

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 29, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 46

SENATE

MONDAY, June 29, 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 SHAWN BERKEBILE, Pastor of St. John's Lutheran Church, Abbottstown, offered the following prayer:

Let us gather at the word of prayer.

Loving and gracious God, You create, sustain, redeem, and You heal. We call to You in diverse ways and You come to us just the same. We gather in this Chamber with many things on our hearts and minds. The budget takes precedence. Help us to discern and hear the voice of Your people. As ideas are heard and opinions expressed, Members of this body will need to compromise. Help them in this process. Comfort those who are hurt, sustain those who grow tired, and celebrate with those who achieve progress for the common good.

We pray to You, Almighty God, in this time of conflict. You are our refuge and our strength, the very present help in our time of trouble. Our brothers and sisters in Charleston continue to be on our minds. We acknowledge that we participate in structures that are inherently racist and, yet, we do nothing to remedy it. Heal the hurt, console the bereaved and the afflicted. Protect the innocent and the helpless. In this Senate we pray for continued healing for Senator Pat Browne, who continues to recover after a recent accident. In addition, we lift up Senator Alloway, who continues to seek healing after eye surgery.

Receive these prayers, O God, and the prayers that remain in our hearts. Be present during this Session of the Senate. Guide the voices of these men and women, their votes, and their time. Watch over and protect us this day and this night, as this Session could go long. We pray this in Your most precious name, as God's people say, amen.

The PRESIDENT. The Chair thanks Reverend Berkebile, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

June 29, 2015

Senators DINNIMAN, COSTA, RAFFERTY and HUGHES presented to the Chair **SB 905**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for subjects of local taxation.

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators ARGALL, VULAKOVICH, SCAVELLO, TEPLITZ, LEACH, BROOKS, WARD, HUTCHINSON, YUDICHAK, MENSCH, STEFANO, BREWSTER and HUGHES presented to the Chair **SB 907**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in city revitalization and improvement districts, expanding the scope to all municipalities by further providing for definitions, for establishment of contracting authority, for funds and for transfers; and making editorial changes.

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators RAFFERTY and WOZNIAK presented to the Chair **SB 931**, entitled:

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in special damages for displacement, further providing for moving and related expenses of displaced persons, for replacement housing for homeowners and for replacement housing for tenants and others.

Which was committed to the Committee on TRANSPORTATION, June 29, 2015.

Senators BROWNE, MENSCH and RAFFERTY presented to the Chair **SB 932**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for definitions; in corporate net income tax, further providing for definitions, for interests in unincorporated entities and for additional withholding requirements; and, in capital stock franchise tax, further providing for interest in unincorporated entities.

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators BROWNE, FOLMER, VULAKOVICH, RAFFERTY, FONTANA and HUGHES presented to the Chair **SB 933**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for classes of income; and, in corporate net income tax, providing for applicability of Federal law.

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators BROWNE, WHITE, TEPLITZ, FONTANA, YUDICHAK, COSTA and HUGHES presented to the Chair **SB 934**, entitled:

An Act amending the act of July 11, 1990 (P.L.465, No.113), known as the Tax Increment Financing Act, further providing for the definitions of "tax increment" and "tax increment base."

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators BROWNE, WHITE, MENSCH, TEPLITZ, FONTANA and YUDICHAK presented to the Chair **SB 935**, entitled:

An Act amending the act of July 11, 1990 (P.L.465, No.113), known as the Tax Increment Financing Act, further defining "tax increment" and "tax increment base"; and further providing for determination of tax increment and tax increment base and for allocation of positive tax increments.

Which was committed to the Committee on FINANCE, June 29, 2015.

Senators BROWNE, GREENLEAF, VULAKOVICH, RAFFERTY, ALLOWAY, TARTAGLIONE, FONTANA, COSTA and HUGHES presented to the Chair **SB 936**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for attachment of income.

Which was committed to the Committee on JUDICIARY, June 29, 2015.

Senators AUMENT, COSTA, RAFFERTY and WARD presented to the Chair **SB 937**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for concert rehearsal and tour tax credit.

Which was committed to the Committee on FINANCE, June 29, 2015.

BILLS REPORTED FROM COMMITTEE

Senator BAKER, from the Committee on Labor and Industry, reported the following bills:

SB 889 (Pr. No. 1053)

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, extending benefits to certain employees of the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission; and making editorial changes.

HB 315 (Pr. No. 322)

An Act amending the act of October 24, 2012 (P.L.1209, No.151), known as the Child Labor Act, further providing for definitions and for occupations and establishments.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Leach.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Williams, and a legislative leave for Senator Leach. Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of May 11, 2015, is now in print.

The Clerk proceeded to read the Journal of the Session of May 11, 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	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 JOHN T. YUDICHAK AND SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, Senator Baker and I are very proud today to introduce to the Pennsylvania Senate a group of student athletes from Wilkes-Barre, the Holy Redeemer State PIAA Class AA Championship Softball Team led by their coach, Jerry Paulukonis. The Holy Redeemer Royals went undefeated

in conference play in March in the State playoffs to become the first softball team in school history to play in a State championship game. It should be noted that the Holy Redeemers captured the State title by beating a very tough Deer Lakes softball team from our friend, Senator Vulakovich's district. Wilkes-Barre and all of northeastern Pennsylvania are very proud of our Holy Redeemer Royals, and I ask my colleagues to give our State champions a warm Senate welcome.

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

Senator BAKER. Mr. President, I am honored to welcome our student athletes, young women who excel not only on the field, but in the classroom. We are so proud of their State championship and we want to offer our warm congratulations. I join my friend and colleague, Senator Yudichak, in welcoming the Holy Redeemer Royals here to the State Capitol. We are very proud of them.

