

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JANUARY 27, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 6

SENATE

TUESDAY, January 27, 2015

The Senate met at 1 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor Mike Stack) in the Chair.

PRAYER

The Chaplain, Reverend Monsignor JOSEPH P. GENTILI, Pastor of Our Lady of Guadalupe, Doylestown, offered the following prayer:

Governor, esteemed Members of the State Senate, let us bow our heads in prayer and join together in making room in our hearts for thanking Almighty God for the wonderful gifts of life, liberty, and the pursuit of happiness under the protection of divine providence.

As we gather at this Session, we invoke You, O Lord, to bless our deliberations and the work which we are about in order to represent and serve well the people of Pennsylvania during this year of 2015. Guide us in that work in order that all that we may do, we may make these places in which we live places of peace, harmony, justice, and mercy. As we gather today and always, may Almighty God watch over and guide us as we continue to be ever mindful of our responsibility to humbly represent and serve as instruments of the common good. Dear Lord, may we ever be mindful of Your providential love. Send forth Your spirit to breathe upon us that all of our actions begin with Your divine inspiration and continue with Your gracious assistance, that through You they may reach completion and that all we do may be for Your greater honor and glory.

May I suggest at this time that you may find inspiration in the words of a well-known prayer. While it is from my tradition, it is well known in all religious traditions, and it is the prayer of St. Francis. I might add that all of the delegates from all over the world to the United Nations prayed this prayer along with Mother Teresa back in 1985 as they celebrated their 40th anniversary. May these words be inspirational to you.

Lord, make me an instrument of Your peace; where there is hatred, let me so love; where there is injury, pardon; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy. O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood as to understand; to be loved as to love. For it is in giving that we receive, and it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life. Amen.

The PRESIDENT. The Chair thanks Reverend Gentili, who is the guest today of Senator McIlhinney.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

January 27, 2015

Senators SMITH, BLAKE, WOZNIAK, TEPLITZ, BREWSTER, FONTANA, HUGHES, YUDICHAK, COSTA and FARNESE presented to the Chair **SB 40**, entitled:

An Act eliminating discrimination and ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth or a related medical condition; establishing a private right of action; and imposing duties on the Pennsylvania Human Relations Commission.

Which was committed to the Committee on LABOR AND INDUSTRY, January 27, 2015.

Senators SMITH, BLAKE, WOZNIAK, TEPLITZ, BREWSTER, FONTANA, BOSCOLA, HUGHES, COSTA, FARNESE, RAFFERTY and BROWNE presented to the Chair **SB 41**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for definitions; and expanding protection from unlawful discriminatory practices to pregnancy.

Which was committed to the Committee on LABOR AND INDUSTRY, January 27, 2015.

Senators TEPLITZ, HUGHES, SCHWANK, COSTA, BREWSTER, YUDICHAK and WILLIAMS presented to the Chair **SB 152**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for implementation and administration of the Pennsylvania First Program; and imposing penalties.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, January 27, 2015.

Senators TEPLITZ, BREWSTER, FONTANA, HUGHES, BLAKE, SMITH, WILEY, COSTA, VULAKOVICH, TARTAGLIONE, FARNESE and BROWNE presented to the Chair **SB 155**, entitled:

An Act establishing the Veteran's Entrepreneurial Training and Support Program; imposing powers and duties on the Department of Community and Economic Development; and making an appropriation.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, January 27, 2015.

Senators GREENLEAF, ALLOWAY, WOZNIAK, BROWNE and RAFFERTY presented to the Chair **SB 178**, entitled:

An Act amending Title 10 (Charities) of the Pennsylvania Consolidated Statutes, consolidating the Solicitation of Funds for Charitable Purposes Act and the Institutions of Purely Public Charity Act; and making related repeals.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2015.

Senators GREENLEAF, GORDNER, TARTAGLIONE, VULAKOVICH, WOZNIAK and BROWNE presented to the Chair **SB 179**, entitled:

An Act amending Title 48 (Lodging and Housing) of the Pennsylvania Consolidated Statutes, consolidating statutory provisions on hotels; and repealing certain provisions of the Fire and Panic Act, The Landlord and Tenant Act of 1951, the Pennsylvania Innkeepers' Rights Act, the Infant Crib Safety Act and other acts relating to hotels.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, January 27, 2015.

