

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, OCTOBER 19, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 58

SENATE

MONDAY, October 19, 2015

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

PRAYER

The Chaplain, Reverend NANCY HAIG ROSS, of Grace United Methodist Church, Telford, offered the following prayer:

I have to tell you that I adapted this prayer from the prayer that was given in this body on January 7, 1975, the day that my former husband was sworn in as State Senator of the 6th Senatorial District. So, it gives me pleasure--I did adapt it to be a little more gender friendly than the Father that gave it before me.

I give you this prayer:

Gracious and all mighty God, we ask You to bless our Governor, Tom Wolf; the Lieutenant Governor, Mike Stack; Joe Scarnati, the President pro tempore of the Senate; the Senators; and all officials of the Commonwealth of Pennsylvania. Lord, You planned the universe with infinite wisdom. Our cherished goals can only be obtained with Your plans. Unfortunately, the course of thought of humankind without Your assistance is not always Your course of thought. Help us to recognize that our problems have been caused by our isolation from You. Our human knowledge is so limited and so encumbered by its own pursuits that it cannot succeed without You.

We ask that the officials for whom we pray may be women and men of prayer and meditation so that their every thought, word, and action will always begin and end with You. You have revealed Yourself as You are: simple, loving, and concerned. May we follow Your example and always be what we are and see ourselves as we are. Enliven our faith to see Your wisdom that it is in giving that we receive, that it is in serving You, we serve others. Our legislature, our Commonwealth, and our nation are in need of You. We have tried everything to succeed and failed so often. So, we ask You to be with us all now and always, in the name of our Creator. Amen.

The PRESIDENT. The Chair thanks Reverend Ross, who is the guest today of Senator Greenleaf.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

**RECALL COMMUNICATIONS
REFERRED TO COMMITTEE**

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

**MEMBER OF THE ANIMAL HEALTH
AND DIAGNOSTIC COMMISSION**

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 19, 2015, of Jacob M. Maldonado, 133 State Street, Apt. 2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jerry Slayton, Bedford, whose term expired.

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

TOM WOLF
Governor

MEMBER OF THE ARCHITECTS LICENSURE BOARD

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 18, 2015, of Jacob M. Maldonado, 133 State Street, Apt. 2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Howard Graves, Pittsburgh, whose term expired.

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

TOM WOLF
Governor

[Data Missing] STATE BOARD OF OPTOMETRY

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Denise Wilcox, Pittsburgh, whose term expired.

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

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS IN
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 24, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language Pathology and Audiology, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Creason, Harrisburg, whose term expired.

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

TOM WOLF
Governor

MEMBETR *[sic]* OF THE STATE BOARD
OF VETERINARY MEDICINE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Steven Radbill, Huntingdon Valley, whose term expired.

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

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 25, 2015, of Mary K. Topper, 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-3-12, to serve until the first Monday of January 2016, and until her successor is appointed and qualified, vice Kevin E. Cooper, Pittsburgh, resigned.

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

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated June 26, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-3-03, to serve until the first Monday of January 2018, vice The Honorable Todd Strohe, deceased.

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

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

October 19, 2015

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated September 23, 2015, of Jacob M. Maldonado, 133 State Street, #2, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-2-07, to serve until the first Monday of January 2016, vice The Honorable Diane Marakovits, resigned.

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

TOM WOLF
Governor

NOMINATIONS REFERRED TO COMMITTEE

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

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

October 19, 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, Sarah Cassin, 1110 Yverdon Drive, Apt. C5, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Council of Trustees of California University of Pennsylvania of the State System of Higher Education, to serve until June 3, 2019, or until her successor is appointed and qualified, vice The Honorable R. Tyler Courtney, Greensburg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF EDUCATION

October 19, 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, Dr. Pamela Gunter-Smith, 134 W. Springettsbury Avenue, York 17403, York County, Twenty-eighth Senatorial District, for appointment as a member of the State Board of Education, to serve until October 1, 2020, or until her successor is appointed and qualified, vice Wendy Beetlestone, Wynnewood, resigned.

TOM WOLF
Governor

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

October 19, 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, Dr. Audrey F. Bronson, 1601 North 72nd Street, Philadelphia 19151, Philadelphia County, Seventh Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until her successor is appointed and qualified, vice Robert Taylor, New Hope, whose term expired.

TOM WOLF
Governor

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

October 19, 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, Donald F. Mayer, 205 Sherwood Drive, Chambersburg 17202, Franklin County, Thirty-third Senatorial

District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until his successor is appointed and qualified, vice Ronald Henry, Bryn Mawr, whose term expired.

TOM WOLF
Governor

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

October 19, 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, Leslie Anne Miller, 1111 Barberry Road, Bryn Mawr 19010, Montgomery County, Seventeenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until her successor is appointed and qualified, vice Christopher Franklin, Paoli, whose term expired.

TOM WOLF
Governor

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

October 19, 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, Cynthia Shapira, 111 Hawthorne Road, Pittsburgh 15238, Allegheny County, Thirty-eighth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until December 31, 2018, and until her successor is appointed and qualified, vice Jane Earll, Erie, whose term expired.

TOM WOLF
Governor

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

October 19, 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, Kevin Washo, 200 West Washington Square, Apartment 2402, Philadelphia 19106, Philadelphia County, First Senatorial District, for appointment as a member of the Board of Trustees of the University of Pittsburgh of the Commonwealth System of Higher Education, to serve until October 5, 2018, or until his successor is appointed and qualified, vice Morgan O'Brien, Pittsburgh, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

May 7, 2015 [sic]

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, Leo Dunn, 3508 North 2nd Street, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve until October 3, 2018, or until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Randy Feathers, Altoona, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

October 19, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Lydia Kirkland, 6834 Gorsten Street, Philadelphia 19119, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Board of Probation and Parole, to serve until October 1, 2019, or until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Lloyd White, Harrisburg, deceased.

TOM WOLF
Governor

MEMBER OF THE PUBLIC EMPLOYEE
RETIREMENT COMMISSION

October 19, 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, Joan Stern, 135 S. 19th Street, Philadelphia 19103, Philadelphia County, First Senatorial District, for appointment as a member of the Public Employee Retirement Commission, to serve until October 27, 2020, or until her successor is appointed and qualified, vice John Egan, Fort Washington, whose term expired.

TOM WOLF
Governor

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

October 19, 2015

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, The Honorable Ronald Donatucci, 2336 South 21st Street, Philadelphia 19145, Philadelphia County, First

Senatorial District, for reappointment as a member of the Board of Trustees of Temple University of the Commonwealth System of Higher Education, to serve until October 14, 2017, or until his successor is appointed and qualified.

TOM WOLF
Governor

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:

October 15, 2015

Senators GORDNER, SCARNATI, RAFFERTY, BROWNE, MENSCH, ALLOWAY, VULAKOVICH, SCAVELLO, WARD, GREENLEAF and HAYWOOD presented to the Chair **SB 1031**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, repealing and adding provisions relating to independent counsel.

Which was committed to the Committee on JUDICIARY, October 15, 2015.

Senators SABATINA, WOZNIAK and YUDICHAK presented to the Chair **SB 1034**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in rules of the road in general, further providing for speed timing devices and providing for pilot program for automated speed enforcement system on designated highway.

Which was committed to the Committee on TRANSPORTATION, October 15, 2015.

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:

October 14, 2015

HB 608 and **1167** -- Committee on Judiciary.

HB 1332 -- Committee on Finance.

HB 1411 -- Committee on Transportation.

October 15, 2015

HB 1296 -- Committee on Local Government.

**APPOINTMENT BY THE
PRESIDENT PRO TEMPORE**

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

Ms. L. Ashley Porter as a member of the State Transportation Advisory Committee.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a legislative leave for Senator Ward.

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

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

The PRESIDENT. Senator Corman requests a legislative leave Senator Ward.

Senator Costa requests a temporary Capitol leave for Senator Blake, and a legislative leave for Senator Leach.

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION**WEEKLY RECESS**

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

In the Senate, October 19, 2015

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, October 26, 2015, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, October 26, 2015, unless sooner recalled by the Speaker of the House of Representatives.

On the question,

Will the Senate adopt the resolution?

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

YEA-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.

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

SB 874 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 874, Printer's No. 1314, 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.

**GUESTS OF SENATOR PATRICIA H. VANCE
AND SENATOR MICHAEL J. FOLMER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, I have the really distinct pleasure of introducing, along with Senator Folmer, the Red Land Little League 11-12 International Baseball Team. It is not just a team of champions from our area, but from all of Pennsylvania, and the entire United States. This team captured the 2015 U.S. Little League Championship. This team was undefeated for the entire season. Despite a gallant effort, Red Land did finally lose the international championship to Japan. That takes nothing away from their luster. They were not only wonderful on the field but they conducted themselves in interviews and in their behavior far beyond their years and made us very, very proud of them.

The team was managed by Tom Peifer and assisted by J. K. Kolmansberger and Bret Wagner. Members of the team are Adam Cramer, Jake Cubbler, Jaden Henline, Braden Kolmansberger, Chayton Krauss, Kaden Peifer, Ethan Phillips, Dylan Rodenhauer, Zack Sooy, Cole Wagner, Camden Walter, Bailey Wirt, and Jarrett Wisman. The team and coaches are on the floor and their friends and fans are in the gallery. I think it is important to note that I also want to introduce another very big champion of theirs, Senator Baker. We enjoyed the games tremendously. You have been a tribute and an honor for all of us, and we want to say congratulations to all of you.

