

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

TUESDAY, FEBRUARY 24, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 14

## SENATE

TUESDAY, February 24, 2015

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

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

## PRAYER

The Chaplain, Reverend JOHN HESSLER, Pastor of Calvary Chapel of Central Bucks County, Chalfont, offered the following prayer:

Good afternoon, and I bring you welcome from Bucks County, Pennsylvania, from my church, Calvary Chapel of Central Bucks County. It is really a very great honor for me to be here today, not simply because I am able to be guest Chaplain, but I recognize the sacrifice that each one of you has made in serving the Commonwealth, and I really appreciate that. I know that each one of the members of my church feels the same way. We pray for you, and I want you to know that.

Would you pray with me, please?

Our Father in heaven, we thank You, Lord, for Your loving kindness. We thank You for the abundant blessings, Lord, that You have poured out on the United States and particularly here in this great State of Pennsylvania. We ask Your blessing, Lord, on each of the men and the women who serve here in this Senate. We ask, Lord, that You would give wisdom for all that comes before them. Every matter, every question, every matter of law, whatever it may be, Lord, that You would give wisdom. We thank You, Lord, that they do not take lightly the responsibilities that are set before them. Lord, may each one of them continually work under the awareness that, although they have been elected by the people, Lord, far more awesome is the truth, that they have been ordained by You, the one and only sovereign God, the King of all kings and the Lord of lords, for these particular times in which we live right now. Lord, grant them a heart to work for righteousness according to the standards that You have established, Lord, in a nation that increasingly calls good, evil, and evil, good; in a nation, Lord, that has endorsed as good what once was called perverse, Lord, and so much more. We acknowledge that ultimate rule belongs only to You. Remind us continually that we are ultimately accountable to You and to You alone. So, Lord, I ask that You would grant them Your great wisdom to govern in a way that reflects Your will and Your character.

We ask, Lord, that in everything that happens here, Lord, today and in the weeks and months and years to come, Lord, may

these Senators unite in desire to act with justice, Lord, to seek mercy and to walk in humility before You, the God who is over all creation. In doing so, Lord, may the people of this great State have the freedom to worship without fear of persecution, to live in peace with one another, and to have the opportunities that have been provided to us by Your sovereignty and by our Constitution, Lord, to pursue all that You desire for our children and our personal lives. May all this be done to Your honor and to Your glory, in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Hessler, who is the guest today of Senator McIlhinney.

## PLEDGE OF ALLEGIANCE

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

## COMMUNICATION FROM THE GOVERNOR

### CORRECTION TO RECALL 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:

JUSTICE, SUPREME COURT OF PENNSYLVANIA

February 23, 2015

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

Please note that the letter dated February 23, 2015, for the recall of the nomination of Thomas King Kistler, 147 Thunderhill Road, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as Justice, Supreme Court of Pennsylvania, to serve until January 4, 2016, vice The Honorable Ronald D. Castille, mandatory retirement should be corrected to read:

Thomas King Kistler, 147 Thunderhill Road, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as Justice, Supreme Court of Pennsylvania, to serve until January 4, 2016, vice The Honorable Ronald D. Castille, mandatory retirement.

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

TOM WOLF  
Governor

## 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 Local Government Commission.

Senator Lawrence M. Farnese as a member of the Public School Employees' Retirement Board.

Senator Vincent J. Hughes as a member of the State Employees' Retirement Board.

Senator Scott E. Hutchinson as a member of the Local Government Commission.

Senator Charles T. McIlhinney as a member of the State Employees' Retirement Board.

Senator Randy Vulakovich as a member of the Pennsylvania Commission on Crime and Delinquency.

Senator John N. Wozniak as a member of the Local Government Commission.

Senator Gene Yaw as a member of the Low-Level Waste Advisory Committee.

Senator John Yudichak as a member of the Low-Level Waste Advisory Committee.

Mr. Donald O. Norman as a member of the State Agriculture Land Preservation Board.

### BILLS REPORTED FROM COMMITTEES

Senator VOGEL, from the Committee on Agriculture and Rural Affairs, reported the following bills:

#### SB 201 (Pr. No. 504) (Amended)

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for roll-back taxes and special circumstances.

#### SB 352 (Pr. No. 505) (Amended)

An Act amending the act of December 17, 1981 (P.L.435, No.135), known as the Race Horse Industry Reform Act, in general provisions, further providing for definitions; repealing provisions relating to the State Horse Racing Commission and State Harness Racing Commission; in racing oversight, providing for racing oversight, for pari-mutuel wagering licensing and for advance deposit wagering; in medication rules and enforcement provisions, further providing for mandatory requirements for medication rules, for establishment of Pennsylvania Race Horse Testing Program, for costs for enforcement of medication rules; and providing for the cessation of the State Horse Racing Commission and the State Harness Racing Commission.

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

#### SB 214 (Pr. No. 123)

An Act providing for distribution system extension and expansion plans to increase natural gas usage in this Commonwealth.

#### SB 289 (Pr. No. 173)

An Act amending the act of April 8, 1949 (P.L.418, No.58), entitled, "An act to provide for and regulate the accumulation, investment, and expenditure of funds by cities, boroughs, incorporated towns and townships for preparing plans for sewage disposal systems, and for the construction, improvement or replacement of sewage disposal systems for which plans have been approved by the Sanitary Water Board of the Commonwealth," further providing for definitions, for creation of a Sewage Disposal System Fund and for expenditure of fund; providing for expenditure of public funds for private lateral sewer lines; and further providing for grants of moneys.

### SB 307 (Pr. No. 197)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in organization of departmental administrative boards and commissions and of advisory boards and commissions, further providing for the Environmental Quality Board.

### LEAVE OF ABSENCE

Senator CORMAN asked and obtained leave of absence for Senator BAKER, for today's Session, for personal reasons.

### JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of January 21, 2015, is now in print.

The Clerk proceeded to read the Journal of the Session of January 21, 2015.

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

On the question,

Will the Senate agree to the motion?

