

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, OCTOBER 8, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 55

SENATE

WEDNESDAY, October 8, 2014

The Senate met at 10 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend ERIC REIMER, Pastor of Saint John's Lutheran Church, Hatboro, offered the following prayer:

Good morning. Let us pray.

Good and gracious God, You created all things and have not left us abandoned but continue to care for Your people. On this day, we thank You for raising up good and faithful leaders to guide Your people along the pathway of light and life. We ask that You send Your presence upon this body. Give these legislators hearts for the poor, compassion for the oppressed, give them a hunger for justice and a thirst for righteousness so that from this place Your will may be done. We ask You for all of these things and everything else You see that we need, trusting in the goodness and mercy shown to Your people throughout the ages. Amen.

The PRESIDENT. The Chair thanks Pastor Reimer, who is the guest today of Senator Greenleaf.

PLEDGE OF ALLEGIANCE

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

LEGISLATIVE LEAVES

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

Senator FONTANA. Mr. President, I request temporary Capitol leaves for Senator Smith and Senator Tartaglione, and legislative leaves for Senator Washington and Senator Williams.

The PRESIDENT. Senator Fontana requests temporary Capitol leaves for Senator Smith and Senator Tartaglione, and legislative leaves for Senator Washington and Senator Williams. Without objection, the leaves will be granted.

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of July 1, 2014, and July 8, 2014, are now in print.

The Clerk proceeded to read the Journals of the Sessions of July 1, 2014, and July 8, 2014.

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

On the question,
Will the Senate agree to the motion?

LEGISLATIVE LEAVE CANCELLED

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journals are approved.

LEGISLATIVE LEAVE CANCELLED

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

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. For the purpose of recognizing a very wonderful guest and her family, the Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, first, I want to thank you. It is with mixed feelings that I rise today with my colleague, Senator Vance, to ask our colleagues to join us in honoring Dal-

las Stoy, who is preparing to retire after 37 years of dedicated service to the Senate. Since 1991, first for Senator Hank Salvatore, and later for me, Dallas has provided a valuable service to all of us and to the Commonwealth as the faithful guardian and shepherd of the senatorial confirmation process. Over the course of those 23 years, she has handled the logistics and processed the stacks of paperwork required for thousands of nominations. Working with the administrations of Governor Casey, Governor Ridge, Governor Schweiker, Governor Rendell, and Governor Corbett, and with successive Senate Leadership, Dallas has overseen the lengthy and detailed process that has placed judges on the bench at every level of the judiciary, from the State Supreme Court to local magisterial districts. She has insured that the nominations of cabinet Secretaries, members of the dozens of State boards and commissions, were properly reviewed and considered in a timely manner.

When you think back over all of the executive nominations we have considered, just during this current legislative Session, and take into account all of the forms and disclosure statements that had to be filed with each and every one, you get the idea of how daunting the job is. Against all of that, she was always able to pull off a remarkable balancing act. It was never easy work, with various legislators in support of thousands of nominations, sometimes different ones at the same time. It required a detailed and comprehensive memory, just to simply keep track of where all of those nominations were on the Calendar, let alone insuring that all of the required paperwork was properly filled out and filed, a task that grew increasingly difficult with each new reporting mandate. It is a task that would drive most of us crazy, but not Dallas.

She truly is a fixture of the Senate and her work ethic is amazing. She understood the complexities of dealing with Senators and their staffs and would always go well above what was expected of her. This was not always an easy task, but Dallas has a true talent and charm that enabled her to smooth all of the waves, including mine, no matter how choppy they were, how to calm a stormy sea. While we all saw Dallas on the floor of the Senate Chamber, few people knew how she would spend many, many hours working well into the night and on weekends to insure that the process moved seamlessly from nomination to confirmation and beyond. When called, she always answered. When tasked, she always excelled. That is true dedication. When she leaves, she will be sorely missed.

Dallas, you deserve our deepest gratitude for the job you have done. Soon there will be no more frantic calls. Of course, there might be, but you do not have to answer them.

(Laughter.)

No urgent e-mails, and no more late nights and weekends in the office. You will be free to do what you enjoy most - spending more time with your family, teeing off on the golf course, scouting for treasures at yard sales, playing cards with your friends, and setting sail on cruises. Bon voyage.

Mr. President, the truth is that there are few people in the Senate who are appreciated, respected, and loved as much as Dallas Stoy. I am truly honored to have had the opportunity to work with her and to call her my friend. And Cindy told me to say that.

(Laughter.)

See, everybody knows.

The PRESIDENT. Your secret is out, Bob.

Senator ROBBINS. Mr. President, yes, thank you. I along with Senator Vance, and Senator Vance is going to introduce the family here, and many of our Senate colleagues, would like to present this Senate citation to Dallas in recognition of her many years of dedicated service to the Senate, and we will do that shortly after Senator Vance gets to introduce her family and guests.

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

Senator VANCE. Mr. President, it really is a pleasure and an honor to be able to introduce Dallas's family. She has been my constituent for a long time, but I think when we look back, I have to say one word about Dallas first. I have never, ever heard anyone say an unkind word about Dallas, no one ever questions your ability or your integrity. If Dallas said it, it was so, and how you managed to do it with such good humor, I have never quite figured it out, but we are indebted to you and we will miss you tremendously.

I would like to introduce your family, your husband, Don Stoy; your son, Michael Torres; and your parents, Harvey and Wanda Lighty, who just celebrated their 60th wedding anniversary.

(Applause.)

Senator VANCE. You are also joined by many of your friends as well. We all want to honor you, Dallas, for a marvelous job well done.

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

Senator PILEGGI. Mr. President, I want to obviously second all of the comments that Senator Robbins so eloquently delivered. After Senator Robbins, I think I will be the one who misses Dallas the most. I have had the pleasure, since I was elected Leader, to chair the Committee on Rules and Executive Nominations, and that committee deals with executive nominations. In that capacity, I had the opportunity and the pleasure to speak with Dallas every week, at least, even over the summer when we were not in Session, and Session weeks every day, multiple times a day, and she is just an absolute joy to work with. This is a place where there are a lot of egos, a lot of opinions, and Dallas somehow found a way to cut through all of that, and as Senator Vance said, I have never heard anyone say a negative word about Dallas Stoy. In fact, if she would walk into a room and smile, the whole room would lighten up, the mood would elevate no matter how tense the situation was. A unique, unique gift.

People talk about State workers, State employees, and bureaucrats sometimes not in a complimentary way. I cannot think of a finer example of a public servant, serving the people of the Commonwealth of Pennsylvania for so many years in such a positive way, than Dallas Stoy. Very difficult situations both technically and from a personality standpoint, that is what she does on a daily basis. It is not something that every once in a while crops up. Somehow she manages, and she will tell me the secret maybe someday how she manages to walk through that like it is a walk in the park, and makes all of us who are the public face of this process look much more competent than maybe we have a right on our own to look. So, I certainly appreciate that.

I know she loves to golf and she has an open invitation for any golf outing I am involved in from here on forward, and I

have told her that. It is, as Senator Robbins said, 7 days a week, 24 hours a day, I would be getting e-mails and texts from Dallas about issues, updates, resolution of issues, issues that we needed to deal with, and now I am not sure how that void gets filled. None of us are indispensable, the world goes on, but Dallas filled a very, very special place in this Capitol. Proof of it is that I saw, and Senator Robbins obviously has seen it a lot longer than I have, I have seen the transition for two new governors - when Governor Rendell came in and then when Governor Corbett came in. And I do not think it is unfair to either of those administrations to say that for the whole gubernatorial nomination confirmation process, Dallas Stoy was the tutor for both of those administrations on how it had to be done the right way, and sometimes it took her a while to have them accept the fact that they need to just follow along and things will be fine. Eventually, she got them trained in that way and it helps the wheels of government move more smoothly.