The PRESIDENT. Would the special guests of Senator Vance, our U.S. Little League Champions, Red Land baseball team, please rise so that the Senate may give you its usual warm welcome. It is great to have you with us and great job, coaches, as well.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I would just like to say, I am very proud to be able to represent the Williamsport area or the area where Little League Baseball was founded. It was actually started in 1938 by a person by the name of Carl Stotz. The first Little League game was played in 1939. Since then, Little League Baseball has grown into the largest organized youth sports program in the world. That is significant. For what this team did is, I mean, it is unbelievable. The person who is responsible for shepherding this whole program is also with us today. Mr. Stephen Keener is the President and CEO of Little League Baseball International. I welcome Mr. Keener here today.

Red Land excited Pennsylvania. Anytime that the World Series in Williamsport has a Pennsylvania team, it is good for all of Pennsylvania. This year, the one game--and I attended all of them--set an attendance record. There were 45,700 people who

watched this Little League game. I mean, Major League Baseball, eat your heart out, I guess is what we could say about that. It was just an exciting time.

On its Web site, Little League has a saying, "Why We Are Relevant." The answer to that question is Little League binds neighborhoods together. I have watched this Red Land team—even today when we had a luncheon together, it really is the binding of a neighborhood, and it is something that you guys, the parents, the coaches, will never forget. I am happy to have been a small part of it by representing the Williamsport area. Thank you.

The PRESIDENT. Mr. Keener, President and CEO of Little League Baseball International, please rise so that the Senate may give you its usual warm welcome.

(Applause.)

The PRESIDENT. No one could be more of a baseball fan than this next Senator, and he is a Philadelphia Phillies fan, although he is also a Steelers fan. Yes, that is right. Some kid goes, what?

The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise today to say welcome to the Capitol. I mean, in all honesty, you guys are the national champions and you will never, ever forget that. You guys demonstrated not only outstanding athletic ability, but extremely great sportsmanship. You not only made proud the 31st and 48th Senatorial Districts in York County and Pennsylvania, but you also made the whole nation proud the way you guys carried it out. So, in my brief statement, I just want to say congratulations. You will never, ever forget this. I have to tell you, I love baseball, that is my favorite sport, especially now that we are in the playoffs. I can tell you, in all sincerity, that I would rather watch you guys play. I actually hated to see it be over because you gave me a lot of fun. It was that enjoyable to me.

So, thank you for all that you have done. Godspeed in your future endeavors. I will be looking forward to watching some of you guys come up through the ranks as you play, because I am a baseball fan. So, as long as God gives me breath, I am going to be watching baseball. Godspeed to you guys, and congratulations again.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Centre, Senator Corman. I know they have a lot of Little League Baseball in your area, and I understand you, Senator Corman, used to play a little baseball yourself and were pretty darn good.

Senator CORMAN. Mr. President, thank you. I am not sure about the definition of pretty darn good, but we will take it.

As a Little League coach, my day job is here, but my spare time and fun time is coaching Little League Baseball. As a matter of fact, my three children are here on the floor with me today, who all played Little League Baseball this year, and it was exciting to watch Red Land go through its run. It was tremendous. And we have been fortunate to have our imagination captivated by a couple of teams. Last year or the year before, it was Pennsylvania's team from Philadelphia, with Mo'ne Davis, who captured everyone's excitement, and a couple of years back, a neighboring community, Keystone, made it there.

This was really special, having attendance records at Williamsport. I have to tell you, Mr. Keener and his group, they do it right. If you have a bucket list, going to a Little League

World Series game needs to be on your bucket list. It is just an outstanding atmosphere. How they get 45,000 people in and out of the parking lots in a sane manner is probably the biggest accomplishment of what they have, and trust me, as someone who has gone in and out of there, they do it really well.

So, I just want to offer my congratulations to Red Land. You certainly provided a lot of excitement for all of us, but, more importantly, Little League Baseball was the winner this year, watching this team play and the way they conducted themselves. It is exciting to watch and, hopefully, we will be back, another team from Pennsylvania again next year as well.

Red Land, you are national champions. I think Shippensburg was the last national champion from Pennsylvania, so it does not happen all that often. You are to be congratulated. This is something you will remember all of your life. Trust me. We are honored that you came and spent a few moments with us.

Thank you, Mr. President.

The PRESIDENT. Thank you, Coach Corman.

Gentlemen from Red Land, congratulations on a great job. We hope you will come back to the Senate, and I want to add my compliments on your wonderful sportsmanship and you are a great example for Pennsylvania. Keep up the good work, and we hope to see you soon. Thank you.

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Berks, Senator Schwank.

Senator SCHWANK. Mr. President, please join me today in welcoming a guest, William Shewalter. William is a very talented sixth-grade student from Sacred Heart School in Reading. He resides in Senator Argall's district; however, he is a recipient of my good citizenship award, which is a program I am proud to offer to the schools in my district, in which teachers recognize students for their good citizenship and involvement in their community. William is certainly a great candidate for this award. While not only having the highest grade point average in his class last year, William also started his own service project called Sweaters for Seniors. He collects donated sweaters in three counties for residents at local nursing facilities, and has even enlisted the help of Bishop John Barres, who represents the Diocese of Allentown, to assist with outreach and in growing his venture.

In addition to his impressive community service, William also plays piano, guitar, drums, and is active in golf, tennis, and basketball. He is in the gifted program in the Wilson School District, an altar server at his church, and diligently pursuing his Eagle Scout award from the Boy Scouts. It makes you tired, does it not, just to think of it? William hopes one day to attend Notre Dame or Harvard to become a general physician, and with his impressive resume at only 11 years old, Mr. President, I think he is going to get it done. William is joined in the gallery by his proud parents, Will and Rene Shewalter. Mr. President, please welcome my guests.

The PRESIDENT. Would the distinguished guests of Senator Schwank, the Shewalter family, including young William, please rise so we can welcome you to the Pennsylvania State Senate.

(Applause.)

The PRESIDENT. Keep up the good work, William.

GUESTS OF SENATOR MICHELE BROOKS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, today I have the pleasure of introducing Hannah M. Brewer and Jacob D. Johnson, who are serving as guest Pages in the Senate. Both Hannah and Jacob are eighth-grade honor students from Saint Michael School in Greenville. Hannah is the daughter of Daniel and Rebecca Brewer. She enjoys competing in academic games. She has taken part in the Academic League of America games, National History Day, Youngstown English Festival, and the Pennsylvania Junior Academy of Science. Additionally, she is a member of the school's varsity basketball team, plays softball, is a dedicated volunteer at Saint Paul's Nursing Home, and enjoys making architectural models.

Jacob is the son of Darren and Lynne Johnson. He serves as vice president of the student council at Saint Michael School. Like Hannah, Jacob enjoys competing in academic games. He has participated in National History Day, the Pennsylvania Junior Academy of Science, Math Challenge 24, and Youngstown English Festival. Jacob plays for the varsity basketball team, a traveling soccer team, volunteers at St. Paul's Nursing Home, and has had lead roles in the school musicals.

Hannah and Jacob are accompanied here today by their teacher, Mr. Patrick Matusz, who is seated in the Senate gallery. Mr. President, I ask my colleagues to give my guests the Senate's usual warm welcome. Thank you.

The PRESIDENT. Would the guests of Senator Brooks, Hannah, Jacob, and Mr. Matusz, please rise so we can welcome you to the Pennsylvania Senate.

(Applause.)

GUEST OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Chester, and we recently stood together announcing the expansion of an international company in Chester County, Senator Dinniman.

Senator DINNIMAN. Mr. President, thank you. We were very happy that the national headquarters of a major global corporation set up their base in Chester County. Thank you for being present, as you and I work together to expand jobs here in Pennsylvania, and successfully in our county.

This afternoon, it is my pleasure to introduce Marirose Sartoretto, who is an intern with me in my office as part of her course work that she is doing as a political science major at West Chester University. Many of our political science majors do internships in legislative offices, but she had some experience in interning before she came in, having worked two summers with Senator Boscola in her office, Marirose having come from Bethlehem, PA. After graduation she hopes to get a job somehow in legislative affairs, get involved in politics, and in the end would like that nonpartisan job of being a Federal foreign service officer. So the key thing is Marirose is a bright, intelligent young woman who has her goals set on legislative service and, ultimately,

on serving this nation as a foreign service officer. So, thank you, Mr. President. I ask that we give her a warm welcome.

The PRESIDENT. Would the distinguished guest, Marirose Sartoretto, please rise so we may welcome you.

(Applause.)

GUEST OF SENATOR STEWART J. GREENLEAF PRESENTED TO THE SENATE

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

Senator GREENLEAF. Mr. President, I rise to recognize our Chaplain for the day, Pastor Nancy Ross of the Grace United Methodist Church of Telford, Pennsylvania. We are so proud to have her here for many reasons. One, because she is from my district, but more importantly than that, she is a real trailblazer. Let me explain why. She grew up in an American Baptist home in Oreland, Pennsylvania, which was, at one time, part of my senatorial district, and now you are back in my district, so you cannot get rid of me, but I am happy to have you there. She went to Wittenburg University in Springfield, Ohio, and while she was at college at Wittenburg, she felt that she was called to ministry. She kept pushing that off, obviously, and tried Christian teaching, although part of that problem was, in the 1960s, for a woman to become the pastor of any church, really, was quite an accomplishment, so she tried teaching.