Senators TEPLITZ, RAFFERTY, TARTAGLIONE, FONTANA, BREWSTER, HUGHES, SMITH, COSTA, SCHWANK and BROWNE presented to the Chair **SB 302**, entitled:

An Act providing for report on submission of sexual assault evidence.

Which was committed to the Committee on JUDICIARY, January 27, 2015.

Senators BAKER, VOGEL, WARD, TEPLITZ, FONTANA, BLAKE, VULAKOVICH, PILEGGI, SMITH, RAFFERTY, AUMENT, VANCE, SCHWANK, FOLMER, YUDICHAK and BROWNE presented to the Chair **SB 306**, entitled:

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, in ethics standards and financial disclosure, further providing for statement of financial interests required to be filed and for powers and duties of commission.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2015.

Senators EICHELBERGER, WHITE, AUMENT, HUTCHINSON, VOGEL, STEFANO, FOLMER, BROOKS, RAFFERTY and WAGNER presented to the Chair **SB 325**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for super-majority votes relating to the imposition of taxes or license fees.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2015.

Senators BAKER, EICHELBERGER, VULAKOVICH, HUTCHINSON, WARD, WHITE and BROOKS presented to the Chair **SB 326**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for general appropriation bill.

Which was committed to the Committee on APPROPRIATIONS, January 27, 2015.

Senators BAKER, EICHELBERGER, VULAKOVICH, WARD, WHITE and BROOKS presented to the Chair **SB 327**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for general appropriation bill time line.

Which was committed to the Committee on APPROPRIATIONS, January 27, 2015.

Senators BAKER, GREENLEAF, VANCE, TEPLITZ, FONTANA, VULAKOVICH, BOSCOLA, SCHWANK, WOZNIAK, SMUCKER, SMITH and BLAKE presented to the Chair **SB 334**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in voting by qualified absentee electors, further providing for applications for official absentee ballots.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2015.

Senators VULAKOVICH, STEFANO, ALLOWAY, AUMENT, BAKER, BARTOLOTTA, BLAKE, BREWSTER, FOLMER, GORDNER, GREENLEAF, PILEGGI, RAFFERTY, SCHWANK, TEPLITZ, VANCE, VOGEL, WARD and YUDICHAK presented to the Chair **SB 335**, entitled:

An Act providing for expense reimbursement of public officials and public employees.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2015.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator John P. Blake as a member of the Public Employee Retirement Commission.

Senator Patrick M. Browne as a member of the Public Employee Retirement Commission.

Senator John H. Eichelberger, Jr., as a member of the Local Government Commission.

Senator John R. Gordner as a member of the Ben Franklin Technology Development Authority and as a member of the Capitol Preservation Committee.

Senator Thomas McGarrigle as a member of the Local Government Commission.

Senator Lloyd Smucker to serve in his stead as a member of the State Public School Building Authority and to serve in his stead as a member of the Pennsylvania Higher Educational Facilities Authority.

Senator Patricia H. Vance as a member of the Capitol Preservation Committee.

Senator Randy Vulakovich to serve in his stead as a member of the Pennsylvania Emergency Management Council.

Senator John N. Wozniak as a member of the Board of Directors of the Center for Rural Pennsylvania.

Senator E. Eugene Yaw as a member of the Board of Directors of the Pennsylvania College of Technology and as a member of the Board of Directors of the Center for Rural Pennsylvania.

Mr. J. Andrew Crompton to serve in his stead as a member of the Joint Committee on Documents.

Mr. Patrick V. Larkin as a Commonwealth Trustee of Temple University.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Greenleaf.

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Wiley.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Greenleaf.