So, I just want to offer my personal congratulations to Dallas on her retirement. I wish her the best and thank her sincerely and deeply for her service to the Commonwealth and her service to my office. Thank you very much, Dallas.

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

The PRESIDENT pro tempore. Dallas, my experience at growing up with an Italian father was there is a life experience around every corner and a lesson, and the lesson always was--I am 53 years old and I still get lessons from my father every day--but the lesson always was I can tell a lot about you by the people you associate with. As I look at the people with whom you associate, it just reaffirms the quality and the good person you are. What you have to look forward to is looking even better than you look today, because all of these people who retired and left here look healthier and better than when they worked here. So there is something around the corner that I am really looking forward to at some point, but clearly, I will miss your smile. I will miss your wonderful demeanor. Getting you in the corner yesterday and just telling you wild stories and sharing that time with you was something very special that I will miss. Many good years to you, God's blessings, and you are welcome back here any time, 24 hours a day, 7 days a week.

Thank you, Mr. President.

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

Senator TARTAGLIONE. Mr. President, I have had the privilege of knowing Dallas for over 20 years. She served with Senator Salvatore, and when I came into the process of executive nominations 2 years ago, Dallas put me straight. I knew I did not have to worry. I knew if she said it was right, it was right. I never would have been able to do all of the work that we do through this committee without your help. So, I truly, truly wish you luck and happiness and good health, and I will see you around. Thanks, Dallas.

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

Senator COSTA. Mr. President, I would be remiss if I did not add my own comments and echo the comments of all of my colleagues who have spoken here today about the tremendous work that Dallas has done over the course of--it is hard to believe that she has been here 37 years, particularly as Senator Scarnati said, looking at her. I wish you all the best. When we would walk into

our Committee on Rules and Executive Nominations meetings, you were always greeted by a warm, friendly, smiling, beautiful face, and Dallas really kept everything moving. The folks have talked about the process that you have managed so very, very well for three decades, but at the end of the day, you made it something that was an enjoyable process for us to participate in. I want to say thank you very much for your service to this Senate, but also to the Commonwealth as a whole. And, one last time: big "D," little "A," double-"L," "A-S" -- Dallas.

Thank you, Mr. President.

The PRESIDENT. Would Senate join me in congratulating our wonderful guest.

(Applause.)

GUEST OF SENATOR STEWART J. GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, I rise to introduce our Chaplain today in the Senate. Pastor Eric Reimer is a native of Emmaus, Pennsylvania, a graduate of Bloomsburg University and the Lutheran Theological Seminary in Gettysburg. He served Rehoboth Lutheran Church in Baden, Pennsylvania, before being called to St. John's Lutheran Church in Hatboro in February 2013. He and his wife, Courtney, have two children, Josiah, 4, and Eliza, 2. St. John's is a large Lutheran congregation in my district with many activities, including a very active food pantry serving the needs of area families each week.

Also, as a personal comment, when we were dealing with and advocating for, all of us here in the Senate, on human trafficking, Pastor Reimer came forward and provided the service of his advocacy and his voice in support of that legislation. He was very kind in his support and generous with his time, including attending one of the hearings we had on that bill one evening. Thank you, Pastor. So we welcome Pastor Reimer to the Senate. I ask that the Senate provide a warm welcome to him.

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

(Applause.)

GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

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

Senator MENSCH. Mr. President, today it is my honor to introduce Miss Bekki Dibble to the Senate. Bekki is currently an intern in my Pennsburg office. Bekki is a full-time student in the ACCESS program at DeSales University where she is majoring in psychology. After she completes her undergraduate degree in March, she is planning to attend Penn State World Campus for her master's of professional studies in homeland security/public health preparedness. In addition to her internship and her education, Bekki also works full-time at the Abington Memorial Hospital as a senior business service representative, where she specializes in handling claims and appeals for Medicare, Pennsylvania Medicaid, and Tricare. In her free time-- it is hard to imagine she has much--but in her free time Bekki enjoys camping and spending time with her husband, Nathan, who is here with her

today. They both enjoy spending time with their dog, Ember. Please join me in welcoming Bekki and Nathan here today.

Thank you, Mr. President.

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

(Applause.)

RECESS

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

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

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

Senator COSTA. Mr. President, at the conclusion of the meetings referenced by the Majority Leader, Senate Democrats will meet in the rear of the Chamber for caucus as well.

The PRESIDENT. For purposes of meetings of the Committee on Rules and Executive Nominations and the Committee on State Government, to be followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

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

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Teplitz and Senator Schwank.

The PRESIDENT pro tempore. Senator Costa requests legislative leaves for Senator Teplitz and Senator Schwank. Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

HB 80 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 201 (Pr. No. 4238) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 402 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 476 (Pr. No. 2186) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-49

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

NAY-1

Ferlo

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 573 (Pr. No. 4170) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in financial responsibility, providing for neighborhood electric vehicles; in special vehicles and pedestrians, providing for operation of pedalcycles with electric assist; and, in inspection of vehicles, further providing for operation of vehicle without official certificate of inspection.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

Senator SMITH. Mr. President, I rise to urge support of House Bill No. 573. This bill would regulate neighborhood electric vehicles. Often used by small businesses and residents of senior communities, the vehicles offer environmental benefits and cost savings to the user. This bill was unanimously approved by the House in June. House Bill No. 573 was also amended to include language similar to that of my bill, Senate Bill No. 997, which would legalize pedal-assist electric bicycles in the State Vehicle Code, stipulating that they do not require a title, registration, or insurance. These innovative bicycles are just that, bicycles first and foremost. But as technology develops and markets emerge, regulation is needed to insure that all pedal-assist electric bicycles, or E-Bikes, meet safety standards and do not resemble mopeds or scooters, which would require titling under Pennsylvania's Vehicle Code.

House Bill No. 573 defines pedal-assist electric bicycles as bicycles equipped with operable pedals, an electric motor of not more than 750 watts, 1 horsepower or less, weighing 100 pounds or less, and capable of a maximum speed of not more than 20 miles per hour. This legislation also requires that the rider be at

least 16 years of age. This is consistent with Federal guidelines. Bike shops have been opening, thriving, and growing throughout Pennsylvania to meet consumer demand from commuters, individuals with mobility issues, or in western Pennsylvania, riders looking for an assist tackling our many hills. Passage of House Bill No. 573 will bring Pennsylvania up to speed on innovative technologies and multimodal transportation options. I respectfully ask for my colleagues' support.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 764 (Pr. No. 4239) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate 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.

RECONSIDERATION OF HB 764

BILL ON FINAL PASSAGE

HB 764 (Pr. No. 4239) -- Senator PILEGGI. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 764, Printer's No. 4239, just passed finally.

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

And the question recurring,
Shall the bill pass finally?

YEA-44

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

NAY-6

Folmer	Leach	Washington	Williams
Kitchen	Tartaglione		

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 803 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 939 (Pr. No. 4250) -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator BOSCOLA. Mr. President, I rise to urge support for House Bill No. 939. In my view, this legislation strikes a reasonable balance while giving consumers more protection and flexibility when it comes to paying their utility bills. Mr. President, all of us need to pay our bills, and we should all understand that all of us pay more when some of us do not pay at all. So, while this legislation does not give anyone a pass, it gives many struggling families more options, protections, time, and flexibility to make their payments.

That being said, I am pleased with components of this bill that protect people from being treated unfairly or harshly. Let me mention a few of these protections. This measure bans Friday terminations. No one should have to wait an entire weekend before they have the opportunity to fully resolve whatever their issue was. The bill protects people who have serious medical conditions from termination, and it protects victims of domestic violence from termination. It protects tenants from termination when their landlord was the one responsible for paying the utility payment. This bill also prevents utility companies from terminating an impoverished family's utility during the cold, bitter, harsh winter months, which we experienced last year.

