

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

MONDAY, OCTOBER 6, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 53

## SENATE

MONDAY, October 6, 2014

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

## PRAYER

The Chaplain, Reverend J. LOUIS FELTON, Pastor of Mt. Airy Church of God in Christ, Jenkintown, offered the following prayer:

Let us pray together.

Eternal God, our Father, the Maker, Creator, and Sustainer of us all, we humbly bow before Your throne in honor and reverence of Your supreme kingdom, authority, and rule. As we gather within the great Senate body of the great State of Pennsylvania, we recognize those whom we serve and those we represent. We are compassed about with so great a cloud of witnesses. We thank You for those whose blood, sweat, and tears have enabled us to stand in this august body this morning.

You are the God that has mercifully watched over all of the nations of the world, and we thank You for watching over the United States of America, the nation that is our home, which we love and cherish. We define America as the intersection of the real and the ideal, where in the journey of life, the intersection is the most dangerous place, for it is in the intersection that we either collide because of ignorance, prejudice, or callous disregard for the sanctity of human life, or we choose to create confluence, cooperation, assimilation through respect of each other's divinely appointed place in the world. We thank You that today we are at the intersection where people of different walks of life, beliefs, ideas, even experiences, have come together to carve out consensus that will make Pennsylvania the best State that it can be. We thank You for Pennsylvania, where the ideals of freedom were clearly articulated, where America was born as a nation, even where the momentum of the Civil War turned, virtually guaranteeing the victory of the United States of America, a place that overcame the enemies of freedom, justice, and equality.

God our Father, You know that America still has enemies from within and from without. We have enemies that attack freedom, ISIS, terrorist groups. But save us from enemies within, such as Eric Matthew Frein, who is still on the run, a cold-blooded, calculating killer of a State Trooper and critically wounding another. We pray, God, for those who are the victims of violence in our cities. We pray that our nation will rise up to live out its true creed, that we are indeed a place of liberty and

justice for all. In this critical year of 2014, we must decide about the future of our State. We ask You for wisdom, for guidance, and for understanding. We pray for Senator Leanna Washington, who has served this State well and has represented her people with honor, distinction, and integrity. Lead us forward as a great people, united with a goal of justice, of freedom, even of equality, for every person who is a citizen of this nation and our State. We pray in the name of our Lord and savior, Jesus Christ. Amen.

The PRESIDENT pro tempore. The Chair thanks Pastor Felton, who is the guest today of Senator Washington.

## PLEDGE OF ALLEGIANCE

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

## COMMUNICATIONS FROM THE GOVERNOR

### RECALL COMMUNICATION LAID ON THE TABLE

The PRESIDENT pro tempore laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

### MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

September 26, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 9, 2014, for the appointment of Frank R. Perman, 925 Saxonburg Boulevard, Pittsburgh 15223, Allegheny County, Thirty-eighth Senatorial District, as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Fluehr, Richboro, whose term expired.

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

TOM CORBETT  
Governor

The PRESIDENT pro tempore. The communication will be laid on the table.

# **RECALL COMMUNICATIONS REFERRED TO COMMITTEE**

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

## **MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS**

September 26, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2014, for the appointment of Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Pinkerton, Prospect, whose term expired.

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

**TOM CORBETT**  
Governor

## **BRIGADIER GENERAL, PENNSYLVANIA ARMY NATIONAL GUARD**

September 26, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 13, 2014, for the appointment of Colonel William J. Hersh, 9772 Thorn Bush Drive, Fairfax Station, Virginia 22039, as Brigadier General, LINE, with assignment as Army National Guard Special Assistant, Pennsylvania Army National Guard, to serve until terminated, vacant position at National Guard Bureau.

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

**TOM CORBETT**  
Governor

## **MEMBER OF THE STATE BOARD OF BARBER EXAMINERS**

September 30, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2014, for the appointment of Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wade Lipscomb, Pittsburgh, whose term expired.

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

**TOM CORBETT**  
Governor

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

October 3, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 13, 2014, for the appointment of Mark A. Holman, 9208 Belwood Court, Alexandria, Virginia 22309, as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until his successor is appointed and qualified, vice Celestino R. Pennoni, Bryn Mawr, resigned.

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

**TOM CORBETT**  
Governor

## **MEMBER OF THE STATE EMPLOYEES' RETIREMENT BOARD**

October 3, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated July 1, 2014, for the appointment of The Honorable Jane Earll, 1509 Pasadena Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, as a member of the State Employees' Retirement Board, to serve for a term of four years and until her successor is appointed and qualified, vice Oliver C. Mitchell, Jr., Sinking Spring, whose term expired.

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

**TOM CORBETT**  
Governor

## **NOMINATIONS REFERRED TO COMMITTEE**

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

## **MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS**

September 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, Robert E. Neely, 410 McElheny Road, Glenshaw 15116, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Fluehr, Richboro, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS**

September 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, Milian E. Rodriguez, 3827 J Street, Philadelphia 19124, Philadelphia County, Second Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Pinkerton, Prospect, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
WARREN STATE HOSPITAL**

September 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, Andrea M. Grolemond, 6748 Highland Road, Kane 16735, Elk County, Twenty-fifth Senatorial District, for reappointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2019, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MAGISTERIAL DISTRICT JUDGE**

September 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, James J. Merkins, Jr., Esquire, 146 E. Scenic Road, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-2-54, to serve until the first Monday of January 2016, vice The Honorable Anthony D. Scanlon, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF PSYCHOLOGY**

September 29, 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, Todd B. Narvol, (Public Member), 300 Autumn Chase Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for reappointment as a member of the State

Board of Psychology, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF  
EXAMINERS IN SPEECH-LANGUAGE  
PATHOLOGY AND AUDIOLOGY**

September 29, 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, Trudy Van Kirk Mosey, (Public Member), 784 Elm Spring Road, Pittsburgh 15243, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Examiners in Speech-Language Pathology and Audiology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF  
EXAMINERS IN SPEECH-LANGUAGE  
PATHOLOGY AND AUDIOLOGY**

September 29, 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, Karen A. Rizzo, M.D., FACS, 1316 Sylvan Road, Lancaster 17601, Lancaster County, Thirty-sixth Senatorial District, for reappointment as a member of the State Board of Examiners in Speech-Language Pathology and Audiology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 30, 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 Vavro, 221 Glen Caladh Street, Pittsburgh 15207, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wade Lipscomb, Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

## MEMBER OF THE HEALTH POLICY BOARD

September 30, 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, Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice C. Michael Blackwood, Mars, resigned.

TOM CORBETT  
Governor

## MEMBER OF THE HEALTH POLICY BOARD

September 30, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephanie Moore, 349 Orchard Road, Millerstown 17062, Juniata County, Thirty-fourth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Cecelia Dougherty, Philadelphia, resigned.

TOM CORBETT  
Governor

## MEMBER OF THE HEALTH POLICY BOARD

September 30, 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, Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until his successor is appointed and qualified, vice Anne Henry, Harrisburg, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS

October 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, Thomas G. Kukuchka, CFSP, 10 Eaton Terrace, Tunkhannock 18657, Wyoming County, Twentieth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Michael Yeosock, Plains, whose term expired.

TOM CORBETT  
Governor

## MEMBER OF THE STATE BOARD OF ACCOUNTANCY

October 2, 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, Betsy J. Joyce, CPA, MBA, MT, 1315 Summer Hill Lane, Gladwyne 19035, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Patrick Dugan, Secane, whose term expired.

TOM CORBETT  
Governor

## MEMBER OF THE STATE BOARD OF PHARMACY

October 2, 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, Kishor S. Mehta, (Public Member), 2103 Chablis Court, Gibsonia 15044, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the State Board of Pharmacy, 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 BOARD OF GOVERNORS  
OF THE STATE SYSTEM OF HIGHER EDUCATION

October 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Jane Earll, 1509 Pasadena Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2014, and until her successor is appointed and qualified, vice Celestino R. Pennoni, Bryn Mawr, resigned.

TOM CORBETT  
Governor

MEMBER OF THE STATE EMPLOYEES'  
RETIREMENT BOARD

October 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, T. Terrance Reese, 119 Treager Way, Greensburg 15601, Westmoreland County, Thirty-ninth Senatorial District, for appointment as a member of the State Employees' Retirement Board.

ment Board, to serve for a term of four years and until his successor is appointed and qualified, vice Oliver C. Mitchell, Jr., Sinking Spring, whose term expired.

TOM CORBETT  
Governor

### BILLS INTRODUCED AND REFERRED

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

#### October 1, 2014

Senators ERICKSON, VULAKOVICH, PILEGGI, RAFFERTY, COSTA and SOLOBAY presented to the Chair **SB 1491**, entitled:

An Act amending the act of August 14, 1963 (P.L.1059, No.459), referred to as the Cemetery and Funeral Merchandise Trust Fund Law, further providing for deposits into and payments from merchandise trust funds, for filing of financial reports and for penalty.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 1, 2014.

#### October 2, 2014

Senators STACK, KITCHEN, RAFFERTY, TEPLITZ, COSTA, SMITH, MENSCH, SOLOBAY, SCHWANK, YUDICHAK and FARNESE presented to the Chair **SB 1472**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in veteran-owned small businesses, further providing for participation goal; and imposing duties of Bureau of Small Business Opportunities.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 2, 2014.

Senators STACK, FONTANA, COSTA, YUDICHAK and KITCHEN presented to the Chair **SB 1473**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in educational assistance program, further providing for definitions; and, in educational gratuity program, further providing for definitions.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 2, 2014.

Senators BRUBAKER, DINNIMAN, PILEGGI, SCARNATI, STACK, TEPLITZ, VULAKOVICH, WHITE, ERICKSON, TARTAGLIONE, FONTANA, RAFFERTY, YUDICHAK, GREENLEAF, SCHWANK, SMITH, COSTA, WAGNER, VOGEL, HUTCHINSON, FOLMER, BLAKE, VANCE, SOLOBAY, McILHINNEY, KITCHEN, FERLO and HUGHES presented to the Chair **SB 1479**, entitled:

An Act establishing a task force on prostate cancer and related chronic prostate conditions; and providing for powers and duties of the task force, the Department of Health, the Insurance Department, the Department of Aging, the Department of Welfare, prevention and education strategies.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, October 2, 2014.

#### October 3, 2014

Senators EICHELBERGER, ROBBINS, ERICKSON, WOZNIAK and BLAKE presented to the Chair **SB 1487**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for definitions.

Which was committed to the Committee on LOCAL GOVERNMENT, October 3, 2014.

Senators CORMAN, VANCE, BRUBAKER, ALLOWAY, WILLIAMS, WILEY, SMITH, SCHWANK, WOZNIAK, BAKER, VULAKOVICH, SOLOBAY, RAFFERTY and BREWSTER presented to the Chair **SB 1492**, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, providing for visiting team physician.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 3, 2014.

Senators CORMAN, VANCE, BRUBAKER, BAKER, WILLIAMS, WILEY, SMITH, SCHWANK, WOZNIAK, VULAKOVICH, SOLOBAY, RAFFERTY and BREWSTER presented to the Chair **SB 1493**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, providing for visiting team physician.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, October 3, 2014.

Senators DINNIMAN, FONTANA and COSTA presented to the Chair **SB 1495**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in certification of teachers, further providing for continuing professional development and for program of continuing professional education.

Which was committed to the Committee on EDUCATION, October 3, 2014.

Senator DINNIMAN presented to the Chair **SB 1496**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in county boards of election, further providing for membership.

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

#### October 6, 2014

Senators VULAKOVICH, SMITH, ARGALL, BAKER, ERICKSON, FONTANA, HUTCHINSON, MENSCH, RAFFERTY, SOLOBAY, TARTAGLIONE, TEPLITZ and COSTA presented to the Chair **SB 1498**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in neighborhood assistance tax credit, further providing for definitions and for tax credit.

Which was committed to the Committee on FINANCE, October 6, 2014.

### RESOLUTION INTRODUCED AND REFERRED

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

October 3, 2014

Senators CORMAN, WHITE, ERICKSON and SCARNATI presented to the Chair **SR 458**, entitled:

A Resolution directing the Legislative Budget and Finance Committee, in collaboration with other State departments and agencies, to study consumer access to and the regulatory structure of short-term consumer credit.

Which was committed to the Committee on BANKING AND INSURANCE, October 3, 2014.

### HOUSE MESSAGE

#### HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

September 30, 2014

**HB 1565** -- Committee on Environmental Resources and Energy.

**HB 1736** -- Committee on Transportation.

**HB 2076** -- Committee on Education.

**HB 2134 and 2385** -- Committee on Judiciary.

**HB 2377** -- Committee on Veterans Affairs and Emergency Preparedness.

**HB 2420** -- Committee on Appropriations.

### GENERAL COMMUNICATIONS

#### 2015-16 BUDGET REQUEST OF THE OFFICE OF CONSUMER ADVOCATE

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

COMMONWEALTH OF PENNSYLVANIA  
Office of Consumer Advocate  
555 Walnut Street, 5th Floor, Forum Place  
Harrisburg, Pennsylvania 17101-1923

October 2, 2014

Hon. Thomas W. Corbett, Jr.  
Governor of Pennsylvania  
Commonwealth of Pennsylvania  
Room 225, Main Capitol Bldg.  
Harrisburg, PA 17120

Hon. Joseph B. Scarnati, III  
President Pro Tempore  
Senate of Pennsylvania  
Room 292, Main Capitol Bldg.  
Harrisburg, PA 17120

Hon. Samuel H. Smith  
Speaker  
House of Representatives  
Room 139, Main Capitol Bldg.  
Harrisburg, PA 17120

Gentlemen:

Enclosed with this letter is the Budget Request of the Office of Consumer Advocate (OCA) for Fiscal Year 2015-2016.

The present budget request is submitted pursuant to Act No. 25 of July 20, 1983. *The OCA budget is not derived from the General Fund*, but is funded through a direct assessment on the companies that are under the jurisdiction of the Pennsylvania Public Utility Commission (PUC).

Please contact me if you have any questions about the OCA's budget request or about the Office of Consumer Advocate.

Sincerely,

TANYA J. McCLOSKEY  
Acting Consumer Advocate

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

#### DEPARTMENT OF GENERAL SERVICES FISCAL YEAR 2013-14 ACT 77 REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of General Services  
613 North Street  
508 Finance Building  
Harrisburg, PA 17120

Good Afternoon,

The Department of General Services is pleased to provide you with a copy of the Act 77 Report for Fiscal Year 2013-2014.

Act 77 requires the Department of General Services to report annually to the General Assembly concerning the award of contracts to small and disadvantaged businesses (now known as small diverse businesses) during the preceding fiscal year. The report includes a list of all small diverse businesses that participated as contractors, subcontractors or suppliers during the preceding fiscal year for contracts if the number of contractors under a previously existing contract for the same supply or service is reduced to a single contractor or reduced by more than 50% of the number existing on September 30, 2003.

