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Legislative Journal

WEDNESDAY, JUNE 3, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 33

SENATE

WEDNESDAY, June 3, 2015

The Senate met at 11 a.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend LLOYD ZIMMERMAN, Pastor of Mount Rock Church, Shippensburg, offered the following prayer:

Let us bow our heads together.

Heavenly Father, we praise You that You are the God of the entire universe, and yet, we call You Father because You love each one of us. I pray today that You would provide and protect us as we live out our lives desiring to serve one another and to follow Your commandments. Thank You for the Commonwealth of Pennsylvania and its people. Thank You for the great history that we know abides here. Thank You for William Penn, for his commitment, his vision, his love for God, and for his courage. Father, I pray today that we would be able to re-dig the wells of that courage, that commitment, and that vision. We are here today to serve You and the people of the Commonwealth.

I pray for the Senators here today. I pray for their families, I pray for the staff and their families, and I pray for all who serve You here putting in the long hours and committing themselves to serving the people. I pray that You would grant us grace and protection. We pray for our Governor and our House Members, and we are asking for unity in the midst of diversity. Give us love and respect for all people. Help us not to be deceived but to keep the important things in view.

God, today we commit ourselves to You and to the service of each other. We renounce pride and ego for the purpose of serving the people of the Commonwealth. Help us never to forget that we are dust here on this earth for only a short time and that each of us will give an account of ourselves to You and for the things that we have done in this life. Help us to realize that we are stewards of what belongs to God. Father, I pray for healing today for the hurts in people's lives, their emotions, in their minds, and health for our bodies. I pray wisdom for our souls, and I ask You to bless these Sessions with progress, and we ask You to bless the Commonwealth of Pennsylvania. We pray in Jesus' name. Amen.

The PRESIDENT. The Chair thanks Pastor Zimmerman, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 293**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

BILLS REPORTED FROM COMMITTEES

Senator WARD, from the Committee on Community, Economic and Recreational Development, reported the following bill:

SB 756 (Pr. No. 1009) (Amended)

An Act amending Title 64 (Public Authorities and Quasi-Public Corporations) of the Pennsylvania Consolidated Statutes, in Commonwealth Financing Authority, further providing for First Industries Program expiration provision.

Senator SMUCKER, from the Committee on Education, reported the following bills:

SB 694 (Pr. No. 693)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, further providing for approval by department of plans of buildings and exceptions, providing for accountability and reducing costs in construction process, further providing for limitation on new applications for Department of Education approval of public school building projects; and, in reimbursements by Commonwealth and between school districts, further providing for definitions, for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness, for payments on account of leases hereafter approved and on account of sinking fund charges on indebtedness for school buildings hereafter constructed and for payments on account of building costs and providing for lump sum reimbursement for construction or reconstruction.

SB 862 (Pr. No. 981)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for criminal history of employees and prospective employees and conviction of certain offenses.

HB 131 (Pr. No. 1695) (Amended)

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled, as amended, "An act conferring limited residency status on military personnel, their dependents and civilian personnel assigned to an active duty station in Pennsylvania," further providing for attendance at State-related and State-owned institutions of higher learning and community colleges.

HB 762 (Pr. No. 1051)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for powers and duties of the Secretary of Education.

Senator EICHELBERGER, from the Committee on Finance, reported the following bills:

SB 282 (Pr. No. 1008) (Amended)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a waterfront development tax credit.

SB 652 (Pr. No. 691)

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for definitions.

SB 798 (Pr. No. 863)

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a computer data center equipment incentive program.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Smith and Senator Tartaglione.

The PRESIDENT. Senator Costa requests legislative leaves for Senator Smith and Senator Tartaglione. Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of April 14, 2015, is now in print.