Her call kept coming back to her. Teaching was not her call. Then she became a claim adjuster for Aetna Insurance Company, and her call kept calling her back to be a pastor. She tried the Army, that did not work, and finally her husband, Jack, convinced her to go to seminary, and she did. She attended Drew Theological School and she was ordained a deacon and an elder in the United Methodist Church. She has served as associate pastor in five different churches, and one was in Fairless Hills, Frackville, Girardville, Clifton, Quakertown, and then they finally allowed her to become a pastor in Telford. We are so pleased that you are there for your calling and for your service to God and to your parishioners and people who are members of your church. They certainly will be blessed by your ministry, and we thank you very much for being here today and blessing us with your words and your prayer today. Thank you.

The PRESIDENT. Would the guest of Senator Greenleaf, Reverend Ross, who is our Chaplain of the Senate today, please rise so we may welcome with you our warm Senate greeting.

(Applause.)

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held immediately in the Majority Caucus Room.

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

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Ward and Senator Blake have returned, and their respective leaves are cancelled.

LEGISLATIVE LEAVES

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

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

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Yudichak.

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

Senator Costa requests a temporary Capitol leave for Senator Yudichak.

Without objection, the leaves will be granted.

CALENDAR**BILL ON CONCURRENCE IN HOUSE AMENDMENTS****BILL OVER IN ORDER**

SB 210 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

THIRD CONSIDERATION CALENDAR**BILLS OVER IN ORDER**

HB 138, HB 447, SB 526 and SB 606 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 751 (Pr. No. 1086) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in minors, further providing for the offense of sale of tobacco; and, in pre-emptions relating to municipalities, further providing for tobacco.

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	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.

BILLS OVER IN ORDER

HB 792 and SB 857 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 868 (Pr. No. 1004) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the section of Pennsylvania Route 849 in Newport, Perry County, as the United States Navy Petty Officer 1st Class A. Louis De Lancey Memorial Highway.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 874, HB 907 and HB 909 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 931 (Pr. No. 1143) -- The Senate proceeded to consideration of the bill, 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.

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.

BILLS OVER IN ORDER

SB 942, SB 955, SB 956, SB 988, SB 989, HB 1275 and HB 1340 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILL LAID ON THE TABLE

HB 263 (Pr. No. 267) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for unlawful devices and methods.

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

HB 263 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 263, Printer's No. 267, 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 REREFERRED

HB 347 (Pr. No. 2259) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in emergency medical services system, providing for emergency service system billing.

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 388 and HB 400 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL AMENDED

SB 411 (Pr. No. 1154) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, in preliminary provisions, further providing for definitions; in requirements and prohibitions, providing for Pennsylvania Interscholastic Athletic Association; in access, providing for inmate access; in procedure, further providing for access, for requests, for written requests, for production of certain records and for exceptions for public records; in agency response, further providing for general rule and for extension of time; in appeal of agency determination, further providing for filing of appeal and for appeals officers; in judicial review, further providing for Commonwealth agencies, legislative agencies and judicial agencies, for fee limitations and for Office of Open Records; and, in State-related institutions, further providing for reporting, for contents of report and for copies and posting, and providing for contracts.

On the question,

Will the Senate agree to the bill on second consideration?

Senator PILEGGI offered the following amendment No. A3552:

Amend Bill, page 1, line 12, by inserting after "access," further providing for open-records officer, for regulations and policies and for requests, and

Amend Bill, page 1, lines 27 and 28; page 2, lines 1 through 4; by striking out all of said lines on said pages and inserting:

Section 1. The definitions of "independent agency," "local agency," "personal financial information" and "State-affiliated entity" in section 102 of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, are amended and the section is amended by adding definitions to read:

Amend Bill, page 2, lines 24 through 30, by striking out all of said lines

Amend Bill, page 3, by inserting between lines 4 and 5:

"Inmate." An individual currently incarcerated, after having been sentenced by a court of competent jurisdiction, in a Federal, State or county correctional facility or prison.

Amend Bill, page 3, line 24, by inserting after "information,"

individual employee contributions to retirement plans and investment options; individual employee contributions to health care benefits and other benefits; individual employee contributions to charitable organizations;

Amend Bill, page 3, lines 27 through 30, by striking out all of said lines

Amend Bill, page 5, line 1, by striking out "sections" and inserting: a section

Amend Bill, page 5, by inserting between lines 5 and 6:

Section 3. Sections 502 and 504 of the act are amended by adding subsections to read:

Section 502. Open-records officer.

* * *

(c) Agency registration.--An agency shall register its open-records officer with the Office of Open Records in a manner prescribed by the Office of Open Records.

Section 504. Regulations and policies.

* * *

(c) Home address of agency employees.--

(1) Each Commonwealth agency and local agency shall develop a policy allowing an employee to notify the agency that the employee believes the exception under section 708(b)(1)(ii) or any other exception applies to the employee's home address.

(2) The agency shall review each notification under this subsection and inform the employee of its decision.

(3) The agency is not required to notify:

(i) an employee of the policy under this subsection more than once per year; or

(ii) a previously notified employee while responding to a request under this act.

Section 4. Section 506(a) of the act is amended by adding a paragraph to read:

Section 506. Requests.

(a) Disruptive requests.--

(1) An agency may deny a requester access to a record if the requester has made repeated requests for that same record and the repeated requests have placed an unreasonable burden on the agency.

(1.1) An agency may deny a request to a party to litigation when the request:

(i) is material to a pending civil action or proceeding to which the agency is a party and the Pennsylvania Rules of Civil Procedure or the Federal Rules of Civil Procedure apply; or

(ii) was previously made in litigation discovery.

(2) A denial under this subsection shall not restrict the ability to request a different record.

Section 5. The act is amended by adding a section to read:

Amend Bill, page 5, line 12, by striking out the colon after "facility" and inserting:

and if there are no other policies or procedures in place for the inmate to obtain the requested information:

Amend Bill, page 6, line 3, by striking out "3" and inserting:

6

Amend Bill, page 8, lines 19 through 21, by striking out "that shall provide a checkoff for the" in line 19, all of line 20 and "commercial purpose" in line 21

Amend Bill, page 8, lines 24 through 29, by striking out all of said lines

Amend Bill, page 8, line 30, by striking out "4" and inserting:

7

Amend Bill, page 8, line 30, by striking out "708(b)(10)(i)" and inserting:

708(b)(6), (10)(i)

Amend Bill, page 9, lines 13 through 17, by striking out "The authority, municipality or cooperative" in line 13, all of lines 14 through 16 and "be charged." in line 17

Amend Bill, page 9, lines 20 and 21, by striking out "If funds are owed, the amount of the" in line 20 and all of line 21 and inserting:

(6) (i) The following personal identification information:

(A) A record containing all or part of a person's Social Security number, driver's license number, personal financial information, home, cellular or personal telephone numbers, personal e-mail addresses, employee number or other confidential personal identification number.

(B) A spouse's name, marital status or beneficiary or dependent information, including the number, names and ages of an employee's dependents.

(C) The home address of a law enforcement officer or judge.

(ii) Nothing in this paragraph shall preclude the release of the name, position, salary, actual compensation or other payments or expenses, employment contract, employment-related contract or agreement and length of service of a public official or an agency employee.

(iii) An agency may redact the name or other identifying information relating to an individual performing an undercover or covert law enforcement activity from a record.

(iv) Nothing in this paragraph shall prevent the disclosure of aggregated data of employer or employee costs related to retirement benefits, health care benefits or other benefits or the disclosure of options made available to employees regarding retirement, health care or other benefits plans.

Amend Bill, page 9, line 24, by striking out ", contains or includes"

Amend Bill, page 10, line 26, by striking out the bracket before "A"

Amend Bill, page 10, lines 26 and 27, by striking out "]" Except for a safety inspection report made pursuant to Federal or State law, a"

Amend Bill, page 11, by inserting between lines 26 and 27:

This paragraph shall not apply to a final safety inspection report made pursuant to law or regulation.

Amend Bill, page 13, line 1, by striking out "5" and inserting:

8

Amend Bill, page 14, line 10, by striking out "707(e)" and inserting:

504(c)

Amend Bill, page 14, line 21, by inserting a bracket before "If"

Amend Bill, page 14, line 26, by inserting after "notice.":

] The request for access shall be deemed denied if the agency fails to send a response within 30 days following the five business days allowed for in section 901, unless the requester has agreed in writing to an additional extension beyond 30 days.

Amend Bill, page 15, line 14, by inserting a bracket after "shall"

Amend Bill, page 15, line 16, by inserting a bracket before the period after "request"

Amend Bill, page 15, line 16, by inserting after "request.]:"

and shall

Amend Bill, page 15, lines 19 and 20, by striking out all of line 19 and "(D)" in line 20 and inserting:

(C)

Amend Bill, page 15, by inserting between lines 24 and 25:

(iv) The office may order a requester who fails to include the information under subparagraph (ii) to provide the required information.

Amend Bill, page 16, line 6, by striking out "held" and inserting:

ordered

Amend Bill, page 16, line 9, by inserting after "to":

a court of common pleas, the

Amend Bill, page 16, line 10, by inserting after "Court":

or the Supreme Court

Amend Bill, page 16, lines 10 and 11, by striking out "appeal until" in line 10 and all of line 11 and inserting:

office's opinion until the appeal is decided.