Please distribute this report to your respective caucuses as you see fit, no printed copies are available. If you have any questions, please feel free to contact me.

Thank you,

CHARLIE O'NEILL  
Legislative Liaison

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

#### DEPARTMENT OF GENERAL SERVICES BUREAU OF SMALL BUSINESS OPPORTUNITIES 2013-14 ANNUAL REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of General Services  
613 North Street  
508 Finance Building  
Harrisburg, PA 17120

Good Afternoon,

Attached find the Department of General Services' Bureau of Small Business Opportunities Annual Report for fiscal year 2013-2014. We would appreciate your assistance in distributing this report within your caucus, as we are only providing the report in electronic format. This report will also be available on the DGS website, [www.dgs.state.pa.us](http://www.dgs.state.pa.us).

Should you have questions or require clarification, please contact DeShawn Lewis, Director of the Bureau of Small Business Opportunities, at [delewis@pa.gov](mailto:delewis@pa.gov) or me.

Thank you,

CHARLIE O'NEILL  
Legislative Liaison

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

### APPOINTMENT BY THE PRESIDENT PRO TEMPORE

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

Ms. Nancy Becker as a member of the Electronic Recording Commission.

### BILLS REPORTED FROM COMMITTEE

Senator VANCE, from the Committee on Public Health and Welfare, reported the following bills:

#### HB 435 (Pr. No. 4225) (Amended)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for persons required to report suspected child abuse, for reporting procedure, for confidentiality of reports, for release of information in confidential reports, for information relating to prospective child-care personnel, for information relating to family day-care home residents and for information relating to other persons having contact with children; providing for continued employment or participation in program, activity or service and for certification compliance; making a conforming amendment to Title 42; providing for a study on employment bans for those having contact with children; and making editorial changes.

#### HB 477 (Pr. No. 1126)

An Act providing for the Early Childhood Vision Care Education Program and for powers and duties of the Department of Health.

#### HB 1567 (Pr. No. 3126)

An Act requiring health care facilities to disseminate information relating to pertussis education; and imposing a duty on the Department of Health.

#### HB 1655 (Pr. No. 4226) (Amended)

An Act establishing the Patient-Centered Medical Home Advisory Council; providing powers and duties of the council, the Department of

Human Services; and providing for development of a plan to implement a Statewide medical home model.

#### HB 1907 (Pr. No. 3334)

An Act requiring a hospital to provide notice to a patient of the patient's outpatient status, and the impact of the outpatient status on insurance coverage.

### LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator McIlhinney, and a legislative leave for Senator Greenleaf.

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

Senator FERLO. Mr. President, I request a temporary Capitol leave for Senator Yudichak, and a legislative leave for Senator Hughes.

The PRESIDENT pro tempore. Senator Pileggi requests a temporary Capitol leave for Senator McIlhinney, and a legislative leave for Senator Greenleaf.

Senator Ferlo requests a temporary Capitol leave for Senator Yudichak, and a legislative leave for Senator Hughes.

Without objection, the leaves will be granted.

### LEAVE OF ABSENCE

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

### SENATE CONCURRENT RESOLUTION

#### WEEKLY RECESS

Senator PILEGGI offered the following resolution, which was read as follows:

In the Senate, October 6, 2014

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Tuesday, October 14, 2014, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Tuesday, October 14, 2014, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

#### YEA-49

|          |           |          |            |
|----------|-----------|----------|------------|
| Alloway  | Farnese   | Rafferty | Vulakovich |
| Argall   | Ferlo     | Robbins  | Wagner     |
| Baker    | Folmer    | Scarnati | Ward       |
| Blake    | Fontana   | Schwank  | Washington |
| Boscola  | Gordner   | Smith    | White      |
| Brewster | Greenleaf | Smucker  | Wiley      |

|              |            |             |          |
|--------------|------------|-------------|----------|
| Browne       | Hughes     | Solobay     | Williams |
| Brubaker     | Hutchinson | Stack       | Wozniak  |
| Corman       | Kasunic    | Tartaglione | Yaw      |
| Costa        | Kitchen    | Teplitz     | Yudichak |
| Dinniman     | Leach      | Tomlinson   |          |
| Eichelberger | McIlhinney | Vance       |          |
| Erickson     | Pileggi    | Vogel       |          |

NAY-0

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

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

### GUESTS OF SENATOR EDWIN B. ERICKSON PRESENTED TO THE SENATE

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

Senator ERICKSON. Mr. President, I have the great pleasure and honor today to recognize a woman who has served me well since I have been here in the State Senate. She is Janet S. Haines. Janet is here today with her family, and let me introduce them and then I will say some other things factually about her, and then on a personal level. She has with her today her husband, John. She has been married to John since 1973. She has her children, Dr. John Haines, who is married to Sara, who is also here today; Jaclyn Petroff, who is a fourth-grade teacher and a young lady who worked in my office one summer, to our benefit, I might add. Jaclyn is married to Jason, who is with her today. Jacob Haines is a pharmacy school student and the third child of John and Janet. There are four granddaughters, and as you look over here, you see four beautiful granddaughters, I might add, and spirited granddaughters, as we have seen here today in the State Senate. The four granddaughters are Makayla and Cameron, John's children; Isabella and Sophia, Jaci's kids.

Let me read part of the congratulatory resolution. (*Reading:*)

Whereas, the Senate of Pennsylvania is always pleased to recognize those individuals who, through their laudable tenure of service, contribute in a meaningful way toward the well-being of their communities and this Commonwealth; and

Whereas, Janet S. Haines is being honored upon her retirement following more than thirty-five years of dedicated service to the Senate of Pennsylvania.

Janet graduated from Millersburg Area High School, and, I might add, she was second in her class. How about that? That shows, by the way, ladies and gentlemen, the work product that she has within the office. She has worked in the past for Senators Edward Howard, Robert Rovner, Robert Jubelirer, J. Doyle Corman, Joe Loeper, and then, of course, for me.

I said I would say a couple of personal things about Janet. All of us in this room, when we get here, understand that we need some guidance. We do not know where anything is located. We do not know who the people are. I will tell you what, Janet really, in due course, let me know where I needed to be, how I needed to be there, not just directions, but also the quickest way to get there, and she knows the personalities. I can tell all of you that is one heck of an asset. Janet has been a very loyal employee to the Commonwealth of Pennsylvania and, of course, in our office. We have a small staff in my office, and now that staff is

supplemented by her sister, Nan, who is also with us here today. This is Janet's younger sister and, by golly, they get along together as well.

So, it is a bittersweet time for me to say goodbye publicly to Janet, but I, too, am leaving at the end of November. After she said that she was leaving, well, she left me no choice, I had to leave. So, Mr. President, I ask you to recognize Janet. She has been an extremely loyal employee, a very valued employee, and someone whom I will miss. She is here today, if she would please stand.

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

(Applause.)

### SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators WASHINGTON, KITCHEN, TEPLITZ, ERICKSON, WOZNIAK, DINNIMAN, STACK, EICHELBERGER, ARGALL, SCHWANK, FERLO, KASUNIC, RAFFERTY, SMITH, COSTA, FONTANA, PILEGGI, WHITE, TARTAGLIONE, VULAKOVICH, SOLOBAY and HUGHES, by unanimous consent, offered **Senate Resolution No. 459**, entitled:

A Resolution designating the month of September 2014 as "Brain Aneurysm Awareness Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator WASHINGTON. Mr. President, I rise today with a special guest to introduce a resolution designating September 2014 as "Brain Aneurysm Awareness Month" in Pennsylvania. Brain aneurysms affect 1 out of every 50 people in the United States, often without warning. In the United States, more than 30,000 people annually suffer from a ruptured brain aneurysm, and approximately 40 percent die as a result of it. They are most likely to occur to people between the ages of 35 and 60, impacting women and young middle-aged African Americans the most. Risk factors for aneurysms include family history, smoking, and hypertension. Mr. President, there have been a number of advancements in the study of aneurysms, but early detection is still one of the best defenses against them. The Philadelphia Chapter of the Brain Aneurysm Foundation spearheaded an inaugural Brain Aneurysm Awareness Run/Walk which was held in Philadelphia on September 14. The effort honored the Brain Aneurysm Foundation's 20th anniversary and longstanding relationship with Jefferson Hospital for Neuroscience.

### GUESTS OF SENATOR LEANNA WASHINGTON PRESENTED TO THE SENATE

Senator WASHINGTON. Mr. President, while the resolution marks September as the month, I wanted to wait until today to introduce the resolution to recognize the leadership and advocacy of Mrs. Theresa Robinson, who is a friend of mine, who is a survivor of a brain aneurysm, and she is here with her daughter,



Crystal. She is truly an inspiring woman who did not let her health tragically stop her from lending her voice to a great cause. I am honored to share a special message on behalf of Mrs. Robinson. She says, *(Reading:)*

Hello, I am a brain aneurysm survivor and it is my pleasure to extend a gracious thank you to all of you for the opportunity to stand here on behalf of all of my fellow brain aneurysm survivors and regretfully for all those who have lost loved ones to this silent killer. I appreciate the Senate designating September 2014 as Brain Aneurysm Awareness Month in Pennsylvania. My hope and prayer is that you will continue to help us in our campaign to bring more awareness, research, and support. Again, thank you and may God bless all of you.

Terry, you said it better than I could. I urge a unanimous vote on this resolution. Thank you.

And the question recurring,  
Will the Senate adopt the resolution?

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

### **GUESTS OF SENATOR LEANNA WASHINGTON PRESENTED TO THE SENATE**

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

Senator WASHINGTON. Mr. President, I rise today to welcome someone very special, Pastor Dr. J. Louis Felton, servant, leader, and senior pastor of the Mount Airy Church of God in Christ in Philadelphia, who is the Senate's guest Chaplain today. With him is his wife, first lady Priscilla Felton. For many years, I have been honored to call Mount Airy Church of God in Christ my home church, and I am so grateful to have Dr. Felton's guidance, selfless service, and leadership at our church. He has truly helped make Mount Airy a vibrant and welcoming community. I urge my Senate colleagues to give him a warm welcome.

Thank you, Mr. President.

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

### **GUEST OF SENATOR DAYLIN LEACH PRESENTED TO THE SENATE**

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

Senator LEACH. Mr. President, today we have an intern from my district office, who has the profound pleasure and sublime good fortune to work in my office. He is Sam Badkerhanian, a good Armenian name, and he is here in the gallery today. Sam, can you stand? There he is.

Thank you, Mr. President.

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

### **GUEST OF SENATOR SEAN D. WILEY PRESENTED TO THE SENATE**

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Erie, Senator Wiley.

Senator WILEY. Mr. President, today I would like to welcome an incredibly bright and certainly engaging young man to the Senate. Luke Frigon spent the summer months interning in my district office in Erie. A recent graduate of my alma mater, Fairview High School in Erie County, Luke is now enrolled in Gettysburg College, from where he is visiting us today. I cannot say enough good things about Luke. He took on a number of special projects in my office and completed them without hesitation. Luke's list of accomplishments is one that would impress anyone. During his high school years, he participated in a number of school-sponsored events including student council, the green team, and Model UN. He served as student council liaison to the Fairview School Board. In addition, Luke is an avid follower of the history that has shaped this nation. Luke is a Civil War reenactor and living historian as a member of the 63rd Regiment of the Pennsylvania Civil War Volunteers. He is also a member of the National Geographic Society and a Gettysburg Military Park Junior Ranger.

Luke also brings a wealth of culture and excitement to what sometimes could be a busy, very serious, and stressful working environment. For example, Luke, known for his exceptional bowtie collection, brought Bowtie Tuesday to the halls of my district office. Mr. President, I have been blessed with an incredible group of interns since I took office, and Luke is absolutely no exception. As he works his way through his college years and into a career, I have absolutely no doubt that Luke will be able to accomplish whatever he seeks to do in life. I am proud to have worked with him and look forward to having him back in my office in the near future. Mr. President, I ask that my colleagues help me to welcome Luke Frigon to the Pennsylvania Senate.

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

(Applause.)

### **SPECIAL ORDER OF BUSINESS ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Permission has been granted for the Committee on Consumer Protection and Professional Licensure to meet today off the floor in the Rules room to consider Senate Bill No. 1491, House Bill No. 939, House Bill No. 1096, and House Bill No. 1822.

### **RECESS**

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of the following meetings to be held in the Rules room in the following order: the Committee on Rules and Executive Nominations, to be followed by the Committee on Appropriations, to be followed by the Committee on Banking and Insurance, to be followed by the Committee on Environmental Resources and Energy, to be followed by the Committee on Consumer Protection and Professional Licensure. After the conclusion of these meetings, there will be a Republican caucus to be held in the Majority Caucus Room.

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

Senator COSTA. Mr. President, at the conclusion of the five committee meetings, Senate Democrats will meet in the rear of the Chamber for caucus as well.

The PRESIDENT pro tempore. For purposes of meetings of the Committee on Rules and Executive Nominations, the Committee on Appropriations, the Committee on Banking and Insurance, the Committee on Environmental Resources and Energy, the Consumer Protection and Professional Licensure, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

### AFTER RECESS

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

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

### LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Greenleaf, Senator Hughes, Senator Yudichak, and Senator McIlhinney have returned, and their respective leaves are cancelled.

### LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request legislative leaves for Senator White and Senator Brubaker.

The PRESIDENT. Senator Pileggi requests legislative leaves for Senator White and Senator Brubaker. Without objection, the leaves will be granted.

### LEAVE OF ABSENCE

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

### CALENDAR

#### THIRD CONSIDERATION CALENDAR

#### BILLS AMENDED

**HB 80 (Pr. No. 3831)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of criminal trespass; defining the offense of theft of secondary metal; and prescribing penalties.

On the question,

Will the Senate agree to the bill on third consideration?

Senator GREENLEAF offered the following amendment No. A9817:

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

Section 1. Section 3503(b.1) and (d) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Bill, page 2, by inserting between lines 12 and 13:

(d) [Definition.--As used in this section, the term "school grounds" means any] Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"School grounds." Any building of or grounds of any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education, any elementary or secondary parochial school, any certified day-care center or any licensed preschool program.

"Secondary metal." As defined in section 3935 (relating to theft of secondary metal).

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**HB 90 (Pr. No. 4175)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, providing for administrative subpoena; and further providing for civil action.

On the question,

Will the Senate agree to the bill on third consideration?