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

#### YEA-48

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

#### NAY-0

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

The PRESIDENT. The Journal is approved.

### RECESS

The PRESIDENT. The Senate will be in recess while we take the Session photograph.

### AFTER RECESS

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

### GUESTS 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 welcome my constituent, Pastor John Hessler, serving as our guest Chaplain today. With him is his wife, Renee, accompanying him. They are

from the Calvary Chapel of Central Bucks County, and they have been married for 34 years. Please give them a warm Senate welcome.

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

(Applause.)

### **GUESTS OF SENATOR LLOYD K. SMUCKER PRESENTED TO THE SENATE**

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

Senator SMUCKER. Mr. President, I am very pleased to welcome in the gallery today the Penn Manor Field Hockey Team that captured the PIAA Class AAA Championship title in 2014. In that game, after trailing by one goal through most of the game, Penn Manor scored with only minutes remaining. These exceptional athletes went on to play their hearts out in a scoreless and suspenseful double overtime. So, after those two grueling periods that produced no scoring, but many amazing saves by our goalkeeper, Allison Schaefer, the Comets were actually declared co-champions in a 1-1 tie with Palmyra, who I think will be here later this year.

These young women have demonstrated that they are stellar examples of teamwork, persistence, good sportsmanship, and class. I would like to say, as well, the team's grade-point average logs in consistently above 3.5, and a remarkable 15 Penn Manor alumni are now playing at the college level. All four of the team's seniors, who are with us today, have made verbal commitments to play in college. Their names are Cassie Kline, Brionna Kline, Emma Evarts, and Carolyn Sloss.

Please join me in welcoming them with Mike Lechlitter, the superintendent of Penn Manor, head coach Matt Soto, and all of the players and their families who are here with us today.

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

(Applause.)

Senator SMUCKER. Mr. President, I would like to also welcome our guest Pages here today. On your left is Hunter Hastings, who is a senior at Conestoga Valley High School in the 13th Senatorial District, the area I represent. Hunter will be attending the University of Delaware in the fall, majoring in chemical engineering, but he is also interested in politics and government. He is spending today job-shadowing here. He is accompanied by my daughter, Regan, who is on the right side. Regan is a junior at Lampeter-Strasburg High School, where we live. I would like to ask the Senate to extend a warm welcome to them as well.

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

(Applause.)

### **GUEST OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE**

The PRESIDENT. The Chair apologizes to Senator Stefano for letting others jump in line in front of him to recognize some guests.

The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, today I welcome to the Senate a good friend, Mark Rafail, in the gallery, who is the executive director of the Redevelopment Authority of downtown Uniontown. Mark is here today for the meeting of the Pennsylvania Association of Housing and Redevelopment Agencies and stopped by to share some of their concerns.

The redevelopment of our downtown is of vital importance, and I look forward to working with Mark and the other redevelopment authorities in the 32nd Senatorial District to insure they can continue their work. I ask the Senate to join me in welcoming Mark.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Stefano 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 Majority Caucus Room.

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 LEAVES**

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Brooks.

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

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

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Brooks.

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

### **CALENDAR**

#### **THIRD CONSIDERATION CALENDAR**

#### **BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 9 (Pr. No. 241)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring identification of lawful presence in the United States as a prerequisite to the receipt of public benefits.

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator STEFANO. Mr. President, I would like to submit remarks for the record on Senate Bill No. 9.

The PRESIDENT. 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 Fayette, Senator STEFANO:)*

Mr. President, I rise today to request an affirmative vote for Senate Bill 9, the Proof of Citizenship for Receipt of Public Benefits Act. The purpose of this bill is very straightforward and simple. This bill simply ensures that people who receive public benefits in Pennsylvania are actually eligible to receive them. Nothing more, nothing less.

Recently, we have read reports of the Commonwealth having to repay \$48.8 million to the Federal government for not properly verifying the eligibility of certain recipients. This is unacceptable, and this bill would put in place a process to ensure this is being done in the future. In addition to the issue that was disclosed in this settlement, the Auditor General has pointed out several situations in which ineligible individuals were given benefits.

At a time when Pennsylvania faces a budget shortfall, these types of situations are unacceptable. Senate Bill 9 offers a variety of ways for a person to prove their eligibility so as to not adversely affect those who are in need of these benefits and are eligible to receive them. This bill also does not put this requirement on children, on seniors, on those receiving disability benefits, or on those who cannot produce the proper documentation due to domestic abuse.

I ask my colleagues to support this commonsense piece of legislation so that we can ensure that our tax dollars are being used correctly, by eligible residents. Every dollar that is improperly spent is money that is not going to other worthy programs and initiatives in State government.

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-40

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

#### NAY-8

Costa	Fontana	Hughes	Tartaglione
Farnese	Haywood	Kitchen	Williams

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

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

#### BILLS OVER IN ORDER

**SB 42, SB 61 and SB 179** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 43, HB 89 and HB 90** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### BILL ON SECOND CONSIDERATION

**SB 130 (Pr. No. 77)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### BILL LAID ON THE TABLE

**SB 161 (Pr. No. 97)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for certain immunity for hospitals that donate medicine, medical supplies and equipment in good faith for humanitarian assistance.

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

#### BILL ON SECOND CONSIDERATION, AMENDED

**HB 178 (Pr. No. 663)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the interchange of State Route 43 at the Mon-Fayette Expressway Interchange with State Route 88, known as Exit 28, in Washington County as the Marine Cpl. Thomas R. Matty Memorial Interchange; designating a bridge on that portion of State Route 1013, known as Knupp Road, over the Hypocrite Creek, Fairfield Township, Westmoreland County, as the PFC LeRoy D. "Whitey" Schaller Bridge; designating a portion of State Route 711 in New Florence Borough through St. Clair Township, Westmoreland County, as the Veterans Highway; and designating a bridge on that portion of State Route 88 over Muddy Creek, Cumberland Township, Greene County, as the Army Corporal Richard W. Kowalewski, Jr., Memorial Bridge.