The Clerk proceeded to read the Journal of the Session of April 14, 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-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner

Baker	Fontana	Scarnati	Ward
Bartolotta	Gordner	Scavello	White
Blake	Greenleaf	Schwank	Wiley
Boscola	Haywood	Smith	Williams
Brewster	Hughes	Smucker	Wozniak
Brooks	Hutchinson	Stefano	Yaw
Browne	Kitchen	Tartaglione	Yudichak
Corman	Leach	Teplitz	
Costa	McGarrigle	Tomlinson	
Dinniman	McIlhinney	Vance	

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUESTS OF SENATOR ELISABETH J. BAKER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, I rise to introduce two high school seniors from the Wallenpaupack School District in my Senate district, Nicholas Schroeder and Anthony Litz. These two young men, as a team, placed first in the Pennsylvania Automotive Association's Automotive Skills contest in Hershey. They then went on to compete at the National Automotive Competition in New York City. They are the first team from Pennsylvania to win the national event in New York City. The duo also attended the Ford/AAA Student Auto Skills Competition where they placed first and earned yet another trip to a national event which will be held next week in Dearborn, Michigan. They both have received an impressive amount of \$225,000 in tools and automotive scholarships.

Nicholas is the son of John and Cordula Schroeder. He plans to use one of his scholarships to attend the University of Northwestern Ohio and work his way towards an associate's degree in automotive and diesel technology.

Anthony is the son of Tom and Janean Litz. He is using one of his scholarships to pursue an associate's degree in automotive and diesel technology. He would like to further his education at Kettering University and hopes to become a mechanical engineer.

So proudly, these two impressive students are joined by Dr. Mark Watson, who is their automotive technology instructor; Robert Schwartz, who is a school board member; and Dr. Joann Hudak, who is the assistant superintendent. So, we are very proud of our national champions, who are joining us today from Wallenpaupack. I ask the Senate to offer our usual warm welcome and special congratulations and good luck for the competition next week.

Thank you, Mr. President.

The PRESIDENT. Will our national champions, the guests of Senator Baker, please rise so that we may give you our normal, customary welcome.

(Applause.)

**SPECIAL ORDER OF BUSINESS
SENATE RESOLUTION ADOPTED**

Senators BOSCOLA, BROWNE, MENSCH, SCAVELLO, COSTA, HUGHES, FONTANA, TEPLITZ, SCHWANK,

DINNIMAN, SMITH, TARTAGLIONE, WHITE, GREENLEAF, RAFFERTY, AUMENT and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 150**, entitled:

A Resolution congratulating Lehigh University on reaching its 150th anniversary and extending warmest wishes for a future replete with ever-increasing success.

On the question,
Will the Senate adopt the resolution?

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

Senator BOSCOLA. Mr. President, one of the biggest milestones on the horizon for Lehigh University during their upcoming academic year is the fact that the school is honoring its 150th anniversary. Lehigh University was founded in 1865 by Asa Packer with strong early ties to the railroad and steel industries. To this day, Lehigh University excels in areas such as engineering and technology. The anniversary will be honored by commemorating the past, celebrating the present, and looking ahead to its bright future. The year-long celebration, which kicks off this fall, is sure to be filled with signature events and celebrations. I encourage anyone listening to attend an athletic event, such as the famous rivalry of Lehigh University versus Lafayette University, or simply take a tour or visit the campus to take in its rich history and thriving spirit.

Mr. President, most of us in this Chamber might not know, but our very own Democratic Chief Counsel, C.J. Hafner, is a graduate of Lehigh University, which is a very good thing for my colleagues and me because his expertise is very reliable and appreciated, most of the time. I would also like to mention that there will be a companion resolution offered in the House of Representatives next week by Lehigh alumnus Representative Samuelson.

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

Senator BOSCOLA. Mr. President, with this resolution in mind, I would also like to welcome some guests. They are sitting front and center in the gallery today. They have been coming here meeting with legislators and continue to exhibit their hard work on behalf of Lehigh University and the south side of Bethlehem. I welcome Mr. Vito Gallo, vice president of Lehigh's government relations. He directs economic development efforts and State governmental relations to help the University achieve its goals in Harrisburg and across the State. He has worked to ramp up the school's small business development center, and PITA, the Infrastructure Technology Alliance.

He is joined by University Police Chief Edward Shupp. Chief Shupp oversees the campus police department and is fully trained and certified in this Commonwealth. He works tirelessly to preserve law and order on the campus grounds, which is important to the local community, especially, and they do a great job protecting the welfare and safety of students, faculty, and visitors. So, I ask that the Senate give them our usual warm welcome.