As Democratic chair of the Committee on Professional Licensure and Consumer Protection, I want you to know that we carefully considered this legislation and painstakingly weighed in on its impact for consumers and the utility companies. I think we arrived at a solid, solid compromise that reestablishes Chapter 14, upholds the responsibility of all consumers to pay their bills, and offers more options and flexibility to certain ratepayers

who find themselves struggling to make ends meet. This would not be possible without my fellow Chair, Senator Tomlinson. He and I worked together, also with Fran and Steve, to make this possible, and also in the House, Representative Godshall and Representative Daley. Together, we worked on a bill that I think is a solid compromise, a very balanced bill, and I really urge a "yes" vote.

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

Senator TOMLINSON. Mr. President, I want to thank Senator Boscola for her chairmanship and her leadership on this issue. I want to thank Representative Godshall and his committee in the House for their hard work on this. This negotiation has been going on for many, many months and this is an extremely important bill. When we did this bill originally, PGW in Philadelphia was not even available for sale. The financial situation for Philadelphia Gas Works was just in terrible condition and nobody would even think of buying it. Today, PGW is a viable company, it has been considered for sale, it probably will be sold, and if we had not done Chapter 14 before, you would never be looking at this company being available going back into the private sector, where it actually really belongs. This does help the consumer, it protects the consumer, but it also protects the people who do pay their bill, because the people who do pay their bill end up paying for the people who do not pay their bill. So, it is most important that we protect those people who are not able to pay their bill, but the people who do pay it are not carrying the weight of those who do not. Ultimately, it is not the utility that pays this, it is the consumer who pays the bill that is not being paid.

I want to, once again, thank Chairwoman Boscola, Steve, I want to thank her staff first and very much, and of course, Fran Cleaver worked very, very hard on this. Given the fact that Fran is going to retire this year, we want to thank her so much for being the bad cop in this deal and bringing those tough utilities to the table to get these negotiations done. This is an extremely good bill. It was sunsetted, we are going to sunset it again, and come back and revisit this again and make sure that this is operating right. The consumers have been taken care of, the companies have been made very profitable and made viable so that they can be sold and they can serve their area.

So, I thank you so much, Senator Boscola, Representative Godshall, and all of those people who worked so hard on these negotiations. This is an excellent bill, and I ask for an affirmative vote.

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

Senator FERLO. Mr. President, I am voting for this bill because it is the best of the situation and it did at least restore some hard-fought consumer rights in terms of consumer protections for individuals who really fall behind in their gas and light bill. I am disappointed that the bill did not include an amendment that I offered to restore a ban on winter shutoffs from November 30 to April 1. I do not think that we have a full appreciation for the number of individuals, middle-class homes, families, and incomes who also struggle with trying to maintain the payment of their bills, let alone elderly and others who are on fixed incomes, those who are unemployed, or who have had extended unemployment. I think there is a perception that there are not suburban middle-class homes that lack gas and light and heat and light. That is not the case. This is a widespread predicament that many

families find themselves in. I do not think it is too much to ask for the small number of individuals whom we are talking about to make sure that there is not a shutoff of valuable, needed, and important heat and light during the cold winter months. For those who are climate change deniers and nonbelievers, we know for a fact that weather conditions are becoming more extreme. Despite some projections of rosy employment figures, we know that still a lot of people are struggling with either inadequate jobs or jobs that do not pay as much. I really do not think it was a burden for the rest of the consumers. I think that is a fallacy, and I think we should have restored the ban on winter shutoffs. Notwithstanding that, the bill does need to move forward. It contains restoration of consumer rights, so I am voting in the affirmative, but I still remain upset about not supporting the ban. Thank you.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL AMENDED

HB 1135 (Pr. No. 4269) -- 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; designating a portion of U.S. Route 1, City Avenue in Phila-

delphia and Montgomery Counties from its intersection with Presidential Boulevard to its intersection with Monument Road as Ed Bradley Way; 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; 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; renaming the Main Street Bridge in Brockway Borough, Jefferson County, as the Ensign USN Connie Rita Esposito Memorial Bridge; 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; 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; and designating a bridge on that portion of State Route 181 over the Conewago Creek, between Newberry Township and East Manchester Township, York County, as the SP4 Randy Stephen Schell Memorial Bridge.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CORMAN offered the following amendment No. A10286:

Amend Bill, page 2, line 9, by striking out " AND"

Amend Bill, page 2, line 13, by striking out the period after "BRIDGE" and inserting:
; and designating a portion of Pennsylvania Route 144 in Centre County as the PFC Donald Ray Lucas Memorial Highway.

Amend Bill, page 13, by inserting between lines 28 and 29:
Section 15. PFC Donald Ray Lucas Memorial Highway.

(a) Findings.--

(1) Private First Class Donald Ray Lucas was born on September 6, 1948, and was a native of Centre Hall, Pennsylvania.

(2) PFC Lucas began his sole tour of duty in Vietnam on November 15, 1968, as a member of the United States Marine Corps.

(3) PFC Lucas was awarded the Purple Heart, the National Defense Medal, the Vietnam Service Medal, the Vietnam Campaign Medal and the Combat Action Ribbon.

(4) On January 12, 1969, PFC Lucas made the ultimate sacrifice in selfless service to his nation during combat operations in Quang Nam Province.

(b) Designation.--The section of Pennsylvania Route 144 in Centre County from Old Fort to Potters Mills is hereby designated the PFC Donald Ray Lucas Memorial Highway.

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

Amend Bill, page 13, line 29, by striking out " 15" and inserting:
16

Amend Bill, page 14, line 1, by striking out "SECTION 5" and inserting:

Sections 5, 15

On the question,

Will the Senate agree to the amendment?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, I believe this amendment is agreed to. I want to thank the Chair of the Committee on Transportation for his indulgence for this late amendment on this bill.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

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

BILL OVER IN ORDER

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 1310 (Pr. No. 2190) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-49

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

NAY-1

Ferlo

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 1357 (Pr. No. 4256) -- 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, in falsification and intimidation, further providing for the offenses of impersonating a public servant and for impersonating a notary public or a holder of a professional or occupational license; 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 for visual and audible signals on emergency vehicles.

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

On the question,
Shall the bill pass finally?

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

Senator RAFFERTY. Mr. President, I just want to take a moment to once again thank all of my colleagues in this Chamber for standing tall. Just the other day we amended, by unanimous vote, the ignition interlock into this House Bill so we can get it to the House in time for their concurrence and to the Governor. I want to thank as well, Mr. President, your office and staff, Senator Pileggi's office and staff, and Senator Costa's office and staff for their enthusiastic support in working with my partner on the Committee on Transportation, Senator Wozniak, on this piece of legislation. So, I ask for an affirmative vote on this bill, and once again, I thank my colleagues for their support.

Thank you, Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Lancaster, Senator Smucker.

Senator SMUCKER. Mr. President, we take many actions in this body intended to protect public safety and even to save lives, but rarely is there a serious need that Pennsylvania confronts today with an available remedy that so directly addresses that serious problem. The damage done and the costs inflicted by repeat drunk drivers are shattering, appalling, and infuriating. If you look at the statistics documenting the crashes and fatalities, read the accident reports and news accounts, or most of all listen to the painful stories told by families hurt forever by the loss of loved ones or who face the challenges of caring for individuals suffering catastrophic and permanently debilitating injuries, the drunk drivers are almost always way past the legal limit and frequently are driving despite their license having been suspended.