Amend Bill, page 16, line 18, by inserting a bracket before "of"

Amend Bill, page 16, line 18, by inserting after "decision":

] containing findings of fact and conclusions of law

Amend Bill, page 16, by inserting between lines 19 and 20:

(4) If an appeals officer designated under section 503 does not have jurisdiction to hear an appeal but another appeals officer has jurisdiction, the appeals officer shall transfer the appeal to the other appeals officer with jurisdiction over the matter.

Amend Bill, page 17, line 8, by striking out "6" and inserting:

9

Amend Bill, page 17, lines 18 and 19, by striking out ", in which case the appeals officer may extend the deadline in section 1101(b)(1) by up to 90 days"

Amend Bill, page 17, line 26, by inserting a bracket before "(3)"

Amend Bill, page 17, line 26, by inserting a bracket after "appropriate."

Amend Bill, page 18, line 1, by inserting after "record":

and a privilege or exemption log

Amend Bill, page 18, line 3, by striking out "7" and inserting:

10

Amend Bill, page 18, line 22, by striking out "8" and inserting:

11

Amend Bill, page 18, line 23, by striking out "a subsection" and inserting:

subsections

Amend Bill, page 19, by inserting between lines 15 and 16:

(i) Appeal.--A fee charged under this act shall be appealable to the Office of Open Records.

Amend Bill, page 19, line 16, by striking out "9" and inserting:

12

Amend Bill, page 21, line 23, by inserting after "payroll":

, leave and benefits, budget, information technology

Amend Bill, page 21, line 27, by striking out "2015" and inserting:

2016

Amend Bill, page 22, line 3, by striking out "case" and inserting:

proceeding before the office

Amend Bill, page 22, lines 8 through 10, by striking out all of said lines

Amend Bill, page 30, line 10, by striking out "10" and inserting:

13

Amend Bill, page 31, line 3, by striking out "11" and inserting:

14

Amend Bill, page 31, line 5, by striking out "2015" and inserting: 2016

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

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

Senator PILEGGI. Mr. President, I will discuss this amendment in connection with the bill. Together as a whole, they represent approximately 30 changes to the Open Records Act that were made clear as being necessary, given the experience of the act over the past few years. Some of the major amendments include a change to the records that inmates are able to request. It turns out that over 40 percent of the appeals heard in the Office of Open Records generate from inmates in our correctional institutions. It also makes changes to the way commercial requestors are handled, allowing for government agencies to deal with them in a different way than noncommercial requestors. It also makes changes to the way municipal authorities can handle requests to deal with a disruption in the business flow of municipal authorities caused by some users. It makes clear the status of volunteer fire companies, which under some court rulings are treated as government agencies, and returns the law to the original intent that they are not to be considered, generally, as government agencies. I want to thank Senator Blake for a provision that is in the amendment and in the underlying bill that deals with State-related universities. It incorporates his original bill on that score.

Mr. President, this bill and amendment together have generated the support of a number of organizations including the Pennsylvania District Attorneys Association, the Pennsylvania State Association of Boroughs, the Pennsylvania State Association of Township Supervisors, the Public Utilities Commission, as well as the Office of Open Records. Mr. President, I ask for an affirmative vote on the amendment.

Thank you, Mr. President.

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

The yeas and nays were required by Senator PILEGGI 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.

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

Senator BROOKS offered the following amendment No. A3663:

Amend Bill, page 8, line 30, by striking out "708(b)(10)(i)" and inserting:

708(b)(6)(i), (10)(i)

Amend Bill, page 9, by inserting between lines 22 and 23:

(6) (i) The following personal identification information:

(A) A record containing all or part of a person's Social Security number, driver's license number, personal financial information, home, cellular or personal telephone numbers, personal e-mail addresses, employee number or other confidential personal identification number.

(B) A spouse's name, marital status or beneficiary or dependent information.

(C) The home address of a law enforcement officer [or], judge[,], Commonwealth employee, municipal employee or employee of a school entity. For the purposes of this clause, the term "school entity" shall include a school district, intermediate unit, area vocational-technical school, charter school or cyber charter school.

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

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, what this amendment does is exempts home addresses for Commonwealth employees, municipal employees, and employees of school districts. We all believe in the spirit of transparency, but in that spirit I think we have an obligation to also protect the families, children, and spouses of our employees. It has no bearing on the job that they do that there is a database with a list of all employees with their addresses. It has no bearing on the job that they do for the State of Pennsylvania. Yet, on the other hand, in the spirit of transparency, some think that having this out there is part of sharing information because they are paid by State dollars.

My concern is, what about that family? What about those children who are at home that now their addresses are made public? Do we not have a right to privacy? Do our employees not have a right to privacy? Do the children of those employees not have a right to safety and not worry about their home addresses being on a database? I know that in technology today, Google Maps can take a picture of your back yard, but is it really responsible? Do we agree with that invasion of our privacy? I do not think that the residents of this Commonwealth, in the spirit of transparency, that has no bearing on the State employee's job, would want to put that employee's family at risk.

I feel that this amendment protects our families, but it also keeps vital information transparent in what the Senator is trying to accomplish.

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

Senator PILEGGI. Mr. President, I will be brief. The issue of a right to privacy for home addresses has been litigated in Pennsylvania courts, and our courts have clearly held that whether we

would want it to be a constitutional right or not, there is no constitutional right to privacy in home addresses. The bill, which I have proposed, and the amendment, which I believe is before us, do contain a provision that is new in the law that would allow for any State employee who believes that the disclosure of their home address would cause a risk of personal harm to notify his or her employer to preclude the disclosure of that home address. That is new. That is much different than saying we should have a blanket exclusion of home addresses for State employees or local employees.

The purpose of the law is, obviously, to make government records widely and fully available, as fully as possible. This proposed amendment would ironically curtail the amount of information that would be available through government agencies, while at the same time that information is widely available to anyone with a smart phone or a laptop and increasingly available in other government records, such that they not only contain home addresses, but they are available easily to individuals in Pennsylvania. I will just cite a few. The Board of Elections, for anyone running for office, has petitions with names on them and signatures of everyone who signed petitions to have people on the ballot. Voter registration records in each county have not only addresses but also dates of birth and party registration and voting history available for public inspection. Anyone who owns a house has a deed on file with a home address. Anyone who has a taxable property or piece of real estate has their home address at the board of assessments that is available for public inspection. Anyone who has filed a lawsuit or been a defendant in a lawsuit has their home address available in a review of court records.

So, the rule for home addresses is that they are easily available. Again, I think it would be ironic if in our effort to improve the Open Records Law, we would restrict government access to that which is otherwise available readily.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lackawanna, Senator Blake.

Senator BLAKE. Mr. President, I have high regard for my colleague, Senator Brooks. I know that her intentions are good. I do stand, however, to echo the sentiment of Senator Pileggi on this matter. We want to always achieve good balance between public safety and governmental transparency. I think Senator Pileggi made a compelling argument as to why this would be a step back, in terms of public disclosure, that may not be necessary. I think there is a provision in the bill that if there is someone who feels in any way that they could conceivably be threatened, they have the opportunity to make the appeal that their address not be disclosed as opposed to a blanket locking-down of that data, which is probably already available in our local community, in any case.

I think it is important to point out, again, the lengthy process that went into building this bill—the deliberative process of looking at the implementation with the Right-to-Know Law in Pennsylvania. First of all, the original maker of the bill, when it was originally adopted under Governor Rendell, Senator Pileggi, it brought Pennsylvania into the 21st century with respect to governmental transparency. We have learned some lessons in the meantime, and you have heard the merits of the amendment just previously adopted unanimously here on the floor. I think all of that work is really valuable. I think at this point having such a large meaningful change, as suggested by Senator Brooks'

amendment, is inappropriate at this time. So, I will be a "no" vote. I appreciate your attention.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Wozniak.

Senator WOZNIAK. Mr. President, I rise to support this amendment. What have we become? Already they know what the salaries are of our citizens who work for the State. They know just about any information they want. You can go on the Internet and Google an individual's name. It should not be the government's responsibility to tell the citizens where individual, private citizens, simply because of where they work, where they live. There are a lot of odd people in this world. I have been watching *Forensic Files*, all those kinds of things, and all of these TV shows, and I will tell you what, there is a hot population out there and it can set anybody off.

I have no problem letting people understand what the salaries are, what their pension is going to be, how long they have been in office, and all of those kind of things, but where in the world do we draw the line? Do we have to make it public where every individual citizen who works for the State lives? I do not think so. So, I think this is an appropriate amendment. I think we have enough information. I think sometimes some people want to push the envelope too far. So, I am going to support this amendment. I appreciate the maker of it for introducing it. Thank you.

The PRESIDENT. Senator Brooks is generously conceding to our friend from Chester County, who wants to add his remarks.

The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, that was a long introduction.

The PRESIDENT. I could go longer.

Senator DINNIMAN. Mr. President, I know. I rise also to support this amendment, and, as you know, I also have an amendment in. My concern is not only all of the employees, but especially the teachers of this Commonwealth who are covered by Senator Brooks' amendment. As you know, there is a temporary injunction that has been put in by the courts to make sure that the teachers' addresses are not given out, but that injunction will ultimately end.