The PRESIDENT. Would the guests of Senator Boscola please rise so that we may welcome you here to the Pennsylvania Senate.

(Applause.)

And the question recurring,

Will the Senate adopt the resolution?

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 78 (Pr. No. 54) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for definitions and for revocation or refusal of kennel licenses.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, Senate Bill No. 78 is one of the many bills that we put forth as our pet protection package here in Pennsylvania, and I want to speak to this bill. This bill, very simply, allows the Department of Agriculture's Dog Law Enforcement to, whenever they identify a bad kennel owner and they close that kennel down, that kennel owner cannot just transfer that license to a family member, a spouse, a brother, sister, or a child and continue to operate a bad kennel. I ask for an affirmative vote on this bill.

This bill is part of a larger package that we started a couple of years ago here in the Senate. I want to recognize my friend from Chester County, Senator Dinniman, for his work along with me on this pet protection package. I want to thank my colleagues who have worked hard to try to gain consensus on these bills. I know sometimes these bills can become emotionally driven. We have tried to stick to the facts and be reasonable. Senator Dinniman has been there working with me to move this package forward, and this is one of that package that we are highlighting. I ask for an affirmative vote.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I want to thank Senator Alloway for working with me on this legislation that has gone through various committees, not only the Committee on Agriculture, but the Committee on Judiciary and others. Dogs are not Republicans or Democrats. Dogs are our friends. And when any legislator goes home, his wife might not say hello from the other room, his children might ignore him, but we know that dog comes and welcomes us home, so let us be thankful for that.

This legislation is aimed to create a more humane Pennsylvania. Many of these bills do not just involve protecting the pet, but involve protecting human beings as well, because the way we treat animals is reflective of the way we treat each other. So I want to thank Senator Alloway for his leadership. I hope we can get the whole package through today. Thank you.

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway, for the second time.

Senator ALLOWAY. Mr. President, with all due respect to my friend from Chester County, my dogs are Republicans, and they have stickers to prove it.

The PRESIDENT. We had heard that, Senator.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILL OVER IN ORDER

HB 188 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 294 (Pr. No. 851) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner

Baker	Fontana	Scarnati	Ward
Bartolotta	Gordner	Scavello	White
Blake	Greenleaf	Schwank	Wiley
Boscola	Haywood	Smith	Williams
Brewster	Hughes	Smucker	Wozniak
Brooks	Hutchinson	Stefano	Yaw
Browne	Kitchen	Tartaglione	Yudichak
Corman	Leach	Teplitz	
Costa	McGarrigle	Tomlinson	
Dinniman	McIlhinney	Vance	

NAY-0

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

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

BILLS OVER IN ORDER

HB 341 and **SB 352** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER TEMPORARILY

SB 373 -- Without objection, the bill was passed over in its order temporarily at the request of Senator CORMAN.

BILLS OVER IN ORDER

SB 438, SB 486 and **SB 538** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 594 (Pr. No. 587) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of cruelty to animals.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, I think I have realized over the years when it is best to keep quiet.

The PRESIDENT. I am sure that your colleagues appreciate that, Senator Dinniman, as does the Chair.

The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, Senator Dinniman is keeping quiet. I will give him kudos. This is his bill, a part of our package, and I want to thank him again for his hard work. This is an important bill for Pennsylvania, and I thank Senator Dinniman for bringing this to the floor.

And the question recurring,
Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 643, SB 687 and SB 688 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 89, HB 90, SB 95 and HB 140 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 157 (Pr. No. 307) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in professional and occupational licenses, further providing for definitions and for retention and certification.

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

BILLS OVER IN ORDER

HB 179, HB 221 and SB 299 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 329 (Pr. No. 220) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 370 and SB 388 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 396 (Pr. No. 311) -- The Senate proceeded to consideration of the bill, entitled:

An Act reenacting and amending the act of July 8, 1986 (P.L.408, No.89), known as the Health Care Cost Containment Act, further providing for sunset; and making editorial changes.