The county that I represent, Lancaster, has mobilized behind anti-DUI measures after seeing far too many terrible tragedies. Some courageous parents have called for corrective action, and the community has responded with remarkable fervor. Law enforcement, local officials, countless residents, and the media all are insisting on legislative action on votes to approve better laws. Just ask the Members of the Committee on Transportation and the Committee on Judiciary who held a joint hearing in Lancaster several weeks ago about what they saw in terms of emotion, outrage, and support for reform. I would like to thank Senator Rafferty and Senator Greenleaf for agreeing to hold that hearing.

It is true that over time standards have been toughened and sanctions have been increased here in Pennsylvania, but loopholes have opened and our State has never adopted the more stringent penalties that many other States are applying. So staying with the current system is indefensible, and we are accountable for making it right. The traditional answers, such as increasing fines, adding to prison sentences, and lengthening license suspensions, are not sufficient because they are after-the-fact and do not keep problem drunk drivers away from the wheel. Our focus has to be on measures that effectively stop drunk drivers from getting behind the wheel. Ignition interlock, as contained in this amendment, is the most immediate step. It is not the only

answer, and certainly not the foolproof answer, there is more to do and we should be back at it in the next legislative Session. But ignition interlock is a substantial step in the right direction from a practical standpoint and it sends a very, very clear message. Repeat drunk driving offenders have too many enablers, our system of law and justice certainly should not be one of them.

So, again, I would like to thank Chairman Rafferty of the Committee on Transportation for his leadership on this issue, and I also want to mention that there has been work done in the House on this issue, particularly Representative Moul has been supportive of other anti-drunk driving legislation measures as well.

So thank you very much, Mr. President.

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

Senator DINNIMAN. Mr. President, I wish to stand briefly to thank Senator Rafferty for his leadership. Senator Rafferty and I, along with Senator Pileggi, represent Chester County, where we have seen some real tragedies with repeat drunk drivers. Anything that could prevent these tragedies that are in this bill is a step in the right direction. I agree with what Senator Smucker said, I agree with this legislation, and I think we should all be proud of ourselves with the opportunity to pass this legislation and prevent more people from dying on our highways because of irresponsible drunk drivers.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 1361 (Pr. No. 2326) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, 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.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

HB 1436 (Pr. No. 4244) -- The Senate proceeded to consideration of the bill, entitled:

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.

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-48

Alloway	Farnese	Pileggi	Vance
Argall	Ferlo	Rafferty	Vogel
Baker	Fontana	Robbins	Vulakovich
Blake	Gordner	Scarnati	Wagner
Boscola	Greenleaf	Schwank	Ward
Brewster	Hughes	Smith	Washington
Browne	Hutchinson	Smucker	White
Brubaker	Kasunic	Solobay	Wiley
Corman	Kitchen	Stack	Williams

Costa	Leach	Tartaglione	Wozniak
Dinniman	McIlhinney	Teplitz	Yaw
Erickson	Mensch	Tomlinson	Yudichak

NAY-2

Eichelberger	Folmer
--------------	--------

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.

HB 1440 (Pr. No. 1951) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, further providing for definitions.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 1481 (Pr. No. 2372) -- The Senate proceeded to consideration of the bill, entitled:

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.

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?

POINT OF ORDER

The PRESIDENT pro tempore. The Chair recognizes the gentleman from York, Senator Wagner.

Senator WAGNER. Mr. President, I rise to seek a ruling from the Chair under Rule 20(c), as to whether I can vote on Senate Bill No. 1481 because I am the owner of a waste collection company and trucking company that both transport residual waste.

The PRESIDENT pro tempore. The Chair thanks the gentleman for his inquiry about a conflict of interest in the factual situation just given. The Chair would rule that there is no conflict of interest and that in accordance with Senate Rule 20(c), the Senator must vote on Senate Bill No. 1481 for two reasons. First, the Chair finds that the gentleman is a member of a class of individuals who may or may not be affected by any actions on such legislation; and second, the Chair does not find that any votes the gentleman may cast would be particularly personal to Senator Wagner or privately affect Senator Wagner alone. Therefore, it would be the ruling of the Chair that the gentleman be required to vote on Senate Bill No. 1481.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-1

Ferlo

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

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

BILL OVER IN ORDER

SB 1491 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1550 (Pr. No. 4270) -- The Senate proceeded to consideration of the bill, entitled:

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; establishing the Pennsylvania Military Community Enhancement Commission; 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.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate 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.

HB 1714 (Pr. No. 4271) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for disposition of abandoned personal property.

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-29

Alloway	Erickson	Rafferty	Wagner
Argall	Folmer	Robbins	Ward
Baker	Gordner	Scarnati	White
Boscola	Greenleaf	Smucker	Wozniak
Browne	Hutchinson	Tomlinson	Yaw
Brubaker	McIlhinney	Vance	
Corman	Mensch	Vogel	
Eichelberger	Pileggi	Vulakovich	

NAY-21

Blake	Fontana	Smith	Wiley
Brewster	Hughes	Solobay	Williams
Costa	Kasunic	Stack	Yudichak
Dinniman	Kitchen	Tartaglione	
Farnese	Leach	Teplitz	
Ferlo	Schwank	Washington	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL OVER IN ORDER

HB 1796 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 1816 (Pr. No. 4276) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for employment history review and for electronic public safety and criminal justice information; in certification of teachers, further providing for continuing professional development; providing for baccalaureate certification basic skills; and further providing for Pennsylvania School Leadership Standards.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Wagner

Blake	Fontana	Scarnati	Ward
Boscola	Gordner	Schwank	Washington
Brewster	Greenleaf	Smith	White
Browne	Hughes	Smucker	Wiley
Brubaker	Hutchinson	Solobay	Williams
Corman	Kasunic	Stack	Wozniak
Costa	Kitchen	Tartaglione	Yaw
Dinniman	Leach	Teplitz	Yudichak
Eichelberger	McIlhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 1846 and **HB 1874** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 2092 (Pr. No. 4273) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for examination of applicant for driver's license; and in commercial drivers, further providing for requirement for commercial driver's license.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate 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 AND REREFERRED

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

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

On the question,

Will the Senate agree to the bill on third consideration?

Senator PILEGGI offered the following amendment No. A10290:

Amend Bill, page 1, line 7, by inserting after "for": definitions, for

Amend Bill, page 1, lines 14 through 17, by striking out all of said lines and inserting:

Section 1. Section 302 of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, added November 21, 1996 (P.L.741, No.134), is amended to read:
Section 302. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Director." The Director of the Division of the State Lottery.

"Division." The Division of the State Lottery created by this chapter.

"Internet instant game." A lottery game in which, by the use of a computer, tablet computer or other mobile device, a player removes the covering from randomly generated numbers or letters which reveal whether the instant ticket is a winning ticket for which money is paid. A player shall not include a retailer.

"Keno." A lottery game commonly known as keno.

"Lottery" or "State Lottery." The lottery established and operated under this chapter.

"Secretary." The Secretary of Revenue of the Commonwealth.

Section 2. Section 303(a)(1), (8) and (11)(iv) of the act, amended November 21, 1996 (P.L.741, No.134) and June 30, 2011 (P.L.110, No.23), are amended and the section is amended by adding a subsection to read:

Amend Bill, page 2, by inserting between lines 5 and 6:

(1) The type of lottery to be conducted, except that the secretary may not authorize the game of keno or an Internet instant game unless specifically authorized by law.

(8) The method to be used in selling tickets or shares[...], except that sales through the lottery's Internet website or Internet websites operated by licensed lottery retailers of any lottery game or any Internet instant game shall be prohibited unless specifically authorized by law.

Amend Bill, page 2, by inserting between lines 21 and 22:

(a.1) Prohibitions.--The secretary may not offer any Internet-based or monitor-based interactive lottery game or simulated casino style lottery game, including video poker, video roulette, slot machines or video blackjack, through the State Lottery.