Senator COSTA offered the following amendment No. A9965:

Amend Bill, page 3, line 1, by striking out "summons" and inserting:

subpoena

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

subpoenaed

Amend Bill, page 3, line 5, by striking out "summons" and inserting:

subpoena

Amend Bill, page 3, line 24, by striking out "summons" and inserting:

subpoena

Amend Bill, page 4, line 9, by striking out "summons" and inserting:

subpoena

Amend Bill, page 4, line 18, by striking out "him" and inserting:  
the person

Amend Bill, page 5, line 1, by inserting after "attorney" where it occurs the second time:

or their desience

Amend Bill, page 5, line 6, by striking out "carried on" and inserting:

being conducted

Amend Bill, page 5, line 11, by inserting after "attorney":

or their desience

Amend Bill, page 5, line 22, by inserting after "for":  
the

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 359 (Pr. No. 2967)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for registration of charitable organizations, financial reports, fees and failure to file.

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-48**

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

**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.

**BILL AMENDED**

**HB 1135 (Pr. No. 4171)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge that carries State Route 153 over the Bennett Branch in Huston Township, Clearfield County, as the Huston Township Veterans Memorial Bridge; designating U.S. Route 219 in Johnsonburg Borough, Elk County, from the intersection of State Route 1009, Center Street, starting at roadway segment 0502 offset 0000 to the intersection of State Route 1009, Center Street, ending at roadway segment 0522 offset 1159, as the Veterans of Johnsonburg Bypass; designating a portion of Pennsylvania Route 1001 between Rhawn Street, 0100/0000 and Kendrick Street, 0100/2784 in the City of Philadelphia, Philadelphia County, as the Firefighter Daniel Sweeney Memorial Highway; designating a portion of Pennsylvania Route 611 between Maple Avenue and Meetinghouse Road, in Montgomery County, as the Lieutenant Joseph C. Park II Memorial Highway; designating a portion of State Route 272 in Lancaster County, south of State Route 372 and before Osceola Road, as the Staff Sergeant Keith A. Bennett Memorial Highway; and designating a portion of U.S. Route 1, City Avenue in Philadelphia and Montgomery Counties from its intersection with Presidential Boulevard to its intersection with Monument Road as Ed Bradley Way.

On the question,  
Will the Senate agree to the bill on third consideration?

**BOSCOLA AMENDMENT A9760**

Senator BOSCOLA offered the following amendment No. A9760:

Amend Bill, page 1, line 18, by striking out "AND"

Amend Bill, page 1, line 21, by inserting after "WAY":  
; and providing for the redesignation of the Easton-Phillipsburg Toll Bridge operated by the Delaware River Joint Toll Bridge Commission as the Sergeant William John Cahir Memorial Bridge

Amend Bill, page 5, by inserting after line 30:  
Section 7. Sergeant William John Cahir Memorial Bridge.

(a) Findings.--The General Assembly finds and declares that:

(1) William John Cahir, a graduate of The Pennsylvania State University, worked as a newspaper correspondent for the Express-Times, providing news coverage to Warren and Hunterdon Counties in New Jersey and Lehigh and Northampton Counties in Pennsylvania, and for Newhouse News Service, during which time his work regularly appeared in numerous New Jersey-based newspapers; and

(2) Throughout his life, William Cahir was committed to public service, working for United States Senator Edward Kennedy and United States Senator Harris Wofford, and running for the Congress of the United States in Pennsylvania's 5th Congressional District in 2008; and

(3) After the terrorist attacks against the United States on September 11, 2001, William Cahir enlisted in the United States Marine Corps Reserve at the age of 34, where he went to great lengths to obtain an age waiver and eventually rose to the rank of sergeant; and

(4) Sergeant Cahir was assigned to the 4th Civil Affairs Group, Marine Forces Reserve based in Washington, D.C., completed two tours in Iraq and, in 2009, was deployed for a tour in Afghanistan to support Operation Enduring Freedom; and

(5) On August 13, 2009, while completing his third tour, Sergeant Cahir was tragically shot and killed by enemy fire while on a dismounted patrol during Eastern Resolve II, a predawn offensive operation in Helmand Province, Afghanistan, that was intended to cut Taliban trade and supply lines in order to allow local residents to vote in the Afghan presidential election; and

(6) For his heroism, Sergeant Cahir received the Bronze Star, the Purple Heart and other decorations; and

(7) Sergeant Cahir is survived by his wife, Rene, who at the time of his death was pregnant with their twin daughters, Caroline and Elizabeth; and

(8) The Easton-Phillipsburg Toll Bridge, operated by the Delaware River Joint Toll Bridge Commission, connects the counties in New Jersey and Pennsylvania that were served by the newspaper for which Sergeant Cahir reported; and

(9) It is altogether fitting and proper for the Commonwealth of Pennsylvania to honor the life and sacrifice of Sergeant William John Cahir by designating the U.S. Route 22 bridge over the Delaware River between Easton, Pennsylvania, and Phillipsburg, New Jersey, known as the Easton-Phillipsburg Toll Bridge, as the "Sergeant William John Cahir Memorial Bridge."

(b) Redesignation.--The Executive Director of the Delaware River Joint Toll Bridge Commission shall designate the U.S. Route 22 bridge crossing the Delaware River between Easton, Pennsylvania, and Phillipsburg, New Jersey, known as the Easton-Phillipsburg Toll Bridge, as the "Sergeant William John Cahir Memorial Bridge" and erect appropriate signs bearing this name.

(c) Prohibition.--No State or other public funds shall be used for producing, purchasing or erecting signs bearing the designation established pursuant to subsection (b).

Section 8. The Secretary of the Commonwealth shall publish a notice in the Pennsylvania Bulletin when the General Assembly of the State of New Jersey enacts a law designating the bridge described in section 7 as the "Sergeant William John Cahir Memorial Bridge."

Amend Bill, page 6, line 1, by striking out "7" and inserting:

Amend Bill, page 6, by inserting between lines 4 and 5:

(2) Section 7 shall take effect upon the publication of the notice authorized in section 8.

Amend Bill, page 6, line 5, by striking out "(2)" and inserting:  
(3)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

#### RAFFERTY AMENDMENT A10081

Senator RAFFERTY offered the following amendment No. A10081:

Amend Bill, page 1, line 17, by inserting after "BENNETT":  
Memorial

Amend Bill, page 1, line 18, by striking out "AND"

Amend Bill, page 1, line 21, by striking out the period after "WAY" and inserting:

; designating a portion of PA Route 191 in Washington Township, Northampton County, as the "World War II Homefront Heroes Highway"; renaming the Hokendauqua Bridge in Lehigh County as the Lieutenant Colonel Thomas J. Lynch Memorial Bridge; and renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge.

Amend Bill, page 4, line 15, by inserting after "BENNETT":  
Memorial

Amend Bill, page 4, line 25, by inserting after "BENNETT":  
Memorial

Amend Bill, page 5, by inserting after line 30:

Section 7. World War II Homefront Heroes Highway.

(a) Findings.--The General Assembly finds and declares as follows:

(1) The dedication of the American people during World War II was crucial in supplying and aiding both American and Allied forces engaged in battle on two global theaters.

(2) The American citizens at home sacrificed by rationing materials, recycling goods, purchasing War Bonds, and tirelessly working longer hours in factories, mines, mills, farms and many other industries to keep the war effort moving forward.

(3) With many young men serving in the armed forces, American women were quick to step up and take jobs in industries that were considered reserved for men only, and subsequently made "Rosie the Riveter" a popular, and now classic, American icon.

(4) Civilian support for the armed forces and defense of the nation spurred the establishment of numerous groups and organizations such as the Civil Air Patrol, Coast Guard Auxiliary and United Service Organizations (USO), which exist to this day.

(5) Through their steadfast dedication and support, United States citizens at home were able to keep American and Allied forces supplied with materials and morale, which was instrumental in achieving victory and ending one of the deadliest wars in the history of human existence.

(b) Designation.--That portion of PA Route 191 in Washington Township, Northampton County, from the Bangor Borough line to the Plainfield Township line is hereby designated as the "World War II Homefront Heroes Highway."

(c) Signs.--The Department of Transportation shall erect and maintain signs to traffic in both directions to indicate the designation under subsection (b).

Section 8. Lieutenant Colonel Thomas J. Lynch Memorial Bridge.

(a) Findings.--The General Assembly finds and declares that:

(1) Lieutenant Colonel (Lt. Col.) Thomas J. Lynch was born in Catasauqua, Pennsylvania, on December 9, 1916.

(2) Lt. Col. Thomas J. Lynch served our country in the United States Army Air Corps during World War II.

(3) Lt. Col. Thomas J. Lynch shot down 20 Japanese planes during his service over the Pacific Ocean and was one of the top three fighter aces in World War II before he was shot down while attacking a number of enemy barges transporting weapons.

(4) Lt. Col. Thomas J. Lynch will hereby be remembered for his high level of skill as a fighter pilot and his devotion to defending our country.

(b) Change of name.--The bridge in Lehigh County, known as the Hokendauqua Bridge, is hereby renamed the Lieutenant Colonel Thomas J. Lynch Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the bridge to traffic in both directions on the bridge.

Section 9. Ensign USN Connie Rita Esposito Memorial Bridge.

(a) Findings.--The General Assembly finds and declares that:

(1) United States Navy Nurse Corps (NNC) Ensign (ENS) Constance Rita Esposito was born in Brockway, Pennsylvania, on September 7, 1923.

(2) USN NNC ENS Constance Rita Esposito served our country in the United States Navy during the Korean War Era.

(3) On September 19, 1950, USN NNC ENS Constance Rita Esposito was killed when the military transport plane she was on crashed into the Pacific Ocean while enroute to the United States Naval Hospital in Yokosuka, Japan. The aircraft crashed and exploded shortly after taking off from Kwajalein Island. All 26 naval personnel on board lost their lives in the crash.

(4) USN NNC ENS Constance Rita Esposito will hereby be remembered for her strength and courage in serving others and defending America's freedoms.

(b) Change of name.--The bridge in Brockway Borough, Jefferson County, known as the Main Street Bridge, is hereby renamed the Ensign USN Connie Rita Esposito Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the changed name of the bridge to traffic in both directions on the bridge.

Amend Bill, page 6, line 1, by striking out "7" and inserting:

10

On the question,

Will the Senate agree to the amendment?

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

Senator RAFFERTY. Mr. President, this is an omnibus amendment I worked on with Senator Smith, and I believe it is agreed to. Thank you.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

And the question recurring,

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

#### KASUNIC AMENDMENT A9820

Senator KASUNIC offered the following amendment No. A9820:

Amend Bill, page 1, line 18, by striking out "AND"

Amend Bill, page 1, line 21, by striking out the period after "WAY" and inserting:

; and designating a bridge carrying State Route 1008 known as Pompey Hill Road, over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, as the Private John W. Mostoller Bridge.

Amend Bill, page 5, by inserting after line 30:  
Section 7. Private John W. Mostoller Memorial Bridge.

(a) Declaration of policy.--The General Assembly finds and declares as follows:

(1) Private John W. Mostoller was a native of the village of Mostoller, Somerset County, and following graduation from high school, enlisted in the Union Army.

(2) Private Mostoller served in the Union Army from 1861 to 1864, by reason of muster out of company while holding the grade of private, in Company B, Fifty-fourth Regiment of Pennsylvania Infantry Volunteers.

(3) Private Mostoller received a medal of honor on November 27, 1894, for most distinguished gallantry at the battle of Lynchburg, Virginia.

(4) When the officers of his company were absent or disabled, Private Mostoller voluntarily led a charge upon a Confederate battery.

(5) His name was entered and recorded on the Army and Navy Medal of Honor Roll on June 10, 1916.

(6) Private Mostoller was a guest of the War Department at the entombment of the Unknown Soldier in Arlington National Cemetery, when he participated along with a number of other veterans of the Civil War from other states.

(7) The Congressional Medal of Honor awarded to Private Mostoller during the Civil War was presented to Somerset County and is displayed inside the Union Street entrance to the Somerset County Courthouse. It is the only Congressional Medal of Honor won by a Somerset County soldier in the Civil War.

(8) Private Mostoller, beloved son of Joseph and Sarah (Mowry) Mostoller courageously served his country and has been extolled by many for his bravery and service.

(b) Designation.--State Route 1008, known as Pompey Hill Road over the Stonycreek River in Quemahoning and Stonycreek Townships, Somerset County, is hereby designated as the Private John W. Mostoller Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs to indicate the designation under subsection (b).

Amend Bill, page 6, line 1, by striking out "7" and inserting:

8

On the question,

Will the Senate agree to the amendment?

It was agreed to.

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Hughes has returned, and his personal leave is cancelled.

And the question recurring,

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

#### WOZNIAK AMENDMENT A10116

Senator WOZNIAK offered the following amendment No. A10116:

Amend Bill, page 1, line 18, by striking out "AND"

Amend Bill, page 1, line 21, by striking out the period after "WAY" and inserting:

; and designating a bridge on that portion of State Route 271 over the South Branch Blacklick Creek, Nanty Glo Borough, Cambria County, as the Platoon Sergeant Alfred McCullough Memorial Bridge.

Amend Bill, page 5, by inserting after line 30:

Section 7. Platoon Sergeant Alfred McCullough Memorial Bridge.

(a) Findings.--The General Assembly finds and declares that:

(1) Platoon Sergeant Alfred McCullough was born in Nanty Glo, Pennsylvania, on April 2, 1935, and graduated from Nanty Glo High School, now Blacklick Valley High School, in 1954.

(2) Sergeant McCullough served our country in the United States Army and was killed in action in Vietnam on June 6, 1968.

(3) Sergeant McCullough received the Silver Star posthumously for his actions on May 13, 1968, as Acting Platoon Leader during a reconnaissance mission in which his squadron came under automatic weapon and antitank rocket fire from a heavily fortified enemy position. Sergeant McCullough moved his platoon into an assault position and launched an effective counterstrike, overrunning the enemy's positions and leading an assault on the remaining enemy rocket fire teams in the area. Though wounded during the battle, Sergeant McCullough destroyed six one-man defensive positions using fragmentation grenades.

(4) Sergeant McCullough will hereby be remembered for his leadership and bravery in battle and his service to our country.

(b) Designation.--The bridge located on State Route 271 in Nanty Glo Borough, Cambria County, over the South Branch Blacklick Creek is hereby designated the Platoon Sergeant Alfred McCullough Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs displaying the name of the bridge to traffic in both directions on the bridge.

Amend Bill, page 6, line 1, by striking out "7" and inserting:

8

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

#### BILL OVER IN ORDER

**HB 1163** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

**SB 1367 (Pr. No. 2049)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sentence of community 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-49

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

#### 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.

**SB 1490 (Pr. No. 2309)** -- The Senate proceeded to consideration of the bill, entitled:

An Act renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge.

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-49

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

#### 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.

**HB 1590 (Pr. No. 4150)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, further providing for basic and continuing education programs for tax collectors; providing for criminal history record information; and further providing for notice of taxes and for deputy tax collectors.