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

Senator DINNIMAN offered the following amendment No. A0179:

Amend Bill, page 1, line 7, by striking out "AND"

Amend Bill, page 1, line 10, by striking out the period after "HIGHWAY" and inserting:

; and designating the bridge carrying State Route 322 over the east branch of the Brandywine Creek in West Bradford and East Caln Townships, Chester County, as the Robbie and Ryan Miller Memorial Bridge.

Amend Bill, page 3, by inserting between lines 8 and 9:

Section 4. Robbie and Ryan Miller Memorial Bridge.

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

(1) Brothers Robert "Robbie" and Ryan Miller were very well-respected in their community for their courageous devotion to emergency response.

(2) Robbie and Ryan Miller served as volunteer firefighters for the West Bradford Fire Company, the West Chester Good Will Fire Company and the East Brandywine Fire Company.

(3) Robbie Miller was killed in a motorcycle accident on May 2, 2013.

(4) Tragically, Ryan Miller was also killed in a motorcycle accident on July 19, 2014.

(b) Designation.--The bridge carrying State Route 322 over the east branch of the Brandywine Creek in West Bradford and East Caln Townships, Chester County, is hereby designated the Robbie and Ryan Miller Memorial Bridge.

(c) Signs.--The Department of Transportation shall erect and maintain appropriate signs which shall display the name of the bridge designated under subsection (b).

Amend Bill, page 3, line 9, by striking out "4" and inserting:

5

On the question,

Will the Senate agree to the amendment?

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

#### YEA-48

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

#### NAY-0

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

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 LAID ON THE TABLE

**HB 179 (Pr. No. 173)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of S.R. 88 over Muddy Creek, Cumberland Township, Greene County, as the Army Corporal Richard W. Kowalewski, Jr., Memorial Bridge.

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

#### LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Teplitz has returned, and his legislative leave is cancelled.

#### CONSIDERATION OF CALENDAR RESUMED

#### SECOND CONSIDERATION CALENDAR RESUMED

#### BILLS OVER IN ORDER

**SB 266, SB 286, SB 287 and SB 385** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### BILLS ON SECOND CONSIDERATION

**SB 405 (Pr. No. 378)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating Exit 30 from Interstate 84 onto State Route 402, in Pike County, as the Corporal Bryon K. Dickson, II, Exit.

Considered the second time and agreed to,

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

**SB 427 (Pr. No. 368)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 24, 1984 (P.L.92, No.17), referred to as the Precious Metal Sale Regulation Law, further providing for dealer's retention of precious metal and availability for inspection.

Considered the second time and agreed to,

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

#### BILLS OVER IN ORDER

**SB 487 and SB 489** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### UNFINISHED BUSINESS

#### SENATE RESOLUTIONS ADOPTED

Senators TEPLITZ, HAYWOOD, WOZNIAC, BREWSTER, FONTANA, DINNIMAN, SCHWANK, PILEGGI, SMITH, TARTAGLIONE, COSTA, HUGHES and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 30**, entitled:

A Resolution designating February 24, 2015, as "Housing Awareness Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator TEPLITZ. Mr. President, my resolution designates February 24, 2015, as "Housing Awareness Day" in Pennsylvania. Pennsylvania provides more than 200,000 subsidized, assisted, or affordable rental housing through Federal and State programs, as well as 43,000 affordable housing units through the low-income housing tax credit program for individuals and families across our State. However, there continues to be a demand for even more affordable housing for low-income families, senior citizens, veterans, and individuals with disabilities. Providing vulnerable Pennsylvanians with safe, secure, accessible, and affordable housing greatly impacts their lives. It also improves the socioeconomic climate of our State.

The Pennsylvania Association of Housing and Redevelopment Agencies, in partnership with the Housing Alliance of Pennsylvania, works closely with their members and industry partners to provide suitable housing and related services. Locally, in my district, the Dauphin County Housing Authority, the Harrisburg Housing Authority, and the Cumberland County Housing and Redevelopment Authorities are providing local residents with housing. In fact, they hosted a news conference today to highlight the many benefits of providing affordable housing, and I just came from that news conference. Affordable housing is essential to the stability and growth of the individuals and families in need, so I ask that my colleagues join me in recognizing today, February 24, 2015, as Housing Awareness Day in Pennsylvania.

Thank you, Mr. President.

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

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

Senators VULAKOVICH, BAKER, ALLOWAY, ARGALL, AUMENT, BLAKE, DINNIMAN, FARNESE, FONTANA, GORDNER, GREENLEAF, HAYWOOD, HUGHES, KITCHEN, MENSCH, PILEGGI, RAFFERTY, SCHWANK, SMITH, TARTAGLIONE, TEPLITZ, WARD, WHITE, WOZNIAC, YUDICHAK, COSTA, BOSCOLA and BARTOLOTTA, by unanimous consent, offered **Senate Resolution No. 31**, entitled:

A Resolution designating the month of March 2015 as "American Red Cross Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator VULAKOVICH. Mr. President, I rise today to ask my colleagues to support this resolution designating March 2015 as "American Red Cross Month" in Pennsylvania. I would like to submit my remarks for the record.

The PRESIDENT. The Chair thanks the gentleman, and notes it was a pleasure to be with him at the earlier Red Cross event.

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, this resolution recognizes the important role this great organization plays in communities across Pennsylvania. In fact, the Red Cross responded to approximately 3,000 disasters and provided assistance to families impacted by disaster in all 67 counties in the Commonwealth in 2014.

As every Member in this Chamber is well aware, this represents a year-round effort, since disasters do not take a holiday or vacation. If we need a reminder, we need only think about the frigid temperatures of this past month, or the tons of snow that have pummeled the northeast. Certainly, this time of year is always marked by tragic and devastating fires that leave families homeless. When that happens, the Red Cross is there providing hot coffee to first responders and shelter to the homeless.

In my area of Allegheny County, the ravages of winter all too often result in flooding issues when spring rains add to the melting snow and feed into streams, creeks, and rivers that are choked with chunks of thawing ice. Again, the Red Cross will be there.