Section 3. Section 315 of the act, added June 30, 2011 (P.L.110, No.23), is amended to read:

Amend Bill, page 3, line 8, by striking out "2" and inserting:

4

On the question,

Will the Senate agree to the amendment?

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

Senator COSTA. Mr. President, for the benefit of the Democratic Members, this is the amendment that addresses the keno and Internet gaming issue that we referenced in our Caucus earlier. The language is acceptable, and I ask for an affirmative vote.

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

Senator PILEGGI. Mr. President, the gentleman is correct. I thank him for his recommendation, and I offer the same recommendation and ask for an affirmative vote.

And the question recurring,

Will the Senate agree to the amendment?

YEA-50

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

NAY-0

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

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

BILL OVER IN ORDER

HB 2120 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2310 (Pr. No. 4274) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 2014 (P.L.881, No.100), entitled "An act authorizing the Department of General Services to survey certain lands and buildings situate partly in the City of Harrisburg and partly in Susquehanna Township, Dauphin County; authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to East Liberty Development Corporation certain lands and improvements situate in the City of Pittsburgh, Allegheny County; authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the City of Pittsburgh, Allegheny County, and the Borough of Pine Grove, Schuylkill County; authorizing the Department of General Services, with the approval of the Governor to remove and release the restrictive use covenants imposed on certain real property

situate in the Borough of Blossburg, Tioga County; authorizing the Department of General Services, with the approval of the Department of Labor and Industry and the Governor, to grant and convey to the Coatesville Area Senior Center, or its successors or assigns, certain lands, buildings and improvements situate in the City of Coatesville, Chester County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Technician Training School certain lands situate in the City of Philadelphia, Philadelphia County; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Fort LeBoeuf Historical Society certain lands situate in the Borough of Waterford, Erie County; authorizing and directing the Department of General Services, with the approval of Millersville University of Pennsylvania of the State System of Higher Education and the Governor, to grant and convey to Penn Manor School District certain lands situate in the Borough of Millersville, Lancaster County, and further authorizing and directing the Department of General Services to accept, in exchange, a conveyance of certain lands situate in the Borough of Millersville, Lancaster County, from the Penn Manor School District; authorizing the Department of General Services, with the approval of the Governor, to remove and release the restrictive use and reversionary covenants imposed on certain real property situate in the City of Scranton, Lackawanna County; partially removing and releasing restrictive use covenants on certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Attorney General and the concurrence of the Department of Environmental Protection, to lease to the City of Philadelphia land within the bed of the Delaware River within the City of Philadelphia," reenacting provisions authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Fort LeBoeuf Historical Society certain lands, known as Washington Monument Park, Judson House and Fort LeBoeuf Museum, situate in the Borough of Waterford, Erie County; authorizing the Department of General Services, with the approval of the Department of Environmental Protection and the Governor, to grant and convey to Centura Development Co., Inc. a vacant parcel of land situate in Old Lycoming Township, Lycoming County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Erie Convention Center Authority, or its assigns, an ingress and egress easement from lands of the Commonwealth of Pennsylvania at the Warner Theater Historical Site situate in the City of Erie, Erie County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to East Allen Township, or its assigns, certain lands situate in the Township of East Allen, Northampton County; and authorizing the Department of General Services, with the approval of the Department of Agriculture and the Governor, to grant and convey to D&I Silica LLC, or its assigns, an egress easement through lands of the Commonwealth of Pennsylvania situate in the Township of Tunkhannock, County of Wyoming.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Wagner
Blake	Fontana	Scarnati	Ward
Boscola	Gordner	Schwank	Washington
Brewster	Greenleaf	Smith	White
Browne	Hughes	Smucker	Wiley
Brubaker	Hutchinson	Solobay	Williams

Corman	Kasunic	Stack	Wozniak
Costa	Kitchen	Tartaglione	Yaw
Dinniman	Leach	Teplitz	Yudichak
Eichelberger	McIlhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 2340, HB 2345 and HB 2420 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

BILLS REREFERRED

SB 7 (Pr. No. 2284) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education), 71 (State Government) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, further providing for actuarial cost method and for administrative duties of board; providing for taxpayer protection; and making a related repeal.

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

HB 28 (Pr. No. 2065) -- 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 definitions; and providing for nonmunicipal police extraterritorial jurisdiction for purposes of municipal police jurisdiction.

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

HB 34 (Pr. No. 613) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

SB 76 and HB 162 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 477 (Pr. No. 1126) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS REREFERRED

HB 618 (Pr. No. 3891) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in charter schools, further providing for funding for charter schools.

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

HB 1067 (Pr. No. 1294) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

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

BILL OVER IN ORDER

HB 1096 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL LAID ON THE TABLE

HB 1159 (Pr. No. 3645) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for examination of applicant for driver's license.

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

BILLS ON SECOND CONSIDERATION

SB 1268 (Pr. No. 2371) -- The Senate proceeded to consideration of the bill, entitled:

An Act regulating navigators and assisters in the education and promotion of health insurance exchanges.

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

SB 1302 (Pr. No. 2368) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in creation, alteration and termination of planned communities, further providing for voting and proxies.

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

HB 1565 (Pr. No. 4258) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILLS OVER IN ORDER

HB 1822 and HB 1837 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

HB 1907 (Pr. No. 3334) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

BILL REREFERRED

HB 2049 (Pr. No. 3050) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for administration of epinephrine auto-injectors by school bus drivers.

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

BILL OVER IN ORDER

HB 2278 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

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 the purpose of a meeting of the Committee on Appropriations to be held in the Rules room beginning immediately.

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Appropriations, without objection, the Senate stands in recess.

AFTER RECESS

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

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

BILLS REPORTED FROM COMMITTEES

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

SB 1440 (Pr. No. 2384) (Amended) (Rereported)

An Act amending the act of July 5, 2012 (P.L.1102, No.132), known as the State System of Higher Education Intellectual Property Act, further providing for title of act, for short title, for definitions and for repeal.

HB 46 (Pr. No. 3761) (Rereported)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, codifying the act of July 2, 2006 (P.L.292, No.65), known as the Organ and Bone Marrow Donor Act; further providing for applicability; and making a related repeal.

HB 91 (Pr. No. 4289) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for educational improvement tax credit; and repealing provisions relating to educational opportunity scholarship tax credit; and, in city revitalization and improvement zones, further providing for definitions.

HB 435 (Pr. No. 4225) (Rereported)

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 1567 (Pr. No. 3126) (Rereported)

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

HB 1654 (Pr. No. 2274) (Rereported)

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and follow-up program.

HB 1655 (Pr. No. 4226) (Rereported)

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 2178 (Pr. No. 3855) (Rereported)

An Act amending Titles 30 (Fish) and 34 (Game) of the Pennsylvania Consolidated Statutes, in enforcement, further providing for powers and duties of waterways conservation officers and deputies and for powers and duties of enforcement officers.

HB 2354 (Pr. No. 4290) (Amended) (Rereported)

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.

HB 2377 (Pr. No. 4291) (Amended) (Rereported)

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for definitions and for laws suspended during emergency assignments.

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

SB 83 (Pr. No. 2323) (Rereported) (*Concurrence*)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in special vehicles and pedestrians, providing for regulation and operation of neighborhood electric vehicles.

SB 807 (Pr. No. 2338) (Rereported) (*Concurrence*)

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for license required, for the licensing agency and its functions, for powers and functions of board, for qualifications for license, for procedures for licensing, for reciprocity and for reinstatement of license; providing for nomenclature; and further providing for penalties, for license renewal and records and fees and for unlawful practice.

SB 1290 (Pr. No. 2320) (Rereported) (*Concurrence*)

An Act requiring the disclosure of mobile communications tracking information; and providing for immunity.