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-40

|         |              |          |            |
|---------|--------------|----------|------------|
| Alloway | Eichelberger | Pileggi  | Vance      |
| Argall  | Erickson     | Rafferty | Vogel      |
| Blake   | Farnese      | Robbins  | Vulakovich |

|          |            |             |            |
|----------|------------|-------------|------------|
| Boscola  | Folmer     | Scarnati    | Wagner     |
| Brewster | Gordner    | Schwank     | Ward       |
| Browne   | Greenleaf  | Smucker     | Washington |
| Brubaker | Hutchinson | Stack       | White      |
| Corman   | Kitchen    | Tartaglione | Williams   |
| Costa    | Leach      | Teplitz     | Yaw        |
| Dinniman | McIlhinney | Tomlinson   | Yudichak   |

#### NAY-9

|         |         |         |         |
|---------|---------|---------|---------|
| Baker   | Hughes  | Smith   | Wiley   |
| Ferlo   | Kasunic | Solobay | Wozniak |
| Fontana |         |         |         |

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 AMENDED

**HB 1672 (Pr. No. 2428)** -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,  
Will the Senate agree to the bill on third consideration?  
Senator SMITH offered the following amendment No. A9708:

Amend Bill, page 3, line 9, by striking out the period after "technologies" and inserting:

, which new technology, product or process conforms to the high-performance building standards adopted by the Department of General Services under section 307(c) of the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act.

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

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

#### BILLS OVER IN ORDER

**HB 1702, HB 1714, HB 1796, HB 2092, HB 2310, HB 2340 and HB 2353** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 7, SB 76, HB 162, HB 207, HB 573, HB 618, SB 898, HB 1013, HB 1159 and SB 1268** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### BILL AMENDED

**HB 1357 (Pr. No. 2423)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for impersonating a public servant and for visual and audible signals on emergency vehicles.

On the question,  
Will the Senate agree to the bill on second consideration?

#### GREENLEAF AMENDMENT A9861

Senator GREENLEAF offered the following amendment No. A9861:

Amend Bill, page 3, by inserting between lines 12 and 13:

(16) A constable or deputy constable.

Amend Bill, page 3, line 21, by inserting after "remove":

all externally mounted emergency lights

Amend Bill, page 3, line 21, by striking out "such" and inserting:

all other nonremovable emergency

Amend Bill, page 4, by inserting between lines 20 and 21:

(iii) The sale or use of a police, fire or other emergency vehicle by a representative of a manufacturer of aftermarket emergency vehicle equipment or an unfitter whose primary income is derived from the sale, service or installation of emergency vehicle equipment when the vehicle is driven or transported without operation of visual or audible warning systems for the purpose of sale, service, demonstration or exhibition. The vehicle shall be clearly marked as a demonstration vehicle.

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

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

#### RAFFERTY AMENDMENT A9946

Senator RAFFERTY offered the following amendment No. A9946:

Amend Bill, page 1, line 2, by inserting after "Statutes,":  
in falsification and intimidation,

Amend Bill, page 1, line 3, by striking out "and" where it occurs the first time and inserting:

; in general provisions, providing for the definition of "ignition interlock limited license"; in licensing of drivers, further providing for occupational limited license and providing for ignition interlock limited license; in driving after imbibing alcohol or utilizing drugs, further providing for ignition interlock and for prior appeals; and, in other required equipment, further providing

Amend Bill, page 3, by inserting between lines 12 and 13:

Section 2. Section 102 of Title 75 is amended by adding a definition to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

\*\*\*

"Ignition interlock limited license." A driver's license issued to an individual whose operating privilege is suspended or revoked for one or more violations of section 3802 (relating to driving under influence of alcohol or controlled substance) or 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) requiring the

individual to operate only motor vehicles equipped with a functioning ignition interlock system.

\*\*\*

Section 3. Section 1553(a)(1), (d)(6), (7) and (8), (d.1) and (d.2) of Title 75 are amended to read:

§ 1553. Occupational limited license.

(a) Issuance.--

(1) The department shall issue an occupational limited license under the provisions of this section to a driver whose operating privileges have been suspended for a violation of this title, except for an offense under section 3802 (relating to driving under influence of alcohol or controlled substance) or under former section 3731 (relating to driving under influence of alcohol or controlled substance) or for a refusal to submit to chemical testing under section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance), and is not prohibited under any other provision in this section. If the underlying reason for the suspension was caused by violations committed while the driver was operating a commercial motor vehicle, the driver shall not be issued an occupational limited license for the purpose of operating a commercial motor vehicle. The department shall prohibit the issuance of an occupational limited license when disqualified from doing so under the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Public Law 99-570, 49 U.S.C. App. § 2701 et seq.) or the Motor Carrier Safety Improvement Act of 1999 (Public Law 106-159, 113 Stat. 1748).

\*\*\*

(d) Unauthorized issuance.--The department shall prohibit issuance of an occupational limited license to:

\*\*\*

((6) Any person who has been adjudicated delinquent, granted a consent decree or granted Accelerated Rehabilitative Disposition for driving under the influence of alcohol or controlled substance unless the suspension or revocation imposed for that conviction has been fully served.

(7) Any person whose operating privilege has been suspended for refusal to submit to chemical testing to determine the amount of alcohol or controlled substance unless that suspension has been fully served.

(8) Except as set forth in subsections (d.1) and (d.2), any person who has been convicted of driving under the influence of alcohol or controlled substance and whose license has been suspended by the department unless the suspension imposed has been fully served.]

\*\*\*

((d.1) Adjudication eligibility.--An individual who has been convicted of an offense under section 3802 (relating to driving under influence of alcohol or controlled substance) and does not have a prior offense as defined in section 3806(a) (relating to prior offenses) shall be eligible for an occupational limited license only if the individual has served 60 days of the suspension imposed for the offense.

((d.2) Suspension eligibility.--

(1) An individual whose license has been suspended for a period of 18 months under section 1547(b)(1)(ii) (relating to chemical testing to determine amount of alcohol or controlled substance) or 3804(e)(2)(ii) (relating to penalties) shall not be prohibited from obtaining an occupational limited license under this section if the individual:

(i) is otherwise eligible for restoration;

(ii) has served 12 months of the suspension imposed for the offense;

(iii) has no more than one prior offense as defined in section 3806(b);

(iv) only operates a motor vehicle equipped with an ignition interlock system as defined in section 3801 (relating to definitions); and

(v) has certified to the department under paragraph (3).

(2) A period of ignition interlock accepted under this subsection shall not count towards the one-year mandatory period of ignition interlock imposed under section 3805 (relating to ignition interlock).

(3) If an individual seeks an occupational limited license under this subsection, the department shall require that each motor vehicle owned or registered to the person has been equipped with an ignition interlock system as defined in section 3801 as a condition of issuing an occupational limited license with an ignition interlock restriction.]

\*\*\*

Section 4. Title 75 is amended by adding a section to read:



§ 1556. Ignition interlock limited license.(a) Issuance.--

(1) The department shall issue an ignition interlock limited license under this section to an individual whose operating privileges have been suspended for:

(i) a violation under section 3802 (relating to driving under influence of alcohol or controlled substance) or under former section 3731 (relating to driving under influence of alcohol or controlled substance); or

(ii) a refusal to submit to chemical testing under section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance).

(2) The department shall issue an ignition interlock limited license under the provisions of this section only upon receiving proof that each motor vehicle owned or to be operated by the individual has been equipped with an approved ignition interlock system as defined in section 3801 (relating to definitions) as a condition of issuing an ignition interlock limited license.

(3) An ignition interlock limited license issued under the provisions of this section permits an individual to operate motor vehicles equipped with a functioning ignition interlock system, as defined in section 3801.

(4) Any period in which an individual holds a valid ignition interlock limited license under this section shall count on a day-for-day basis toward any mandatory period of ignition interlock use imposed under section 3805 (relating to ignition interlock) arising from the same incident.

(b) Petition.--

(1) An applicant for an ignition interlock limited license shall file a petition with the department, by certified mail, on a form prescribed by the department, and shall include proof that an approved ignition interlock system, as defined in section 3801, has been installed in one or more motor vehicles that the applicant seeks permission to operate.

(2) The petition shall also include proof of financial responsibility covering each vehicle the applicant requests to be permitted to operate. The department shall promulgate regulations to require additional information as well as additional evidence to verify the information contained in the petition.

(3) The applicant shall surrender the applicant's driver's license in accordance with section 1540 (relating to surrender of license). If the applicant's driver's license has been lost or stolen, the applicant shall submit an application for a replacement license, along with the proper fee. If the applicant is a nonresident licensed driver, the applicant shall submit an acknowledgment of suspension in lieu of a driver's license. If the applicant's license has expired, the applicant shall submit an application for renewal, along with the appropriate fee. All fines, costs and restoration fees must be paid at the time of petition.

(4) Consistent with the provisions of this section, if the applicant is qualified, the department shall issue an ignition interlock limited license within 20 days of receipt of the petition and all other requirements for issuance.

(c) Fee.--The application fee for an ignition interlock limited license shall be \$50. This fee shall be nonrefundable.

(d) Unauthorized issuance.--The department shall prohibit issuance of an ignition interlock limited license to:

(1) Any individual who is not licensed to drive by the Commonwealth or any other state.

(2) Any individual who is required by this title to take an examination and who has failed to take and pass the examination.

(3) Any individual whose operating privilege has been recalled or canceled.

(4) Any individual who has an unsatisfied judgment against the individual as the result of a motor vehicle operation, until the judgment has been satisfied under the provisions of section 1774 (relating to payments sufficient to satisfy judgments) or an installment agreement has been entered into to satisfy the judgment, as permitted under section 1772(b) (relating to suspension for nonpayment of judgments) or 1775 (relating to installment payment of judgments), and the financial responsibility of the person has been established.

(5) Any individual applying for an ignition interlock limited license to operate a commercial motor vehicle.

(6) Any individual if the department is disqualified from issuing the ignition interlock limited license under the Commercial Motor

Vehicle Safety Act of 1986 (Title XII of Public Law 99-570, 49 U.S.C. app. § 2701 et seq.) or the Motor Carrier Safety Improvement Act of 1999 (Public Law 106-159, 113 Stat. 1748).

(7) Any individual whose operating privilege has been suspended under section 1532(a) (1) (relating to suspension of operating privilege) for conviction or adjudication of delinquency based on a violation of section 3732 (relating to homicide by vehicle) or 3735 (relating to homicide by vehicle while driving under influence).

(c) Adjudication eligibility.--An individual who has been convicted of an offense under section 3802 shall be eligible to apply for and, if otherwise qualified, be issued an ignition interlock limited license upon conviction.

(f) Suspension eligibility.--The following shall apply:

(1) An individual whose license has been suspended under section 1547(b) shall be eligible to apply for and, if otherwise qualified, be issued an ignition interlock limited license under this section if the individual:

(i) has served six months of the suspension imposed under section 1547(b)(1)(i); or

(ii) has served nine months of the suspension imposed under section 1547(b)(1)(ii).

(2) An individual whose license has been suspended under section 3804(e) (relating to penalties) shall be eligible to apply for and, if otherwise qualified, be issued an ignition interlock limited license under this section if the individual:

(i) has not had a prior offense, as defined under section 3806(a) (relating to prior offenses), within the past ten years. The individual shall be immediately eligible for a suspension imposed under section 3804(e)(2)(i);

(ii) has served six months of the suspension imposed under section 3804(e)(2)(i); or

(iii) has served nine months of the suspension imposed under section 3804(e)(2)(ii).

(g) Credit against mandatory ignition interlock requirement.--Any period during which an individual holds a valid ignition interlock limited license under subsection (e) or (f) shall count on a day-for-day basis toward the mandatory period of ignition interlock usage imposed under the applicable subparagraphs of section 3805(b)(2) arising from the same incident.

(h) Certification to the department.--If an individual applies for an ignition interlock limited license under this section, the department shall require that one or more motor vehicles owned or to be operated by the individual be equipped with a functioning ignition interlock system, as defined in section 3801, as a condition of issuing an ignition interlock limited license with an ignition interlock restriction.

(i) Offenses committed during a period for which an ignition interlock limited license has been issued.--If the department receives a report of conviction of an offense for which the penalty is a cancellation, disqualification, recall, suspension or revocation of operating privileges or a report under section 3815(c)(4) (relating to mandatory sentencing) for any individual who has been issued an ignition interlock limited license, the department, at its sole discretion, shall either:

(1) extend the term of the ignition interlock limited license for up to the original term for which the driver's license was suspended or revoked; or

(2) recall the ignition interlock limited license and the individual shall surrender the limited license to the department or its agents designated under the authority of section 1540.

(i) Restrictions.--

(1) Pursuant to subsection (a)(2), an individual who has been issued an ignition interlock limited license shall operate only motor vehicles equipped with a functioning ignition interlock system, as defined in section 3801.

(2) Except as provided under section 3808(a) (relating to illegally operating a motor vehicle not equipped with ignition interlock), any individual who violates the conditions of issuance or restrictions of the ignition interlock limited license commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$200; and, upon receipt of a certified record of conviction, the department shall recall the limited license.

(3) The operating privileges of an individual who has been issued an ignition interlock limited license remain under suspension or revocation, except when operating a motor vehicle in accordance with



the conditions of issuance and restrictions of the ignition interlock limited license.

(k) Appeal from denial or recall of ignition interlock limited license.--

(1) Any individual who is denied an ignition interlock limited license or whose ignition interlock limited license is extended or recalled under subsection (i) may file with the department a petition for a hearing. The hearing shall be conducted in accordance with 2 Pa.C.S. (relating to administrative law and procedure).

(2) The department may charge a reasonable fee based on the cost to the department for conducting the hearing.

(3) The appeal shall not operate as an automatic supersedeas. If an administrative hearing officer orders a supersedeas in any appeal, the individual shall earn no credit toward serving the suspension for which the individual was granted an ignition interlock limited license.

(4) An appeal from a decision of an administrative hearing officer may be taken in the manner provided in 42 Pa.C.S. § 763(a) (relating to direct appeals from government agencies).

(5) Appeals under this subsection are exempt from the provisions of section 1550(b) (relating to judicial review) and from the provisions of 42 Pa.C.S. § 933 (relating to appeals from government agencies).

Section 5. Section 3805(a), (b) and (c) of Title 75 are amended and the section is amended by adding a subsection to read:

§ 3805. Ignition interlock.

(a) General rule.--If a person violates section 3802 (relating to driving under influence of alcohol or controlled substance) [and, within the past ten years, has a prior offense as defined in section 3806(a) (relating to prior offenses)], except for a violation of section 3802(a) where the person is subject to the penalties provided under section 3804(a) (relating to penalties) and the person has not had a prior offense, as defined under section 3806(a) (relating to prior offenses), within the past ten years, or has had their operating privileges suspended pursuant to section [1547(b.1)] 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) or 3808(c) (relating to illegally operating a motor vehicle not equipped with ignition interlock) and the person seeks a restoration of operating privileges, the department shall require as a condition of issuing a restricted license pursuant to this section that the following occur:

(1) Each motor vehicle owned or to be operated by the person [or registered to the person] has been equipped with an ignition interlock system and remains so for the duration of the restricted license period.