And then the arrival of warmer weather is often accompanied by dangerous thunderstorms and the occasional tornado that damages or destroys homes and property. Thankfully, the Red Cross is always there to provide assistance.

While the disaster response efforts are in some ways the most visible part of the Red Cross mission, we shouldn't forget the important role the organization plays in providing a number of training courses in our communities. More than 215,000 Pennsylvanians have received training through first aid, CPR, water safety, or other programs.

The American Red Cross has been at the forefront of helping Americans prevent, prepare for, and respond to large and small disasters, and just as families and communities depend on the Red Cross in times of need, the Red Cross depends on the support of the American people to help sustain the foundation.

As we mark and commemorate American Red Cross Month in Pennsylvania, it is important that we recognize all the people who give their time and resources to aid their friends and neighbors in time of need. I personally want to thank the 7,355 Pennsylvanians who served as volunteers for the American Red Cross in 2014. Their efforts truly are appreciated, and it is with them in mind that I offer this resolution.

Mr. President, I conclude by asking my colleagues to join me in saluting the 133-year-long history and exemplary service of the American Red Cross and its 44 Pennsylvania chapters with an affirmative vote on this resolution. Thank you.

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

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

Senators MENSCH, WOZNIAC, HAYWOOD, GREENLEAF, SCAVELLO, KITCHEN, FARNESE, DINNIMAN, FONTANA, TEPLITZ, ALLOWAY, BREWSTER, SCHWANK, SMITH, TARTAGLIONE, RAFFERTY, AUMENT, HUGHES, COSTA, BOSCOLA and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 32**, entitled:

A Resolution recognizing the month of May 2015 as "Preeclampsia Awareness Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator MENSCH. Mr. President, whereas, preeclampsia, HELLP syndrome, and eclampsia are dangerous conditions of pregnancy that can, in their severest forms, lead to maternal or infant mortality or premature birth with significant birth defects and risks for the mother and the baby. Whereas, as many as 320,000 cases of preeclampsia are diagnosed in America every year, with approximately 25 percent resulting in severe, life-threatening consequences to a pregnant mother and her baby. I ask that we recognize the month of May 2015 as "Preeclampsia Awareness Month" in Pennsylvania, and I commend organizations such as the Preeclampsia Foundation in addressing this public health issue.

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 Samuel Paul Mirarchi by Senator Argall.

Congratulations of the Senate were extended to Devin Luke Simmons by Senator Aument.

Congratulations of the Senate were extended to Matthew Evan Beyerle and to George Derr by Senator Corman.

Congratulations of the Senate were extended to Delaphine Watts by Senator Dinniman.

Congratulations of the Senate were extended to Mary Ann Rossi by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Jacob Bass by Senator Hughes.

Congratulations of the Senate were extended to Zecharia Mich Shalev and to the Swedeland Volunteer Fire Company No. 1 by Senator Leach.

Congratulations of the Senate were extended to Mr. and Mrs. George Horning and to Hunter David Wolfe by Senator Scarnati.

Congratulations of the Senate were extended to Donna L. Heffner by Senator Schwank.

Congratulations of the Senate were extended to Berneice A. Gabel, Mary K. Miller, Ronald E. Hampton, Richard L. Bolze and to Charles F. Gamber by Senator Teplitz.

Congratulations of the Senate were extended to George C. Weimer, Jr., by Senator Vance.

Congratulations of the Senate were extended to Mr. and Mrs. Terry Manwaring by Senator Yaw.

### CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Michael J. Riordan by Senator McIlhinney.

### BILLS ON FIRST CONSIDERATION

Senator BOSCOLA. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

**SB 201, SB 214, SB 289, SB 307 and SB 352.**

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

### ANNOUNCEMENTS BY THE SECRETARY

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

#### SENATE OF PENNSYLVANIA

#### COMMITTEE MEETINGS

#### WEDNESDAY, FEBRUARY 25, 2015

9:00 A.M.	STATE GOVERNMENT (public hearing on Senate Bill No. 3)	Hrg. Rm. 1 North Off.
10:00 A.M.	PUBLIC HEALTH AND WELFARE (to consider Senate Bills No. 375 and 514; and Senate Resolution No. 27)	Room 461 Main Capitol
1:30 P.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing on veterans' issues)	Room 8E-A East Wing
Off the Floor	FINANCE (to consider Senate Bill No. 129; and Senate Resolution No. 28)	Rules Cmte. Conf. Rm.
Off the Floor	STATE GOVERNMENT (to consider Senate Bill No. 501)	Rules Cmte. Conf. Rm.

#### MONDAY, MARCH 16, 2015

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 - Independent Fiscal Office - Economic Outlook & Revenue Overview)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of General Services)	Hrg. Rm. 1 North Off.

#### TUESDAY, MARCH 17, 2015

9:30 A.M.	APPROPRIATIONS (Budget Hearing - Attorney General)	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 - Auditor General)	Hrg. Rm. 1 North Off.

