-class income of \$51,000 would be, if wages grew at the same rate, it would now be \$77,000. Again, roughly \$20,000-plus more. The number of vacation days that U.S. workers are entitled to but do not take, in a typical year, is 175 million vacation days. That is for working people, even though they have vacation days, the fact of the matter is working people, whether union or nonunion, whether at the higher rung of the wage ladder or some of the lower rungs of the wage ladder, they work their butts off. They have increased productivity and they give up their vacation days because they have to keep working. So, again, the number of vacation days U.S. workers are entitled to but do not take in a given year, 175 million days.

How many CEOs do that? How many CEOs who have the most disgusting salary increases--now even stockholders and most boards of directors of most corporations are now attacking corporate CEOs and many boards of directors are now seeing the light about outrageous CEO corporate pay taking a greater and greater percent of the annual stockholders' benefits. There has been a continual protest movement within that corporate community as well as from major stockholders.

Let us look at the other realities of working people this day, and I am carrying on here because I am sick and tired of people attacking working people and attacking unions, in particular, including the building and construction trades council. The number of paid maternity days in Germany, 98, with 100-percent pay. The number of paid maternity days in France, 112, with 100-percent paid. How about the number of paid maternity days in the United States? Zero. Zip. Yeah, you have the benefit of taking work off, either the male or the female, whoever is going to do the immediate childrearing, and it is different, we all know of

that in reality, but the fact of the matter is you have the privilege of not working and not getting any pay. At least in other European capitalist countries, you actually get paid maternity leave. That is not the case in the good old U.S.A.

Look at the average out-of-pocket healthcare expenses per household in 2012; it was \$3,600 in 2012. In 2011, it was \$3,280. In 2005, it was a little over \$2,000. Again, we see the continual depletion of real wages and income going out for basic necessities such as healthcare, utilities, the mortgage, taxes, you name it. So, again, let us look holistically at the quality of life of all working people, middle-class workers, lower-wage workers, and certainly those who sometimes are characterized as having union benefits and are greedy. Nothing could be further from the truth, and I find it disgusting and I am sick and tired of hearing these harangues in this Chamber.

The percentage of Americans--this is one of the things to me that is most tragic--the percentage of Americans near retirement with less than \$30,000 in their retirement account is 75 percent. We always talk about retirement and the need for a three-legged stool. Hopefully, an IRA, a 401(k), and hopefully a pension, and God bless those members who have a decent union pension or public sector pension. I say God bless them, I say a prayer every day for them and for a pension benefit that they worked their butts off their whole career, 30 to 40 years working, they deserve that pension benefit. When you look at the fact that 75 percent of Americans approaching retirement have less than \$30,000 in savings, I mean, come on, we saw in 2008 that was wiped out. Now it is gaining some strength back, but really, that is abysmal in terms of what people need. They can barely survive on Social Security. They may or may not have the benefit of a pension, be it a union pension or a public sector pension, and they have very little retirement incomes in either a 401(k), an IRA, or you name it, or even their savings. Try saving money in a basic savings account, what is it, less than 1 percent? It is a laughable amount of money.

So again, the share of Americans, and I will just close with this, that the number who do not have enough money saved to pay their bills for 6 months, three-quarters. Three-quarters of average Americans do not have savings in the amount of 6-months' income needed to pay for their basic bills should, God forbid, they have an ailment or loss of job or whatever. And again, that happens so many times in the lives of working people, including trade union members. You know, people think that trade union construction workers work 365 days a year, they probably would like to work 365 days but jobs are few. They have to move around. You get a high pay at a prevailing rate, thank God, but it is not like you work and earn that prevailing wage all of the time. There are tough, lean times through the course of the year, especially in winter months.

So, again, when you think about it, three-quarters of all of Americans do not have enough money saved to support themselves and their families and pay their basic bills and obligations past the 6-month period. That is cause for alarm. Again, the percentage of income gains captured by the top 1 percent, in the first 3 years of the economic recovery, was 95 percent. The share of wealth held by the richest 400 Americans was one-half. In other words, one-half of the 400 richest Americans control all of the wealth in this country. I mean, come on, wake up and smell the coffee, folks. Let us quit attacking working people. We should be fighting to enhance the benefits of all working people, union and

nonunion. I hope every nonunion worker begins to wake up and develop some class consciousness and joins a union, because if they do not join a union, they are not going to have the ability to have collective bargaining. They are not going to be able to confront for-profit corporations in order to win back some decent wages and benefits.

So, I stand here today to say thank you to those trade union members who were here in the Capitol, but I also issue an urgent and clarion call to all working people, whether they are cleaning hotel rooms, whether they are serving McDonald's hamburgers, get a union, join a union, start sticking together as a working class, and let us pray for the dead, but let us fight like hell for the living.