The difficulty is this: let us face some realities, that there are instances of violence occurring in our society. They are occurring in the schools and we need to protect the people who are in the schools. We also need to protect those people working for the State as counselors, in human services, and in other sensitive positions. If you really think about what the bill does, the bill says, well, we are not going to give the policeman's address. Well, at least, when a policeman goes home, he has his gun with him. We are going to protect the addresses of judges. Well, any judge, with a snap of their fingers, can have the whole sheriff's office defending their house and accompanying them every inch of the way. There are employees in this Commonwealth who are in very sensitive positions with a lot of angry people when you look at areas such as domestic relations, for example, or when you see some of the things that happen in schools. We really need to pass legislation to protect these individuals.

There is no reason that anyone needs to know the home address of an employee. Yes, they need to know the salary. Yes, they need to know the position. Yes, they need to know anything that is associated with an expenditure of this Commonwealth, but

a person's home address is not a necessary aspect of a right to know. Besides, let me add this, Mr. President, as Senator Brooks has said, there are children in that home. There are elderly people in that home. Sometimes hotheads, as Senator Wozniak mentioned, as well, will do damage sometimes. We do not want to put any of our employees at risk. It is one thing in the workplace where we have guards, where we have people who are going to prevent unfortunate actions from occurring, but there are not guards at people's houses. It is a matter of privacy, and when we do not have to invade someone's privacy, we should not.

Every conservative of this legislature should stand up for the notion of privacy of individuals in their own homes. It is beyond privacy. It is just good judgment. It is just common sense to protect those of our own employees in our counties, in State government, in our schools, who are potentially at risk in the craziness of the society which we face today. In fact, in my amendment I will be extending what Senator Brooks is doing to higher education, as well. I urge a "yes" vote on this amendment.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes, for the second time, the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, my good friend had mentioned that the courts had ruled that a person is not entitled to privacy. I would counter that that outrages about every citizen in this Commonwealth because we do feel that we are entitled to privacy. They do feel that they are tired of their government constantly being in the middle of their lives and intruding in their lives, and now they are putting their families in danger. So, I would have to say, and disagree with the courts, that the people of this Commonwealth deserve privacy. They are entitled to privacy.

Mr. President, what does this have to do with any employee's job performance? What does their home address being made public have to do with their job performance? Absolutely nothing. At the end of the day, this is about protecting families. Are we going to wait until it is too late and someone is harmed and then we say, maybe we went too far? Maybe we got it wrong. I hope that we are proactive today in protecting those families, because they are entitled to their privacy. They are entitled to their safety.

I know that my good friend also mentioned that a lot of these families and employees have the opportunity to say they do not want their address publicized. Well, many folks do not realize they are in danger. It is only when that person comes to their home and does bodily harm that they know their family is in danger. So, idealistically, if we all knew that we were in harm's way, that would be a perfect scenario, but most people do not know when someone is upset with them or how far they will take it. So please, let us protect the Commonwealth's employees' families. Thank you.

The PRESIDENT. Without objection, the Chair recognizes, for the second time, the gentleman from Delaware, Senator Pileggi.

Senator PILEGGI. Mr. President, I appreciate the opportunity to speak for a second time. I will be brief. I want to remind Members of the provision for each employee, if they believe that they are at risk if their home address is divulged, to protect that. That is something that is in current law, and in all of the years that the law has been in place--and I have paid very close attention to the development of this law over the years--I have not

heard of one single incident where a State employee has been threatened with harm or harmed because of the disclosure of a home address. So this is a solution certainly in search of a problem that has not existed over the years.

As I said before, these home addresses are available in the public realm by self-disclosure and by disclosure by commercial vendors at every turn. I would much rather someone get my home address from a written request with the person's name and address who is requesting the information than someone going on the Internet and going on Google Maps and finding my address, and I would never know that person is looking for it.

So, again, I ask for a negative vote. This is a step backward from the spirit of open government that we have all committed to in the past. One final note, 47 of 50 Members in this Chamber just recently voted to allow their home address, their date of birth, their eye color, their hair color, their height, and their weight, all contained on their driver's license, to be made available to commercial requesters for a fee paid to the Department of Education. I imagine all of those individuals understood that disclosure involved the disclosure of a home address.

Thank you, Mr. President.

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

Senator TEPLITZ. Mr. President, I was not planning to speak but the prior speaker referenced the experience of implementing the current version of the Right-to-Know Law, and I want to speak to that, because I was the Right-to-Know officer for the Department of the Auditor General for 4 years prior to being elected to office here. In my experience there, I recall being asked, on a regular basis, through formal requests, for our employees' home addresses, and even though the intent is not always spelled out in the request--and the law actually forbids asking about intent--it was clear what the intent was. It was to pursue grievances against those employees for what they had done in their official capacity, but to pursue those offline; not go through their work address, their work contact information, which I believe, and I think we all believe, should be fair game, but to pursue those offline. I never saw what could be gained by having those discussions through the employee's personal home address on their personal time that could not be accomplished by pursuing those through the official means. As a Right-to-Know officer it always put us in a very uncomfortable position as to how to deal with those kinds of requests because of how the law was written with specific exemptions for law enforcement and judges, and not for others who may be subject to risk. There were other general exceptions, and frankly, I used those, and was never challenged, I should add, by an appeal from someone whose request was denied.

I think that we need to clarify this issue because it has been out there for debate, it has been litigated over the past several years, and as the maker of the amendment has said, we are putting the employees and their families at risk by allowing their home addresses to be given out. Again, I add, there is nothing that can be gained by pursuing the home address, there is no reason to contact the employee at their home address that cannot be accomplished through their work address, which should be disclosed, and should be the appropriate means of contacting someone in government or a teacher or other who you may have a legitimate disagreement with based on their official performance.

So for those reasons, particularly in my own experience in the practical logistics of this, I will be supporting the Brooks amendment, and I encourage my colleagues to do so. Thank you.

The PRESIDENT. Without objection, the Chair recognizes, for the third time, the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, if we are going to use the argument that this information is already available, then why do we have to create additional databases and why do we have to have it in this legislation? I want to close with this: The very courts that deemed that the people of Pennsylvania are not entitled to privacy, it is my understanding that the court's home addresses are already exempt from the current Right-to-Know Law. What is the difference between the people of Pennsylvania and any other branch of government? So, in closing, I do believe that those families deserve to be protected, and I do not want to wait until a tragedy happens. Thank you.

LEGISLATIVE LEAVE CANCELLED

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

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

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

YEA-26

Alloway	Dinniman	McGarrigle	Tomlinson
Bartolotta	Farnese	Mensch	Ward
Boscola	Fontana	Sabatina	Wiley
Brewster	Haywood	Scarnati	Wozniak
Brooks	Hughes	Schwank	Yudichak
Browne	Kitchen	Tartaglione	
Costa	Leach	Teplitz	

NAY-23

Argall	Folmer	Rafferty	Vulakovich
Aument	Gordner	Scavello	Wagner
Baker	Greenleaf	Smucker	White
Blake	Hutchinson	Stefano	Williams
Corman	McIlhinney	Vance	Yaw
Eichelberger	Pileggi	Vogel	

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

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

BILL LAID ON THE TABLE

HB 455 (Pr. No. 503) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in game or wildlife protection, further providing for unlawful activities.

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

HB 455 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 455, Printer's No. 503, 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.

BILLS OVER IN ORDER

SB 482, HB 579, SB 604, HB 696, HB 837 and HB 1154 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL REREFERRED

HB 1256 (Pr. No. 1648) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in optional occupational tax elimination, further providing for income tax rate limits.

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

BILL OVER IN ORDER

HB 1279 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senator AUMENT, on behalf of Senators YUDICHAK, SABATINA, GREENLEAF, KITCHEN, FONTANA, ARGALL, TEPLITZ, DINNIMAN, COSTA, TARTAGLIONE, SCAVELLO, RAFFERTY, VULAKOVICH, BAKER, MENSCH, FARNESE, BROWNE, HUGHES and HAYWOOD, by unanimous consent, offered **Senate Resolution No. 216**, entitled:

A Resolution designating October 22, 2015, as "Lights on Afterschool Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator AUMENT. Mr. President, today I rise with my afterschool caucus co-chair, Senator Yudichak, to recognize October 22 as "Lights on Afterschool Day." This marks the 16th annual commemoration of the Lights on Afterschool Day, a national event recognizing the importance of afterschool programs in the lives of our children. Lights on Afterschool was launched in October of 2000 with celebrations in more than 1,200 communities nationwide. This October, more than 1 million Americans will celebrate Lights on Afterschool.

Pennsylvania has over 2.1 million school-age children and youth, and over half have both parents--or, in the case of the

single-parent families, their sole parent—in the workforce. It is estimated that 18 percent of K through 12 youth are responsible for taking care of themselves after school. Today, more Pennsylvania youth than ever are in afterschool programs, but for every two children who participate, five are waiting to get into a program. Research on the benefits of afterschool programs is clear. High-quality afterschool programming improves student academic achievement, reduces crime by and against youth, and promotes positive social development. Please join us in acknowledging the importance of these programs by recognizing October 22 as Lights on Afterschool Day in Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for a very well thought-out resolution for his work and Senator Yudichak's work on Lights on Afterschool Day.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators TARTAGLIONE, TEPLITZ, GREENLEAF, VOGEL, McGARRIGLE, DINNIMAN, SABATINA, FONTANA, SCAVELLO, RAFFERTY, BREWSTER, HAYWOOD, PILEGGI, MENSCH, BAKER, BARTOLOTTA, COSTA, KITCHEN, VULAKOVICH, SCHWANK, VANCE, YUDICHAK, FARNESE and AUMENT, by unanimous consent, offered **Senate Resolution No. 217**, entitled:

A Resolution recognizing the month of October 2015 as "National Breast Cancer Awareness Month" in Pennsylvania and October 16, 2015, as "National Mammography Day" in Pennsylvania to promote awareness of breast cancer issues and encourage women and men to take action to protect themselves against breast cancer.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Philadelphia, Senator Tartaglione.