(2) If there are no motor vehicles owned or to be operated by the person or registered to the person that the person so certify to the department. [A person so certifying shall be deemed to have satisfied the requirement that all motor vehicles owned by the person or registered to the person be equipped with an ignition interlock system as required by this subsection.]

(b) Application for a restricted license.--A person subject to this section shall apply to the department for an ignition interlock restricted license under section 1951 (relating to driver's license and learner's permit), which shall be clearly marked to restrict the person to only driving, operating or being in actual physical control of the movement of motor vehicles equipped with an ignition interlock system. Upon issuance of an ignition interlock restricted license to any person, the department shall notify the person that until the person obtains an unrestricted license the person may not [own, register,] drive, operate or be in actual physical control of the movement of any motor vehicle which is not equipped with an ignition interlock system.

(c) Issuance of unrestricted license.--One year from the date of issuance of an ignition interlock restricted license under this section, if otherwise eligible, a person may be issued a replacement license under section 1951(d) that does not contain the ignition interlock system restriction. The department shall not issue an unrestricted license until a person has presented all of the following:

(1) Proof that the person has completed the ignition interlock restricted license period under this section.

(2) Certification by the company that provided the ignition interlock device that the person has complied with subsection (h.2).

\*\*\*

(h.2) Declaration of compliance.--Restrictions imposed under section 1556 shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form

provided or approved by the department, certifying that the following incidents have not occurred in the two consecutive months prior to the date entered on the certificate:

(1) An attempt to start the vehicle with a breath alcohol concentration of 0.08 or more, not followed within five minutes by a subsequent attempt with a breath alcohol concentration lower than 0.08.

(2) Failure to take or pass any required retest.

(3) Failure of the person to appear at the ignition interlock system vendor when required for maintenance, repair, calibration, monitoring, inspection or replacement of the device such that the ignition interlock system no longer functions as required under subsection (h).

\*\*\*

Section 6. Sections 3806(b) and 3808(a) and (c)(1) of Title 75 are amended to read:

§ 3806. Prior offenses.

\*\*\*

(b) Repeat offenses within ten years.--The calculation of prior offenses for purposes of sections [1553(d.2) (relating to occupational limited license)] 1556(f) (relating to ignition interlock limited license), 3803 (relating to grading) and 3804 (relating to penalties) shall include any conviction, adjudication of delinquency, juvenile consent decree, acceptance of Accelerated Rehabilitative Disposition or other form of preliminary disposition within the ten years before the present violation occurred for any of the following:

- (1) an offense under section 3802;
- (2) an offense under former section 3731;
- (3) an offense substantially similar to an offense under paragraph (1) or (2) in another jurisdiction; or
- (4) any combination of the offenses set forth in paragraph (1), (2) or (3).

§ 3808. Illegally operating a motor vehicle not equipped with ignition interlock.

(a) Offense defined.--

(1) An individual required to only drive, operate or be in actual physical control of the movement of a motor vehicle equipped with an ignition interlock system under [section 1553(d.2) (relating to occupational limited license) or 3805 (relating to ignition interlock)] any of the following who drives, operates or is in actual physical control of the movement of a motor vehicle within this Commonwealth without such a system commits a misdemeanor and shall, upon conviction, be sentenced to pay a fine of not less than \$300 and not more than \$1,000 and to imprisonment for not more than 90 days[.];

(i) Section 1556(f) (relating to ignition interlock limited license).

(ii) Section 3805 (relating to ignition interlock).

(iii) A provision substantially similar to a provision under subparagraph (i) or (ii) in another jurisdiction.

(2) An individual required to only drive, operate or be in actual physical control of the movement of a motor vehicle equipped with an ignition interlock system under [section 1553(d.2) or 3805] any of the following who drives, operates or is in actual physical control of the movement of a motor vehicle within this Commonwealth without such a system and who has an amount of alcohol by weight in his blood that is equal to or greater than 0.025% at the time of testing or who has in his blood any amount of a Schedule I or nonprescribed Schedule II or III controlled substance, as defined in the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or its metabolite commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of \$1,000 and to undergo imprisonment for a period of not less than 90 days[.];

(i) Section 1556(f).

(ii) Section 3805.

(iii) A provision substantially similar to a provision under subparagraph (i) or (ii) in another jurisdiction.

\*\*\*

(c) Suspension of operating privilege.--Notwithstanding section 3805(c) and (i):

(1) If a person who is required to only drive, operate or be in actual physical control of the movement of a motor vehicle equipped with an ignition interlock system violates this section, upon receipt of a certified record of the conviction, the department shall not issue a replacement license to the person under section 1951(d) (relating to driver's license and learner's permit) that does not contain an ignition interlock restriction for a period of one year from the date of conviction

until the person has complied with the requirements of section 3805 (relating to ignition interlock).

\*\*\*

Amend Bill, page 3, line 13, by striking out "2" and inserting:

7

Amend Bill, page 4, line 22, by striking out all of said line and inserting:

Section 8. This act shall take effect as follows:

(1) The addition of 75 Pa.C.S. § 4571(d.1) and (d.2) shall take effect in 60 days.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 15 months.

On the question,

Will the Senate agree to the amendment?

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

Senator RAFFERTY. Mr. President, this is the ignition interlock bill, which I know we have discussed in the Republican Caucus, and Senator Wozniak has led the discussion in the Senate Democratic Caucus. It is a good piece of legislation, one that has received widespread support from the law enforcement community, the District Attorneys Association, victims, and Mothers Against Drunk Driving. Also, I want to take this time to thank Senator Pileggi and Senator Scarnati and their staffs, and Senator Costa and his staff, for helping to move this piece of legislation through. It is a bill here in the Senate with my name on it, but in the limited time we have, I want to make sure it gets to the Governor's desk so we are amending it into this House Bill No. 1357. I ask for an affirmative vote.

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

Senator DINNIMAN. Mr. President, I rise to endorse this amendment that Senator Rafferty has put in. We have had too many deaths by DUI. We know that the key is to stop a person with the first DUI, and this is a mechanism to do it. If we do not stop that first DUI, then we know there will be many more deaths and tragedies to follow.

Thank you, Mr. President.

And the question recurring,

Will the Senate agree to the amendment?

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

#### YEA-49

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

#### NAY-0

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

And the question recurring,

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

#### SCARNATI AMENDMENT A10037

Senator SCARNATI offered the following amendment No. A10037:

Amend Bill, page 1, line 2, by inserting after "Statutes,":  
in falsification and intimidation,

Amend Bill, page 1, line 2, by inserting after "for":  
the offenses of

Amend Bill, page 1, line 3, by inserting after "servant":  
, impersonating a notary public or a holder of a professional or occupational license

Amend Bill, page 1, line 3, by inserting after "and" where it occurs the first time:

, in other required equipment, further providing

Amend Bill, page 3, by inserting between lines 12 and 13:

Section 2. Section 4913(b)(1) of Title 18 is amended and the subsection is amended by adding a paragraph to read:

§ 4913. Impersonating a notary public or a holder of a professional or occupational license.

\*\*\*

(b) Grading.--

(1) Except as set forth in paragraph (2) or (3), an offense under this section is a misdemeanor of the second degree.

\*\*\*

(3) If the intent of the actor is to impersonate a doctor of medicine and, in so doing, the actor provides medical advice or treatment to another person as a patient, regardless of whether or not the other person suffers harm from the medical advice or treatment, an offense under this section is a misdemeanor of the first degree.

Amend Bill, page 3, line 13, by striking out "2" and inserting:

3

Amend Bill, page 4, line 22, by striking out "3" and inserting:

4

On the question,

Will the Senate agree to the amendment?

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

#### YEA-49

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

#### NAY-0

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

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

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 1441 (Pr. No. 2334)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in bonds and recognizances, amending provisions relating to professional bondsmen; and providing for authorization to conduct business within each county, for forfeited undertaking and for private cause of action.

Considered the second time and agreed to,

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

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

#### BILLS OVER IN ORDER

**SB 1484 and HB 1837** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

#### BILL ON SECOND CONSIDERATION

**HB 1874 (Pr. No. 2935)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for counseling of sexually violent predators.

Considered the second time and agreed to,

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

#### BILL OVER IN ORDER

**HB 2049** -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

#### BILL AMENDED

**HB 2120 (Pr. No. 3862)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight and reclamation and revitalization, further providing for definitions, for asset attachment, for duty of out-of-State owners of property in this Commonwealth and for duty of association and trust owners.

On the question,

Will the Senate agree to the bill on second consideration?

Senator ARGALL offered the following amendment No. A9824:

Amend Bill, page 3, line 9, by striking out the bracket before "other"

Amend Bill, page 3, line 9, by striking out "J INCLUDING"

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, I have been contacted by the House sponsor of this legislation, Representative Masser, who has asked that we bring this bill back to its original focus, which is to attempt to pierce the corporate veil on what might charitably be called dummy corporations that were set up in order to allow their owners to escape from the provisions of Act 90 legislation that the House and Senate passed 5 years ago in order to continue our war on blight. It is the Representative's concern that if we keep an additional amendment that was added that affected mortgage lenders, that would jeopardize the passage of his original bill in the 5 remaining voting Session days that are left to us. So, at the request of the House sponsor, I am introducing this amendment today. I urge its passage.

And the question recurring,

Will the Senate agree to the amendment?

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

#### YEA-44

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

#### NAY-5

|       |         |         |         |
|-------|---------|---------|---------|
| Blake | Solobay | Teplitz | Wozniak |
| Ferlo |         |         |         |

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

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

#### BILL REREFERRED

**HB 2128 (Pr. No. 3247)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the annual designation and holiday observance of the third Saturday in June as "Juneteenth National Freedom Day" in this Commonwealth.

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

## BILL ON SECOND CONSIDERATION

**HB 2345 (Pr. No. 3730)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 13 (Commercial Code) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in general provision, providing for construction; and in particular rights and immunities, further providing for required disclosures in connection with rental-purchase agreement and for lessee's right to acquire ownership.

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

**SENATE RESOLUTION No. 408, ADOPTED**

Senator PILEGGI, without objection, called up from page 8 of the Calendar, **Senate Resolution No. 408**, entitled:

A Resolution urging the Department of Community and Economic Development to promote an employee ownership initiative for the purpose of encouraging business retention and growth in this Commonwealth.

On the question,  
Will the Senate adopt the resolution?

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

Senator GREENLEAF. Mr. President, I offer this resolution that I believe will help our economy in Pennsylvania to continually maintain and retain jobs in Pennsylvania. This proposal is a Federal law that was adopted and is not well-known or implemented in Pennsylvania or in other States. It is called an ESOP, or Employee Stock Ownership Plan. It promotes employee ownership. What happens is, there are business activities and brokers out there who are calling businesses on a regular basis telling them that they will give them high dollars if they would sell their properties to them, let them broker those businesses, and then those businesses are sold either out of State or out of country. As a result, the business loses everything - the machinery, the customers - all of it is lost to foreign competition when it could have been preserved and accomplished by both persons' desires, both to have the owner have the ability to sell his business on a gradual basis or to provide moneys for his heirs or others. It could be arranged in many different ways in which the owner would be able to get value from his business and at the same time retain the jobs and business here in Pennsylvania.

When you provide ownership of a business to the employees, a lot of good things start to happen. There is increased productivity, improved consumer relations, increased sales, providing retirement savings and stock ownership for employees, as well as being a financing method for business, increases employment, productivity, wages, and as I said, sales. Also, it has higher job growth than comparable companies and has tax benefits including making company contributions and dividend payments as tax deductible. It is something that we have presented to the Pennsylvania Department of Community and Economic Development to promote employee ownership initiatives and, in fact, they have

expressed interest in doing such a thing. This resolution merely urges them to do it, but they are already in the process of doing this, and in conjunction with the Pennsylvania Economic Development Agency, they are going to be setting up a webinar on employee ownership in December of this year. So, I ask for an affirmative vote on this resolution.

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

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

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

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

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 30, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2014, for the appointment of Jon Anzur, 71 Kelly Drive, Carlisle 17015, Cumberland County, Thirty-first Senatorial District, as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wade Lipscomb, Pittsburgh, whose term expired.

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

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS**

September 26, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 9, 2014, for the appointment of Frank R. Perman, 925 Saxonburg Boulevard, Pittsburgh 15223, Allegheny County, Thirty-eighth Senatorial District, as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Fluehr, Richboro, whose term expired.

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

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS**

September 26, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2014, for the appointment of Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Funeral Directors, to serve for a term of five years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Pinkerton, Prospect, whose term expired.

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

**TOM CORBETT**  
Governor

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

September 23, 2014

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated August 29, 2014, for the appointment of Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Carol Tama, Blossburg, resigned.

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

**TOM CORBETT**  
Governor

***NOMINATIONS RETURNED TO THE GOVERNOR***

Senator ROBBINS. Mr. President, I request that the nominations just read by the Clerk be returned to His Excellency, the Governor.

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

The PRESIDENT. The nominations will be returned to the Governor.

**REPORT 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 ACCOUNTANCY**

June 17, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael P. Rollage, 158 Roscommon Place, McMurray 15317, Washington County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paula Hasbach, Pittsburgh, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Laura E. Ellsworth, Esquire, 414 Laurel Oak Drive, Sewickley 15143, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Jeffrey W. Gabel, 6 Dinwiddie Tract, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2015, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen J. Harmelin, Esquire, 233 South 6th Street, Apartment 1709, Philadelphia 19106, Philadelphia County, First Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, James A. West, Jr., 418 Chapel Harbor Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2015, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Jennifer Holman Zaborney, 98 Carol Place, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark Robertson, 1458 Nicholas Drive, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wendell Douglas, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald R. Yost, Jr., (Public Member), 1776 Lick Run Road, Gaines 16921, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF COSMETOLOGY**

June 13, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Francesca DiSanti, 4355 Neptune Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mary Lou Enoches, West Chester, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF DENTISTRY**

September 18, 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, Dallas Y. Stoy, 608 Copper Circle, Lewisberry 17339, York County, Thirty-first Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Bonnie Fowler, Carlisle, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
FISH AND BOAT COMMISSION**

September 8, 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, Eric C. Hussar (District 5), 680 Tall Oak Lane, Lewisburg 17837, Union County, Twenty-third Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice William Worobec, Williamsport, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER**

July 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, The Honorable Thomas W. Beveridge, 302 East Savory Street, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2019, and until his successor is [data missing] and qualified, vice Wolfgang Hrabek, Mohnton, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Radheshyam M. Agrawal, M.D., 523 Fairview Road, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gerald S. Robinson, Esquire, 158 Hess Boulevard, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA INDUSTRIAL  
DEVELOPMENT AUTHORITY**

September 12, 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, Guy Ciarrocchi, 495 Virginia Avenue, Paoli 19301, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development Authority, to serve until July 24, 2021, and until his successor is appointed and qualified, vice Joseph S. Martz, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

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

September 23, 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, Aaron Singer, 77 Greenbriar Drive, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Carol Tama, Blossburg, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF MEDICINE**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Deval (Reshma) Paranjpe, M.D., F.A.C.S., 3020 East Ridge Drive, Gibsonsia 15044, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Medicine, to serve until October 1, 2016, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice J. Bret Delone, M.D., F.A.C.S., Camp Hill, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY**

July 16, 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, Ted E. Darcus, 225 E. New Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Pennsylvania Minority Business Development Authority, to serve for *[sic]* until June 2, 2016, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anne E. Holladay, CNHA, MHA, 130 Circle Drive, Lock Haven 17745, Clinton County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, 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 Michele Boone, Millville, whose term expired.