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

BILLS OVER IN ORDER

SB 430, SB 479 and SB 501 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 513 (Pr. No. 463) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

SB 590 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL REREFERRED

SB 609 (Pr. No. 892) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 620 and **SB 640** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND RECOMMITTED

SB 655 (Pr. No. 650) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, further providing for expiration.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 691, SB 747, SB 751, HB 753 and **SB 861** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL RECOMMITTED

HB 911 (Pr. No. 1687) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, further providing for emergency telephone service.

Upon motion of Senator CORMAN, and agreed to by voice vote, the bill was recommitted to the Committee on Veterans Affairs and Emergency Preparedness.

THIRD CONSIDERATION CALENDAR RESUMED

SB 373 CALLED UP

SB 373 (Pr. No. 288) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 373 (Pr. No. 288) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, this, again, is another bill that is a part of our pet protection package here in Pennsylvania. We have worked on this bill for a couple of years now. This is known as the anti-tethering bill, which is a little misleading. It sets reasonable guidelines. I want to say for the record that as the maker of the bill, the legislative intent is not to go out and use this bill as a hammer to go after people. This bill has a large education portion to it where we want people to understand that when it is zero degrees out and the wind is blowing, that it is not okay to tie your dog out all night to a tether, and that is just something that people need education on.

So, I want to thank, again, there are a lot of Members of this body who had input into this bill. We worked with a lot of different interest groups who were concerned about this bill.

Also, I want my colleagues to know that this bill was pretty much lifted identically from the Pittsburgh ordinance. The city of Pittsburgh passed this legislation quite a few months ago and it has been working out well there. We felt that this was something that was reasonable, that we could live with, and we took the language with this bill. We have had hearings. I want to thank Chairman Greenleaf for coming down to my district to air a hearing to make sure we got the facts out there, and I think this is a great step forward for all Pennsylvanians and for the ones that we love. I actually have a sticker in my office and it says, "Dogs are family. Would you tie grandma out on a chain?"

So, please remember that when you are voting today.

Thank you, Mr. President. I ask for an affirmative vote.

The PRESIDENT. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I want to commend Senator Alloway for Senate Bill No. 373. For the past 10 or so years I have introduced something similar, not exactly the same, in the House of Representatives. Why I did it--in my district, two dogs were left out in about 2 feet of snow, and then we had a heavy rain afterwards when the temperature dropped, and the dogs froze to death. You just cannot do that. If you want an animal, take care of the animal. Do not just tie them out to a tree and forget about them, not feed them, not give them water, and that is what this is really about. This is about treating dogs like they were really your friends, because they are. I think that it is about time that we protect them, and this bill will do that.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for his remarks and his work on this legislation.

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-45

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

NAY-4

Brooks	Eichelberger	Hutchinson	Yaw
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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.

LEAVE OF ABSENCE

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

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:

SECRETARY OF EDUCATION

February 4, 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, Pedro A. Rivera II, 1321 Quarry Lane, Lancaster 17603, Lancaster County, Thirteenth Senatorial Dis-

trict, for appointment as Secretary of Education, to serve for a term of four years, and until his successor is appointed and qualified, vice The Honorable Carolyn Dumaresq, Harrisburg, resigned.

TOM WOLF
Governor

INSURANCE COMMISSIONER

February 4, 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, Teresa Miller, 4240 Williamsburg Road, Apartment A, Harrisburg 17109, Dauphin County, Fifteenth Senatorial District, for appointment as Insurance Commissioner, to serve until the third Tuesday of January 2019, and until her successor is appointed and qualified, vice The Honorable Michael Consedine, Mechanicsburg, resigned.

TOM WOLF
Governor

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

The yeas and nays were required by Senator ALLOWAY 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	Kitchen	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 Governor be informed accordingly.

NOMINATION TAKEN FROM THE TABLE

Senator ALLOWAY. Mr. President, I call from the table a certain nomination and ask for its consideration.

The Clerk read the nomination as follows:

SECRETARY OF ENVIRONMENTAL PROTECTION

February 4, 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 Quigley, 153 N. 17th Street,

Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as Secretary of Environmental Protection, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice The Honorable E. Christopher Abruzzo, Hershey, resigned.