#### WEDNESDAY, MARCH 18, 2015

9:30 A.M.	APPROPRIATIONS (Budget Hearing - Judiciary)	Hrg. Rm. 1 North Off.
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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 - Dept. of Revenue/Lottery)	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 - Public Utility Commission)	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 Health)	Hrg. Rm. 1 North Off.	1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Military and Veteran Affairs)	Hrg. Rm. 1 North Off.
<u>TUESDAY, MARCH 24, 2015</u>			<b>COMMUNICATIONS FROM THE GOVERNOR REPORTED FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS</b>		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Insurance)	Hrg. Rm. 1 North Off.	Senator ALLOWAY, from the Committee on Rules and Executive Nominations, reported communications from His Excellency, the Governor of the Commonwealth, recalling the following nominations, which were read by the Clerk as follows:		
11:00 A.M.	APPROPRIATIONS (Budget Hearing - Thaddeus Stevens College of Technology)	Hrg. Rm. 1 North Off.	<b>JUSTICE, SUPREME COURT OF PENNSYLVANIA</b>		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - State Related Universities)	Hrg. Rm. 1 North Off.	February 23, 2015		
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Aging)	Hrg. Rm. 1 North Off.	To the Honorable, the Senate of the Commonwealth of Pennsylvania:		
<u>WEDNESDAY, MARCH 25, 2015</u>			In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall the nomination dated February 5, 2015 of Thomas King Kistler, 147 Thunderhill Road, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for appointment as Justice, Supreme Court of Pennsylvania, to serve until January 4, 2016, vice The Honorable Ronald D. Castille, mandatory retirement.		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Environmental Protection)	Hrg. Rm. 1 North Off.	I respectfully request the return to me of the official message of nomination on the premises.		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Corrections/Office of Probation and Parole)	Hrg. Rm. 1 North Off.	TOM WOLF Governor		
3:00 P.M.	APPROPRIATIONS (Budget Hearing - PA Liquor Control Board)	Hrg. Rm. 1 North Off.	<b>MEMBER OF THE STATE BOARD OF MEDICINE</b>		
<u>THURSDAY, MARCH 26, 2015</u>			January 15, 2015		
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Human Services)	Hrg. Rm. 1 North Off.	To the Honorable, the Senate of the Commonwealth of Pennsylvania:		
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Community & Economic Development)	Hrg. Rm. 1 North Off.	In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 15, 2014, for the appointment of Bryan Troop (Public Member), 155 Foxchase Drive, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, as a member of the State Board of Medicine, to serve for a term of four years or until his successor is appointed		
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of State)	Hrg. Rm. 1 North Off.			
<u>MONDAY, MARCH 30, 2015</u>					
9:30 A.M.	APPROPRIATIONS (Budget Hearing - Dept. of Education)	Hrg. Rm. 1 North Off.			
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Dept. of Labor & Industry)	Hrg. Rm. 1 North Off.			



and qualified, but not longer than six months beyond that period, vice Rabbi Solomon Isaacson, Philadelphia, whose term expired.

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

TOM CORBETT  
Governor

### ***NOMINATIONS RETURNED TO THE GOVERNOR***

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

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

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

### **REPORT FROM COMMITTEE ON RULES AND EXECUTIVE NOMINATIONS**

Senator 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 PENNSYLVANIA GAME 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, James R. Daley, PMP, (District 1), 249 Jaclyn Drive, Cranberry Township 16066, Butler County, Twenty-first Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ralph A. Martone, New Castle, whose term expired.

TOM CORBETT  
Governor

#### **JUDGE, COURT OF COMMON PLEAS, BUCKS COUNTY**

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, Brian T. McGuffin, Esquire, 70 Barley Court, Langhorne 19047, Bucks County, Sixth Senatorial District, for appointment as Judge, Court of Common Pleas, Bucks County, to serve until the first Monday of January 2016, vice The Honorable Clyde W. Waite, mandatory retirement.

TOM CORBETT  
Governor

#### **JUDGE, COURT OF COMMON PLEAS, BUCKS COUNTY**

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, Raymond F. McHugh, 1496 Nancy Drive, Southampton 18966, Bucks County, Twelfth Senatorial District, for appointment as Judge, Court of Common Pleas, Bucks County, to serve until the first Monday of January 2016, vice The Honorable Susan D. Scott, mandatory retirement.

TOM CORBETT  
Governor

#### **MEMBER OF THE STATE BOARD OF MEDICINE**

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, Kathleen Duffy Bruder (Public Member), 351 North 29th Street, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years or until her successor is appointed and qualified, but not longer than six months beyond that period, vice Rabbi Solomon Isaacson, Philadelphia, 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 on the table.

### **EXECUTIVE NOMINATIONS**

#### ***EXECUTIVE SESSION***

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

Which was agreed to by voice vote.

#### ***NOMINATIONS TAKEN FROM THE TABLE***

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

The Clerk read the nominations 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, James R. Agras, 73 Lebanon Hills Drive, Pittsburgh 15228, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Education, to serve until October 1, 2020, or until his successor is appointed and qualified.

TOM CORBETT  
Governor

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

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

Senator COSTA. Mr. President, the two nominees whom we are going to be casting votes on in a moment are part of a larger group of individuals, some 26 other individuals, who have been recommended and nominated by the former Governor, Governor Tom Corbett, at the eleventh hour as it relates to his tenure in office. Historically, Mr. President, we normally do not go down this path where we have outgoing governors make nominations that will impact the new Governor coming in.

With respect to this group of 26 other folks that I am referring to, Mr. President, what is most troubling is that these individuals will be placed into areas of government that will be critical to this administration's ability to manage the next 4 years as the Governor of this Commonwealth and its administration.

When you look at the past election, I think it is pretty clear that there were a couple of areas where folks in this Commonwealth wanted us to focus and concentrate on, and those areas, most importantly, were in the area of education. It was very, very clear, a clear mandate that this administration was given the task to make certain that we implement, in this Commonwealth, an investment strategy with respect to education, that we implement a procedure and a process where we utilize the best talent available to help us manage and create a policy source and a policy way in which we are going to administer education and invest in education in this Commonwealth. When you look at the list of folks who are being considered today, there are at least three folks who will be on the State Board of Education. There are a number of folks who will be appointed to the Board of Governors of the State System of Higher Education. We have individuals who are being appointed as trustees to our State system schools, and it is very disturbing to us, Mr. President, that this

administration was not given the ability or the prerogative to be able to select folks who will be serving in those capacities as we go forward, particularly given the fact that this Commonwealth has provided to this Governor, Governor Tom Wolf, the ability and asked him to implement a responsible, reasonable education plan from higher ed down to pre-K. By voting on these nominations today, confirming them, we would take away from this Governor's ability to do so.

I do know that these are only two of those representatives. My remarks are reflected to the group of folks whom we are going to be dealing with in the next few moments. I am asking my colleagues, on this particular vote, for a negative vote consistent with our position as we go forward.