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

HB 2481 (Pr. No. 4149)

An Act authorizing the Treasury Department to process Supplemental Security Income State Supplement Payments for other states; providing for duties of the Treasury Department; and establishing the SSP Processing Account.

RESOLUTION REPORTED FROM COMMITTEE

Senator WAGNER, from the Committee on Intergovernmental Operations, reported the following resolution:

SR 430 (Pr. No. 2383) (Amended)

A Resolution urging the President and the Congress of the United States to publicly denounce the crimes against humanity occurring in Iraq and to take prudent action to protect Iraqi Christians and other religious minorities from persecution from the Islamic State of Iraq and the Levant.

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 1**

SENATE CONCURS IN HOUSE AMENDMENTS

SB 83 (Pr. No. 2323) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in special vehicles and pedestrians, providing for regulation and operation of neighborhood electric vehicles.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 83?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 83.

On the question,

Will the Senate agree to the motion?

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

Senator GREENLEAF. Mr. President, I ask for a favorable vote for concurrence on this piece of legislation. It is legislation I have been working on for about 10 years, and what the legislation does is permits the operation of low-speed electric vehicles on certain State highways. The average person does not drive that much in one day and that is perfect for electric vehicles because they have to be recharged and they have a limited range. So the vast and very large percentage of people do not use their vehicles beyond the range of these small electric vehicles.

So, what would happen is they are lower cost, obviously they have a much lower cost to operate because they are run by batteries, lower maintenance, lower road maintenance, and are economically friendly. They would be limited to speed up to 35 miles per hour based on the approval of the particular municipalities. When we started, maybe a few States were doing this, now there are probably 30 or more States that are now approving these vehicles. They are safe, they are sold by the regular car agencies, and they are subject to repairs and service and all of that. So this is a great step. If we can do this, we talk about reducing our carbon footprint, this would do that significantly. So I ask for an affirmative vote.

And the question recurring,

Will the Senate agree to the motion?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 807 (Pr. No. 2338) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act, further providing for definitions, for license required, for the licensing agency and its functions, for powers and functions of board, for qualifications for license, for procedures for licensing, for reciprocity and for reinstatement of license; providing for nomenclature; and further providing for penalties, for license renewal and records and fees and for unlawful practice.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 807?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 807.

On the question,

Will the Senate agree to the motion?

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Wagner
Blake	Fontana	Scarnati	Ward
Boscola	Gordner	Schwank	Washington
Brewster	Greenleaf	Smith	White
Browne	Hughes	Smucker	Wiley
Brubaker	Hutchinson	Solobay	Williams
Corman	Kasunic	Stack	Wozniak

Costa	Kitchen	Tartaglione	Yaw
Dinniman	Leach	Teplitz	Yudichak
Eichelberger	McIlhinney	Tomlinson	
Erickson	Mensch	Vance	

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 1290 (Pr. No. 2320) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring the disclosure of mobile communications tracking information; and providing for immunity.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 1290?

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

Senator PILEGGI. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 1290.

On the question,

Will the Senate agree to the motion?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

**SPECIAL ORDER OF BUSINESS
SUPPLEMENTAL CALENDAR No. 2**

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

HB 435 (Pr. No. 4225) -- The Senate proceeded to consideration of the bill, entitled:

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.

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

Senator COSTA. Mr. President, I offer some remarks for the record regarding House Bill No. 435.

The PRESIDING OFFICER. Without objection, the remarks will be spread upon the record.

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

Mr. President, I rise today to discuss House Bill No. 435, a bill that furthers our commitment to provide for the safety of our children. House Bill No. 435 is the final piece of the full child protection package, a package that had resounding bipartisan support in the General Assembly. The language in this bill clarifies a few key points contained within the child protection package and brings it in line with other key pieces of legislation that have already been passed through this Chamber and signed by the Governor. Specifically, House Bill No. 435 addresses the issue of child abuse clearances for volunteers, child care workers, and school employees, virtually anyone having direct responsibility for a child in a volunteer or employment setting. Further, Mr. President, this bill requires the Pennsylvania Department of Education, Department of Human Services, and the Pennsylvania Commission on Crime and Delinquency to study employment bans, the need for an appeals process, and uniform employment bans generally and provide recommendations to the General Assembly.

An issue close to those of us in western Pennsylvania, Mr. President, the language contained in House Bill No. 435 clarifies an issue that came to light in a recent grand jury report regarding Western Psychiatric Institute and Clinic and UPMC. Once passed, this legislation ensures that all who are mandated to report child abuse will report it to law enforcement without question of being in violation of any standing statutes or privacy laws.

And finally, but equally as important, Mr. President, this bill addresses the issue of added protections for children in our schools.

House Bill No. 435 would allow for child-care employees and school employees to hire provisional employees for no more than 90 days as long as:

- The employee has applied for the required clearances.
- The employee swears or affirms they have not committed a crime that would bar them from employment and
- The employer has no knowledge that the employee has been convicted of a crime that would bar them from employment.

In essence, Mr. President, this bill takes further steps to protect one of this State's most valuable resources, our children, and for that I would ask my colleagues for an affirmative vote on House Bill No. 435. Thank you.

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

Senator VULAKOVICH. Mr. President, I submit my remarks for the record.

The PRESIDING OFFICER. Without objection, the remarks will be spread upon the record.

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator VULAKOVICH:)

Mr. President, in 2011, Senator Ward introduced legislation establishing the Task Force on Child Protection. Three years later, 18 bills have been signed into law with several bills moving closer to the goal line, including House Bill No. 435, which will establish important safeguards for our children as it pertains to adults in a supervisory capacity, whether it is a teacher or volunteer. While additional background checks may seem burdensome, for too long predators have taken advantage of lax rules and preyed upon our children. This, as well as our other bills, says "no more."

So, to date, 23 bills in packages, 18 enacted, and 3 more expected to be done before we leave next week. I would like to commend all of our Members, on both sides of the aisle, as well as the Corbett administration, for their dedication to this issue. I would also like to thank Vicki Wilken, counsel to Senator Browne, for her work in shepherding the package through the process. Our children are safer thanks to this work.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 1654 (Pr. No. 2274) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of September 9, 1965 (P.L.497, No.251), known as the Newborn Child Testing Act, further providing for newborn child screening and follow-up program.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

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 John W. Phillips and to the citizens of Cumberland Township by Senator Alloway.

Congratulations of the Senate were extended to Rachael Paisley, Robert F. Pomian, Dorothy K. Pomian and to Shane C. Miller by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Moyer, Sister Mary Magdalena Parker, James Firmstone, William D. Smith, Jr., James Shook, John Kiesendahl, Bianca Maria Ricci, Saint Jude Elementary School and to Panorama Golf Course by Senator Baker.

Congratulations of the Senate were extended to Major General Michael J. Terry, Lieutenant General Francis J. Wiercinski and to Joshua Kevin Lawler by Senator Blake.

Congratulations of the Senate were extended to the Honorable Diane S. Martin, Dr. John F. McCarthy, Maxx Steible, Sharon Diaspe, Lisa J. Gotto, Elizabeth Cecilia Dimmig, Anna A. Stofko, Christine K. Armstrong, Philip G. Joly, Russel P. Pacala, Donna S. Acerra, Local No. 375 of the International Brotherhood of Electrical Workers and to Just Born, Inc., by Senator Boscola.

Congratulations of the Senate were extended to the Honorable Kelley Kelley, Bernice Dougherty, William Gatti, Dana Bishop-Root, Leslie Stem, Ruthie Stringer and to Marilyn Russell by Senator Brewster.