Thank you, Mr. President.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Philadelphia, Senator Farnese.

Senator FARNESE. Mr. President, it is always a pleasure to see you back up there in the front of the room. As we all know, we are in our second week in June, and as we head toward the constitutional budgetary deadline, many of us, Mr. President, feel that instead of really focusing on moving ahead and finding realistic solutions to these critically important problems, we are spending time, very valuable time, looking at issues or legislative agendas that, quite frankly, do not move Pennsylvania forward and do not really address the multibillion dollar, \$1.4 billion hole that we sit here and we face as of June 10. Unfortunately, many of the bills that are being moved or suggested by this administration at this most critical time really only exacerbate our many problems and they really do nothing to alleviate the budget crisis that we are all feeling and, most importantly, what Pennsylvanians are feeling across the Commonwealth. So, instead of moving legislation that would actually be fiscally responsible and bring savings and revenue to our Commonwealth, we are sitting here again, on June 10, battling over ideology, battling over legislative policy initiatives that do nothing to move us forward and just go back to what many of us have just called a really failed leadership of this administration, almost from day one. I mean, how many times have many of us stood at this podium in June and said the same thing about this administration? At what point are they going to really lead? At what point are they going to say, we are going to put politics aside and begin to look at some of the alternatives that folks from this side of the aisle, the Senate Democrats, have been putting up, not just this year, but year after year after year of this administration.

This side of the aisle, the Senate Democrats, have come forth with sound budgetary fixes that do not cost Pennsylvanians more tax dollars and do not put our kids at risk to not getting the necessary education dollars they need. You just heard one of my colleagues speak about the fiscal crisis that we have with public education. I can tell you it is real. I hear it every single time. I was back in my district last night for some matters in speaking to some of the folks who are really leading this call for public education funding in Philadelphia and around the State, and it is real. No matter what other people might say in this Chamber, no matter how someone's business may have done over the last 3 years, the reality is that kids are worse off now than they were 4 years ago when this administration took office. That is the truth. You can argue about how we got here, or whose fault it is, or how someone's business is doing, but the point is we are here

today, June 10, 2014, and kids are in no better position than they were years ago, and it is our responsibility to fix it.

As we wait here and as we look for fixes to come, we really hope that there is a point where this administration and, hopefully our colleagues on the other side of the aisle, will come to us and instead of ignoring some of the ideas that we have had, will actually come out and sort of embrace them and sit down at the table with us and talk about these savings plans. Because in order for that to happen, Mr. President, this administration has to do what it has failed to do from day one, and that is lead and take a leadership role. One of the largest savings we could provide, as we know, is through Medicaid expansion. We have talked about this, I have talked about this for the last several months and the last couple of weeks, to the tune of \$400 million being infused back into the General Fund, being able to free up dollars elsewhere. Some of the things we could do with that freed-up money, of course, is to address the fiscal problem that public education is facing. Not only are the savings from the Medicaid expansion real, but the real effects are something that we need to continue to talk about. We are looking at over a half-million Pennsylvanians currently without healthcare. Imagine that. In a State like Pennsylvania, a half-million people are without healthcare. And the Medicaid expansion would help produce an additional \$4 billion in new Federal funds and it would go a long way to helping those folks who do not have medical insurance coverage. I mean, that is a real savings and those are real folks on the other end who are suffering.

Another program that the Senate Democrats have been talking about is the escheat reform which would generate about \$150 million by shortening the timeframe in which to reinvest in unclaimed property, as well as streamlining the sale and conversion of cash to benefit the taxpayers of Pennsylvania. Another big issue, Mr. President, is Wine & Spirits modernization. Our true modernization plan, as provided by my good friend and colleague, Senator Ferlo, would make the Commonwealth \$125 million through flexibility and efficiency in the three P's: pricing, personnel, and procurement. Through enhancement to the customer experience, we will be able to increase annual profits through our State Store system. That is an additional \$125 million. We could be talking about the modernization bill that, like I said, Senator Ferlo has put out there for several budgetary Sessions. Instead of looking down that road, we sit here and waste our time, once again, flirting with the idea of privatization when we know that is not the way to go because that is not going to produce the type of revenue that we need. In fact, it is not going to make us money; in the end, it is going to lose money for us and it is not a fiscally sound conservative plan.

Charter school funding reform in the form of ending the pension double dip for charter school pensions would save the Commonwealth \$85 million; another idea that the Senate Democrats have consistently put forth year after year, budget after budget, since this administration took place. And again, no real interest to engage us in meaningful dialogue and to help move these issues forward.

