

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

THURSDAY, OCTOBER 22, 2014

SESSION OF 2014 198TH OF THE GENERAL ASSEMBLY

No. 59

SENATE

THURSDAY, October 22, 2014

The Senate met at 4 p.m., Eastern Daylight Saving Time.

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

PRAYER AND PLEDGE DISPENSED WITH

The PRESIDENT pro tempore. Without objection, we will dispense with the prayer and the Pledge of Allegiance for today's Session.

GENERAL COMMUNICATIONS

RECALL OF REGULAR SESSION

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

SENATE OF PENNSYLVANIA

TO: President and All Members of the Senate
FROM: Senator JOE SCARNATI
President Pro Tempore
RE: Non-Voting Session
Wednesday, October 22, 2014, 4 p.m.

Consistent with the Weekly Recess Resolution, the Senate is recalled for a non-voting Session at 4 p.m. on Wednesday, October 22, 2014, for the purpose of signing HB 46, HB 80, HB 91, HB 803, HB 1013, HB 1135, HB 1655, HB 1773, HB 1796, HB 1846, HB 2110, HB 2178, HB 2377, and HB 2481.

There will be no roll-call votes. The Senate will then once again recess until Wednesday, November 12, at 1 p.m.

**PENNWORKS 2013-14
ANNUAL REPORT**

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

COMMONWEALTH OF PENNSYLVANIA
Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

COMMONWEALTH FINANCING AUTHORITY MEMORANDUM

DATE: September 24, 2014
TO: General Assembly

FROM: SCOTT D. DUNKELBERGER
Executive Director

SUBJECT: PennWorks Annual Report

Attached is the Annual Report for FY 2013-2014 activity under the Water Supply and Wastewater Infrastructure Program (PennWorks). The Commonwealth Financing Authority approved \$17,698,776 in grant funding for fifteen projects. These projects are projected to result in the creation of 1,167 jobs and leveraging of \$23,282,617 in matching investment. A copy of this report will be posted on the Department of Community and Economic Development's website in accordance with the enabling legislation.

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

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

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

October 16, 2014

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Gregory E. Dunlap, Esquire, 613 Sweetbriar Drive, Harrisburg 17111, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Westmoreland County, to serve until the first Monday of January 2016, vice The Honorable Alfred B. Bell, resigned.

TOM CORBETT
Governor

HOUSE MESSAGE

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 46, HB 80, HB 91, HB 803, HB 1013, HB 1135, HB 1655, 1846, HB 2110, HB 2178, HB 2377 and HB 2481.**

HOUSE CONCURS IN SENATE AMENDMENTS BY AMENDING SAID AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 1874**, in which concurrence of the Senate is requested.

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

BILL INTRODUCED AND REFERRED

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

October 21, 2014

Senators ARGALL, SCHWANK, EICHELBERGER, ALLOWAY, BREWSTER and BRUBAKER presented to the Chair **SB 1505**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for obedience to authorized persons directing traffic; and providing for drivers of certified escort vehicles; in other required equipment, further providing for identification of certain vehicles; and, in size, weight and load, further providing for scope and application of chapter and for conditions of permits and security for damages.

Which was committed to the Committee on TRANSPORTATION, October 21, 2014.

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Reuben Bair, Joann Smith and to the Hamilton Ruritan Club by Senator Alloway.

Congratulations of the Senate were extended to Mr. and Mrs. Vincent Zalonka, Samuel P. Moseman, Francis C. Chesko, Citizens Fire Company No. 1 of Tamaqua and to the citizens of the Borough of Mechanicsville by Senator Argall.

Congratulations of the Senate were extended to Dr. Christine Somers, Chief Gary Williams, Bill Tomayko and to Michael G. Marshall by Senator Baker.

Congratulations of the Senate were extended to Leo Vergnetti by Senators Baker and Blake.