**TOM CORBETT**  
Governor

**PROTHONOTARY AND CLERK OF COURTS,  
LEBANON COUNTY**

September 15, 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, Barbara A. Smith, 67 Kingston Drive, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, for



appointment as Prothonotary and Clerk of Courts, in and for the County of Lebanon, to serve until the first Monday of January 2016, vice The Honorable Lisa Arnold, resigned.

TOM CORBETT  
Governor

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

August 29, 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, Dr. Juanita McGhee Monteiro, 600 Coles Court, Harleysville 19438, Montgomery County, Twenty-fourth Senatorial District, for reappointment 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.

TOM CORBETT  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
WARREN STATE HOSPITAL**

August 28, 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, Burt E. Alexander, 604 Conewango Avenue, Warren 16365, Warren County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice Steven D. Mitchell, Corry, deceased.

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**

***EXECUTIVE SESSION***

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

Which was agreed to by voice vote.

***NOMINATIONS TAKEN FROM THE TABLE***

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

The Clerk read the nominations as follows:

**MEMBER OF THE STATE BOARD  
OF ACCOUNTANCY**

June 17, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael P. Rollage, 158 Roscommon Place, McMurray 15317 Washington County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Paula Hasbach, Pittsburgh, whose term expired.

TOM CORBETT  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Laura E. Ellsworth, Esquire, 414 Laurel Oak Drive, Sewickley 15143, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until her successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Jeffrey W. Gabel, 6 Dinwiddie Tract, Gettysburg 17325, Adams County, Thirty-third Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2015, and until his successor is appointed and qualified.

TOM CORBETT  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen J. Harmelin, Esquire, 233 South 6th Street, Apartment 1709, Philadelphia 19106, Philadelphia County, First Senatorial District, for reappointment as a member of the



Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, James A. West, Jr., 418 Chapel Harbor Drive, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2015, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS**

June 11, 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, Jennifer Holman Zaborney, 98 Carol Place, New Cumberland 17070, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2016, and until her successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mark Robertson, 1458 Nichlaus Drive, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Wendell Douglas, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Donald R. Yost, Jr., (Public Member), 1776 Lick Run Road, Gaines 16921, Tioga County, Twenty-fifth Senatorial District, for reappointment as a member of the State Board of Barber Examiners, to serve for a term of three years and until his successor is appointed and qualified, but not longer than six months beyond that period.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF COSMETOLOGY**

June 13, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Francesca DiSanti, 4355 Neptune Drive, Erie 16506, Erie County, Forty-ninth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mary Lou Enoches, West Chester, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF DENTISTRY**

September 18, 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, Dallas Y. Stoy, 608 Copper Circle, Lewisberry 17339, York County, Thirty-first Senatorial District, for appointment as a member of the State Board of Dentistry, to serve for a term of six years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Bonnie Fowler, Carlisle, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
FISH AND BOAT COMMISSION**

September 8, 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, Eric C. Hussar (District 5), 680 Tall Oak Lane, Lewisburg 17837, Union County, Twenty-third Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice William Worobec, Williamsport, whose term expired.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER**

July 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, The Honorable Thomas W. Beveridge, 302 East Savory Street, Pottsville 17901, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2019, and until his successor is [data missing] and qualified, vice Wolfgang Hrabek, Mohnton, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Radheshyam M. Agrawal, M.D., 523 Fairview Road, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gerald S. Robinson, Esquire, 158 Hess Boulevard, Lancaster 17601, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years or until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA INDUSTRIAL  
DEVELOPMENT AUTHORITY**

September 12, 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, Guy Ciarrocchi, 495 Virginia Avenue, Paoli 19301, Chester County, Nineteenth Senatorial District, for appointment as a member of the Pennsylvania Industrial Development

Authority, to serve until July 24, 2021, and until his successor is appointed and qualified, vice Joseph S. Martz, Philadelphia, whose term expired.

**TOM CORBETT**  
Governor

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

September 23, 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, Aaron Singer, 77 Greenbriar Drive, Wellsboro 16901, Tioga County, Twenty-fifth Senatorial District, for appointment as a member of the Council of Trustees of Mansfield University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice Carol Tama, Blossburg, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF MEDICINE**

September 3, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Deval (Reshma) Paranjpe, M.D., F.A.C.S., 3020 East Ridge Drive, Gibsonsia 15044, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Medicine, to serve until October 1, 2016, or until her successor is appointed and qualified, but not longer than six months beyond that period, vice J. Bret Delone, M.D., F.A.C.S., Camp Hill, resigned.

**TOM CORBETT**  
Governor

**MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY**

July 16, 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, Ted E. Darcus, 225 E. New Street, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for reappointment as a member of the Pennsylvania Minority Business Development Authority, to serve for [sic] until June 2, 2016, and until his successor is appointed and qualified.

**TOM CORBETT**  
Governor

**MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS**

September 5, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Anne E. Holladay, CNHA, MHA, 130 Circle Drive, Lock Haven 17745, Clinton County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, 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 Michele Boone, Millville, whose term expired.

**TOM CORBETT**  
Governor

**PROTHONOTARY AND CLERK OF COURTS,  
LEBANON COUNTY**

September 15, 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, Barbara A. Smith, 67 Kingston Drive, Palmyra 17078, Lebanon County, Forty-eighth Senatorial District, for appointment as Prothonotary and Clerk of Courts, in and for the County of Lebanon, to serve until the first Monday of January 2016, vice The Honorable Lisa Arnold, resigned.

**TOM CORBETT**  
Governor

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

August 29, 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, Dr. Juanita McGhee Monteiro, 600 Coles Court, Harleysville 19438, Montgomery County, Twenty-fourth Senatorial District, for reappointment 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.

**TOM CORBETT**  
Governor

**MEMBER OF THE BOARD OF TRUSTEES OF  
WARREN STATE HOSPITAL**

August 28, 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, Burt E. Alexander, 604 Conewango Avenue, Warren 16365, Warren County, Twenty-first Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice Steven D. Mitchell, Corry, deceased.

**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-49**

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

**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.

**HB 91, HB 1440, HB 1654, HB 1846 AND HB 2110  
TAKEN FROM THE TABLE**

Senator PILEGGI. Mr. President, I move that House Bill No. 91, Printer's No. 3835; House Bill No. 1440, Printer's No. 1951; House Bill No. 1654, Printer's No. 2274; House Bill No. 1846, Printer's No. 3904; and House Bill No. 2110, Printer's No. 3342, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILLS REPORTED FROM COMMITTEES**

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

**SB 476 (Pr. No. 2186) (Rereported)**

An Act establishing guidelines and procedures governing certain investigations of correctional officers; authorizing certain civil suits by correctional officers; and providing for impact of collective bargaining agreements and for summary suspensions.

**SB 1310 (Pr. No. 2190) (Rereported)**

An Act establishing the Pennsylvania Grade Crude Development Advisory Council; and providing for duties of the Pennsylvania Grade Crude Development Advisory Council and the Department of Environmental Protection and for administrative support.

**SB 1361 (Pr. No. 2326) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Ready to Succeed Scholarship Program; and conferring powers and imposing

duties on the Pennsylvania Higher Education Assistance Agency and the Department of Education.

**HB 201 (Pr. No. 4238) (Amended) (Rereported)**

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

**HB 764 (Pr. No. 4239) (Amended) (Rereported)**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in sentencing, providing for sentencing for offenses involving online impersonation; and, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

**HB 803 (Pr. No. 4240) (Amended) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school health services, providing for school access to emergency epinephrine.

**HB 1363 (Pr. No. 4241) (Amended) (Rereported)**

An Act amending the act of November 26, 2008 (P.L.1672, No.135), known as the Abandoned and Blighted Property Conservatorship Act, further providing for definitions, for initiation of action, for appointment of conservator, for powers and duties of conservator, for incurring indebtedness and for sale of property.

**HB 1543 (Pr. No. 4242) (Amended) (Rereported)**

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, providing for the definition of "time and materials"; and further providing for procedures for registration as a contractor and for home improvement contracts.

**HB 1550 (Pr. No. 3650) (Rereported)**

An Act amending Titles 12 (Commerce and Trade) and 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in economic development financing strategy, further providing for definitions; in small business first, further providing for definitions, for fund and accounts, for department responsibilities, for capital development loans, for EDA loans, for loans in distressed communities, for pollution prevention assistance loans, and for export financing loans; providing for delegation; and further providing for reporting and inspection; in machinery and equipment loans, further providing for definitions, for establishment, for eligibility for loans and terms and conditions, for application and administration, for powers of secretary, for reporting and inspection, for nondiscrimination, for conflict of interest, for reports to General Assembly and for guidelines; providing for the Pennsylvania Industrial Development Program; in Pennsylvania Industrial Development Authority, providing for general provisions, for Pennsylvania Industrial Development Program and transfer of loans; repealing certain provisions of the Pennsylvania Industrial Development Authority Act; and making editorial changes.

**HB 1816 (Pr. No. 3644) (Rereported)**

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

**HB 2204 (Pr. No. 3526) (Amended) (Rereported)**

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.

**HB 2420 (Pr. No. 4243) (Amended)**

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, further providing for appropriation for and limitation on redevelopment assistance capital projects and for administration of redevelopment assistance capital projects; and providing for lobbying.

Senator WHITE, from the Committee on Banking and Insurance, reported the following bill:

**HB 1436 (Pr. No. 4244) (Amended)**

An Act amending the act of December 20, 1996 (P.L.1492, No.191), known as the Medical Foods Insurance Coverage Act, amending the title of the act; and further providing for medical foods insurance coverage, for cost-sharing provisions, for regulations and for applicability.

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following bills:

**SB 1491 (Pr. No. 2357) (Amended)**

An Act amending the act of August 14, 1963 (P.L.1059, No.459), referred to as the Cemetery and Funeral Merchandise Trust Fund Law, further providing for deposits into merchandise trust funds; providing for price and description reports; and further providing for payments from merchandise trust funds, for filing of financial reports and for penalty.

**HB 939 (Pr. No. 4250) (Amended)**

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in administration, further providing for assessment for regulatory expenses upon public utilities; in responsible utility customer protection, further providing for definitions, for cash deposits and household information requirements, for payment agreements, for termination of utility service, for reconnection of service, for late payment charge waiver and for complaints filed with commission, providing for public utility duties, further providing for automatic meter readings, for reporting to General Assembly and Governor, for nonapplicability and for construction and providing for expiration; in natural gas competition, further providing for requirements for natural gas suppliers; and, in restructuring of electric utility industry, further providing for requirements for electric generation suppliers.

**HB 1096 (Pr. No. 4249) (Amended)**

An Act amending the act of December 14, 1982 (P.L.1227, No.281), known as the Architects Licensure Law, further providing for

definitions, for powers of board, for issuance and renewal of certificates and for permitted practices.

#### **HB 1822 (Pr. No. 3649)**

An Act amending the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act, providing for nonresident pharmacies.

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

#### **SB 1061 (Pr. No. 2356) (Amended)**

An Act requiring the design, construction and renovation of certain State-owned or State-leased buildings to comply with specified energy and environmental building standards; and providing for the powers and duties of the Department of General Services.

#### **SB 1481 (Pr. No. 2301)**

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in residual waste, further providing for transportation of residual waste; and abrogating a regulation.

#### **HB 402 (Pr. No. 3881)**

An Act imposing duties on lessees of oil and natural gas leases; and providing for the recording of surrender documents from oil and natural gas leases and of affidavits of termination, expiration or cancellation.

#### **HB 1565 (Pr. No. 4247) (Amended)**

An Act amending the act of June 22, 1937 (P.L.1987, No.394), known as The Clean Streams Law, further providing for potential pollution; and providing for protection of existing riparian buffers, for restoration of impaired riparian buffers, for exemptions, for municipal authority, for powers and duties of department, for property inspections, for delegation to a municipality, for municipal action appeals, for penalties, civil action and liability for costs and for effect on other Commonwealth laws or regulations and municipal ordinances.

#### **HB 2278 (Pr. No. 3838)**

An Act providing for operators of unconventional wells to make certain reports to the Department of Environmental Protection; imposing duties on the department; and repealing provisions in Title 58 of the Pennsylvania Consolidated Statutes.

#### **HB 2354 (Pr. No. 3898)**

An Act requiring the Department of Environmental Protection to receive approval from the General Assembly for a State plan to regulate carbon dioxide emissions for existing stationary sources prior to submitting the State plan to the United States Environmental Protection Agency for approval.

### **SENATE RESOLUTIONS ADOPTED**

Senators PILEGGI, EICHELBERGER, WASHINGTON, ERICKSON, FERLO, KASUNIC, MENSCH, GREENLEAF, TEPLITZ, STACK, FARNESE, TARTAGLIONE, DINNIMAN, BAKER, SCHWANK, COSTA, VULAKOVICH, SMITH, HUGHES, KITCHEN and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 460**, entitled:

A Resolution designating the week of October 18 through 24, 2014, as "Pro Bono Week" in Pennsylvania.

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

Senators TEPLITZ, ERICKSON, WASHINGTON, GREENLEAF, STACK, WOZNIAK, FERLO, WARD, FONTANA, MENSCH, ALLOWAY, EICHELBERGER, RAFFERTY, DINNIMAN, HUTCHINSON, SOLOBAY, HUGHES, VULAKOVICH, KASUNIC, BOSCOLA, PILEGGI, COSTA, BREWSTER, FARNESE, TARTAGLIONE, BAKER and SMITH, by unanimous consent, offered **Senate Resolution No. 461**, entitled:

A Resolution observing the week of October 5 through 11, 2014, as "Fire Prevention Week 2014" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Dauphin, Senator Teplitz.