TOM WOLF
Governor

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

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

YEA-44

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

NAY-4

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

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

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

The motion was agreed to by voice vote.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators RAFFERTY, WOZNIAK, FONTANA, HAYWOOD, TEPLITZ, GREENLEAF, EICHELBERGER, ARGALL, BAKER, DINNIMAN, VOGEL, SCAVELLO, WARD, BREWSTER, BROOKS, SCHWANK, PILEGGI, AUMENT, SMITH, WHITE, HUTCHINSON, VULAKOVICH, COSTA, YUDICHAK, ALLOWAY and HUGHES, by unanimous consent, offered **Senate Resolution No. 142**, entitled:

A Resolution commemorating the 71st anniversary of D-Day on June 6, 2015.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, this is a resolution I do each year at this time for June 6, 1944, D-Day. Thousands of Americans and Allied soldiers lost their lives on the coastline of France in what became the final push to liberate Europe from the

Nazi regime. Because of the importance of this day, the lives lost, the men and women who sacrificed their lives and came back, some maimed or handicapped, or those who came back fully functional, all have those memories of what happened on that day. I ask for an affirmative vote recognizing the importance of D-Day.

The PRESIDENT. Thank you, Senator Rafferty, for a very important recognition.

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

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

Senators TEPLITZ, FOLMER, EICHELBERGER, WOZNIAK, RAFFERTY, COSTA, TARTAGLIONE, FARNESE, AUMENT and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 143**, entitled:

A Resolution commemorating the 230th anniversary of Dauphin County.

On the question,
Will the Senate adopt the resolution?

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

Senator TEPLITZ. Mr. President, this resolution, which Senator Folmer and I have co-prime-sponsored, recognizes the 230th anniversary of Dauphin County. The General Assembly created Dauphin County in 1785 in honor of the prince of France who had assisted the Colonies during the Revolutionary War. Twenty-five years later, the Pennsylvania State capital was relocated from Lancaster to Harrisburg. Dauphin County's first courthouse served as the State Capitol building from 1812 until 1822. Today, Dauphin County, where we are located, is the 15th largest county by population in Pennsylvania with nearly 270,000 residents, many of whom I am very proud to represent. I have a portion of Dauphin County and Senator Folmer has another portion of Dauphin County.

We are a tourist destination. We are home to the State Capitol, as well as a major economic, educational, and agricultural contributor. This landmark anniversary will be commemorated this year with a series of events throughout the summer, including courthouse tours, the creation of a heritage mural, a young artists alley, and a quilt specially crafted to honor the heritage of African Americans in Dauphin County. So, Mr. President, I ask that my colleagues join Senator Folmer and me in recognizing the 230th anniversary of Dauphin County.

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 HUTCHINSON, GREENLEAF, WHITE, TARTAGLIONE, YAW, COSTA, RAFFERTY, DINNIMAN and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 144**, entitled:

A Resolution designating June 5, 2015, as "PA Sustainable Forestry Initiative Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I rise to offer this resolution recognizing Friday, June 5, 2015, as "PA Sustainable Forestry Initiative Day" here in Pennsylvania. For 20 years, the Pennsylvania Sustainable Forestry Initiative and their implementation committee have met monthly in State College to encourage and promote efforts to preserve the vitality of one of our State's greatest national resources, that being our forest areas. Since its inception, the committee has worked to establish a logger training program and provide educational outreach to landowners and the public. More than 7,000 individuals have participated in the logger program over the past 20 years, with approximately 700 maintaining a current training status each and every year, and some loggers having completed more than 100 hours of total training.

Mr. President, the benefits of this training program were further recognized and bolstered when the Bureau of Forestry adopted a policy back in 2007 that required all commercial timber harvesting activities on the State's 2.2 million acres of forestland be done by trained loggers. More recently, the Pennsylvania Game Commission also recognized the benefits of the training program and encouraged its loggers to participate. In addition, more than 26,000 landowner outreach packets have been distributed, and the Internet has allowed for an even further audience for this great information. Pennsylvania was also part of a joint effort involving people of all ages and backgrounds from across the United States and Canada who came together last month to break the Guinness World Record for the most trees planted in one hour by small teams. Mr. President, as a member of the Pennsylvania Hardwoods Development Council, as well as chairman of the Joint Conservation Committee, I support and appreciate these efforts and ask for an affirmative vote on our resolution today.