Senator Costa requests a legislative leave for Senator Wiley. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, January 27, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, February 2, 2015, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, February 2, 2015, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-48

Alloway	Dinniman	McIlhinney	Tomlinson
Argall	Eichelberger	Mensch	Vance
Aument	Farnese	Pileggi	Vogel
Baker	Folmer	Rafferty	Vulakovich
Bartolotta	Fontana	Scarnati	Wagner
Blake	Gordner	Scavello	Ward

Boscola	Greenleaf	Schwank	White
Brewster	Haywood	Smith	Wiley
Brooks	Hughes	Smucker	Williams
Browne	Hutchinson	Stefano	Wozniak
Corman	Leach	Tartaglione	Yaw
Costa	McGarrigle	Teplitz	Yudichak

NAY-0

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

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

GUESTS OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, it is my pleasure to introduce guests who are in the Senate Chamber today: Julie and Paul Michaels, along with their daughter, Sydney, their nurse, Debra Deetar, and with Sydney's service dog, Lexus. The Michaels live in my hometown of Connellsville in Fayette County.

Earlier this morning I had the opportunity to chat with them in my office and I wanted to share with the Senate their story. The Michaels family is here today to support Senate Bill No. 3, legalizing medical cannabis, and participating in a press conference this morning. When Sydney was 3 months old, she began to have seizures, and after months of doctor visits, she was diagnosed with Dravet syndrome. On a good day, Sydney will have around 100 seizures. On a bad day, Sydney can suffer with thousands of them. This heartbreaking story was brought to my attention when Julie spoke at my local Rotary Club about her daughter's condition. Julie is a teacher in the Connellsville Area School District, and Paul works for the VA in Pittsburgh. They are both tireless advocates for their daughter and for the thousands like her who will benefit from doctor-prescribed medical cannabis. They have been covered in news stories across the Commonwealth helping to educate citizens and legislators alike on this bill. I would like to thank them for their work, for not giving up hope, and I ask for the Senate to give them a very warm welcome.

Thank you, Mr. President.

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

(Applause.)

GUEST OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney.

Senator McILHINNEY. Mr. President, I want to thank our guest chaplain for coming out today, Monsignor Gentili, from my hometown of Doylestown. He actually came out here last night to make sure he got out before the snowstorm hit. With all of the titles you read when you were introducing him, there was one very important title that was left out. Monsignor Gentili is the chaplain of our local Ancient Order of Hibernians, Division 3, in Bucks County. We are very pleased to have him in that

capacity and here as well. Thank you for coming out, Monsignor.

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

(Applause.)

GUESTS OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Mr. President, today I would like to introduce a guest who is joining us in the gallery. Danielle VanSteenberg is shadowing me today in Harrisburg as part of a school project. Danielle resides in my senatorial district and is a very bright young woman who is a junior at Brookville Area Junior-Senior High School. She is active in the National Honor Society, Math Honor Society, National Young Business Leaders of America, and student council. She has been in German club and the school musicals for the past 3 years. This summer she will be a three-time People to People student ambassador traveling, once again, to Europe. She is also an alumni of the Junior National Young Leaders Conference, centered in Washington, D.C. She is an active member of the Brookville concert choir and a member of the school's chamber singers. During the summer, Danielle works with her father at Moons Meats Concessions and is a fifth-generation basketmaker with the Clint Ishman Basket Shop. In addition to her many activities and summer jobs, she donates her time processing doe licenses for her father, who is the county treasurer in Jefferson County. So, please join me in offering a warm welcome to Danielle and her family.

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

(Applause.)

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the first floor caucus room immediately.

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

Senator COSTA. Mr. President, Senate Democrats will meet in the rear of the Chamber for caucus as well.

The PRESIDENT. For purposes of Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 79 (Pr. No. 55) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 2014 (P.L.876, No.98), entitled "An act designating a bridge on that portion of State Route 15 over the Yellow Breeches Creek, Carroll Township, York County, as the Glenn Bowers Memorial Bridge; designating a bridge on that portion of 17th Street over the 10th Avenue Expressway, City of Altoona, Blair County, as the Blair County Veterans Memorial Bridge; designating a bridge on that portion of State Route 764 over 31st Street, City of Altoona, Blair County, as the Alvin E. Morrison Memorial Bridge; designating West Erie Avenue from its intersection with North Second Street in Philadelphia City, Philadelphia County, to the point where it meets North Front Street in Philadelphia City, Philadelphia County, as Roberto Clemente Way; designating the interchange at the crossing of State Route 33 and Main Street (State Route 1022) in Palmer Township, Northampton County, as the Charles Chrin Interchange; designating the interchange between the portion of State Route 3009 and State Route 119 in South Union Township, Fayette County, as the Fred L. Lebder Interchange; and designating a bridge on that portion of State Route 711 over the Youghiogheny River in the City of Connellsville, Fayette County, as the Officer Robb McCray Memorial Bridge," further providing for Officer Robb McCray Memorial Bridge.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-48