Senator TEPLITZ. Mr. President, this resolution recognizes the week of October 5 through 11, 2014, as "Fire Prevention Week 2014" in Pennsylvania. Fire Prevention Week commemorates the Great Chicago Fire of 1871. It was first designated by President Woodrow Wilson in 1920, and it is the longest running public health and safety observance on record. The National Fire Protection Association organizes this national effort. The association has announced that this year's theme is "Working Smoke Alarms Save Lives: Test Yours Every Month!" On average, three out of five home deaths occur in fires where there are either no smoke alarms or no working smoke alarms. The majority of home fire deaths are preventable, and working smoke alarms play a big role in helping save lives.

There are many steps that we can all take to prevent fires and protect ourselves in a fire emergency. It is imperative that we all do our part to remind the public of the importance of having smoke detectors in the home, checking them regularly, and changing the batteries. So, Mr. President, I ask my colleagues to join me in recognizing the week of October 5 through 11, 2014, as Fire Prevention Week 2014 in Pennsylvania.

Thank you, Mr. President.

And the question recurring,  
Will the Senate adopt the resolution?

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

Senators HUGHES and FARNESE, by unanimous consent, offered **Senate Resolution No. 462**, entitled:

A Resolution honoring the accomplishments of the Taney Dragons Little League team on becoming the first Philadelphia Little League team to participate in a Little League World Series.

On the question,  
Will the Senate adopt the resolution?

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

Senator HUGHES. Mr. President, not too long ago when it was much warmer than what it is right now, the entire nation stopped for a few days, maybe for a week or two, to pay attention to the Taney Little League Baseball Team as they made their sojourn through the Little League program to finally arrive in Williamsport to play at the Little League World Series through their championship process. Although they were not successful, Mr. President, it inspired thousands of people, maybe millions of folks, to see the innocence, the bravery, the hard work, and the effort of a number of young people trying to choose something which many of us still consider the American dream, and that is playing Little League baseball and winning the Little League World Series.

I have known the Taney baseball organization for many years because a good 10 years or so ago, Mr. President, my son played in the Taney baseball league, but that was before they advanced to the status that they are right now. It has been a great organization for a long time. We are very proud of that organization. We are very proud of the young people who stood tall in their sojourn. We ask that this resolution be adopted to memorialize their work, their service, their love of the game, their commitment to hard work, and a great sense of integrity and fairness that they played and participated in, and just a whole lot of fun. I think we all really enjoyed ourselves watching Taney baseball do their thing.

Thank you, Mr. President.

The PRESIDENT. We most certainly did. Thank you, Senator.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators YAW, ALLOWAY, ARGALL, BAKER, BLAKE, BOSCOLA, BREWSTER, BROWNE, BRUBAKER, CORMAN, COSTA, DINNIMAN, EICHELBERGER, ERICKSON, FARNESE, FERLO, FOLMER, FONTANA, GORDNER, GREENLEAF, HUGHES, HUTCHINSON, KASUNIC, KITCHEN, LEACH, McILHINNEY, MENSCH, PILEGGI, RAFFERTY, ROBBINS, SCARNATI, SCHWANK, SMITH, SMUCKER, SOLOBAY, STACK, TARTAGLIONE, TEPLITZ, TOMLINSON, VANCE, VOGEL, VULAKOVICH, WAGNER, WARD, WASHINGTON, WHITE, WILEY, WILIAMS, WOZNIAC and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 463**, entitled:

A Resolution recognizing the 75th anniversary of Little League Baseball.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, it gives me great pleasure to present a resolution recognizing the 75th anniversary of Little League Baseball. Little League baseball started on June 6, 1939, in Williamsport, Pennsylvania, and it was started by an individual by the name of Carl Stotz. He laid out the first field, got the

first uniforms for young people, and was really the founder of Little League Baseball. Today, in the Commonwealth alone, there are 410 leagues, over 10,000 teams, and 150,000 youth participate in Little League Baseball. It is played in 92 countries. There are 2.5 million players across the world who play Little League Baseball. Of course then, every year we have the World Series in Williamsport, Pennsylvania.

To accomplish everything that is done, over 1 million adults volunteer their time and energy to make the program possible. Little League Baseball has been honored as the only youth sports organization to be chartered by the United States Congress and remains the only regularly scheduled international sporting event in the Commonwealth of Pennsylvania. Of course, this year we were especially honored to have the Mid-Atlantic region represented by a team from Philadelphia. There is no question about it, as previously stated here, it increased the excitement, the interest, and with the players that were involved this year, it was just a tremendous World Series that gained additional international notoriety and fame. I ask that my colleagues join me in an affirmative vote on this resolution recognizing the 75th anniversary of Little League Baseball. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators DINNIMAN, WASHINGTON, ERICKSON, GREENLEAF, WOZNIAC, ARGALL, SCARNATI, FONTANA, STACK, FERLO, SOLOBAY, YUDICHAK, RAFFERTY, TEPLITZ, ALLOWAY, PILEGGI, SMITH, WILIAMS and KASUNIC, by unanimous consent, offered **Senate Resolution No. 464**, entitled:

A Resolution designating the month of October 2014 as "Parent Involvement Recognition Month" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, we talk much about educational reform and educational change. The real teacher of any young person in this Commonwealth is their parents. We need to recognize that, and parents need to take responsibility for their children. In offering this resolution, we ask parents to take that responsibility. We ask parents to become a partner with their teachers in making sure that -- first, knowing where the students are when they come home from school, but also taking the responsibility to make sure their students do their homework and do their studies. We urge parents to read to their students so that reading becomes part of the lifestyle of every student. If parents have difficulty in doing that, they should know that many of our school districts actually offer help to the parents so that parents can improve their parenting skills, can improve their own skills in how to help their children.

So, as school began in September, and now we are in the beginning of October, we want to reinforce the notion, Mr. President, that the most important players in a kid's life--yes, teachers

are important; yes, grandparents are important; yes, many other adults are important, but the most important people are that child's parents. They need to step up to the plate, and hopefully this resolution will reinforce that notion that parents raise their own children and October symbolizes that in having parental involvement where the parents come forth to make sure their children succeed. Every parent loves his child and every parent needs to show that love by being supportive of their young person.

Thank you, Mr. President.

And the question recurring,  
Will the Senate adopt the resolution?

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

Senators DINNIMAN, WASHINGTON, ERICKSON, WOZNIAK, GREENLEAF, EICHELBERGER, FONTANA, STACK, FERLO, BAKER, SOLOBAY, RAFFERTY, ALLOWAY, PILEGGI, HUGHES, SMITH and KASUNIC, by unanimous consent, offered **Senate Resolution No. 465**, entitled:

A Resolution designating the month of October 2014 as "Sudden Cardiac Arrest Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, over 360,000 people die in the United States every year from sudden cardiac arrest, but we can save those people's lives if we get to them quickly enough. That is why I fought so hard and I thank the Members of the Senate for passing a bill earlier this year that allowed us to make sure that every school, whether that school is in a rich neighborhood or a poor neighborhood, had an AED so we can save the lives of our children. It is to help parents recognize the fact that sudden cardiac arrest can affect you whether someone is 2 years old, 20 years old, or 90 years old. We want to encourage everyone to know that there are ways that they can receive physical examinations so that they can check out their children, and it is important to see if there are any defects in your child's heart that can create sudden cardiac arrest. It is a tragedy when it occurs. There are preventative measures that a parent can take and, ultimately, we must make sure that there are AEDs in every school and in public places, as well, because if we can get those people what are called those golden seconds, those golden moments, we can save lives.

Thank you, Mr. President.

And the question recurring,  
Will the Senate adopt the resolution?

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

Senators VANCE, VULAKOVICH, BAKER, PILEGGI, COSTA, ALLOWAY, ERICKSON, GREENLEAF, RAFFERTY, BREWSTER, DINNIMAN, FARNESE, FERLO, FONTANA, HUGHES, KASUNIC, KITCHEN, SMITH,

SOLOBAY, STACK, TARTAGLIONE, WASHINGTON and WOZNIAK, by unanimous consent, offered **Senate Resolution No. 466**, entitled:

A Resolution designating November 20, 2014, as "Children's Grief Awareness Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, the stark statistic is that 1 child in 20 will have a parent die before he or she graduates from high school. This marks the Thursday before Thanksgiving as "Children's Grief Awareness Day." The winter months are tough enough for kids, particularly if they have lost a parent. I ask for its adoption. Thank you.

And the question recurring,  
Will the Senate adopt the resolution?

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

Senators STACK, WASHINGTON, FERLO, FARNESE, GREENLEAF, TARTAGLIONE, DINNIMAN, ERICKSON, SCHWANK, COSTA, KASUNIC, VULAKOVICH, SMITH, PILEGGI, HUGHES, WOZNIAK, YUDICHAK, RAFFERTY, SOLOBAY, BAKER and ALLOWAY, by unanimous consent, offered **Senate Resolution No. 467**, entitled:

A Resolution designating the month of October 2014 as "Polish American Heritage Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, this is an important time for Polish Americans here and across the United States. According to the 2010 U.S. Census, Pennsylvania has roughly 824,000 citizens of Polish descent. Whether we are talking former Congressman Paul Kanjorski; David Zubik, the current Bishop of Pittsburgh; retired U.S. Navy captain and NASA astronaut Christopher Ferguson; former LaSalle University and Philadelphia Warrior great Tom Gola; singer Bobby Vinton from Canonsburg; or the incomparable "Stan the Man" Musial from Donora, Pennsylvania's Polish Americans have played an important role in the advancement of the Commonwealth and of America.

More than 400 years ago, Mr. President, the first Polish settlers arrived here in the United States. Since then, they have made a significant contribution in all aspects of life, from artists to accountants, from lawyers to legislators, and from entrepreneurs to entertainers. For far too long, the contributions of these American icons have been overlooked and certainly underappreciated. It is in this spirit that I ask Members to support this resolution to make October "Polish American Heritage Month" throughout the Commonwealth of Pennsylvania. So,

please join me in voting to make October Polish American Heritage Month in Pennsylvania.

Thank you, Mr. President.

And the question recurring,  
Will the Senate adopt the resolution?

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

### CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Dr. Bryan Lee and to Chief James Balavage by Senator Baker.

Congratulations of the Senate were extended to Trinity United Church of Christ of Mount Bethel by Senator Boscola.

Congratulations of the Senate were extended to Pioneer Band of Allentown, Inc., by Senator Browne.

Congratulations of the Senate were extended to Helen E. Archer and to the Bucks County Chapter of the Links Incorporated by Senator Hughes.

Congratulations of the Senate were extended to Greater Enon Missionary Baptist Church by Senator Kitchen.

Congratulations of the Senate were extended to Alexandra Leah Diamond by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Scott Parisella and to Mr. and Mrs. Thomas Winkler by Senator Scarnati.

Congratulations of the Senate were extended to Daniel Jude Shemon by Senator Smith.

Congratulations of the Senate were extended to Daniel C. Kochis and to Marlene Luketich Kochis by Senator Solobay.

Congratulations of the Senate were extended to Robert W. Bogle and to Alan R. Parham by Senators Tartaglione and Williams.

Congratulations of the Senate were extended to Maria Pajil Battle by Senator Washington.

Congratulations of the Senate were extended to Daniel Martin Yurky by Senator White.

Congratulations of the Senate were extended to the Kearsarge Fire Department by Senator Wiley.

Congratulations of the Senate were extended to Homeowners Association of Philadelphia, German Society of Pennsylvania and to the Southwest Senior Center by Senator Williams.

### CONDOLENCE RESOLUTIONS

The PRESIDENT 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 F. Sherwood by Senator Baker.

Condolences of the Senate were extended to the family of the late Dr. Thomas F. O'Donnell, Jr., by Senator Yudichak.

### BILLS ON FIRST CONSIDERATION

Senator RAFFERTY. 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 1061, SB 1481, SB 1491, HB 402, HB 435, HB 477, HB 939, HB 1096, HB 1436, HB 1565, HB 1567, HB 1655, HB 1822, HB 1907, HB 2278, HB 2354 and HB 2420.**

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

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### MONDAY, OCTOBER 6, 2014

|               |   |                          |
|---------------|---|--------------------------|
| 12:00 P.M.    | PUBLIC HEALTH AND WELFARE (to consider House Bills No. 435, 477, 1567, 1655 and 1907)   | Room 461<br>Main Capitol |
| 12:30 P.M.    | CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 1491)   | Room 461<br>Main Capitol |
| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 476, 1310, 1361; and House Bills No. 201, 764, 803, 1363, 1543, 1550, 1816, 2204 and 2420) | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | BANKING AND INSURANCE (to consider Senate Resolution No. 458 and House Bill No. 1436)   | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 1061 and 1481; and House Bills No. 402, 1565, 2278 and 2354)           | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)   | Rules Cmte.<br>Conf. Rm. |

#### TUESDAY, OCTOBER 7, 2014

|               |  |                          |
|---------------|--|--------------------------|
| 10:00 A.M.    | INTERGOVERNMENTAL OPERATIONS (public hearing on Senate Bill No. 999; and to consider Senate Resolutions No. 254, 255, 256, 257, 258 and 430) | Hrg. Rm. 1<br>North Off. |
| 11:30 A.M.    | URBAN AFFAIRS AND HOUSING (to consider Senate Bill No. 1302)   | Room 8E-A<br>East Wing   |
| 12:30 P.M.    | STATE GOVERNMENT (to consider the Executive Nomination of Gregory Lane to the Civil Service Commission)                                      | Room 461<br>Main Capitol |
| Off the Floor | APPROPRIATIONS (to consider Senate Bill No. 1441)  | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | LAW AND JUSTICE (to consider House Bill No. 28)  | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | RULES AND EXECUTIVE NOMINATIONS (to consider certain executive nominations)  | Rules Cmte.<br>Conf. Rm. |
| Off the Floor | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider House Bill No. 2377)  | Rules Cmte.<br>Conf. Rm. |



WEDNESDAY, OCTOBER 8, 2014

|            |   |                        |
|------------|---|------------------------|
| 10:00 A.M. | <b>VETERANS AFFAIRS AND<br/>EMERGENCY PREPAREDNESS</b><br>(Executive Nominations public hearing<br>to consider the promotions of the<br>following: Brigadier General, PA Air<br>National Guard: Colonel Alan K.<br>Hodgdon and Colonel Edward E.<br>Metzgar; Brigadier General, PA<br>Army National Guard: Colonel William<br>J. Hersh, Colonel Mark D. McCormack,<br>Colonel Scott G. Perry and Colonel David<br>E. Wood; and Major General, PA Army<br>National Guard: Brigadier General<br>Timothy J. Hilty and Brigadier General<br>Walter T. Lord) | Room 8E-B<br>East Wing |
|------------|---|------------------------|

TUESDAY, OCTOBER 14, 2014

|            |   |                          |
|------------|---|--------------------------|
| 10:00 A.M. | <b>URBAN AFFAIRS AND HOUSING</b><br>(public hearing on Declining Ownership<br>on Properties - Population Decline) | Hrg. Rm. 1<br>North Off. |
|------------|---|--------------------------|

MONDAY, OCTOBER 27, 2014

|           |   |                                      |
|-----------|---|--------------------------------------|
| 9:00 A.M. | <b>GAME AND FISHERIES</b> (public hearing<br>regarding: Lyme disease update from PA<br>Game Commission, Erie Tick Task Force,<br>DCNR, Presque Isle Park; Act 89<br>Spending Plan and other updates from PA<br>Fish and Boat Commission; Round Goby;<br>and impacts of microbeads on aquatic<br>ecosystems) | Tom Ridge<br>Envir. Ctr.<br>Erie, PA |
|-----------|---|--------------------------------------|

**PETITIONS AND REMONSTRANCES**

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

Senator SMITH. Mr. President, I rise today to mark a visit to the Capitol made earlier today by Thomas VanKirk, a constituent of my Senate district, and his son Thomas VanKirk, Jr. I met with the VanKirks earlier today to express my condolences for the loss of their father and grandfather, Theodore "Dutch" VanKirk. I am proud to join with Senator Gordner, who represents the hometown of "Dutch" VanKirk, to sponsor a condolence resolution honoring his memory. A similar resolution was considered and passed by the State House earlier today.