Another issue that many of my colleagues have been talking about from day one, the capital stock and franchise tax phaseout, part of the Governor's \$1 billion of corporate welfare gimmies. Now under the Senate Democrats' plan, that would be frozen at the current .67 mills, reaping an additional \$75 million for essential programs for the people of Pennsylvania. That is an addi-

tional \$75 million for essential programs to help taxpayers, especially at a time like this when they are really on their heels, and quite frankly, Mr. President, taxpayers, and the middle class have been on their heels from day one of this administration. I will never forget one of the first things that this administration did was whack 40,000 people off of adultBasic. Do not forget that. Do not ever forget that. The people who are watching, the people at home, do not forget that one of the major first programs or initiatives that this administration did was something that hurt 40,000 people in Pennsylvania. I will tell you, we have never looked back. We have never recovered from that. And that is the road that this administration has gone down each and every year, designed to make people's--I talk about this all the time, I have this theory about government, I think that government is really designed to try to help people make their lives better. When I look at the programs and the policies that this administration has put forth, even the corporate gimmies and all of the big corporate bailouts that we have been giving and the wrong decisions we made on the shale, even those decisions are coming back right now and are hurting us. And we know right now what we need to do with regard to the Marcellus Shale industry. We know exactly what we need to do now. But this administration did not have the strength and did not have the leadership to do it years ago, and instead we went down a road that we all know right now did not work, does not work, and we have to address it. Again, what I mean by that is, we have been talking about the severance tax. We have to get serious about that. We have to get serious about a Marcellus Shale severance tax bill that would get us on par with nearly every other natural gas-producing State. A minimum of 5 percent is fair. It is not overly burdensome to the industry and it would go a long way in plugging the gap on environmental and education funding in this Commonwealth.

It is amazing that we are sitting here talking about this in 2014. They got it wrong. They just got it wrong. What does it really say about the character and the leadership when you realize that you have made a mistake and you sit there and you consistently drag your feet to fix it? We need to fix that, Mr. President. We need to fix that Marcellus Shale excise tax, we need to get that in place and produce the type of dollars that are being produced from other States that have natural gas. We have somewhere around the fourth largest deposit of natural gas in the world. Not in the country, but in the world. We have that asset here. We are blessed to have that here, and we are not talking about stopping the production, we are talking about taxing it in a sensible and responsible way. No different than every other State around the country that has to deal with this does, like Alaska and Texas. We are not asking to do anything more and, quite frankly, I think the temperature in this building is ripe for that right now. I think most of us realize that the plan that was put forth by this administration simply does not work. It did not work and has created many more problems than it has benefits. So, here we are again.

I have just listed three or four ideas. They are not new ideas from our side of the aisle. They have been discussed time and time again. Leadership has stood here at the podium, rank-and-file Members like myself have stood here and discussed pieces of these policies, and yet we still look at it. It is June 10 and we are no closer. We are no closer to closing that budgetary gap, that deficit, than we were a week ago, and I wonder if we will be any closer a week from now. But I know, as I stand here, the one

thing I am certain of is that we will be here, Senate Democrats will stand ready, willing, and able to lend our support to commonsense ideas that are going to push Pennsylvania forward, that are not going to cost taxpayers any additional burden because we understand the position that they are in. And most importantly, are going to give our kids an opportunity through sound, responsible funding of public education. I mean, you cannot go anywhere in this State and not hear those three issues again. Saving the taxpayers the burden that they are on right now; lessening their burden; and putting forth programs that get Pennsylvanians opportunities and benefits without costing them more; and three, of course, funding, finding a way to fill that \$1 billion budget hole, that \$1 billion public education hole that this administration dug. You know, it is time to stop pointing fingers and saying it was another Governor's fault or it was the Fed's fault. It is the fault of this administration not to put forth programs that address it. And this one-time fix as this election year budget goes forth, I hope people around Pennsylvania notice that. I hope, and I know they are, I know that they are diligent and smart enough to understand that what you are seeing here is a one-time fix. It is a one-time fix that is not even going to begin to address the billion-dollar hole that this administration has created.

So, we are standing here on June 10 and will be here on June 20 and will be here all the way until we need to be here to get this done the right way. There is a way to get this done, sure. The votes are there on the other side to get it done. But the question is, is this administration, for the first time in 4 years, going to really show leadership? Look to the other side of the aisle, embrace the ideas that this side of the aisle has come forth, forget about who did what or whose plan it was. Just take up these opportunities, have a sensible dialogue and then we can all get this done together. I hope that that is the way this administration decides to go and I have said those words each and every year from this very spot since this administration took office. I hope this is the year, Mr. President. I hope this is the year that this administration begins to correct the mistakes it made, but then again, I can only hope.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I move that the Senate do now recess until Wednesday, June 11, 2014, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:23 p.m., Eastern Daylight Saving Time.