Alloway	Dinniman	McIlhinney	Tomlinson
Argall	Eichelberger	Mensch	Vance
Aument	Farnese	Pileggi	Vogel
Baker	Folmer	Rafferty	Vulakovich
Bartolotta	Fontana	Scarnati	Wagner
Blake	Gordner	Scavello	Ward
Boscola	Greenleaf	Schwank	White
Brewster	Haywood	Smith	Wiley
Brooks	Hughes	Smucker	Williams
Browne	Hutchinson	Stefano	Wozniak
Corman	Leach	Tartaglione	Yaw
Costa	McGarrigle	Teplitz	Yudichak

NAY-0

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

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

SECOND CONSIDERATION CALENDAR

BILL ON SECOND CONSIDERATION, AMENDED

SB 147 (Pr. No. 177) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 20, 1979 (P.L. 183, No.60), known as the Oil and Gas Lease Act, further providing for definitions, for payment information to interest owners, for accumulation of proceeds from production and for conflicts; and providing for joint ventures and for inspection of records.

On the question,
Will the Senate agree to the bill on second consideration?
Senator YAW offered the following amendment No. A0012:

Amend Bill, page 5, line 26, by inserting after "person":
except an attorney or accountant employed by the lessor

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

On the question,
Will the Senate agree to the bill on second consideration, as amended?
It was agreed to.
Ordered, To be printed on the Calendar for third consideration.

BILL ON SECOND CONSIDERATION

SB 148 (Pr. No. 95) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for protection for a lessor of natural gas rights who reports a violation or suspected violation of a contractual agreement and for remedies and penalties.

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

BILLS OVER IN ORDER

SB 161, SB 166 and SB 180 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 210 (Pr. No. 121) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juries and jurors, further providing for exemptions from jury duty.

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

BILL OVER IN ORDER

SB 290 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS REPORTED FROM COMMITTEE

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

SB 4 (Pr. No. 168) (Rereported)

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for criteria for institutions of purely public charity.

SB 283 (Pr. No. 161) (Rereported)

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, eliminating the Traffic Court of Philadelphia.

SB 301 (Pr. No. 187) (Rereported)

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, consolidating provisions on administrative procedure and rulemaking; and making related repeals.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILLS ON SECOND CONSIDERATION

SB 4 (Pr. No. 168) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for criteria for institutions of purely public charity.

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

SB 283 (Pr. No. 161) -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, eliminating the Traffic Court of Philadelphia.

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

SB 301 (Pr. No. 187) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 2 (Administrative Law and Procedure) of the Pennsylvania Consolidated Statutes, consolidating provisions on administrative procedure and rulemaking; and making related repeals.

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

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

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

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

January 14, 2015

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, Sean Logue, 300 Gilkinson Road, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve for a term of six years and until his successor is appointed and qualified, vice The Honorable Peter Daley, California, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

January 14, 2015

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, Mary Ann Eisenreich, 9997 Parkland Drive, Wexford 15090, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2020, or until her successor is appointed and qualified, vice Wendy Beetlestone, Wynnewood, resigned.

TOM CORBETT
Governor

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

January 14, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Jane Earll, 1509 Pasadena Drive, Erie 16505, Erie County, Forty-ninth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until her successor is appointed and qualified.

TOM CORBETT
Governor

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

January 9, 2015

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, Christopher H. Franklin, 1642 Knobb Hill Lane, Paoli 19301, Chester County, Nineteenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until his successor is appointed and qualified.

TOM CORBETT
Governor

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

January 13, 2015

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, Ronald G. Henry, 711 Pennstone Road, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until his successor is appointed and qualified.