Theodore VanKirk, known affectionately as "Dutch," was the last surviving crew member of the Enola Gay. Navigating the B-29 Superfortress that dropped the atomic bomb on Hiroshima, Japan, Mr. VanKirk and the crew played a crucial role in ending World War II. He passed away on July 28, 2014, at the age of 93. Mr. VanKirk told the Pittsburgh Post-Gazette, quote, "I just had a job to do." That humility was the norm for many World War II veterans but belies the uncommon valor and purpose of our greatest generation.

He was born in Northumberland on February 21, 1921, attended Susquehanna College for a year, and enlisted in the United States Air Force in October 1941. He trained as a bomber navigator and was chosen as a member of the Eighth Air Force 97th Bomb Group, ultimately participating in a total of 58 missions in Europe and North Africa. He served as navigator on many missions with Paul Tibbets, forging a relationship that would ultimately lead Tibbets to hand-select Mr. VanKirk as the navigator for the Enola Gay's historic mission of August 6, 1945. He retired from military service in 1946 at the rank of major,

having received a Silver Star and Distinguished Flying Cross. After returning home, Mr. VanKirk enrolled in Bucknell University, where he earned bachelor's and master's degrees in chemical engineering. He worked for DuPont for 35 years until his retirement in 1985, after which he relocated to Stone Mountain, Georgia.

Mr. VanKirk not only served his country with honor and distinction, but was a beloved presence in his family to his wife and high school sweetheart, Mary Jane; sons, Tom and Larry; and daughters, Vicki Triplett and Joanne Gotelli; seven grandchildren and two great-grandchildren. With Mr. VanKirk's passing, we lose yet another connection to the generation that freed a world from tyranny and oppression; yet, we must insure that the legacy of people like Dutch VanKirk continues. The boys of Northumberland, Meadville, and Oakdale, Pennsylvania, liberated a world overseas and built a nation here at home. Thank you for joining me in extending our deepest sympathies to the entire VanKirk family and expressing our great sorrow over the loss of this American hero.

Thank you, Mr. President.

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

Senator HUGHES. Mr. President, I rise because I think it is important, relevant, and necessary to speak on the actions that occurred this morning literally at the crack of dawn, if you will, with respect to the workers of the largest school district in the Commonwealth of Pennsylvania, and I believe the eighth-largest school district in the nation. By noontime today, Mr. President, teachers, schoolteachers, people who have the responsibility of educating our children, people who have the responsibility of creating our future, people who have worked in a very difficult situation, in a district that has been challenged for far too long, found out, through the newspaper or through Twitter or e-mail or whatever, that the contract that they have been operating under, the agreement that they have been operating under, that they have been teaching under for decades was totally wiped out, abrogated is the technical term, Mr. President, was totally wiped out, eliminated, their bargaining rights, their rights and responsibilities as an organization was obliterated today with no notice.

Now, what do I mean by no notice? Well, here is how this process worked, Mr. President. The process that we find out about after the fact. The process that there was no indication, whether it be 24 hours, 48 hours, or 72 hours prior to the meeting that occurred at the crack of dawn this morning, Mr. President, that Governor Corbett's School Reform Commission was going to meet, discuss, and probably within 30 minutes' time abrogate an entire labor agreement that had been negotiated for decades. There was a simple, relatively simple, three-line notice in somebody's newspaper over the weekend. The School Reform Commission, which usually meets in the broad light of day in the afternoon or the evening to allow public participation, gathered in hiding this morning at the crack of dawn, early in the morning, in fact, as teachers were going into work to teach their children and to handle their responsibilities, they met. And they said, you know what? We do not have the guts to appropriately and fairly negotiate a contract. We do not have the intestinal fortitude to sit across the table and negotiate an agreement with these almost 20,000 workers, teachers, by the way, schoolteachers teaching in hazardous conditions that this administration admits that it created. This administration admits publicly that the lack of re-

sources in the school district created a very difficult environment. I am not making up the fact that they admitted it. They announced it today in the newspaper. They said it themselves, a lack of resources caused us to put us in this situation.

Well, they are the ones who caused the lack of resources. But they met, Governor Corbett's School Reform Commission, met this morning at the crack of dawn, not in a broadly lit sunshine environment where people could come and participate and lay their feelings on the table, and they said the contract is gone. Forget the workers, forget the conditions, forget the reality that these folks are trying to teach in. The contract is gone. What had been negotiated and agreed to over decades is totally wiped out.

The big, bad Corbett School Reform Commission, the tough guys, the tough guys who cannot figure out how to go after the folks who drill Marcellus Shale, who cannot figure out how to have a conversation and get an extraction tax from the Marcellus Shale industry, the tough guys. They are afraid to go to a rig and have a conversation about the need for new resources from the drillers, Marcellus Shale drillers, but they sure as easily can put their foot on the neck of schoolteachers. That is what they do. The big tough guys. Oh, we are big and tough. We are mighty, mighty. We are going to force our will on schoolteachers, but they run like sheep from Marcellus Shale drillers and will not get them to pay the resources necessary.

This conversation is not going to happen in the dark hours of the early morning where no one can see. This is going to be brought out in the broad light of day. Let folks understand what the tough guys did. Oh, they are big and tough. They are big and tough. We are afraid of them. We are schoolteachers. We breathe intellectual life into our children. They do not need to be paid. They do not need any benefits. They do not need the things that they worked hard to achieve over decades, sacrificing their own salary to try to achieve more to help them do the thing that they do. They want to say the schoolteachers of Philadelphia are paid so much. Please. Of the 57 school districts in southeastern Pennsylvania, they rank at the bottom with their salary. At the bottom, not at the top. They understand the financial reality that they exist in, that they teach in, where 30 percent of the city of Philadelphia is in poverty. Eighty percent, 80 percent of the schoolchildren that attend the Philadelphia School District live at or below the Federal poverty level. I just might add that 80 percent of the schoolchildren of Philadelphia are black and brown. This issue of race does not fall on deaf ears, does not fall far, and we see it, we know it, we understand it, and we will address it. They put their foot on the neck, they allow the children to get an education in environments that no one across the Commonwealth would allow their children to get their education in unless they are low income, unless they are black or brown. Governor Corbett's School Reform Commission has done this to the children of Philadelphia - 35 kids in a classroom, no support personnel; they defunded their district, now they are putting it all on the teachers' backs.

Who else to blame, Governor? You are running out of people to blame here. Is it the children's fault? Is it the bus drivers' fault? They got cut also. Is it the kids' fault that there are 35 kids in a classroom? No, it is the \$300 million to \$400 million that has been cut out of the school district by this administration, and all you can do is figure out how to put the blame on someone else and not on yourself, and maybe that is why you are 20 points behind in the polls. Defund the district, that is what you have

done. Privatize the district, that is what you have done. Cancel the negotiating contract, that is what you have done. Starve the district of its resources, 35 kids in a class, cut the cleaning contract, cut the security contract, make it worse, not make it better. Not trying to find new ways to innovate cause hell and havoc in that school district. Why? Because 80 percent of the kids who go to school in the Philadelphia School District live below the federal poverty level, because 80 percent of the kids who attend the Philadelphia School District are black and brown. Is that why we are doing this?

Big bad cats, these guys are. Big and bad. Tough guys. We are the tough guys. We are going to take on the schoolteachers, we are going to take on the bus drivers, we are going to take on the nurses, and get from them what we need to get from them, but we will give the Marcellus Shale drillers a pass. A pass. They get a break, and they are laughing all the way to the bank. And quite frankly, Mr. Governor, they are laughing at you, because they took you. But all you can do is put your foot on the neck of schoolteachers, school nurses, bus drivers, cafeteria workers. Do you know how much a cafeteria worker makes? If they make \$12 an hour, they are making a hell of a lot of money. Do you know how much a bus driver makes? If they make \$12 an hour, they are making on the high end of the economic scale. The teachers make at the lowest end of the region's school districts.

That is what is happening in the Philadelphia School District, but then you want to obliterate the contract, something that people have negotiated for decades, cancel the contract, starve the district of its resources, and then ask them to do better. Raise the standards, starve the district of its resources, cancel the contract, you are playing with fire, you are playing with fire. Oh, the retirees, let us not forget the retirees. Let us not forget them. These are people who worked in the district. They sacrificed wage increases so they could get benefits when they retire. Seems like a smart thing to do, have something at the back end of life. Do not take it on the front end, take it at the back end of life so you can have those resources. Those 5,200 people, they are going to lose all of their benefits also.

Who else will you scapegoat? Who else is going to be the fault of this? The teachers? The big bad tough Philadelphia teachers and the big bad tough Philadelphia school union? You go after the low-hanging fruit. That is not leadership. That is not leadership. That is not defining the problem and figuring out a creative solution. And then you want to say, Mr. President, that they did not want to fairly negotiate. They did not want to honestly negotiate. Well, that is ridiculous, and quite frankly, a bald-faced lie.

They have offered concessions that have them paying more for their health and welfare fund, more for their benefits than what they have paid. They have offered those concessions, but because you wanted to strangle them, because you could not figure out a way to go after the big tough guys, the Marcellus Shale guys, you figured you would take it out on them.

Who else are you going to scapegoat? The kids have been scapegoated, 35, 36, 37 kids in the class. The parents have been scapegoated, no help, no support, and no promise for a future for them. The school nurses, well, there are practically none of them anymore, and we have lost lives as a result of that. The security officers, well, where are they? The teachers, we have lost, I guess, in the Philadelphia School District probably 5,000 teachers in the last 4 years because the State could not figure out a

way to fund it. The new resources that come to the Philadelphia School District are local resources, smoking of cigarettes and buying of cigarettes in Philadelphia, an extra tax on the sale of cigarettes so that those kids can get money, not new money from Harrisburg, that is all locally generated money. The 1 percent sales tax that now goes to the Philadelphia School District, not new money from Harrisburg, that is all locally generated cash.

The parents, the cafeteria workers, the nurses, the kids, the bus drivers. The bus drivers, the people who serve the food in the cafeteria, put your foot on that. The teachers, the people who have the responsibility to breathe intellectual life into these children, they get jammed up, they get things taken from them, they get their agreement abrogated, cancelled, and thrown out. It is the move of a coward, not the move of someone who is brave and bold and willing to look an issue in its face and try to find a creative solution and, in fact, sit down at the bargaining table and responsibly negotiate a contract. It is the move of a coward, done basically in the dark of night with no notice. No elected official was called, no Senator, no local individual was called and told, hey, look, we are getting ready to do this and we just wanted you to know that this may come down and we would be glad to talk to you about it before we make the move. No. No notice to the organization that they were going to do this. No. Just step on them. Just step on them. That is what was done, Mr. President. That was done. A coward's move in essentially the dark of night with no notice, no contact, no information, and again, scapegoating and trying to run away from the truth of the matter, which is the \$300 million or \$400 million cuts that occurred in that district that this Commonwealth has never, never, never responded to.

Let us be clear. Upper Dublin School District, I represent that, I am proud of those kids, I am proud of that school district. They spend \$20,000 a year to educate their kids. In Philadelphia, \$13,000 a year to educate the kids. The folks in Upper Dublin can afford it because they are wealthy. The folks in Philadelphia cannot afford it because, as I said, 30 percent of the district lives below the Federal poverty level. Eighty percent of the kids who go to the Philadelphia School District are below the Federal poverty level and, as I said earlier, we are not going to ignore this, 80 percent of those children are black and brown, they cannot afford it. So, the State is supposed to be the equalizer. The State is supposed to come in and make it fine and make it real and equalize the funding so that every child is treated equally. Well, they are supposed to. They are supposed to come in, supposed to even out the playing field, and so consequently, our children, the kids who go to the School District of Philadelphia, their teachers, their bus drivers, their cafeteria workers, their nurses, their counselors, their parents, and their children take it on the chin.

The big tough guys who reside and work in the front office of the Commonwealth of Pennsylvania have walked away, clearly, from the children of Philadelphia and have given their fancy friends some of the biggest tax breaks in the history of the Commonwealth of Pennsylvania. They have taken a pass on the Marcellus Shale industry and said, drillers, do what you want to do. Make the money you want to make. Take the money and run with it. Take it offshore and invest in other vehicles so that you do not have to pay any Pennsylvania taxes, we will help you figure out a way to not have to pay taxes anywhere else in the country. Use whatever loophole that you can to make your money and not invest in Pennsylvania. They have gotten a break,

but the kids in Philadelphia, the nurses, security officers, bus drivers, parents, teachers, and the kids in Philadelphia have caught hell from this administration. It will not be forgotten, and hopefully we can prevent this last action from some kind of legal challenge in court.

It is interesting, and it shows a lack of character, quite frankly, that you can ignore the biggest, toughest guy and try to be a big tough guy yourself and put your foot on the neck of the least of these. You will be judged in the end by how you treat the least of these. The folks who are struggling the most, the teachers, the parents, the bus drivers, the nurses, the cafeteria workers, the volunteers, the people who have the responsibilities of breathing intellectual life into our children, you will be judged by how they are treated. You will be judged by how they are treated.

Thank you, Mr. President.

## HOUSE MESSAGES

### HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives returned to the Senate **SB 814** and **SB 1224**, with the information the House has passed the same without amendments.

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 807**, 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.

### 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 241** and **HB 473**.

## BILLS SIGNED

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

**SB 814, SB 1224, HB 241 and HB 473.**

## RECESS

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

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

The motion was agreed to by voice vote.

The Senate recessed at 7:13 p.m., Eastern Daylight Saving Time.