The PRESIDENT. Would the guests of Senator Yudichak and Senator Baker, the Holy Redeemer champions, please rise so that we may welcome you to the State Senate.

(Applause.)

GUEST OF THE PRESIDENT PRO TEMPORE PRESENTED TO THE SENATE

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

The PRESIDENT pro tempore. Mr. President, we have in the gallery today a young lady who is interning this summer in the Senate Republican Communications Office. Marie Mosca attended Central Dauphin High School and is a rising senior at Millersville University, where she is majoring in graphic design. Marie hopes to someday work for a publishing company formatting, editing, and illustrating electronic media. In her free time, Marie enjoys spending time with her family and managing her small business, a small airbrush t-shirt business called Beginner's Luck Airbrush. Marie is the daughter of Jim Mosca and Stacey Connors, who is also chief counsel to Senator Browne. Please give Marie a warm Senate welcome.

The PRESIDENT. Would Marie, the guest of Senator Scarnati, please rise so that we may welcome you to the State Senate.

(Applause.)

GUEST OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, I also have an intern I would like to introduce. Her name is Kathryn Hayes, from Pittsburgh, Pennsylvania. Kathryn attended Oakland Catholic High School and now attends the best university in the Commonwealth, West Chester University, majoring in political science, and she has done an excellent job for us as an intern. If we would give her a warm welcome, I would appreciate it.

The PRESIDENT. Will Kathryn Hayes, the intern of Senator Dinniman, please rise so that we may welcome you to the State Senate of Pennsylvania.

(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 beginning at 11:50 a.m.

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

Senator FONTANA. Mr. President, the Democrats will caucus immediately.

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.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 42 (Pr. No. 1025) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for issuance and content of driver's license.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 42?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 42.

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	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 inform the House of Representatives accordingly.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 405 (Pr. No. 1075) -- 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.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 405?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 405.

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	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILLS OVER IN ORDER

SB 912, SB 913, SB 914, SB 915 and SB 916 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER

HB 60 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 73 (Pr. No. 64) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for counseling of sexually violent predators.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner
Baker	Fontana	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

HB 164 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 221 (Pr. No. 464) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in selection and retention of judicial officers, further providing for continuing education requirement; and, in municipal police education and training, further providing for powers and duties of Municipal Police Officers' Education and Training Commission.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner
Baker	Fontana	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 229 (Pr. No. 486) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offense of harassment.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner
Baker	Fontana	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 272, SB 404, SB 430, SB 474, HB 501, SB 566, SB 640, SB 683, SB 751 and SB 785 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 871 (Pr. No. 1005) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, in corporate powers, further providing for the corporate power of first class townships vested in the board of township commissioners.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner
Baker	Fontana	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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.

LEGISLATIVE LEAVE CANCELLED

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

BILL LAID ON THE TABLE

SB 872 (Pr. No. 1006) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for observances and celebrations.

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

SB 872 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 872, Printer's No. 1006, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The bill will be placed on the Calendar.

BILL LAID ON THE TABLE

SB 873 (Pr. No. 1007) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 8 (Boroughs and Incorporated Towns) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for specific powers.

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

SB 873 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 873, Printer's No. 1007, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The bill will be placed on the Calendar.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 897 (Pr. No. 1087) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to Center Square Commons, L.P., certain lands situate in the Township of Whitpain, Montgomery County.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

POINT OF ORDER

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

Senator WAGNER. Mr. President, I rise to seek a ruling from the Chair under Rule 20 as to whether I can vote on Senate Bill No. 897 because I have a family member who will benefit from the land conveyance being approved from this legislation. Specifically, my cousin owns the company that will be developing the land. I am not personally involved in the company and therefore I would not directly benefit from this land transfer in any

way; however, due to the family connection, I feel it is important to obtain a ruling on the matter.

Thank you, Mr. President.

The PRESIDENT. Senator Wagner, the Chair thanks you for your inquiry about the conflict of interest. In the factual situation just given, the Chair does not find that any votes the gentleman may cast would be particularly personal to you or privately affect you alone, and there is no direct pecuniary interest that would accrue to you from the passage of this bill. Because there is no direct benefit to you, Senator Wagner, the Chair would rule there is no conflict of interest, and that in accordance with Senate Rule 20, you, Senator Wagner, must vote on Senate Bill No. 897.

Senator WAGNER. Mr. President, thank you.

And the question recurring,
Shall the bill pass finally?

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

Senator RAFFERTY. Mr. President, as prime sponsor of the bill, I would like to just speak very briefly. This is a land conveyance in Montgomery County, Whitpain Township, which I used to represent, but now Senator Leach does. I began working on this when I was contacted by the attorney for the developer. It is really a land swap. There is a parcel of ground that is literally and figuratively shovel-ready for construction, and originally PennDOT had earmarked a piece of the project that they wanted for drainage and so forth, and the developer suggested actually a more forward piece closer to the roadway for the project and PennDOT accepted right-of-way and the township signed off. We were very fortunate to have DGS sign off as well. As you know, Mr. President, having been a Member of the Senate, it could take forever to get some of these land conveyances done in a timely fashion. We were able to work with Secretary Richards of PennDOT, and with DGS, and I really want to thank Will Danowski from the Governor's Office for weighing in, and Nolan Ritchie of my office for staying on top of this so we can get this bill ready to be jettisoned from the Senate to the House and get it to the Governor's desk so that we can see Pennsylvania continue to move forward and get this project underway.