TOM CORBETT
Governor

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

January 14, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Daniel P. Meuser, 100 Oldfield Road, Shavertown 18708, Luzerne County, Twentieth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until his successor is appointed and qualified, [data missing] Joseph McGinn, Linwood, whose term expired.

TOM CORBETT
Governor

**MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY**

January 9, 2015

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, Jamie H. Smith, 333 Linnippi Trail, Lock Haven 17745, Clinton County, Twenty-fifth Senatorial District, for reappointment as a member of the State Board of Massage Therapy,

to serve until October 9, 2018, or until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

January 14, 2015

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, William E. Tunke, 1450 Promise Lane, Wescosville 18106, Lehigh County, Sixteenth Senatorial District, for reappointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years or until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

January 6, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John J. Egan, Jr., 309 Whitmarsh Valley Road, Fort Washington 19034, Montgomery County, Seventh Senatorial District, for reappointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2020, and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE PUBLIC SCHOOL
EMPLOYEES' RETIREMENT BOARD

January 13, 2015

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, Martin J. Silverstein, 224 North Bowman Avenue, Lower Merion 19066, Montgomery County, Seventeenth Senatorial District, for reappointment as a member of the Public School Employees' Retirement Board, to serve until January 1, 2018, and until his successor is appointed and qualified.

TOM CORBETT
Governor

MEMBER OF THE STATE BOARD OF
CERTIFIED REAL ESTATE APPRAISERS

January 8, 2015

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, William F. Rothman, 553 Bridgeview Drive, Lemoyne 17043, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Roberta McGettigan, Upper Darby, resigned.

TOM CORBETT
Governor

MEMBER OF THE STATE EMPLOYEES'
RETIREMENT BOARD

January 15, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael V. Puppio, Jr., 962 Edwards Drive, Springfield 19064, Delaware County, Twenty-sixth Senatorial District, for appointment as a member of the State Employees' Retirement Board, to serve for a term of four years and until his successor is appointed and qualified, vice The Honorable Robert Bittenbender, Mechanicsburg, whose term expired.

TOM CORBETT
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
TEMPLE UNIVERSITY OF THE COMMONWEALTH
SYSTEM OF HIGHER EDUCATION

January 14, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable James Cawley, 85 Brownsburg Road, Newtown, 18940, Bucks County, Sixth Senatorial District, for appointment as a member of the Board of Trustees of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2018, and until his successor is appointed and qualified, vice Jay Shah, Wynnewood, whose term expired.

TOM CORBETT
Governor

NOMINATIONS LAID ON THE TABLE

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

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

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators PILEGGI, BAKER, BARTOLOTTA, BREWSTER, DINNIMAN, EICHELBERGER, FOLMER, FONTANA, GORDNER, GREENLEAF, HAYWOOD, HUTCHINSON, SCARNATI, SCHWANK, SMITH, TARTAGLIONE, TEPLITZ, VOGEL, WHITE, YAW, YUDICHAK, ALLOWAY, ARGALL, COSTA, AUMENT, RAFFERTY and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 12**, entitled:

A Resolution designating the week of January 25 through 31, 2015, as "Catholic Schools Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator PILEGGI. Mr. President, I am pleased to introduce this resolution designating January 25 through 31 as "Catholic Schools Week" in Pennsylvania. Catholic schools educate 153,000 students annually, saving State and local taxpayers more than \$2 billion per year. Catholic schools have a dropout rate of less than 3 percent, and 90 percent of graduates go on to continue their education. Catholic elementary and secondary schools provide young people with the strong foundation of values and academic skills needed to become responsible citizens of this Commonwealth and this nation. Mr. President, on behalf of all Pennsylvanians, I am delighted to sponsor this resolution, and I ask for an affirmative vote.