Congratulations of the Senate were extended to Leonard Guzanski, William Klien, Michael Sheruda, Leon Slesinski, Ernest Terry, Edward Yarosh, Michael Hanley, Bernard J. McGurl and to the Pennsylvania Chapter of the Lung Cancer Alliance by Senator Blake.

Congratulations of the Senate were extended to William DeLong and to Ryan Joseph Ashton by Senator Boscola.

Congratulations of the Senate were extended to Kristine L. Ortiz, Armando Greco, Sy Traub, Dale Fairclough, Kristin Blahnik, Sarah Rodriguez, Crayola Women's Interest Network, Viamedia of the Lehigh Valley, Olympus Corporation of the Americas, Northampton County Bar Association Young Lawyers

Division and to Concannon, Miller and Company, P.C., by Senators Boscola and Browne.

Congratulations of the Senate were extended to William Rudolph by Senators Boscola, Browne, and Schwank.

Congratulations of the Senate were extended to Jadranko Jandric by Senator Brewster.

Congratulations of the Senate were extended to Andrew Michael Gabrielle, Jason Barnes, Debra Mackin, Steven Orndorf, the late Ronald Binn and to Baker Tilly by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Lee Butz, Reverend Daniel G. Gambet, Laurie Gostley Hackett, Richard Fleming, William J. Straccia, Sr., Sally Gammon, International Association of Fire Fighters, Local Union No. 302, Local No. 375 of the International Brotherhood of Electrical Workers, National Penn Bank, Service Electric Cable Television and Communications and to Morris, Black and Sons, Inc., by Senators Browne and Boscola.

Congratulations of the Senate were extended to the Reverend and Mrs. Jack Cooper, Mr. and Mrs. Sam High, Mr. and Mrs. Edgar Sweigart, Mr. and Mrs. Gerald Nolt, Mr. and Mrs. George Eckert, Mr. and Mrs. Robert Graybill, Mr. and Mrs. Joseph Burke, Mr. and Mrs. Fred Brownlee, Mr. and Mrs. Eugene David King, Mr. and Mrs. Earl Harry, Richard Stephens, Gretchen Hartman and to Lititz Fire Company No. 1 by Senator Brubaker.

Congratulations of the Senate were extended to Mr. and Mrs. Dean T. Hepler, Mr. and Mrs. James M. Treaster, Jr., Daniel R. Hawbaker, Preston Yoder, Jennifer Yoder and to Clint Yoder by Senator Corman.

Congratulations of the Senate were extended to Matthew James Burch by Senator Costa.

Congratulations of the Senate were extended to Denise J. Graf, Saunders Dixon, Robert J. O'Leary, Jane E. Dorchester, James M. Challman, Shirley Deist, Joan Pladek, Ann Blanchfield Devlin, Peggy Hartzell and to Englund of Malvern by Senator Dinniman.

Congratulations of the Senate were extended to Dr. Robert H. Hanna and to the Lionville Natural Pharmacy and Health Food Store by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Dr. Paul Morgan, Eubank Travis-Bey, Jr., Phil Donley, Kathleen Krannebitter, Jackie Hufnell, Judith Smiley Wolstenholme, Hubert Marshall, Theresa Shank Grentz, Robert Kagel, Joe Nagy, Sr., Carl Gersbach, Richard Kunsch, Louis N. Teti, Vanguard, Greater West Chester Sunrise Rotary Club and to the West Grove Garage Student Advisory Council by Senator Dinniman and others.

Congratulations of the Senate were extended to Robert Etchells by Senators Eichelberger and Corman.

Congratulations of the Senate were extended to Nancy Newman and to Spencer T. Hespenheide by Senator Erickson.

Congratulations of the Senate were extended to Richard Alexander Hernandez by Senators Folmer and Argall.

Congratulations of the Senate were extended to Nicholas John Balkovec by Senators Fontana and Brewster.

Congratulations of the Senate were extended to Mr. and Mrs. Lee Morgan and to John Thomas Green by Senator Gordner.