Mr. President, before we do a vote on this, though, I would like to make a motion on the floor here today that we honor the recalls that were presented by Governor Tom Wolf a couple of weeks back, right after these nominations were received on the floor. So, we are asking that the recalls be honored so that these individuals will be recalled, the new Governor will then have the opportunity to put forth his new names for these positions, people who have a vision and a view that is consistent with his ability to administer as we go forward.

Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

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

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

Senator CORMAN. Mr. President, in regard to the gentleman's motion, there is a main motion before us. We need to deal with that before we look at any other motions. So, I ask you to rule his motion out of order.

The PRESIDENT. The Senate will be at ease for one moment.  
(The Senate was at ease.)

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

The PRESIDENT. The gentleman from Centre is correct, there is one main motion before the body, and under our Senate Rules, there may be only one main motion before the body. Therefore, Senator Costa's motion is, in fact, out of order.

The Chair recognizes the gentleman from Allegheny, Senator Costa.

#### MOTION WITHDRAWN

Senator COSTA. Mr. President, I will withdraw the motion to do the recall. I know the motion was made multiple times through the process of the hearings of the Committee on Rules and Executive Nominations, and I knew what the outcome would have been. I just think it is important to recognize that we are trying to preserve, for this administration, the ability to put folks into play who can administer the work that this Governor wants to do in the very important area of education, particularly as it relates to higher education.

Beyond that, there are a number of other positions that we will be discussing today and have been discussing for many,

many weeks along the area of pensions. Some of my colleagues have taken to this floor on both sides of the aisle recognizing that the issue of how we deal with pensions going forward is a significant issue that we are going to have to deal with between now and the time we enact a budget. I think it is important to recognize that this package of votes that will be taking place today also includes individuals who will be appointed to some of the pension boards that are significant. The PSERS board, the Public Employee Retirement Commission, and the State Employees' Retirement Board, very important boards that will play a significant role in terms of how we resolve the pension crisis or the pension issue that needs to be addressed here in Pennsylvania.

Again, the outgoing administration took advantage of those positions and nominations and made them during an important time, which historically has been held in reserve for the incoming Governor. I would only point to 4 years ago when, in a similar situation, we had a change of administration from one party to the next, when Governor Rendell was leaving and Governor Corbett was coming in, we only did one nominee from Governor Rendell during the Corbett administration, and it was an individual who was being appointed to the University of Pittsburgh. One individual. We are being asked here today, over the course of this process, to do 26 individuals, as well as 2 judges from the Court of Common Pleas of Bucks County.

So, at the end of the day, Mr. President, we think it is unfair, it is inappropriate, and should not be done. So, I am asking our Members on this side of the aisle, as many as I can, and asking some of you on the other side of the aisle, if you believe that it is the prerogative of this administration to make those nominations, then vote "no" on these nominations. Not only these two, but also ones going forward as well. I must be clear, and this is no reflection in my view on any of the nominees in terms of their ability to do so, but the fact of the matter is, it is the process that we believe was violated by the previous Governor and that by going through this process we are just continuing that violation with respect to these nominations and the ability of this Governor to govern in Pennsylvania.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I would strongly urge an "aye" vote for these nominations. The Constitution is very clear: the Governor nominates and the Senate advises and consents. Governor Corbett was still the Governor when he made these nominations. Governors' terms are not 3 years and 9 months, they are 4 years. They still perform all of the duties of the Governor during the period of those 4 years. This is not a unique situation. This has happened in the past, that governors in their final months have laid out nominations. This Governor, Governor Wolf, has stated that he has nominated, obviously, many people, 20, I believe, for his administration, and that this Senate should look at those nominees not by their ideology, but by their qualifications. Well, if that is the standard we are going to go by, these nominees who are before us today, and have been before us for 5 or 6 weeks since their nominations were made, not one question has been made of their qualifications. In fact, the gentleman I just spoke to said that he did not have any problems with qualifications. Well, if they are qualified, they should be confirmed because they are before us.

I appreciate the gentleman's discussion about a mandate for the Governor. Well, in this Senate body, we have six new Members who ran on education. They all felt that they had a mandate when they came here to talk about education and to put people in positions of importance in education. As a matter of fact, 18 Senate Republicans won races in the last election cycle, all running and talking about education and their ideas about education. I am sure they feel that they have a mandate as well.

So, again, these people are all very well qualified. They should be, our job is to advise and consent. They have been out there for public review for quite a few weeks, and I think it is time that we move forward and confirm these individuals based on their qualifications.

Thank you, Mr. President.

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate advise and consent to the nominations?

#### *NOMINATIONS RETURNED TO THE TABLE*

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

Senator CORMAN. Mr. President, I move to withdraw my motion and table the nominations.

On the question,

Will the Senate agree to the motion?

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

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

#### *EXECUTIVE SESSION RISES*

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

The motion was agreed to by voice vote.

#### *PETITIONS AND REMONSTRANCES*

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

Senator CORMAN. Mr. President, this last weekend at my alma mater, and I know a few of us went to Penn State University, they held their annual THON, they call it, the dance marathon which raises money for what we refer to as the THON children, children with pediatric cancer. Mr. President, it is amazing every year what these kids and these students do. Every year a lot of students from Penn State University get together. It is funny, it started out at the White Building, which is a small gymnasium, and moved on to Rec Hall, and now it is at the Bryce Jordan Center. It is absolutely packed, and for weeks and weeks they scour the Commonwealth to raise money for pediatric cancer, and they have a great dance marathon over the weekend. This year they raised over \$13 million. Just repeat that, \$13 million, bringing their grand total for all of the years that they have done this up to around \$115 million. It is the largest student-run philanthropic event in the nation, probably in the world, which speaks highly of the students at Penn State University.

I wanted to take a moment to congratulate them. I know there are a lot of children out there, there is one from my community

who was up on stage from Bellefonte that Coach Franklin was recognizing as one of the THON children. You cannot put a price tag on what that does for these children and, hopefully, they find the research and will be able to develop the types of medicines that can help ultimately cure these children. As a father of three, I cannot think of a more scary proposition than to meet with your doctor and be told that your child has cancer. So, I just want to congratulate those students.