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

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

Senators LEACH, TEPLITZ, VOGEL, FARNESE, BREWSTER, BLAKE, TARTAGLIONE, VULAKOVICH, GREENLEAF, MENSCH, HUGHES, AUMENT, SCHWANK, SMITH, COSTA, BOSCOLA, RAFFERTY, YUDICHAK and PILEGGI, by unanimous consent, offered **Senate Resolution No. 13**, entitled:

A Resolution recognizing January 11, 2015, as "National Human Trafficking Awareness Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator LEACH. Mr. President, this resolution establishes "National Human Trafficking Awareness Day." It is a day in which we will all be made aware of human trafficking. Human trafficking is the second most pervasive crime in the world after drug trafficking. It is a truly horrendous crime which involves human slavery, human sex trafficking, has victims of all ages, including very young children, and one of the biggest problems we have is the fact that so many people are unaware of how pervasive human trafficking is, especially in our own country, especially here in Pennsylvania. So we are trying to raise awareness of human trafficking, which will help fight the scourge that it is, and I ask for its immediate adoption.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote: Congratulations of the Senate were extended to Tyler James Rine by Senator Browne.

Congratulations of the Senate were extended to Neighborhood Services Center by Senator Dinniman.

Congratulations of the Senate were extended to Jessica Jaramillo by Senators Dinniman and Pileggi.

Congratulations of the Senate were extended to Carole D. Bree by Senator Rafferty.

Congratulations of the Senate were extended to Stephen Jacob Wounderly by Senator Schwank.

Congratulations of the Senate were extended to Master Sergeant David Allen Myers by Senator Wagner.

Congratulations of the Senate were extended to Olivia Zambruno, Greensburg Central Catholic High School Girls' Volleyball Team and to the Greensburg Central Catholic High School Girls' Soccer Team by Senator Ward.

Congratulations of the Senate were extended to Master Sergeant David W. Hill, Jr., by Senator Wozniak.

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 Maire A. Box by Senator Baker.

Condolences of the Senate were extended to the family of the late Christian T. Ciammetti by Senator Kitchen.

Condolences of the Senate were extended to the family of the late Elizabeth Suckow Nichols by Senator McIlhinney.

POSTHUMOUS CITATION

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

A posthumous citation honoring the late Camryn Lee Shultz was extended to the family by Senator Baker.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

THURSDAY, JANUARY 29, 2015

10:00 A.M.	BASIC EDUCATION FUNDING COMMISSION (to consider basic education funding)	Greenville Jr./Sr. H.S. Greenville
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THURSDAY, FEBRUARY 5, 2015

10:00 A.M.	BASIC EDUCATION FUNDING COMMISSION (to consider basic education funding)	Central Montco. Tech H.S. Plymouth Meeting
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	<u>WEDNESDAY, FEBRUARY 11, 2015</u>		3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Aging)	Hrg. Rm. 1 North Off.
10:30 A.M.	JUDICIARY (a public hearing to discuss best practices for law enforcement)	Allegheny County Courthouse Pittsburgh		<u>WEDNESDAY, MARCH 25, 2015</u>	
	<u>MONDAY, MARCH 16, 2015</u>		9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Environmental Protection)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Governor's Office/Governor's Budget Office/Executive Offices)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Corrections/Office of Probation and Parole)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Independent Fiscal Office - Economic Outlook & Revenue Overview)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - PA Liquor Control Board)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of General Services)	Hrg. Rm. 1 North Off.		<u>THURSDAY, MARCH 26, 2015</u>	
	<u>TUESDAY, MARCH 17, 2015</u>		9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Human Services)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Attorney General)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Community & Economic Development)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Treasury Department)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of State)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Auditor General)	Hrg. Rm. 1 North Off.		<u>MONDAY, MARCH 30, 2015</u>	
	<u>WEDNESDAY, MARCH 18, 2015</u>		9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Education)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Judiciary)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Labor & Industry)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - State Police/Homeland Security)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Banking & Securities)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Drug & Alcohol Programs)	Hrg. Rm. 1 North Off.		<u>TUESDAY, MARCH 31, 2015</u>	
	<u>THURSDAY, MARCH 19, 2015</u>		9:30 A.M.	APPROPRIATIONS (Budget Hearing - Public Utility Commission)	Hrg. Rm. 1 North Off.
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Gaming Control Board)	Hrg. Rm. 1 North Off.	11:00 A.M.	APPROPRIATIONS (Budget Hearing - Historical & Museum Commission)	Hrg. Rm. 1 North Off.
1:30 P.M.	APPROPRIATIONS (Budget Hearing - PA State System of Higher Education)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Transportation)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Community Colleges)	Hrg. Rm. 1 North Off.	3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Agriculture)	Hrg. Rm. 1 North Off.
	<u>MONDAY, MARCH 23, 2015</u>			<u>WEDNESDAY, APRIL 1, 2015</u>	
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Revenue/Lottery)	Hrg. Rm. 1 North Off.	9:30 A.M.	APPROPRIATIONS (Budget Hearing - PA Emergency Management Agency)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - SERS/PSERS)	Hrg. Rm. 1 North Off.	11:00 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Conservation and Natural Resources)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Military and Veteran Affairs)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Health)	Hrg. Rm. 1 North Off.
	<u>TUESDAY, MARCH 24, 2015</u>			PETITIONS AND REMONSTRANCES	
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Insurance)	Hrg. Rm. 1 North Off.		The PRESIDENT. The Chair recognizes the gentleman from Chester, Senator Dinniman.	
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Thaddeus Stevens College of Technology)	Hrg. Rm. 1 North Off.		Senator DINNIMAN. Mr. President, I would like to do a brief remonstrance today on unfunded mandates for our schools. As you know, I have been trying to give a series of remonstrances that involve education. The one thing we can all agree on, no matter what party we are in, is that schools are in fiscal diffi-	
1:00 P.M.	APPROPRIATIONS (Budget Hearing - State Related Universities)	Hrg. Rm. 1 North Off.			