Congratulations of the Senate were extended to Dale Miller and to Matthew Miller by Senators Gordner and Yaw.

Congratulations of the Senate were extended to Ryan Kierstan, Daniel Lapsley, Noah Lapsley and to Mark B. Miller by Senator Greenleaf.

Congratulations of the Senate were extended to Prince A. Gilliard, Committee to Restore and Relocate the All Wars Memorial and to the Triumph Missionary Baptist Church by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Austin Guth, Mr. and Mrs. Rowland Plowman, Mr. and Mrs. Glenn Cheers, Mr. and Mrs. Jim Johnston, Mr. and Mrs. James H. Galbreath, John Moore, Cody McMillen, Michele M. Allen and to Our Lady Help of Christians Catholic Church of Oil City by Senator Hutchinson.

Congratulations of the Senate were extended to Nicholas James Harvey by Senator Kasunic.

Congratulations of the Senate were extended to Valerie Erwin by Senator Kitchen.

Congratulations of the Senate were extended to Ethan D. Miller by Senator Leach.

Congratulations of the Senate were extended to Duncan Michael Kiley, Ryan Cornell and to Reid McAdam Harrison by Senator McIlhinney.

Congratulations of the Senate were extended to Kyle Dennin, Alphonsus Schertel and to William A. Bushnell II by Senator Mensch.

Congratulations of the Senate were extended to Thomas A. Caramanico, Rebecca Roots, Virginia R. Hamilton, Michael Kreppel, Joseph F. Lafferty, Jr., Miguel Alban, Marguerite Mendicino, Matthew R. McCarrick and to Kyj's Bakery by Senator Pileggi.

Congratulations of the Senate were extended to Josephine Laird by Senators Pileggi and Erickson.

Congratulations of the Senate were extended to Brandan DeJohn by Senator Rafferty.

Congratulations of the Senate were extended to Frederick M. Cunningham, Sheila Kretser and to Wayne Garlick by Senator Robbins.

Congratulations of the Senate were extended to Jesse Tucker, Seth Burkett, Jarod Depp, James Douglass, James Carrier, Austin Donald Steele, Gladys Wood, Susan Kay Dunn Alexander and to the Dunnstown Volunteer Fire Company by Senator Scarnati.

Congratulations of the Senate were extended to Hamid Chaudhry and to Tyler Jeffrey Schollenberger by Senator Schwank.

Congratulations of the Senate were extended to Dr. Betty Jo Hirschfield Louik, Dean A. Calland, Ruby Lee Kang, Chase Richards, Sahil Doshi, Gregory Gurcak and to Baptist Manor by Senator Smith.

Congratulations of the Senate were extended to Eileen Sharbaugh by Senators Smith and Vulakovich.

Congratulations of the Senate were extended to the Lancaster Lodge of the Benevolent and Protective Order of Elks by Senator Smucker.

Congratulations of the Senate were extended to Jared Hladycz, Benjamin Hladycz, Lauren Waller, Anita Simms and to William J. Boardley by Senator Solobay.

Congratulations of the Senate were extended to the Thomas Alva Edison High School/John C. Fareira Skills Center by Senator Stack.

Congratulations of the Senate were extended to the Reverend Lorina Marshall-Blake, Third Class Petty Officer Philip Nolan, Helen Sajer, Thomas Walrond, M. Claire Lomax, Taller Puerto-

rriqueo, PathWays PA and to The Boeing Company by Senator Tartaglione.

Congratulations of the Senate were extended to Technical Sergeant Pamela A. Nee, Georgio G. Giannaris, Calvin L. Johnson, Sr., Widener University School of Law, Harrisburg Law and Government Institute, Perry County Council of the Arts, Williamstown Emergency Medical Services, Harrisburg East Chapter of Soroptimist International and to the Newport Medical Professional Center by Senator Teplitz.

Congratulations of the Senate were extended to Maurene Polley, Bradley Beard and to Michael W. Moyer by Senator Tomlinson and others.