It was a little unfortunate that a TV anchor and sports person, Keith Olbermann, decided to weigh in and call Penn State pitiful during this last week when someone tweeted saying, "We are," and he responded as "pitiful." Fortunately, ESPN saw fit to take him off the air for a week. How anyone can attack that organization and what they have done -- I am very proud of the culture at Penn State. I know it has gone under attack for a lot of years, but this is really what Penn State is all about, raising that kind of money, doing extra to help kids, getting \$115 million over all of the years. That is just spectacular. So, I want to add my voice of congratulations to the students at Penn State University, and as alumni: "We are--"

Senator RAFFERTY. "Penn State."

The PRESIDENT. The Chair thanks the gentleman, and it was an inspiring act of public service by the Penn State community and the Penn State students.

The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I will conclude for the gentleman from Centre County: "Penn State."

Actually, as co-chair of the State-related caucus, I want to commend the gentleman from Centre County and Penn State University for the outstanding event that takes place each year. It was disgusting and appalling that someone should attack the Penn State student body for doing something that is very momentous here in the Commonwealth of Pennsylvania and across the nation. They are recognized nationally for this event. It has raised a considerable amount of money to help people in need and help children, and that is what you want.

At a time when we often see in the newspapers our youth being criticized or highlighted for something bad, this is something not only good, but great that Penn State does. As a Temple and Pitt alum, sister State-related schools, I am very proud of what Penn State does and commend them for their efforts each year. I know back in my district, the local news station, which happens to be the number one local station, covers THON every year. I join with Senator Corman, I commend him for taking issue with the statement that was made, and congratulate Penn State.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, this is a husband's story about the woman he loved who was taken too soon in life. He personally sent a letter to each Senator here today, but I want to read it for the record as well. Frank Lambert of Easton writes:

I first came to know my wife, Christine, after meeting her at work in our area's hospital. I was working as part of the local rescue squad, we dated, and in May of 1975 we were married. We had big dreams of our future together. We finished building our house together, working side by side. We became parents of

our son, Matthew, in 1985, and learned very quickly that life had changed. May I say, for the best.

Christine eventually went back to school full-time for radiation therapy, earning an outstanding performance award after her graduation. I was very proud of her. Her patients were all of her extended family members, as she would say. She found joy in assisting cancer patients with their treatments. She was a wonderful and caring therapist, a loving mother, and wife.

On the morning of December 25, 2005, our family woke up and began celebrating Christmas together, just like every other year. We exchanged family gifts and called our out-of-State relatives. When Christine placed a call to her sister in Maryland, she learned that she was diagnosed with cancer and would need to undergo surgery. Of course, Christine's first thought was to go and stay with her sister full-time to care for her throughout the procedure. When we got ready for our drive to her parents' house to gather up for the holiday, we packed up the car with the gifts and away we went. I usually drove us, but for some reason she wanted to that day. The trip typically took over an hour. The sky was overcast, but it certainly was not raining. We were laughing and talking and discussing plans when she would go and stay with her sister. And then the unthinkable happened.

We were 6 miles from her parents' home on Route 209. I had turned around to help my son lie down in the back seat for a short nap. I then heard a tractor trailer with a loud exhaust, sort of louder than normal. I quickly turned to look out the front windshield. I saw this large slab of ice coming toward our car. It hit us with so much force that it pushed us into the guardrail and back out. After the impact, I grabbed for the parking brake. I looked over at my wife and I knew it was not going to be okay. Matthew came back in the backseat and asked what happened. I said we were hit with ice, I do not think mom is going to be good.

He and I were able to get out of the car, and I remember the blood on his face. I was relieved that he was able to walk and talk. I ran to the other side of the car to help my wife, at which time I knew, from my work with being on the local rescue squad and fire department, that nothing could be done by me or the two nurses on the scene. Three-quarters of her face and head were gone. I had never seen anything like it, and my son and I will never forget it. That was the last time we were able to see her.

As they loaded up Matthew for medical care, I saw broken glass in his face, and his eyes, and his broken nose. He asked me, dad, do you know what is all over us? Before I could reply he answered, that is mom's brain and skull all over us. Can you imagine? I ask you, what would you say to your child?

Frank continued to write: Our Christmases will never be the same, our lives will never be the same. My son has a scar on his face as a daily reminder each time he looks into the mirror of that day. This is what we have to live with now. Frank continues and ends by saying: Take a couple of minutes, clean off the snow and ice before you drive your vehicle. Think of spending the holidays with your spouse and family. We will never get to do that again.

Well, Mr. President, my whole point is these wintery months, please try to clean off snow and ice from your vehicle. To my colleagues, I have a bill in that would do just that, encourage people to remove the snow and ice. I would hope my colleagues would help me pass that bill in the near future.

Thank you, Mr. President.

The PRESIDENT. The Chair once again thanks the Senator for her continued advocacy on an important issue.

The Chair recognizes the gentleman from Philadelphia, Senator Farnese.

Senator FARNESE. Mr. President, for the past several days there has been some discourse and comments about a comment that the Governor made over the weekend at a conference, specifically about Pennsylvania having a self-esteem problem and not being able to sort of get its leadership right. There has been some talk about that, and some folks have come out and have sort of been looking at that as a negative and negative on the administration. I was reading the articles and getting an understanding of the context in which it was said, and I think we all understand -- and I think we are all free to have our opinions on where, what, and how we are going to interpret different things.

I found myself reading an article today by John Baer, and I can tell you, Mr. President, I certainly do not agree with everything that this gentleman writes, but I think for today, he actually did hit the nail on the head. When you look at the Governor's comments about where we are and what we need to do, I think that whether or not you agree with the first few weeks of the administration, you have to say that there have been some bold steps taken by the administration. There have been some efforts to engage on levels that, quite frankly, other administrations have not done. When you really look at comments that have been aimed to the Governor about working families and being hard on them and not blaming them for where we are, well, quite frankly, over the last 4 years in this very Chamber, the previous administration, Mr. President, has done extreme damage to working families across the State. Let us not forget some of the first things that occurred when the previous administration took office: 40,000 folks were knocked off of adultBasic for healthcare coverage; 70,000 folks taken off of public assistance; and, of course, the complete decimation of the public education system under the prior administration. So, I find it really hard to believe that working families, Mr. President, have not had it difficult under the prior administration.