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 the Honorable John D. Kuhn by Senator Alloway.

Congratulations of the Senate were extended to Rudy M. Grubesky by Senators Alloway and Greenleaf.

Congratulations of the Senate were extended to Edward P. Sadusky and to Elizabeth J. Linderman by Senator Argall.

Congratulations of the Senate were extended to Mary C. Kurian by Senator Aument.

Congratulations of the Senate were extended to Trent Hidlay, Hayden Hidlay, Sara Wentz, Oressa P. Campbell and to Dominic Hockenbury by Senator Baker.

Congratulations of the Senate were extended to the Honorable Gerald W. Gross by Senator Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. John Breneman, Honorable Deborah A. Bargo, Nigel Rogers and to State College YMCA by Senator Corman.

Congratulations of the Senate were extended to Mr. and Mrs. Todd Waits, Honorable Eleanor Bush and to Katie Ashman by Senator Costa.

Congratulations of the Senate were extended to Mary Ellen Josephs, Walnut Street Labs and to Magic Memories Child Development Center by Senator Dinniman.

Congratulations of the Senate were extended to Saint Basil the Great School by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Trevor Michael Anspach by Senator Folmer.

Congratulations of the Senate were extended to Corporal David E. Watts and to Rebecca Caitlyn Strang by Senator Fontana.

Congratulations of the Senate were extended to Bruce Hames by Senator Greenleaf.

Congratulations of the Senate were extended to Peggy Corson by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Tom Bell by Senator Hutchinson.

Congratulations of the Senate were extended to Belita Renee Thornton by Senator Kitchen.

Congratulations of the Senate were extended to KenCrest Centers by Senator Leach.

Congratulations of the Senate were extended to Joseph P. Boyer, Jr., and to Richard K. Uhler by Senator McGarrigle.

Congratulations of the Senate were extended to Joshua Monckton, Colby Gordon, Brian Flatley, Joseph Iwasyk and to Peace Valley Nature Center by Senator McIlhinney.

Congratulations of the Senate were extended to Penn Foundation Behavioral Health Services by Senators McIlhinney and Mensch.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald L. Knecht and to Louise Hespell by Senator Mensch.

Congratulations of the Senate were extended to Spencer B. Seaton, Sr., and to Ida L. Zullitti by Senator Pileggi.

Congratulations of the Senate were extended to Daniel P. Kilgallon, Eric Jacob Gift and to Glenmoore Fire Company by Senator Rafferty.

Congratulations of the Senate were extended to Mr. and Mrs. Clarence Seagren, Thomas Aiello and to Wellsboro House by Senator Scarnati.

Congratulations of the Senate were extended to Joseph Farda, Kathryn Mikels, Mike Nikorak and to East Stroudsburg University by Senator Scavello.

Congratulations of the Senate were extended to Mr. and Mrs. John Andrew Zemba by Senator Stefano.

Congratulations of the Senate were extended to Captain Daniel P. O'Connor, Robert N. Dellavella and to Rhonda Bethel by Senator Tartaglione.

Congratulations of the Senate were extended to Marsha Mills Davis, Capital Area Therapeutic Riding Association, Susquehanna Township High School Girls' Track and Field Team and to the citizens of the City of Harrisburg by Senator Teplitz.

Congratulations of the Senate were extended to the Reverend Anne-Rose Reeves, Logan Stewart Huff and to Zachary William Redcay by Senator Vance.

Congratulations of the Senate were extended to Christopher Svec and to Nicolas Joseph Tusa by Senator Vulakovich.

Congratulations of the Senate were extended to Mr. and Mrs. Andrew Specht and to Benjamin Yarbrough by Senator Wagner.

Congratulations of the Senate were extended to Mr. and Mrs. William Morgan by Senator White.

Congratulations of the Senate were extended to Noah Sakmar by Senator Wozniak.

Congratulations of the Senate were extended to Qayyim Ali by Senator Yaw.

Congratulations of the Senate were extended to the Reverend Thomas J. Maloney, Alice Keiner and to Jen Lobasso by Senator Yudichak.