Congratulations of the Senate were extended to Elijah James Jones and to Johnson, Duffie, Stewart and Weidner by Senator Vance.

Congratulations of the Senate were extended to Bernard Sylvester Wallace by Senator Vogel.

Congratulations of the Senate were extended to Thomas Lambrecht, Morgan Harris, Amy Elizabeth Hines, Kenneth Andrews and to Joseph Elwin Weaver by Senator Vulakovich.

Congratulations of the Senate were extended to Fawn Area Elementary School and to the York Builders Association by Senator Wagner.

Congratulations of the Senate were extended to Edgar Grant, Jordan Matthew Guy, Derry Volunteer Fire Department and to the Sacred Heart Church of Jeannette by Senator Ward.

Congratulations of the Senate were extended to Jacob C. Hinkin and to Audrey Johnson Thornton by Senator Washington.

Congratulations of the Senate were extended to Frankie Shumaker, Shaun Joseph Dolan, Jr., Winiford Davis, Thomas Piscalich, Daniel W. Stambaugh and to the Indiana Regional Medical Center by Senator White.

Congratulations of the Senate were extended to Erma Ferebee Willis by Senator Williams.

Congratulations of the Senate were extended to Mr. and Mrs. Edwin Pawlowski and to Jonathan R. Schall by Senator Wozniak.

Congratulations of the Senate were extended to Allen G. Hillis, Kurt Richard Rexer and to John Knox Freeman II by Senator Yaw.

Congratulations of the Senate were extended to James W. Henderson IV and to the Newport Township Women's Activity Group by Senator Yudichak.

Congratulations of the Senate were extended to the Metz family, John C. Metz, Sr., Arthur Piancone, Marie Baratta, John W. Dawe, Elaine Morgan, Patricia A. Evans, Ruth Ann Parry, Maria Alali, Victims' Intervention Program of Wayne County, Navient, Lightspeed Technologies, Sundance Vacations and to the Supplemental Nutritional Program for Women, Infants and Children by Senators Yudichak and Baker.

CONDOLENCE RESOLUTIONS

The PRESIDENT pro tempore 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 Mary Elizabeth Curry Bubel by Senator Argall.

Condolences of the Senate were extended to the family of the late Gifford Leroy Sands, to the family of the late Johanna

Elfrieda Schleich, to the family of the late Claude D. Seeley, Jr., to the family of the late William Warren DeFebo, Sr., to the family of the late Ronald J. Musto, Sr., to the family of the late Evelyn Maureen Finlay and to the family of the late Ernest D. Cook by Senator Baker.

Condolences of the Senate were extended to the family of the late Edward Glaessmann and to the family of the late Edward A. Pettit, Jr., by Senator Boscola.

Condolences of the Senate were extended to the family of the late Jeffrey Albert McQuiston by Senator Dinniman.

Condolences of the Senate were extended to the family of the late Charles R. Hollenbach by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Sidney D. Kline, Jr., by Senator Schwank.

Condolences of the Senate were extended to the family of the late Victor Kovach and to the family of the late William Thomas Toth by Senator Solobay.

Condolences of the Senate were extended to the family of the late Martha E. Greco Cascerceri by Senator Stack.

Condolences of the Senate were extended to the family of the late Anderson James Cothran by Senator Williams.

POSTHUMOUS CITATION

The PRESIDENT pro tempore laid before the Senate the following citation, which was read, considered, and adopted by voice vote:

A posthumous citation honoring the late Don Webster was extended to the family by Senator Dinniman and others.

BILLS SIGNED

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the presence of the Senate signed the following bills:

HB 46, HB 80, HB 91, HB 803, HB 1013, HB 1135, HB 1655, HB 1773, HB 1796, HB 1846, HB 2110, HB 2178, HB 2377 and HB 2481.

RECESS

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

Senator FOLMER. Mr. President, I move that the Senate do now recess until Wednesday, November 12, 2014, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:09 p.m., Eastern Daylight Standard Time.