culty. Part of the reason for that fiscal difficulty is our unfunded mandates. During this Session, Mr. President, I am going to present two bills to deal with unfunded mandates. The first bill, which got through the Committee on Education last year unanimously but was never brought to the floor, dealt with the State Board of Education.

Mr. President, the vast majority of unfunded mandates on our schools do not come out of the legislature, they come out of the State Board of Education. The State Board of Education does not seriously, in my judgment, consider the financial impact of their regulations. This became quite clear last year, Mr. President, when we debated the so-called graduation tests. Everything we heard and all the research we did, and whether it was research and information from PASBO, which is the business officers, from the superintendents, from PSEA, PFT, it was quite clear that that regulation created a \$300 million mandate on our public schools. Until we insist, Mr. President, that every regulation of the Board of Education be accompanied by a fiscal note approved by the Budget Office, then these regulations and the expense that they incur on our local school districts will continue to grow. We cannot even afford giving many students an adequate education without more mandates. For example, some of our schools -- I talked about Overbrook High School last week when I gave a remonstrance. They do not have a certified biology teacher. They do not have a lab. Some of our schools cannot even afford the basics of education, and now we want to put more mandates on them.

So, Mr. President, all of us when we are on the campaign trail, all of us when we speak to our constituents, we all say, we oppose unfunded mandates. Well, if we oppose them, it is time to do something about it. At least to make sure that any mandate from the State Board which does not come back to us, that mandate goes for approval to the Independent Regulatory Review Commission, that when it goes to IRRC that there be a budget note, a fiscal note by the Budget Office of this Commonwealth. As I mentioned, this was unanimously approved by the Committee on Education last year. Let us get it on the floor. Let us get this into action.

In fact, Mr. President, a number of bills have been introduced in the House, which wants to change the whole structure of the State Board in the first place. Because education is being run, in many ways, by the State Board of Education, which is often ignoring the financial reality and the wishes of our local school districts, and we need to do something about it. So I hope we not only will pass this bill to make sure that we control these regulations and the spending that comes out of it, but we also think seriously about how we can restructure the State Board of Education.

Finally, Mr. President, on this matter of unfunded mandates, I am going to present a second bill. The second bill has been passed in a number of States, and if we are serious about unfunded mandates, we will go with both bills. That second bill, Mr. President, says you cannot pass in this Senate an unfunded mandate on a school without a two-thirds vote. Let us get real. If we really want to help out our schools, and they are in deep trouble, if we really have hesitated to do property reform and people cannot take the property tax anymore because it is so expensive, then let us really do something on unfunded mandates, not just talk about this when we run for office, not just write about this in columns and newspapers, not just tell our constituents we

oppose unfunded mandates, but actually do something about it. These two bills - to make sure that the regulations have a fiscal note with them, and because, by the way, on that bill that costs \$300 million on our schools, the Department of Education said it costs no money at all. We had all the facts to show that was not true. Second, if we are serious, let us begin to make sure that we do not pass resolutions here without a two-thirds vote.