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 Dr. Dan F. Kopen by Senator Baker.

Condolences of the Senate were extended to the family of the late Harold Parks, Jr., and to the family of the late William W. Cathers III by Senator McIlhinney.

BILLS ON FIRST CONSIDERATION

Senator KITCHEN. 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 282, SB 652, SB 694, SB 756, SB 798, SB 862, HB 131 and HB 762.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, JUNE 8, 2015

Off the Floor RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 293; Senate Resolution No. 145; and certain Executive Nominations) Rules Cmte. Conf. Rm.

Off the Floor VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider House Bill No. 911) Rules Cmte. Conf. Rm.

TUESDAY, JUNE 9, 2015

9:00 A.M. ENVIRONMENTAL RESOURCES AND ENERGY and TRANSPORTATION Keystone Building

(joint public hearing on the "Safe Transportation of Crude Oil (and Other Energy Products) by Rail in PA") Room 1

9:30 A.M. EDUCATION (to consider Senate Bill No. 6; and a public hearing regarding truancy enforcement) Hrg. Rm. 1 North Off.

10:00 A.M. LABOR AND INDUSTRY (to consider House Bill No. 400) Room 461 Main Capitol

12:00 P.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 772; and House Bills No. 57 and 182) Room 461 Main Capitol

12:30 P.M. LAW AND JUSTICE (to consider House Bill No. 189) Room 461 Main Capitol

WEDNESDAY, JUNE 10, 2015

9:00 A.M. COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing to consider PA Casino Gaming Industry: gaming, internet gaming and related issues and Title 4 (Amusements) legislation (i.e., Senate Bill No. 700, etc.)) Room 8E-B East Wing

10:00 A.M. LOCAL GOVERNMENT (to consider Senate Bills No. 775, 792, 793, 871, 872 and 873) Room 461 Main Capitol

2:00 P.M. FINANCE (public hearing on proposals to increase the sales/use tax and the personal income tax) Hrg. Rm. 1 North Off.

THURSDAY, JUNE 11, 2015

11:00 A.M. ENVIRONMENTAL RESOURCES AND ENERGY (public hearing to consider issues directly affecting Pennsylvania's anthracite coal industry and coal-refuse fired alternative energy plants) City Cncl. Chambers Pottsville

WEDNESDAY, JUNE 17, 2015

9:00 A.M. COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing to consider PA Gaming and Control Board and Dept. of Drug & Alcohol Programs: gaming, internet gaming and related issues and Title 4 (Amusements) legislation (i.e., Senate Bill No. 700, etc.)) Room 8E-B East Wing

PETITIONS AND REMONSTRANCES

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

Senator TEPLITZ. Mr. President, I am submitting my comments for the record.

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 Dauphin, Senator TEPLITZ:)

Mr. President, on Wednesday, April 15, 2015, the Senate Committee on Finance voted unanimously on Senate Bill No. 386. As a Member of the committee, I voted in favor of reporting the bill out of committee.

Subsequent to my vote, I realized that this bill involves a company that is a client of the government relations firm affiliated with the law firm with which I am affiliated. The government relations firm and the law firm are separate entities. If I had been aware of this information at the time of the Committee on Finance meeting, I would have requested a ruling from the committee chairman pursuant to Senate Rule 20(c), asking whether I was permitted to vote. In order to address this issue after the fact, following discussion with our Caucus counsel, I sent a written request to the Secretary of the Senate dated April 20, 2015, explaining the situation and asking her to rescind my vote and report my status as "not voting."

By correspondence dated May 15, 2015, the Senate Secretary advised that she cannot make the change and recommended that one way of addressing the issue would be to submit this explanation for the record during Petitions and Remonstrances, in addition to requesting rulings if faced with any future votes on Senate Bill No. 386. Accordingly, during this first Session week back since receipt of the aforementioned response from the Senate Secretary, I am submitting this explanation for the record.

My colleagues and the public should be assured that my committee action was unintentional and that I will request Rule 20(c) rulings on Senate Bill No. 386 and other legislation as appropriate in the future.

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 Monday, June 8, 2015, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:15 p.m., Eastern Daylight Saving Time.