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-49

Alloway	Eichelberger	Mensch	Vogel
Argall	Farnese	Pileggi	Vulakovich
Aument	Folmer	Rafferty	Wagner
Baker	Fontana	Sabatina	Ward
Bartolotta	Gordner	Scarnati	White
Blake	Greenleaf	Scavello	Wiley
Boscola	Haywood	Schwank	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

SB 898 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL AMENDED

HB 1276 (Pr. No. 1984) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for definitions, for persons required to report suspected child abuse, for access to information in Statewide database, for release of information in confidential reports, for employees having contact with children and adoptive and foster parents, for information relating to certified or registered day-care home residents, for volunteers having contact with children, for continued employment or participation in program, activity or service, for certification compliance, for education and training and for mandatory reporting of children under one year of age.

On the question,

Will the Senate agree to the bill on third consideration?

Senator CORMAN, on behalf of Senator BROWNE, offered the following amendment No. A2930:

Amend Bill, page 13, line 14, by striking out "SUBPARAGRAPH (II)(A) AND (B)" and inserting:

The exemption under subparagraph (ii)(B)

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

SECOND CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL ON SECOND CONSIDERATION

HB 1192 (Pr. No. 1959) -- The Senate proceeded to consideration of the bill, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2015, to June 30, 2016, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse De-

velopment Restricted Receipt Account, the Justice Reinvestment Fund and the Multimodal Transportation Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2015, to June 30, 2016; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2015, to June 30, 2016, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2015; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION

HB 14 (Pr. No. 162) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 10, 1968 (P.L.316, No.154), known as the Legislative Code of Ethics, further providing for definitions, for prohibitions and for civil remedies.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 57 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 66 (Pr. No. 1888) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority and for transfer of existing facilities to authority and providing for sale or transfer of authority water or sewer infrastructure.

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 rereferred to the Committee on Appropriations.

BILL ON SECOND CONSIDERATION

HB 88 (Pr. No. 78) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 309 North in Lynn Township, Lehigh County, between the intersections of Northwest Road

and Long Court and Mosserville Road and Mountain Road, as the Lance Corporal Brandon J. Van Parys Memorial Road.

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

BILLS OVER IN ORDER

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

BILL LAID ON THE TABLE

SB 104 (Pr. No. 784) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, providing for the Dual Enrollment Expansion Task Force.

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

BILL OVER IN ORDER

HB 263 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 290 (Pr. No. 1114) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in licensing of drivers, further providing for chemical testing to determine amount of alcohol or controlled substance and for occupational limited license and providing for ignition interlock limited license; and, in driving after imbibing alcohol or utilizing drugs, further providing for ignition interlock, for prior offenses and for the offense of illegally operating a motor vehicle not equipped with ignition interlock.

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

BILLS OVER IN ORDER

SB 296, SB 388, HB 400, HB 447, HB 455, HB 475, HB 629 and **SB 652** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL REREFERRED

HB 664 (Pr. No. 766) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the annual designation and holiday observance of the third Saturday in June as "Juneteenth National Freedom Day" in this Commonwealth.

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

BILLS OVER IN ORDER

HB 720, SB 731, HB 779 and **HB 834** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 857 (Pr. No. 1046) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in children's health care, further providing for expiration.

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

BILLS OVER IN ORDER

HB 866 and **SB 868** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL REREFERRED

SB 877 (Pr. No. 1109) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in consolidated county assessment, further providing for appeals by taxing districts.

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

BILL ON SECOND CONSIDERATION

SB 887 (Pr. No. 1040) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in rules of the road in general, further providing for duty of driver in construction and maintenance areas or on highway safety corridors and for duty of driver in emergency response areas.

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

BILLS OVER IN ORDER

SB 890, SB 894, SB 923, SB 925 and **SB 926** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 972 (Pr. No. 1922) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life and endowment insurance and annuities, further providing for policy delivery.

Considered the second time and agreed to,

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

BILL ON SECOND CONSIDERATION, AMENDED

HB 1071 (Pr. No. 1692) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 9, 2013 (P.L.362, No.54), known as the Development Permit Extension Act, further providing for the definition of "approval" and for existing approval.

On the question,

Will the Senate agree to the bill on second consideration?

Senator EICHELBERGER offered the following amendment No. A2892:

Amend Bill, page 1, line 16, by inserting a bracket before the comma after "(2)"

Amend Bill, page 1, line 16, by inserting after "(2),":

] and

Amend Bill, page 1, line 16, by striking out "and (4)"

Amend Bill, page 5, line 28, by inserting after "property[.]":

or

Amend Bill, page 5, lines 29 and 30; page 6, lines 1 through 4; by striking out all of said lines on said pages and inserting:

[(3) Creating additional units and common elements out of convertible real estate in a condominium or planned community.]

(3) any authorization to create additional units and common elements out of convertible real estate in a condominium or planned community or otherwise relating to the right to convert convertible real estate or withdraw withdrawable real estate pursuant to 68 Pa.C.S. Pt. II Subpt. B or D.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILL OVER IN ORDER

HB 1198 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

HB 140, HB 157, AND SB 95 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 140, Printer's No. 124; House Bill No. 157, Printer's No. 307; and Senate Bill No. 95, Printer's No. 654, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

The PRESIDENT. The bills will be placed on the Calendar.

The Senate will be at ease.

(The Senate was at ease.)

LEGISLATIVE LEAVE CANCELLED

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

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

SB 928 (Pr. No. 1140) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for definitions; and, in fees, further providing for information concerning drivers and vehicles.