Congratulations of the Senate were extended to Dr. Warren C. Johnson and to the Grandview Heights Christian Academy by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Donald E. Lyons, Charles D. Rupert, Ryan Charles Vanauken, Linda Burdge and to R. Franklin Campbell by Senator Corman.

Congratulations of the Senate were extended to Dr. Joylette Portlock, Christa Ross, Mark Harvey Smith, Homestead District Lions Club and to the Edgewood Towne Center Giant Eagle by Senator Costa.

Congratulations of the Senate were extended to Collegium Charter School by Senator Dinniman.

Congratulations of the Senate were extended to Cakes and Candies by Maryellen and to the Greater West Chester Chamber of Commerce Education Committee by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to John K. Baillie, Katherine A. Pettiss, Paul L. Johnson, Bob Ray and to Robert Lange by Senator Dinniman and others.

Congratulations of the Senate were extended to Chad N. Miller and to Kenneth Mowry by Senator Eichelberger.

Congratulations of the Senate were extended to Roberta D. Pichini and to Isidoro Colon, Jr., by Senator Farnese.

Congratulations of the Senate were extended to Noah Henri Adams by Senators Ferlo and Vulakovich.

Congratulations of the Senate were extended to Mr. and Mrs. Daniel Duttlinger, Mr. and Mrs. Dwight Herrold, James Wirth, Susan Ulsh and to Christopher Deppen by Senator Gordner.

Congratulations of the Senate were extended to Gregg Warner, Tim Campbell and to the Horsham Fire Company by Senator Greenleaf.

Congratulations of the Senate were extended to Gladys H. Robinson and to Wendelin Daphane Smith by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Dale Wilson by Senator Hutchinson.

Congratulations of the Senate were extended to Mary Libengood by Senator Kasunic.

Congratulations of the Senate were extended to John Bowie, Anthony J. Desher, Francis Spires, Raymond Kott, Catherine Allan, Brian Wierzbicki, Shirley Allen, Wendell Hilliard and to Frank Harley by Senator Kitchen.

Congratulations of the Senate were extended to Dr. Avis Renee McGhee by Senator Leach.

Congratulations of the Senate were extended to Keith McMillen, Stanley A. Morrison III and to Thomas W. Clark by Senator McIlhinney.

Congratulations of the Senate were extended to LifeSpan School and Day Care by Senator Mensch.

Congratulations of the Senate were extended to the Perkiomen Watershed Conservancy by Senators Rafferty and Mensch.

Congratulations of the Senate were extended to Captain Kim Edward Diefenderfer, Jacob Andrew Durmis and to Edward McCullough by Senator Robbins.

Congratulations of the Senate were extended to Dr. Michael Kulish and to Donaldson Elementary School by Senator Smith.

Congratulations of the Senate were extended to Robert Junko, Richard Kelvington, Jackie Bonus Kotchman, Bryan Hammond, Samuel Calabro, Donald Hayes, Dan Burt, Harold Burt, Jack Burt, Don Burt, Andrew Migyanko and to the Trinity Area High School Rifle Teams of 1982 and 1983 by Senator Solobay.

Congratulations of the Senate were extended to Donn Henderson and to the Monessen Veterans Council by Senators Solobay and Kasunic.

Congratulations of the Senate were extended to John Francis Ross, Jr., by Senator Tartaglione.

Congratulations of the Senate were extended to Master Sergeant Scott M. Fritz by Senator Teplitz.

Congratulations of the Senate were extended to Fran Cleaver and to the Langhorne Gardens Rehabilitation and Nursing Center by Senator Tomlinson.

Congratulations of the Senate were extended to Lawrence A. Dowdy by Senators Tomlinson and Dinniman.

Congratulations of the Senate were extended to Erik Lars Thorne, Tyler Helvin, William Joseph Keating II and to Wendy A. David by Senator Vance.

Congratulations of the Senate were extended to The Salvation Army in New Castle by Senator Vogel.

Congratulations of the Senate were extended to Mr. and Mrs. Mark Shepard, Dr. Lawrence E. Bozzomo, Jim Sloan, David Sloan, Carrie Hucko, Barry Bimbi, Kim Jenkins Ken, Kelly Langhans, Todd Davidson, Nicole Lenart, Meg Johns Alexander, Laurel Casten Beattie, Mark Yanni and to Scott DeAugustino by Senator Vulakovich.

Congratulations of the Senate were extended to the Honorable Michele Bononi, Tom Planinsek, R. Tyler Courtney, Julie Alakson, NHS-Westmoreland County Schools, Big Frog Custom T-Shirts & More and to the Elliott Group by Senator Ward.

Congratulations of the Senate were extended to Joseph E. Donofry and to William Currie by Senator Washington.

Congratulations of the Senate were extended to Mr. and Mrs. William Barnhart and to Kittanning Hose, Hook and Ladder Company No. 1, Inc., by Senator White.

Congratulations of the Senate were extended to the Reverend George E. Strohmeier, Polish Falcons Nest No. 610 and to the Lake Erie Group of the Sierra Club by Senator Wiley.

Congratulations of the Senate were extended to Jonathan Cepek and to Brad Farabaugh by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. Bruce Elwood Bartley, Sr., Mr. and Mrs. Robert Wenner, Mr. and Mrs. Gary L. Kaufman, Sr., and to Brett E. Williams by Senator Yaw.

Congratulations of the Senate were extended to Harold Thomas Ash III by Senator Yudichak.

Congratulations of the Senate were extended to Bloomsburg University by Senators Yudichak and Gordner.

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 Matthew W. Rollison and to the family of the late Edward E. Luksa, Jr., by Senator Baker.

Condolences of the Senate were extended to the family of the late Joseph M. Smuszkiewicz by Senator Boscola.

Condolences of the Senate were extended to the family of the late Honorable Daniel F. Clark by Senator Corman.

Condolences of the Senate were extended to the family of the late Mildred Smith by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Carolyn Corey Jarin, to the family of the late Virginia Millie Breuninger Snively and to the family of the late Martha Spring by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Dorothy J. Leisman by Senator Solobay.

BILL ON FIRST CONSIDERATION

Senator GORDNER. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.

The bill was as follows:

HB 2481.

And said bill 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

TUESDAY, OCTOBER 14, 2014

10:00 A.M.	URBAN AFFAIRS AND HOUSING (public hearing on Declining Ownership on Properties - Population Decline)	Hrg. Rm. 1 North Off.
Off the Floor	APPROPRIATIONS (to consider House Bills No. 477, 1013, 1067, 2110, 2234 and 2481)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 27; and certain executive nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, OCTOBER 15, 2014

9:30 A.M.	COMMUNICATIONS AND TECHNOLOGY (an informational presentation by the PA eHealth Partnership Authority)	Senate Maj. Caucus Rm.
-----------	--	---------------------------

MONDAY, OCTOBER 27, 2014

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

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I want to make a very brief remonstrance concerning education. Last night, I joined the League of Women Voters from Chester, Delaware, and Montgomery Counties, and Radnor Township, over 200 people were present as well as various television stations from the Philadelphia area, and I want to express the united sentiment at that

meeting, a sentiment united against the Keystone Exams and waiting for action from the legislature to once and for all stop these Keystone Exams. It did not matter who was talking, whether it was school board members, whether it was school superintendents, whether it was teachers, whether it was parents, or whether it was students. When you started to hear of the consequences of these exams on the education of young people in this Commonwealth, you have to start to expect some action from this legislature. I know that the sentiments I express are shared by the Majority Chair of my committee as well, Senator Folmer. I stand today to express disappointment that this legislature, that this Senate, so far with only 2 days left, has not taken action on Senator Folmer's bill, which would have ended the Keystone Exams as a graduation requirement.