So, Mr. President, we will continue in our remonstrances on another issue in education. My hope is that as I talk, as we start to think about these issues, we can come together in a bipartisan way to help our students. We need to understand there is a limited amount of money and we need to make sure we get the most that we can get out of this financing.

Thank you very much, Mr. President, for the opportunity to do this remonstrance.

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

Senator SMITH. Mr. President, I rise today to share a story of a little boy from Bethel Park with great courage who has touched the hearts of so many, in such a big way. I am talking about 8-year-old Joey Fabus. Joey passed away on Wednesday, January 21, 2015, just 8 short months after receiving the grave diagnosis of an inoperable brain tumor. It was Joey's courage and optimism that helped carry his family and the entire community through this difficult time. His smile and spirit lifted the hearts of all who knew him and knew of him.

Joey's dream was to become a police officer. On June 24, 2014, he was granted that wish. Joey was sworn in as an honorary member of the Bethel Park Police Department by Magisterial District Judge Ron Arnoni, and partnered with Bethel Park Police Officer Tom Rigatti. In the following months, he was so embraced by the public safety community that he so adored, visiting the Pittsburgh Police Bomb Squad and SWAT Team, playing with Pleasant Hills Police Department's K9 Officer Scruppi, and becoming commander for a day of the 171st Air Refueling Wing of the Pennsylvania Air National Guard, where his sister is based. In a post on Facebook following his son's passing, David Fabus said, "Some of his last words to me were, will I get better? At that moment I knew he would be gone soon and the only thing I could tell him was, Joey, you will be better than all of us."

As I joined the other mourners at his viewing, the outpouring of support from the community was overwhelming, and the grace with which his family carried themselves humbling. His father wrote, "Our baby boy will be loved in heaven as much as he was loved here on earth." Joey's lasting impact is evidenced by the members of the public safety community who attended the viewings and funeral Mass at St. Bernard Catholic Church in Mt. Lebanon and the flood of donations to the Joey Fabus Childhood Cancer Foundation. As Reverend David Bonnar, pastor of St. Bernard Church, noted on Joey's desire to become a police officer, "There is no greater form of respect or flattery than imitation." That respect for our law enforcement professionals is why he was given an officer's funeral yesterday, Monday, January 26, 2015. Upper St. Clair Police Corporal Rob McMaster may have given the best reason as quoted in the Pittsburgh Post-Gazette, "because law enforcement sticks together."

Joey was buried in his police uniform with dozens of police, fire, and emergency services departments in the funeral procession, and even more supporters lining the streets of the route

holding signs that read "Stay Joey Strong." He is survived by his parents, David and Cindy Fabus; sisters, Clarissa and Olivia; brothers, Joshua and Nickolas; and maternal grandparents, Barbara and Robert Eichelsbacher.

I can only try to comprehend the grief that Joey's parents, David and Cindy, are experiencing right now. May they find comfort from the grace of God, friends, loved ones, and the entire community during this difficult time. I respectfully ask my Senate colleagues to observe a moment of silence for Joey Fabus, honor his legacy, and ask that we keep the Fabus family in our thoughts and prayers.

Thank you, Mr. President.

The PRESIDENT. Senators will please rise and offer a moment of silence.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of JOSEF GIOVANNI FABUS.)

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Patrick M. Browne as a member of the Legislative Audit Advisory Commission.

Senator Lawrence Farnese as a member of the Legislative Audit Advisory Commission.

Senator Mike Folmer as a member of the Basic Education Funding Commission.

Senator John C. Rafferty, Jr., as a member of the Pennsylvania Commission on Sentencing.

RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Wednesday, January 28, 2015, at 11 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:42 p.m., Eastern Standard Time.