HB 466 (Pr. No. 1985) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania liquor stores, providing for career training and postsecondary education grant eligibility. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings and for issuance, transfer or extension of hotel, restaurant and club liquor licenses, providing for wholesale permit, for wholesale licenses, for wine or liquor expanded permits and for wine or liquor enhanced permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for interlocking business prohibited, for licenses not assignable and transfers, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for unlawful acts relative to malt or brewed beverages and licensees. The General Assembly finds and declares as follows: (1) It is the purpose of this act to reform and privatize the system by which alcohol is dispensed and controlled within this Commonwealth to reflect changes in the marketplace while continuing to protect the welfare, health, peace and morals of the citizens of this Commonwealth. (2) The 21st amendment to the Constitution of the United States dictates that the laws of the states shall govern the transportation and importation of intoxicating liquors into the state for delivery and use within the state. (3) Further, the United States Supreme Court has opined in interpreting the 21st amendment that "the states' regulatory power over this segment of commerce is largely unfettered by the Constitution's commerce clause." (4) Revenues derived from the operation of a system for the manufacture, transportation, distribution and sale of alcohol are necessary to implement and sustain a regulated marketplace to continue to protect the welfare, health, peace and morals of the citizens of this Commonwealth and to contribute to the overall economic stability of the Commonwealth. (5) In order to adapt to the changing marketplace, this act will: (i) Permit private industry to offer additional products for sale while ensuring that the laws of this Commonwealth are thoroughly enforced. (ii) Ensure that the value of licenses held by small businesses are not devalued, but are enhanced through the opportunity to expand operations and sales. (iii) Provide for the operation of a retail system that promotes competition and convenience to ensure that the residents of this Commonwealth purchase products within this Commonwealth. (iv) Establish a system by which these increased opportunities will continue to contribute to overall fiscal stability of the Commonwealth. (6) Recognizing the benefits of allowing the private market to offer products directly to licensees and retailers, the General Assembly intends to fully divest of the Commonwealth's wholesale liquor business in order to allow additional products into the marketplace, establish a more reliable system for the distribution of products and provide additional convenience for licensees and

retailers. (7) Recognition and furtherance of all these elements is essential to the welfare, health, peace and morals of the citizens of this Commonwealth.

HB 762 (Pr. No. 1999) (Amended) (Rereported)

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; in grounds and buildings, further providing for limitations on approval of public school building projects and establishing the Public School Building Construction and Reconstruction Advisory Committee; in pupils and attendance, further providing for education and training of exceptional children; in charter schools, further providing for school staff; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for the rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding; further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for special education funding for eligible students with disabilities in Cost Category 3; in reimbursements by Commonwealth and between school districts, providing for reimbursement for school districts without required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

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

BILLS ON SECOND CONSIDERATION

SB 95 (Pr. No. 654) -- 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 immunity for constitutionally protected communications.

Considered the second time and agreed to,

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

HB 140 (Pr. No. 124) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 14, 1982 (P.L.1211, No.279), entitled "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements," providing for a short title; further providing for definitions and for motor carrier laws not applicable to ridesharing; and making editorial changes.

Considered the second time and agreed to,

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

HB 466 (Pr. No. 1985) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: In preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania liquor stores, providing for career training and postsecondary education grant eligibility. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, license period and hearings and for issuance, transfer or extension of hotel, restaurant and club liquor licenses, providing for wholesale permit, for wholesale licenses, for wine or liquor expanded permits and for wine or liquor enhanced permits; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for prohibitions against the grant of licenses, for interlocking business prohibited, for licenses not assignable and transfers, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for unlawful acts relative to malt or brewed beverages and licensees. The General Assembly finds and declares as follows: (1) It is the purpose of this act to reform and privatize the system by which alcohol is dispensed and controlled within this Commonwealth to reflect changes in the marketplace while continuing to protect the welfare, health, peace and morals of the citizens of this Commonwealth. (2) The 21st amendment to the Constitution of the United States dictates that the laws of the states shall govern the transportation and importation of intoxicating liquors into the state for delivery and use within the state. (3) Further, the United States Supreme Court has opined in interpreting the 21st amendment that "the states' regulatory power over this segment of commerce is largely unfettered by the Constitution's commerce clause." (4) Revenues derived from the operation of a system for the manufacture, transportation, distribution and sale of alcohol are necessary to implement and sustain a regulated marketplace to continue to protect the welfare, health, peace and morals of the citizens of this Commonwealth and to contribute to the overall economic stability of the Commonwealth. (5) In order to adapt to the changing marketplace, this act will: (i) Permit private industry to offer additional products for sale while ensuring that the laws of this Commonwealth are thoroughly enforced. (ii) Ensure that the value of licenses held by small businesses are not devalued, but are enhanced through the opportunity to expand operations and sales. (iii) Provide for the operation of a retail system that promotes competition and convenience to ensure that the residents of this Commonwealth purchase products within this Commonwealth. (iv) Establish a system by which these increased opportunities will continue to contribute to overall fiscal stability of the Commonwealth. (6) Recognizing the benefits of allowing the private market to offer products directly to licensees and retailers, the General Assembly intends to fully divest of the Commonwealth's wholesale liquor business in order to allow additional products into the marketplace, establish a more reliable system for the distribution of products and provide additional convenience for licensees and retailers. (7) Recognition and furtherance of all these elements is essential to the welfare, health, peace and morals of the citizens of this Commonwealth.

Considered the second time and agreed to,

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

SB 928 (Pr. No. 1140) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in financial responsibility, further providing for definitions; and, in fees, further providing for information concerning drivers and vehicles.