We heard, for example, from the West Chester School District, that has told us that 26 days of their school calendar are taken up in preparation and the giving of these exams. Haverford School District in Delaware County told us that it was even more days taken up. We heard from the West Chester School District that they are spending an additional \$600,000 with added specialists and teachers to prepare children for these exams. Think about this, that a child now does not graduate from one of the high schools of this Commonwealth simply based on the tests of three examinations. That child stayed in school. That child did the best that they could do, but they have to take and pass an examination in algebra, in biology, and in literature. If they do not pass, they do not graduate. If you want to start creating more dropouts in this Commonwealth, then you keep this program alive and well.

Also understand, let us look at this process, if we can, Mr. President, for a second. Those schools that lack resources have a much higher failure rate on these exams. There is a direct relation in education between poverty and failure on the Keystone Exam. For those of you who might be watching this on TV, understand that the effect of these Keystone Exams go into operation with the graduating class of 2017. This means that a child who is in 9th and 10th grade today will be affected by these exams because they are in the class of 2017. So let us look at that child in the school district of Philadelphia, our largest district. If that youngster took Biology I last year or is taking it this year, that child is in a classroom way over the size that he should be because we have not funded that school district appropriately. That child does not have an opportunity to have the same lab opportunities and the same specimens that a child in more wealthy school districts would have. Those children do not even have the common core textbooks upon which the test is based. Then you tell me, we are going to stamp "failure" on that youngster? Believe me, we should stamp "failure" on us, the legislature, for not funding those schools.

Those parents who are there from Delaware County, Chester County, and Montgomery County, God bless them, because they expressed concern not only about their own children, but the children in Philadelphia and in the other poor districts in this Commonwealth. They are tired of more and more instruction days being taken away from learning and being focused on test after test after test. You know what we have done in this Commonwealth? We have replaced No Child Left Behind with no test left behind. This test madness has got to stop. There was an opportunity in this legislature to do it by passing Senator Folmer's bill. We have missed that opportunity. In the Philadelphia sub-

urbs, 52 of our 56 superintendents sent a letter begging us to do so. All of the superintendents in Delaware County asked us to do it. All but one of the superintendents in Chester County asked us to do it. The superintendent of schools in West Chester sent a letter to the 16,000 parents, many of whom wrote us asking us to end the test. As I mentioned, it is costing West Chester \$600,000 this year because of the testing, and they are losing 26 days of instruction.

So, Mr. President, I know you share many of my feelings on this issue. You have spoken out in Chester County on this issue. Enough is enough. We in this legislature have to stand behind our parents. We have to get this done. We have to stop the craziness of these Keystone Exams. The parents have asked us, and last night, when I appeared before that forum sponsored by the League of Women Voters of our three suburban counties and saw that unity of purpose and saw what was happening--this was sponsored by the League of Women Voters, coordinated by Amy Goldman, whom many of you know actually is Jim Gardner's wife--and saw the TV there, the parents there in one united voice, I told them, I am going to come on the Senate floor today to urge us in our last 2 days to take some action.

The other matter, Mr. President, and I will be brief, of course I always promise that, but I will try, is this: there is a second bill that we took no action on. That bill was a very simple bill. That bill was to end the unfunded mandates that are created by the Board of Education. What is that all about? You know, we have a State Board of Education. How did we get these Keystone Exams in the first place? The regulation was sponsored by the State Board of Education. That regulation in turn was sent to the IRRC, which approves regulations. The truth of the matter is that the Inter-Regulatory Review Commission does not have any way to examine the budgetary costs of these regulations. Every Senator here has promised to stop unfunded mandates. We all say that. We have a way. Ninety-five percent of the unfunded mandates in education do not come from the legislature, they come from the State Board of Education. In fact, in terms of the Keystone Exams, the conservative estimate is it is a \$300 million unfunded mandate on our schools. The State Board of Education, the Secretary of Education said it was not going to cost any money. You tell that to West Chester and the other school districts that are already paying hundreds of thousands of dollars.

I offered a very simple bill. It was unanimously passed in the Committee on Education. It simply said that in terms of any resolution coming to IRRC from the State Board of Education, there had to be a budget note to accompany that regulation. The Committee on Education, with Senator Folmer's full backing of my simple bill, said it makes perfect sense, then we know the costs. This body has refused to take up that bill. I think that is unfortunate because if we are serious about ending unfunded mandates that come from the Department of Education, there is an easy and simple way to do it.

So, as this Session closes with 2 days left, I come before you in a bipartisan manner, because what I am asking you to do is take up Senator Folmer's bill. In fact, it originally was my bill, but I gave it to Senator Folmer, and he was happy to take it because Mike Folmer and Andy Dinniman work together as a team in a bipartisan way, and because I thought a Republican bill would have a better chance, and I understand that. Senator Folmer took it and now I am coming here asking you to pass it.

Stop these crazy exams before more money is spent, before more kids are affected, and before students do not graduate.

By the way, if you fail an exam you do something called a project assessment. Do you know that the failure rate is so high from the people who fail the first test that it is in the tens of thousands? There is no conceivable way that the schools have the staffing to take care of those who do the project assessment. Because, Mr. President, what has happened is the Department of Education does not trust our teachers, so when you do it in your school, it has to be corrected by teachers in two other schools, and in order to get the teachers to correct the project assessments, rather than pay them, they give them professional development credits. So we have now ruined our whole professional development program by giving credits to people who correct exams.

Finally, Mr. President, on this matter of Keystone Exams, do you know what happens after we go through this whole process? We need to get this out and we need to talk about it. So, you take an exam. The schools pay all of the money to prepare you for your exam. You fail the exam. You get supplemental instruction after you fail the exam. You then have to do a project assessment. Remember I told you that you cannot do it in your own school? So they have to hire teachers from another school who get development credits. Say you fail that. We are doing all this in the name of standards. What happens at the end? According to the regulations, at the end, any superintendent of schools can automatically exempt 10 percent of the students who fail. So where are the standards? It is even worse than that because if you are in a school district that has over a 10-percent failure rate, you can write a plan to the Department of Education promising to improve next year and then you can exempt every student who failed. So why are we spending millions of dollars putting students and parents through this anxiety when the students and parents in our school districts are begging us to end the craziness of these exams? Then in the end it is all a charade because the superintendent can exempt them all.

So I beg of this legislature to consider and pass Senator Folmer's bill, which has bipartisan support. Do it for our students. Do it for our parents. And I beg of this legislature to stand up against unfunded mandates and finally insist that the Department of Education has a fiscal note.

I thank my colleagues for their indulgence in my lengthy remonstrance, but I was deeply moved last night when I saw those parents united on this issue, and it is my obligation, as someone who represents those parents, to clearly express the views today.

Thank you so much, Mr. President.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

RECONSIDERATION OF SB 476 BILL ON FINAL PASSAGE

SB 476 (Pr. No. 2186) -- Senator PILEGGI. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 476, Printer's No. 2186, passed finally.

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

And the question recurring,
Shall the bill pass finally?

The PRESIDING OFFICER. The Chair recognizes the gentlewoman from Philadelphia, Senator Kitchen.

Senator KITCHEN. Mr. President, may I be recorded as a negative vote.

And the question recurring,
Shall the bill pass finally?

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

YEA-48

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

NAY-2

Ferlo Kitchen

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.

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

SHERIFF, MCKEAN COUNTY

October 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, Bryan Troop, 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as Sheriff, in and for the County of McKean, to serve until the first Monday of January 2016, vice The Honorable Bradley A. Mason, resigned.

TOM CORBETT
Governor

BILLS SIGNED

The PRESIDING OFFICER. The Chair wishes to announce the following bills were signed by the President pro tempore (Senator Joseph B. Scarnati III) in the presence of the Senate:

HB 2204 and HB 2353.

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Tuesday, October 14, 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 4:16 p.m., Eastern Daylight Saving Time.