Senator TARTAGLIONE. Mr. President, since 1985, when the American Cancer Society founded "National Breast Cancer Awareness Month," hundreds of millions of dollars have been raised, leading to numerous medical research breakthroughs. Despite these efforts, it has personally affected my family. I lost my older sister, and breast cancer continues to touch too many lives. Unfortunately, funding for research has stayed flat for the last 10 years, and that translates to real-dollar funding cuts of 25 percent. So, today, I stand before you in an effort to continue to raise awareness and to work to reduce its prevalence. Breast cancer does not know it is October. Every 19 seconds, somewhere in the world a person has a new diagnosis of breast cancer. In the U.S., a woman is diagnosed every 2 minutes, and one dies every 13 minutes from this terrible disease, but when treated in its early stages, the 5-year survival rate is 100 percent.

I find it amazing that many women know the risk of breast cancer, but they do not get mammograms when they are told. Therefore, I bring your attention to the observance of "National Mammography Day," the third Friday in October. Its aim is to see every woman schedule their yearly appointment and use **#nationalmammographyday** to post on social media. Mr. President, in honor of the individuals who have lost their battles with

cancer, for those who are currently living with it, for those who have survived it, for those who are impatient to find a cure, and for all our friends, Members, and family, I offer this resolution recognizing October as Breast Cancer Awareness Month, and October 16 as National Mammography Day. I encourage residents to learn about breast cancer, to take the precautionary steps now, and to seek medical attention when they first notice symptoms. I ask all of my colleagues for an affirmative vote on this resolution.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks Senator Tartaglione for her well thought out and important resolution.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators BROWNE, COSTA, SCHWANK, RAFFERTY, GREENLEAF, KITCHEN, TEPLITZ, SABATINA, BREWSTER, FONTANA, DINNIMAN, YUDICHAK, TARTAGLIONE, PILEGGI, FARNESE and WILLIAMS, by unanimous consent, offered **Senate Resolution No. 218**, entitled:

A Resolution designating the week of October 19 through 23, 2015, as "No Place for Hate Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator BROWNE. Mr. President, as was mentioned, this resolution designates October 19 through 23 as "No Place for Hate Week" in Pennsylvania. The Anti-Defamation League was founded in October 1913 to fight anti-Semitism and to secure justice and fair treatment for all. It is a tremendous mission, given Pennsylvania's historical legacy of being a place of inclusion. Now, as one of the nation's premier civil rights/human relations agencies, the Anti-Defamation League continues the fight against anti-Semitism and all forms of bigotry, defends democratic ideals, and protects civil rights for all.

As part of the organization's efforts, the No Place for Hate program was established as an outreach effort designed to empower schools and communities, to challenge racism, hatred, anti-Semitism, and bigotry. By reducing bias and increasing appreciation for diversity, No Place for Hate is an innovative and powerful method for building communities of respect. No Place for Hate has proven to be an invaluable resource to communities throughout the Commonwealth.

Mr. President, I ask my colleagues to join me in an affirmative vote on this resolution designating October 19 through 23 as No Place for Hate Week in Pennsylvania.

The PRESIDENT. The Chair thanks the gentleman for a very important resolution. There is no place for hate.

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 Schuylkill ACHIEVE by Senator Argall.

Congratulations of the Senate were extended to Victory House of the Lehigh Valley by Senator Boscola.

Congratulations of the Senate were extended to Juliette J. Henriques, Marceline Siffel, Adele Barling Zarecky, Ralph Robert Englert, Phyllis May Hutchings and to Saint Stephen of Hungary Parish of Allentown by Senator Browne.

Congratulations of the Senate were extended to Danielle Cassidy, Jos Medina, Kim Capers and to Air Products and Chemicals, Inc., by Senators Browne, Boscola, and Scavello.

Congratulations of the Senate were extended to the Honorable Bernard L. McGinley by Senator Costa.

Congratulations of the Senate were extended to Dr. Robert H. Hanna, Christine Hayes, Michele Mallon, Louis Marcelli, Saint Agnes Catholic School of West Chester and to Paoli Hospital Auxiliary by Senator Dinniman.

Congratulations of the Senate were extended to Marian Moskowitz by Senator Dinniman and others.

Congratulations of the Senate were extended to William G. Schalin and to Alan C. Knight by Senator Pileggi.

Congratulations of the Senate were extended to Betty Witt and to Natalie Cynthia Mee by Senator Scarnati.

Congratulations of the Senate were extended to the Honorable Patrick Joseph Murphy and to Reginald L. Hellyer by Senator Tomlinson.

Congratulations of the Senate were extended to Derek Copeland by Senator Williams.

Congratulations of the Senate were extended to Penn State Extension in Cambria County by Senator Wozniak.

Congratulations of the Senate were extended to Andree P. Phillips and to Ruth Nash Basom by Senator Yaw.

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 Marie A. Egan Selzer by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Rose DiGuseppe by Senator Tomlinson.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, OCTOBER 20, 2015

9:30 A.M.	TRANSPORTATION (to consider Senate Bills No. 62 and 146; and House Bills No. 838, 1278, 1335 and 1411)	Room 8E-B East Wing
10:30 A.M.	JUDICIARY (public hearing to examine Senate Bill No. 869 and proposed reforms to the civil system of asset forfeiture in Pennsylvania)	Room 8E-B East Wing

WEDNESDAY, OCTOBER 21, 2015

10:00 A.M.	STATE GOVERNMENT (joint informational session with the House State Government Committee on the new online voter registration system)	Hrg. Rm. 1 North Off.
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MONDAY, OCTOBER 26, 2015

10:00 A.M.	EDUCATION (joint public hearing with the House Education Committee regarding substitute teachers)	Hrg. Rm. 1 North Off.
10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing with the House Veterans Affairs and Emergency Preparedness Committee on disabled veterans property tax relief)	Room 156 Main Capitol

TUESDAY, OCTOBER 27, 2015

9:30 A.M.	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Bills No. 50 and 735; and a public hearing on consumer fireworks in Pennsylvania)	Room 8E-B East Wing
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THURSDAY, NOVEMBER 19, 2015

9:30 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing with the House Veterans Affairs and Emergency Preparedness Committee on the National Guard Youth Challenge Program - Senate Bill No. 56)	Carson Military Acad.
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PETITIONS AND REMONSTRANCES

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

Senator HUGHES. Mr. President, it is always a pleasure to be prepared for you, sir; always a pleasure to be prepared for my friend, the Lieutenant Governor.

Mr. President, I rise today because enough is enough. It is time that we stop the charade and it is time that we understand that there are millions of people in Pennsylvania who are done with the issue, with the fact that this divided government, and only half of this divided government realizes that compromise is necessary to get a State budget. Only half of this institution understands that we need to compromise to get a State budget. As you know, Mr. President, my friend, the Lieutenant Governor, we understand that we have a democratically elected Governor, elected in a landslide, elected with a specific agenda to move Pennsylvania forward. The failures of the last 4 years caused the people to say we cannot take anymore, we have to go in a different direction.

We have to change the course of this Commonwealth and go in a different direction. The failures of the last 4 years caused education scores for Pennsylvania schoolchildren to drop dramatically, when they had been soaring and going up. The failures of the last 4 years caused Pennsylvania's employment situation to drop dramatically--last in the nation in new job creation, last amongst the seven-State region in private sector job creation, and last in terms of a very important issue of raising the minimum wage, which I will deal with very shortly, Mr. President. The people in this Commonwealth said that we have to go in a different way in this State, that we have to do something different, and they sent a strong and clear message in a landslide election, and elected a new Governor. First time in the history of the Com-

monwealth of Pennsylvania. They said we must do something different. We cannot be last in private sector job creation, we cannot be at the bottom in terms of our education system, we cannot be the laughingstock of the nation where we are the only State in the nation that does not provide a fair and balanced taxing situation on the Marcellus Shale industry and how we let these millionaires become billionaires on our watch. That is what the people wanted, and we got a new Governor.

The Governor put out a budget proposal in March of this year. He said this is where we want to go. This is what we need to do. We need to change our education system, we need to change our employment system, we need to bring some fairness and provide a tax on the shale industry so that they can pay at least as much as every small business taxpayer pays in the Commonwealth of Pennsylvania. That is what they asked for, and that is what he offered up. That is what he put on the table, Mr. President, a fair budget, a fair proposal.

In addition to trying to do the good things that I just talked about, he also recognized that we have a \$1.3 billion structural budget deficit in Pennsylvania that has to be addressed. It cannot be ignored. We cannot walk away from it, because if we walk away from that fiscal irresponsibility of the failures of the last 4 years, we will only be doomed to repeat those failures, and Pennsylvania's people cannot go through that hell any longer. It was a failure. A clear, consistent failure across the board, and, in fact, while everywhere else in the nation was trending Republican, the people in the Commonwealth said we are not having any more failures, we want to have a Democratic Governor, and they elected one.