Considered the second time and agreed to,

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

SENATE RESOLUTIONS ADOPTED

Senators SCAVELLO, GREENLEAF, TARTAGLIONE, TEPLITZ, SABATINA, COSTA, FONTANA, VULAKOVICH, DINNIMAN, FOLMER, SCHWANK, HUTCHINSON and HUGHES, by unanimous consent, offered **Senate Resolution No. 164**, entitled:

A Resolution designating the month of July 2015 as "Free Community Paper Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator SCAVELLO. Mr. President, thank you for allowing me to speak and introduce this resolution proclaiming July 2015 as "Free Community Paper Month" in Pennsylvania. Collectively, free community newspapers disseminate valuable information to more than 50 million homes each week. Free community papers proudly serve the informational needs of their communities across this great land while promoting local commerce, free enterprise, and public service. It is important to note that most, if not all, of our offices benefit from the information that these papers convey to our constituencies. It is fitting that recognition be given to those publications, their owners, and staff for their continued commitment to the growth and success of their local communities through these publications. Please join me in recognizing July 2015 as Free Community Paper Month in Pennsylvania.

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

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

Senators RAFFERTY and AUMENT, by unanimous consent, offered **Senate Resolution No. 165**, entitled:

A Resolution recognizing the 70th anniversary of "V-J Day," the official end of World War II, on September 2, 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, I offer this resolution on behalf of myself and the gentleman from Lancaster, my good friend, Senator Aument. Mr. President, August of this year will mark the 70th anniversary of President Truman declaring the end of hostilities with the Imperial Japanese forces. On September 2, we will celebrate the 70th anniversary of the official end of World War II when the unconditional surrender was signed aboard the Battleship Missouri anchored in Tokyo Bay. Today, the Battleship Missouri is anchored in Pearl Harbor, adjacent to Battleship Arizona - the Battleship Arizona beginning the hostilities between the United States and the Imperial Japanese forces, and the Battleship Missouri ending them.

In World War II, over 400,000 American soldiers, sailors, airmen, Marines, and Coast Guardsmen were killed and 670,000 were wounded. It was the most bloody conflict we have seen in the history of this world. It was a war fought by hand-to-hand combat oftentimes by soldiers and Marines and sailors and airmen, men and women lurched from their homes, and the men who gave themselves for our freedoms and our liberties and died on many of these beaches in the Pacific and many of the shores in Europe. They died for us to be able to live today as a great and free society. Mr. President, you know as well as I do that the Marines really carried the burden during the Pacific battle, but under the direction of Army General Douglas MacArthur and Fleet Admiral Chester Nimitz, all of the combined forces - the Marines, Army, Air Corps, Navy, and Coast Guard - all rose to the occasion and brought victory for the United States. In the Pacific Theater, the names MacArthur, Nimitz, Halsey, Spruance, and Doolittle became everyday American household names because of not only their bravery and their heroic efforts, but their care for their fellow soldiers, Marines, airmen, Navy personnel, and to make sure that all were cared for and that all worked together with that common goal to end the hostilities and ensure freedom for the United States and freedom for the entire world.

We saw at the end of World War II the collapse of three dictatorships, Imperial Japan being the last one, and we owe it to those men and women who served during World War II, my father being one, United States Army Air Corps, and the men and women who gave their lives during World War II, to remember them on this most important occasion of the 70th anniversary of the signing of the unconditional surrender aboard the Battleship Missouri. Coincidentally, the Missouri was picked because the President of the United States at that time, Harry S. Truman, was from the State of Missouri, but the Battleship Missouri's historical significance of the place where the unconditional surrender was signed and now, as I said, laying in berth permanently at Pearl Harbor next to the Battleship Arizona, which is the example of what happened when we were attacked by surprise on December 7, 1941, and then the ship where the unconditional surrender was signed and peace began in the Pacific.

Thank you, Mr. President. I ask that you now recognize my friend and colleague from Lancaster, Senator Aument.

The PRESIDENT. Thank you, Senator Rafferty, and thank you for being one of the most staunchest advocates for remembering our brave veterans of World War II.

The Chair recognizes the gentleman from Lancaster, Senator Aument.

Senator AUMENT. Mr. President, I am pleased to stand with and join my colleague, Senator Rafferty, in support of this resolution to remember those who have gone before us, the great World War II generation. I recall today that while I was serving in Iraq in 2003-04, my Battalion Commander each day carried with him in his battledress uniform pocket a rock from Omaha Beach, which a soldier from the 4th Infantry Division during World War II had presented to him. It just goes to show the respect and the regard that those of us who have followed have for the World War II generation.

To commemorate this resolution, I would like to just briefly read the words from President Harry S. Truman from his radio address on the evening of September 1, 1945, after the signing of the terms of unconditional surrender:

Our first thoughts, of course--thoughts of gratefulness and deep obligation--go out to those of our loved ones who have been killed or maimed in this terrible war. On land and sea and in the air, American men and women have given their lives so that this day of ultimate victory might come and assure the survival of a civilized world. No victory can make good their loss. We think of those whom death in this war has hurt, taking from them fathers, husbands, sons, brothers, and sisters whom they loved. No victory can bring back the faces they longed to see. Only the knowledge that the victory, which these sacrifices have made possible, will be wisely used, can give them any comfort. It is our responsibility--ours, the living--to see to it that this victory shall be a monument worthy of the dead who died to win it.

President Truman, radio address on September 1, 1945.

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 Wilma Jane King by Senator Alloway.

Congratulations of the Senate were extended to Susan S. Bentzel by Senator Argall.

Congratulations of the Senate were extended to Susanna Teresa Ryan McCormick by Senator Baker.

Congratulations of the Senate were extended to Robert Hinkle by Senator Folmer.

Congratulations of the Senate were extended to Dr. Merle Horowitz by Senator McGarrigle.

Congratulations of the Senate were extended to Mr. and Mrs. James Shaffer by Senator Scarnati.

Congratulations of the Senate were extended to Lieutenant Colonel Kevin Hinkle by Senator Schwank.