The Governor certainly does not need me to come to his defense, but I think it is important to note, really, what the substance of those comments were. What they were, I think, is true, in that leadership in the State of Pennsylvania has to step up to the plate and has to begin working together to give the people of Pennsylvania an opportunity to really regain their trust and integrity. I think that is really what this administration, Mr. President, both yourself and the Governor have been out in the public talking about really restoring the public's trust. I think that is what the Governor's comments were about. I think that the Governor was challenging leadership in Pennsylvania to re-engage the people across the Commonwealth so that they will begin to believe again in their elected officials and in the process.

I think that is what is important, and I hope that as we move into one of the most important weeks next week, Mr. President, the Budget Address week, and this will be the first Budget Address given by this Governor, I hope that we can look back to the comments that were made during swearing-in day, and that have been made every swearing-in day; the comments to work together, to negotiate, to have compromise, that the leadership on the other side has said. I hope that as we move into this very difficult period of time that we are willing to do that, that the other side is willing to make those compromises and to sit at the

table and to negotiate openly and freely with us, because I know, Mr. President, that folks certainly on this side of the aisle are ready, willing, and able to do that. I think that is really what the Governor was getting at and I think that we have an opportunity here over the next several weeks and months to work on a budget together to really restore the people's trust.

If you take a look at the article that was written by Mr. Baer today, and again, I certainly do not agree with everything he says, but I think today I really do see him hitting the heart of the issue. That is that we, as elected officials, and we, as the leaders here in the General Assembly, on both sides of the aisle and both Chambers, we have an obligation to really work to restore the people's trust. I think if you look at every step that the Governor has taken, both yourself and the Governor, this administration has done exactly that. They have worked to restore people's trust, people's willingness to engage in the process, and I think at the end of the day that is what they really want. That is what they want us to do. I think that is what they want from their elected officials, and I hope that as we move forward in this very important time that we are willing to do that, we are willing to work together, because I think that is what it is all about.

So, I hope that we can take away from those comments something that both sides of the aisle here can take away as a positive and that we are ready to get to the table, ready to get to work next week on what is always a difficult time, but hopefully this budget season will be an opportunity for folks to have a working discourse and hopefully do what the people have sent us here to do.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the Senator for recognizing, as you do, as Senator Corman does, as Governor Wolf does, that Pennsylvania is great State.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, obviously, the last 4 years we were the party of the Governor, and now, obviously, the other side of the aisle is now the party of the new Governor. When you are the party of the Governor and when the Governor steps in it, you sort of have to stick up for him. I think the gentleman did a tremendous job there in trying to put a good face on something that was not particularly pretty.

I had a chance to watch the NGA Conference, and Governor Wolf was well-intended and I think he will put forth a plan next week, which we all can begin to look at and decide. But to imply that one of the biggest hurdles to economic development in Pennsylvania is Pennsylvanians' low self-esteem, I take issue with that. People have tremendous pride in the State of Pennsylvania, tremendous pride in our communities. If you look at these murals and the history of Pennsylvania, some of the greatest events in our country's history happened within 90 miles of this building: Gettysburg, Philadelphia, tremendous cities, tremendous higher education institutions. I think all Pennsylvanians have tremendous pride in Pennsylvania, and we have come through this recession pretty well. Our unemployment is down significantly from where it was 4 years ago, and so there are brighter days ahead. We have big problems, every State has big problems, but this Governor will work with us and hopefully will identify the same problems and we will get together and try to solve them.

That is what we are all sent here to do, and I said countless times, I do not want to be Washington, D.C., where they do not get anything done. The people of Pennsylvania sent the Governor here and they sent us here, and we will hopefully find, at some point, where we can agree and solve some of the big problems in Pennsylvania, but let us focus on the problems and not focus on the psychological well-being of the Commonwealth of Pennsylvania. I think the people here are very prideful of the State of Pennsylvania. He may not have meant it that way, but it certainly came across that way, and maybe over time he will be able to clarify some of his remarks, but self-esteem is not the problem of the people of Pennsylvania. We have some hurdles like pensions that we need to step up and deal with, and that will go a long way to invest in basic education, getting money into the classroom, which I know this Governor wants to do and I know the other side of the aisle wants to do. If we can get pension reform done, a big problem, that would put money back into the classroom. We made a big investment in infrastructure most recently, and we have to continue to look at other ways to build on our infrastructure so that every company in the country says Pennsylvania is the place to be. That is something that Pennsylvanians already know.

So, we look forward to working with the other side of the aisle, the new Governor, and the upcoming term. One thing that we are a little fearful of, as we have seen some of the reports, although we do not have anything as of yet, but I do not know that billions of dollars and new taxes are going to help people's self-esteem. That is going to be something that I think the hard-working Pennsylvanians are going to want to keep their tax dollars in their own pocket and not give it to us to redistribute. We will give the Governor time, next week will be his moment in the sun, and we will find out what his plan for Pennsylvania is and we look forward to shaping a budget that is good for all Pennsylvanians, and building upon the successes of the past and looking towards a brighter future.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, again, I always enjoy an opportunity to engage in discourse and debate with my colleague from the other side of the aisle, and I think that is important, and I take heart in his comments. I look at them as something that we have been waiting to hear many times around here. I think it is important that we are moving into this budget process with an opportunity to work together and to be a part of the solution. I think we can read comments back and forth and we can interpret, but I think the bottom line is this, and the way I read the Governor's statement is, basically challenging leaders here in Harrisburg to really put forth their effort to get the people of Pennsylvania engaged and to get them to really believe again in what government can do for them. So, I thank you for the opportunity, Mr. President, to be heard a second time, and I certainly look forward to the work ahead with the administration's first budget. Thank you.

### 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, February 25, 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 5:06 p.m., Eastern Standard Time.