He put out a budget proposal, and we have gone through the charade of the last 4 to 5 months, Mr. President, of having what we call negotiations. Well, negotiations only exist when one side, understanding that we have a divided government, and that only as a result of gerrymandering are the Republicans in charge of the Senate and the House, that is the reality. It is a divided government, so there must be compromise on both sides, and in every situation in the budget negotiations our Governor, elected by a mandate, elected by a landslide, has chosen to compromise. He compromised on his tax proposal, he compromised on his economic development proposal, he has compromised on every single proposal, even the ideas that the Majority in the House and the Senate want to do - the privatization of our liquor system and the destruction of our pension system. That is what they want. They want to put liquor on every block, in every neighborhood, in every community. They want to say, I will give you money for education, but you have to free up the booze, so it becomes, Mr. President, a booze-for-kids conversation, which is totally without integrity and lacks merit on its face.

He has compromised on each one of those issues. What have we gotten on the other side? Nothing. No compromise. No willingness to give up. No willingness to give in. No willingness to understand that the people want something different. What they give up on the other side is the same old you know what: same old tired politics, same old tired policies, same-old-same-old, and we cannot go for the okie-dokie anymore. It has to change. The attitude has to change. What is clear now is that the madness that exists in Washington, D.C., in the Republican Party has now visited itself in Harrisburg. It has now spread itself across the table in Harrisburg. It interferes with smart, thoughtful public policy conversations that need to be put in place, and it interferes

with us trying to move everything forward. That is what we get from the other side.

Most emblematic, in the lack of sensitivity on the other side, is the issue of raising the minimum wage. Now, what we see, Mr. President, is that California has raised their minimum wage to \$10 an hour. What we see, Mr. President, is Connecticut has raised their minimum wage to \$9.60 an hour. What we see, Mr. President, is that the District of Columbia has raised their minimum wage to \$11.50 an hour. Maryland has raised their minimum wage, effective July 1, 2016, to \$8.75. In New York, effective December 31, 2015, has raised their minimum wage. West Virginia has raised their minimum wage. Ohio has done so, New Jersey has done so, Delaware has done so, but the only State in the nation, the only State in the seven-State region that has not raised their minimum wage is the State of Pennsylvania, and the only people blocking that from happening is the Majority in the House and the Majority in the Senate. They blocked it for the last 4 years. They are blocking it for a fifth year. And what do we get in their proposal? Their baseline proposal about raising the minimum wage in Pennsylvania is some maddening piece of legislation that keeps Pennsylvania's people in poverty. That is what we get from the other side, a maddening piece of legislation that keeps people in poverty. It keeps people in poverty.

I guess that is what the Republican Party wants in Pennsylvania. It seems that is what they want, nationally, to keep people in poverty. We want to raise the minimum wage. Drive it up. Make sure that everyone gets paid a fair amount of money for the fair amount of hours that they put in. We want people to rise up and climb out of poverty, to in fact work their way out of poverty. What the Majority wants, based on this proposal, introduced by the good Senator from York, Pennsylvania, he wants to keep people in poverty. Basically, it is slave wages. That is his proposal. That is their proposal. That is their concept. Consequently, as a result of that, as a result of them being held hostages for this maniacal policy that keeps people in poverty, we are stuck and the people in Pennsylvania are stuck and low-income working people in Pennsylvania are stuck based on this policy to keep people in poverty. Held hostage. Millions of low-income working people held hostage, Mr. President, denied their opportunity to work their way out of poverty based on a concept that would only keep them in poverty, if we were foolish enough to go down that path. But it seems, Mr. President, we cannot even get a vote on that piece of legislation, let alone any other minimum wage legislation. It seems, Mr. President, that this State is being held hostage by a handful of my colleagues who are going around threatening people, in their own party and outside of their party, about what they believe to be the right and righteous thing to do for the people of the Commonwealth of Pennsylvania, even though the people have said they wanted something different, even though the people have said they wanted to raise the minimum wage, even though the people have said through all of the research that if you raise the minimum wage, that the standard of living for everybody goes up and there is no job loss.

Some people, who are millionaires in and of themselves, feel that it is okay for them to keep their foot on the neck of low-income working people, and that is unacceptable. That is unacceptable, and it is time that we rise up and rise out against that kind of attitude, against that kind of thinking, that we wake up and understand what is holding the people back, that we wake up and understand what is holding the budget negotiations back,

that we wake up and understand that this is unacceptable for the people of Pennsylvania. We are elected by hundreds of thousands of people in our own senatorial districts to do the right and righteous thing for every one of our constituents, especially for the least of these. Those who run around here proclaiming Christian and thoughtful, loving, compassionate values cannot even evidence it in the legislation that they introduce, because it would simply keep people in poverty.

Well, we are not elected to keep people down. We are not elected to have our elective foots on the neck of low-income working people while we hobnob and hang around with the lifestyles of the rich and famous, fly around in our own personal transportation vehicles from here and there and look down on people. How dare you, Mr. President, look down on people, the people you are elected to take care of. There is a saying, Mr. President, that some folks are born with a silver spoon in their mouth. There is also a saying that some folks operate with a silver foot in their mouth. And with that silver foot in their mouth, they treat people as less than a human being that they are, and they treat them with the policies that they advocate for. They would rather see low-income working people not work their way out of poverty at an appropriate wage, all right? They would rather have them stay in poverty at an inappropriate wage. They would rather not give them the health insurance that they deserve to have. They would rather not give them a few days off during the course of a month or year so that they can deal with their own sicknesses or the sicknesses of their family. It is a derailed, derailed attitude that exists and that has invaded this body that does not allow for commonsense conversations that will only hold Pennsylvania back further.

We will wind up, Mr. President, if we do not do the right thing, gaining a fifth year of the 4 years' worth of failure supervised by the Majority in this Chamber, held hostage by one or two individuals in that Majority to hold people back. I am real clear, Mr. President, and I am secure with my maker about what I say and what I do. I am free like that. I know that working on the behalf of struggling individuals, folks in nursing homes, folks who have not had the benefit of having a silver spoon put in their mouth, of not having the benefit of making money off of low-income communities, I am real clear that that is the mission that we should all be about. That is what all of this around these walls represent, Mr. President, the opportunity to take care of the least of these. That is what this State was created on. That is what this nation was supposed to have been created on, the opportunity to take care of the least of these, not to advantage those who already have, though we are being held hostage by one side who chooses not to want to compromise.

I met with 30 or so human service providers this past Friday, Mr. President, folks that you would know. Folks who have served your old Senate district, my district, people throughout the region, the most populous region in the Commonwealth of Pennsylvania. People who are taking care of children who have disabilities, that we would pray that our children and grandchildren never have to suffer from. People who take care of folks who have mental health and mental retardation problems, and people who would put their lives on the line to make sure that circumstances are better for the individuals whose care they are entrusted. I raised a question with them. I said, hey, would you be willing to pay a little bit more in your personal income tax so that you could get a benefit on the back end and maybe a little reduc-

tion in your wage tax or property tax, but also to make sure that your programs are fully funded so that they can be secure and go forward, would you be willing? They said absolutely yes, without any hesitation. We will pay a few more dollars out of our pockets to make sure that it is for the best of everybody.

These are the individuals, I would suggest, Mr. President, who are not filthy rich, who do not have their own personal transportation systems to carry them from here and there and to look down on people. These are people who are struggling mightily every day, who work hard every day to make a difference in people's lives every day, for little or no salary. They do it every day. They depend upon the good benefits and the coffers of the Commonwealth of Pennsylvania to try to create a bit of an equal playing field. But, they are being held back, and they said thank you for helping us to understand the total picture. Thank you for helping us to understand what is really going on. Thank you for fighting against the 4 years of cuts from the previous administration and trying to get those dollars restored so that we could get closer to trying to provide something good for our people. Thank you, Mr. President, that is what they said. They said, thank you, Senator. We appreciate it. We have a better understanding, and yes, we understand that it will be hard, it would be tough, but we will pay a few more dollars out of our own personal paychecks so that the people we take care of can get the appropriate amount of service or get close to the appropriate amount of services that they deserve to have. We will do that.

Understand this, Mr. President, we also have to figure out how to deal with the wage scale of our workers. They said we have to figure out how to deal with the wage scale of our workers, because right now we are not able to pay our folks a whole lot of cash. They are making minimum wage. Maybe a few pennies more--about \$7.25 an hour--that is what they are making. So, we have to make sure that we are fair for them because, quite frankly, Mr. President, they said that a lot of the folks who are working in their programs also wind up having to be served by their programs. So, they are caught in a vice, in a trap. They are caught in an economic trap from which they cannot escape. The reason why they cannot escape, Mr. President, is because of the thinking of so many folks in the Majority in this Chamber, driven probably by one person who says that it is okay for poor people to get poorer, who says that low-income working people, and this is a quote, I believe admitted to on the floor of this body, said that all they are thinking about is where they are going to get their next drugs from. He said it is okay, they really do not go to work anyway. He scoffed at low-income working people; hated low-income working people; introduced legislation that would make sure that low-income working people stay low-income working people, or almost better yet, become no-income working people. That is a time that we were supposed to have gotten rid of hundreds of years ago, Mr. President.

It seems like there are some in this Chamber, in this body, who want to keep people that way. They choose not to invest in their education system, they choose not to invest in their income, they choose not to invest in their chances about transforming their life, transforming their situation, they choose not to invest in the resiliency that exists in so many of these individuals, and they want to hold up our opportunity to try to make a better way for thousands, if not millions, of people in this Commonwealth who are only looking for a little bit of help.