Congratulations of the Senate were extended to Jared Fizer by Senator Smucker.

Congratulations of the Senate were extended to Bradley M. Thomas by Senator Ward.

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 Kirk Jonathan Frey and to the family of the late Lee W. Eckert Sr., by Senator Baker.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

SB 889 and HB 315.

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

TUESDAY, JUNE 30, 2015

9:30 A.M.	JUDICIARY (public hearing to discuss missing children and human trafficking)	Hrg. Rm. 1 North Off.
9:45 A.M.	TRANSPORTATION (to consider Senate Bills No. 765, 929 and 931; and House Bills No. 441, 605, 735, 817, 870, 898 and 987)	Rules Cmte. Conf. Rm.
Off the Floor	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bill No. 874; and House Bill No. 75)	Rules Cmte. Conf. Rm.
Off the Floor	JUDICIARY (to consider Senate Bills No. 606, 773, 851, 859 and 860; and House Bill No. 874)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 1, 487, 620, 655 and 678)	Rules Cmte. Conf. Rm.
Off the Floor	STATE GOVERNMENT (to consider Senate Bill No. 411)	Rules Cmte. Conf. Rm.

PETITIONS AND REMONSTRANCES

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

Senator BOSCOLA. Mr. President, people are still talking about last week's historic Supreme Court rulings. Today, another one has come down. It will not capture the frenzied media coverage, but it is every bit as important. Mr. President, our highest court today affirmed the public's right to establish independent redistricting commissions. The Supreme Court's *Arizona* decision supports one of our nation's most important precepts, which is that people should choose their legislators, not the other way around. Here in Pennsylvania, we now have the legal authority to give our citizens the right to draw compact, rationale, balanced, and fair legislative district boundaries that accommodate voters rather than political agendas.

Let us face it, our current system has become a tainted, corrupt, disingenuous mess. Gerrymandered and distorted district boundaries have become the rule rather than the exception. If you do not believe me, take a look at the map of some of our State's congressional districts. There is a so-called I-81 district that stretches from Adams County in the south all of the way to the northern tier in northeastern Pennsylvania. Then there is the I-78 district, which snakes its way through the Easton line all the way to the Harrisburg suburbs. Do not even get me started on the 6th Congressional District.

Mr. President, we should be embarrassed and ashamed. The blame for this politically polluted system lies squarely at the feet of politicians who have the power to choose their own constituencies. It should not work that way, and all of us know it. Our current system has harmed everything from fairness of our elec-

tions to the level of cooperation and compromise between lawmakers. That is why I have key components from the Arizona system in my legislation. My bill would establish an all-citizen redistricting commission and bans legislators, staffers, and politicians from influencing the process. I have also worked to establish a bipartisan, bicameral work group that is studying various proposals to develop redistricting reform legislation that we can all support.

Mr. President, with this historic ruling from the Supreme Court, today is a great day for fairness, a great day for voters, a great day for our constituents, and a great day for democracy. I thank and salute the Supreme Court for its ruling and hope we will finally embrace this necessary and overdue reform.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, today, June 29, we are coming very close to concluding this round of our budget process as we go forward with voting on a significant number of measures tomorrow that reflect the position and view of the Republican side of the aisle with respect to the House and the Senate's version with respect to those issues.

Mr. President, back in March, the Governor put forth what I believe to be an appropriate and comprehensive approach to how we can address some of the issues in Pennsylvania. There were a number of things that were outlined. First and foremost, the issue with respect to making investments in education. The Governor wanted to make certain that we worked to restore the cuts in education that had taken place back in 2011 and have been built upon over the course of the 3 years beyond that time. He was hoping to be able to invest nearly a billion dollars in education, but more specifically, he wanted to put about \$400 million in K to 12. Mr. President, as we go forward, what he also looked at was looking for a solution, a revenue stream to address that. The Governor recommended to us that we look to the Marcellus Shale industry to provide a reasonable and responsible Marcellus Shale extraction tax to help us make certain that we make the appropriate level of investments into our schools so that we can look to our students and say to them that we are going to be able to provide you with smaller class sizes and that we are going to be able to provide you with the requisite level of technology to assist you in your learning abilities. We are going to work with you to make certain that you have the appropriate number of teachers and all of the other essential things that are needed in a classroom to be able to educate our kids.

Mr. President, tomorrow when we look at the General Fund budget that is going to be proposed, there is a contention that there is \$120 million in additional revenue coming forward, not the \$400-plus million that the Governor has talked about but \$120 million. Mr. President, when you peel away some of the information that is contained in the budget, we find out that at the end of the day it is only an \$8 million increase. A simple \$8 million increase is making its way to 500 schools across Pennsylvania, a far cry from the \$400 million that the Governor would like to see, but certainly a significant cry from the \$120 million that is being purported from the other side of the aisle.

So, how do I get there, Mr. President? So we are clear with respect to those numbers: the recommendation coming forward will be a \$100-million increase in basic ed and a \$20-million increase in the special education line. However, Mr. President,

what is not being told, what is not being talked about and results in the fact that we have an \$8 million additional number, is the \$87 million school employee Social Security payment shifted to the future. School districts still have to pay it, but we are going to kick it down the road. Same thing with respect to our PSERS funding, or underfunding, I should say, at \$25 million. That is not going to be there. When you say you are going to do \$120 million, but when you back out \$112 million at the end of the day, by my math that is \$8 million going forward, simply a far cry along those lines.

Beyond that, the proposals that will be concluded here tomorrow and making their way to the Governor's desk have no mention, no discussion, and nothing to do with looking to the Marcellus Shale community to try to address our education system and to help make those investments. Mr. President, if there was anything clear that all of us in this room heard over the course of last year during that election was that the people of Pennsylvania wanted us to make an investment in education and they wanted us to look to the Marcellus Shale community to help. We recognize that they may have some level of challenge, but on one hand it is like folks who cry with two loaves of bread under their arm. The industry, on one hand, says that I cannot do this, I cannot pay another penny, but on the other hand, when they report to their shareholders and other folks and investors, they say that we have experienced record profits and the future is bright. Mr. President, you cannot have inconsistent positions along those lines, and that is why we believe it is appropriate to look to the Marcellus Shale industry to be part of the solution. All we are asking for is a reasonable and responsible part of the solution.

With respect to some of the specifics that they have talked about, Mr. President, there was an issue with respect to the floor that was proposed, a \$2.89 price floor which was with respect to what the tax would be subject to. Mr. President, in the conversation the administration had with many of us in this room and the other side of the building, my understanding is that he is willing to compromise on that and take that off of the table, but, again, that is not enough. Zero is what has been proposed. It is disappointing that the Marcellus Shale industry is being let off of the hook with respect to the proposal that has been put forward.

Mr. President, we are going to hear a lot about how we addressed the issue of pensions. Senate Democrats have put forth a proposal in terms of how we deal with our pension system. At the end of the day, we have to make certain that what we do is fair to our employees. We are not looking to make major and significant changes. Again, the Governor has made a request and has really gone beyond where I think folks should go with respect to making concessions on that issue.

Likewise, with the Wine & Spirits conversation, and by the way, I remind my colleagues here today that the issues that are important to the people of Pennsylvania, I am not making this up, but what polling has indicated, respectable pollsters across Pennsylvania are asking folks what do they want the General Assembly to address? At the top of the list is education investments. Right under that is property tax relief. A little further down is pensions, and a little further down is human services program funding. At the very bottom of the list, at 2 percent, is Wine & Spirits store privatization. Now, we recognize that the people of Pennsylvania want us to improve our system, and we agree with that. We do need to improve our State Store system. We need to

increase the value of that asset so that we are able to maximize revenues from them. We put forth a number of items that would address that particular issue. So, we think that going down a path that is purely a privatization model as opposed to a modernization approach is not the right way to go. Not only does it sell off an asset that is undervalued right now, but more importantly, it jeopardizes anywhere from 3,500, as reported in the Committee on Appropriations, to 4,700 employees, who under this plan would lose their family-sustaining jobs. To me, I think and our side of the aisle believes that is something that is inappropriate, and instead a modernization proposal that addresses some of the things that people want us to talk about: more hours, better prices, more flexibility with respect to the location of the stores, whether they be in grocery stores, things of that nature. The Governor has even gone as far as putting on the table wine in grocery stores. Those are parts of the conversation that I think we have to have.

Mr. President, I will conclude on that particular issue by saying that even the chairman of the Committee on Law and Justice that has jurisdiction over wine and spirits matters indicates that at the end this is going to mean higher prices for consumers in Pennsylvania, and higher prices for wine and spirits in Pennsylvania. That is from the chairman who is well-versed in this area. Not my conclusion, it is their conclusion with respect to the chairman of that committee.

So, Mr. President, as we go forward in the next 2 days, today and tomorrow, I ask my colleagues to, again, remember some of the things that are being done and recognize that as we go forward, there are a number of issues that need to be addressed. Specifically, the issue of property taxes. As I mentioned to you before, the Governor came out with a comprehensive approach to what we need to do going forward, inclusive of that was a property tax proposal. Now, we may differ on what the final outcome needs to look like. Senate Democrats have put something on the table that looks different than what the Governor has talked about, but at the end of the day, we have a proposal that stands there ready to be vetted and talked about. This budget proposal, when it is concluded, will not only not have a Marcellus Shale tax, but also will not have a property tax component to it as we move forward. That is certainly disappointing to our Members.

So, Mr. President, I can go on with a number of other issues, but the point I want to make is that this budget that will conclude tomorrow evening sometime with a host of issues will fall woefully short of addressing what the people of Pennsylvania wanted us to talk about. It is going to make certain that it drives up the cost of wine and spirits; it is not going to have property tax relief; it is not going to make the investments in education; and most importantly, Mr. President, it is going to exacerbate the level of the unfunded structural deficit that we have as we go forward. So, for a variety of those reasons, Mr. President, I hope we come back to the drawing board post-June 30, because we all know what the outcome of a variety of bills will be. So I look forward beginning July 1 rolling up our sleeves, getting in a room with our Governor and leaders to be able to press out and push out a budget that makes sense for the people of Pennsylvania and is broader in scope as it relates to the issues that need to be done in terms of what people want us to talk about.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, just briefly, I want to take an opportunity to address some of the specific matters that Senator Costa had mentioned in regards to a comparative of two separate spending proposals that are before this Assembly relative to completing our general appropriations process by June 30. He had summarized, I think very well, some of the Governor's spending priorities and the amounts that he had included in his proposal in March, and compared it against what is in a proposal that will be discussed tomorrow in the Senate Chamber for possible adoption. It is important to point out that when we are talking about these things, that it is not just a one-sided entry. When you are talking about the amount that the Governor is proposing in separate line items in education, it is our determination that the differences between what we have in our proposal and what the Governor is asking for is a \$1.5 billion difference when you are talking about all the relative commitments in the different agencies.

Now, we are moving forward with a plan that does not look to change our Tax Reform Code in order to balance our books, but we are pretty confident that if we are going to try to meet that level of spending commitment, then we will have to do that. We will have to ask our taxpayers to either accept new taxes or adjustments in existing taxes on their income, on their sales, on their purchases, on their businesses that meet that goal. That is something that needs to be pointed out, that if the Commonwealth wants to advance a proposal that spends \$1.5 billion in what we are proposing, that is what it is going to be. We cannot just ignore that fact. For some reason, the Governor's proposal is so great because it is proposing all of this new spending, investment in schools, and what we are talking about is not as good, but there is a fundamental difference, and it is the other side of the entry, it is the revenue side of the entry. It is the part of the entry that people really need to know about. We cannot just talk about one side of that.

In regard to specifics to our proposal that relates to education, I think it is also important to do the appropriate math. The Minority Leader had mentioned several items in the proposal that we are going to offer that his math adds up to a total of \$8 million in total increased appropriation. Now, there are a lot more line items in that education budget that go directly to primary and secondary education that would need to be added into that. I will not do that. All I will do is add one, because all of a sudden we are choosing some and not the others. We are going to choose an accounting difference, a change in accounting treatment from prospective to reimbursement treatment on Social Security, and a component of the school district pension payment, offset that against our increases, and come to a conclusion that it is \$8 million. Well, if you are going to do that, if you are going to use a piece of the retirement obligation that our Commonwealth has, Social Security being one of them, defined benefits being the other, you have to include the \$573 million we are paying to PSERS above last year, a \$49-million increase. So, just with that one component, that needs to be added in. So add the \$8 million to the \$573 million and you have the accurate number, if we are doing that. If we are going to include everything, then we can come to a different calculation. Let us not pick and choose across the education component of our budget and decide what is best to communicate outside of this building, because I believe it is

not a fair representation to the citizens of the Commonwealth of what is in this proposal.

It is also important to point out that the only component of the revenue conversation that is being talked about to fulfill the Governor's \$1.5 billion additional amount of spending is a potential adjustment to fees or taxes related to the exploration or extraction of natural gas. Now, there is no proposal I know of out there that can come close to raising that amount of money, \$1.5 billion. Even targeted at \$1 billion, we are talking about a proposal that, notwithstanding all of the other costs that the industry pays, an industry that could provide so much opportunity for our citizens, it will be by far the highest rate in the country. That is not a little bit. That is not a fair share. That is not contributing what I have heard is just a little bit more. There has to be something else in there. It cannot just be taxes on so-called shale to fit that hole. There has to be more to that conversation.

So, again, we have to complete the equation. If we are going to talk about differences in two proposals and say one is \$1.5 billion more and then try to put one tax in that equation and try to fill that hole, it is not a complete picture. So where are we going? We will be going to other things. We will be going to income taxes, we will be going to sales tax, we will be going to cigarette taxes. It is the only way for the math to work. In the meantime, we have an industry that can mean so much opportunity for so many people in the State that is now at a point of time where they are retracting investment in the Commonwealth. What I believe is about less than half of the total operations that they had several years ago, that is redistributing investment capital to sites and not investing in new sites. Economically, there is no single point in time in relation to the Commonwealth's relationship with the private sector that we could have a conversation regarding increased costs. That is why we have conversations about eliminating capital stock and franchise taxes and using that net operating loss carry-forward to accommodate those types of cycles in industries. Remember, we are talking about the highest rate in the country, and not considering all of those other things, we are purposely--well, maybe not purposely, maybe unintentionally--but we are setting up a structure that is similar to our conversation about sin taxes where it will discourage activity. That is the only result as a result of that.

So if we are going to talk about the two different proposals, and I will try to do this myself, because it is tempting to message, right? It is tempting to message about one side or the other. I think we have to be complete about what we are saying so our citizens will really know, in terms of the fiscal affairs of the Commonwealth, what our decisions will be for fiscal year 2015-16.

Thank you, Mr. President.

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

Senator RAFFERTY. Mr. President, just very briefly, having witnessed, and all of us here in the Commonwealth lived through the manhunt to find the assassin of Corporal Dickson, and the wounding of our other Trooper, as we commended and saluted those law enforcement officials involved in that manhunt, today I just want to stand and commend and salute the men and women of the law enforcement community in the State of New York who were able to put to an end to the siege of upstate New York with those two escaped convicts roaming around and endangering the lives of innocent men, women, and children.

So to the law enforcement community in the State of New York, their neighboring States, and the Federal agencies that were involved, hats off to you, well done.

Thank you, Mr. President.

**SPECIAL ORDER OF BUSINESS
CONSIDERATION OF CALENDAR RESUMED
SECOND CONSIDERATION CALENDAR RESUMED**

RECONSIDERATION OF HB 475

BILL ON SECOND CONSIDERATION

HB 475 (Pr. No. 1197) -- Senator GORDNER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 475, Printer's No. 1197, went over in its order.

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

On the question,

Will the Senate agree to the bill on second consideration?

It was agreed to.

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

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

June 29, 2015

HB 561 and 1319 -- Committee on Finance.

HB 603 -- Committee on Consumer Protection and Professional Licensure.

HB 605, 871, 970, 1114, 1154, 1278 and 1279 -- Committee on Transportation.

HB 758, 1070 and 1089 -- Committee on Judiciary.

HB 805 and 1112 -- Committee on Education.

HB 810 -- Committee on Community, Economic and Recreational Development.

HB 826 -- Committee on State Government.

HB 941, 1110 and 1196 -- Committee on Law and Justice.

HB 1164 -- Committee on Public Health and Welfare.

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following resolution for concurrence, which was referred to the committee indicated:

June 29, 2015

HR 212 -- Committee on Finance.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Mike Stack) in the presence of the Senate signed the following bills:

SB 42, SB 405 and HB 329.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I move that the Senate do now recess until Tuesday, June 30, 2015, at 10:30 a.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 3:40 p.m., Eastern Daylight Saving Time.