Before I came to Harrisburg this morning, Mr. President, I listened to a radio program. There was a young man being interviewed. He figured out his way to get to La Salle College. You know that institution, Mr. President, a fine university in Philadelphia, southeastern Pennsylvania, which serves thousands. He figured out a way to get to La Salle University. Why is his story so special, Mr. President? Because for most of his 4 years while he was in high school, he was homeless. He was living on the street. He was living in a shelter. He was living in a diner, catching naps or brushing his teeth in a local diner or local fast-food place. He knew he made some bad decisions. He knew there were some family issues that he could not get through, but he was homeless for most of his high school years. He figured out a way to get through. He figured out a way to get to college. That is the exception and not the rule, Mr. President. That is the exception that represents the resiliency and represents the potentiality of so many of our young people and so many of the citizens of the Commonwealth of Pennsylvania.

With a little bit of help and with a little bit of support, Mr. President, thousands, if not millions, of young people can have the same opportunity, with a little bit of help. Maybe, or it seems like, there are folks around here who do not want to provide that assistance to these folks. They would rather keep them in poverty. They would rather keep them down. They would rather keep their senatorial shoe on their neck so they never get a chance to rise up. Well, I reject that. I reject that concept, I reject that principle, and I reject the nonsense legislation that comes out of that, raising the minimum wage to \$8.50 or \$8.75 an hour.

The PRESIDENT. Senator, be at ease for one second. Senator, you are great. You have been on a roll. I know you are a passionate guy, but for purposes of the Senate Rules, just keep them in mind. Your passion is certainly important and relevant. The Senate Rules guide us to use great caution with regard to anything that might be construed as of a personal nature or of a personal attack on another Member, and I ask the Senator to just keep that in mind as he proceeds.

Please proceed, Senator Hughes.

Senator HUGHES. Mr. President, so noted, and I appreciate your knowledge and your recognition of my passion. I am also pleased that I am recognized for the substance of what I am speaking about here. The legislation that I am referring to--and I do not know if we can get a Senate bill on this particular piece of legislation, but that would be helpful--it would raise the minimum wage to \$8.75 an hour in 50-cent increments over 3 years. Now, every other State around Pennsylvania is above that. So, I guess we would like to see folks move to those other States so that they can get a better pay scale. Maybe that is the philosophy, and not get a good pay scale here in Pennsylvania. It is interesting, as you would note, Mr. President, that in 2006, we, the State of Pennsylvania, beat the Federal government and raised our minimum wage prior to the Federal government raising its minimum wage. You were part of that historic occasion, Mr. President. You were part of that. You voted for that. You signed on to that. We were historic and recognized around the nation for that historic effort. Well, now we have an opportunity to do the same.

The crime is we cannot even get a vote on this particular piece of legislation, which raises the minimum wage over a 3-year period to a whopping \$8.75 an hour. We cannot even get a vote on that, let alone something much more impactful to low-income working people and to the entire community at large, which is to

raise the minimum wage at least to \$10.10 an hour. Many of us are believers in the concept of \$15 an hour, which would be much more appropriate and a greater opportunity to lift people out of poverty. Again, I remind you, all of the research indicates that when you raise the minimum wage, you do not kill jobs. All of the research indicates that. We are locked in. We are trapped. We cannot get a compromise going on and we cannot get a deal going on so that the people can get the resources and services that they need because of an ideology that is transcending real, thoughtful, and honest public policy conversation.

Mr. President, it is a sad day. We have come to a sad moment in the history of this State where the people have asked us for one thing and we are giving them something exactly the opposite of what they have asked for. The people have said they will pay a little bit more if they get something in return, if they get an investment in our education system, if they get an investment in raising the minimum wage, if they get an investment in human service programs and restore their funding, and move people to a point of humanity and humaneness.

I represent a district, Mr. President, that has the tale of two worlds. It has an education system that is paying about \$12,000 per child. Less than a mile and a half, in fact 1.8 miles, there is another education system where they are spending about \$24,000 per child. The State is supposed to be the equalizer in that process. The Majority in the House and the Majority in the Senate have chosen to look the other way when it is time to equalize that, when it is time to create a fair and balanced playing field for all of Pennsylvania's children. I submit, Mr. President, that the children in Philadelphia are just as equal and just as important as the children in any other community across the Commonwealth of Pennsylvania. It is solely and simply because they live in a community that does not have the same local economic wealth. The State is supposed to make up the difference, but there are those in this Chamber who continue to want to perpetuate the policies of the last 4 years, the failed policies of the last 4 years, the policies that only show more deeply and more clearly an inequity that exists.

I want to make an observation, Mr. President, just an observation. I make no accusation, but just an observation. I wonder, Mr. President, if these children were not black, if these children were not brown, would the policies still be the same? Would the funding equation still be the same? I wonder, Mr. President. It is a question that hundreds of thousands of people in cities across this Commonwealth of Pennsylvania and in cities across the nation are asking the same thing. I wonder. When are my children going to get a chance to have the opportunity to have a swimming pool in their school and to have books? Believe it or not, Mr. President, school books in their school. I wonder--when the parents ask the question, why do my children have to be in a classroom where there are 33, 34, 35 kids in a class? Why do my children have to be in a classroom where there are almost 60 or 70 children in a classroom? But the people in the Majority in this Chamber, controlled by one or two, seem to say that is okay. That inequity is okay. It is all right to have two kinds of education systems: those for those who have, those for those who do not have. I say, as an observation, that the ones who do not have, consistently seem to be black and brown.

So, Mr. President, we have to get out of these circumstances. We have to jettison this idea. We have to move forward and represent the interests of all the people across the Commonwealth

of Pennsylvania to give people a fair shot and not be ruled over by some dictatorship kind of attitude or philosophy that exists on the Majority side equation of this party, of this Chamber, and of this building. We have to move forward, Mr. President. We have to raise the wage of the people of the Commonwealth of Pennsylvania, all of them, and not keep them in poverty. We have to provide for a fully funded education system that recognizes that black and brown children are just as equal and just as important as anyone else in this Commonwealth, and that there be a fair chance and a fair opportunity for everyone. Where is the moral outrage that we allow that to stay in place? Where we allow schools to not have nurses in them? Where we allow schools to not have substitute teachers in them? Where we say that is acceptable and that is okay in the schools where the kids are black and brown, as opposed to the schools where they are white. There is a philosophy that exists that we must rid ourselves of once and for all so that we can go back to dealing with the needs of the people of the Commonwealth of Pennsylvania and find the commonality that exists in all of us, and when there is a difference, discuss it and negotiate it fairly and appropriately; not be threatened either politically or personally.

Mr. President, we can do better. It is time we did. It is time that every one of us chooses to do the right thing and to do the best for the people that they represent and not do the worst. Washington, D.C., has invaded the Capitol of the Commonwealth of Pennsylvania. Philosophies that exist in Washington have now come into this Chamber. Search and destroy, seek and destroy no matter who you are, to keep people in poverty, to keep people in an education system that does absolutely nothing for them, to not provide fair services for them, to not recognize compromise as a way to go. That is what we are dealing with here in Pennsylvania, Mr. President. It needs to be rejected, rejected flatly, and rejected wholeheartedly. We can do better. We have a responsibility to do better. We have a responsibility to make sure that everyone, no matter what their circumstance is, can see the light at the end of the tunnel and figure out a way to achieve that light. It is our moral obligation, it is our responsibility, it is what we signed up for, and it is what we took the pledge for, to do the right thing for everyone in Pennsylvania and not trade off negatives to achieve a negative event.

Walmart raised their minimum wage, West Virginia raised their minimum wage, New York raised its minimum wage, Maryland raised its minimum wage, D.C. raised its minimum wage, Connecticut raised its minimum wage, and California raised its minimum wage. Office workers who clean buildings in the city of Philadelphia just agreed upon a contract resolution where they will be paid almost \$19 an hour. Congratulations to them. They raised their minimum wage.

Fast food workers in communities all across the nation have stood up for themselves, they raised their minimum wage. They had to go to through civil disobedience to raise their minimum wage. Why can we not do the same? Why can we not do the same? Why should we not be in the business of helping people out and not keeping them in the poverty that is most accurately evidenced in Senate Bill No. 610, which would keep them in poverty perpetually. Perpetual poverty, that is what the Majority seems to want. That is unacceptable. We can and should do better.

Thank you, Mr. President.

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

Senator WAGNER. Mr. President, good afternoon. I will be as brief as possible. My colleague on the other side of the aisle made a comment that the Republican Party wants to keep people in poverty. Frankly, I am insulted by that, because I am a Republican, and this coming Friday I will sign the front of approximately 600 paychecks at my various companies in York County. I want to do everything to help the people who work for my companies do better. I want to see them buy homes, I want to see them buy cars, I want to see them send their children to college. I think that the idea that the Republican Party or a Republican wants to keep people in poverty is downright insulting.

Senator Hughes opened up the door, the Pandora's Box. He talked about Walmart, how they keep their people in poverty. Well, last week in *The Wall Street Journal*, and I am encouraging people up here to read *The Wall Street Journal* a bit more, the average truck driver, when a Walmart tractor-trailer passes by--

POINT OF ORDER

Senator WILLIAMS. Mr. President, point of order.

The PRESIDENT. Senator Williams, with a point of order.

Senator WILLIAMS. Mr. President, I do not intend to be involved in the debate, but I do intend to make sure the debate is equal. The gentleman referred to a specific Member of the Senate. I do believe that Senate rules not only talk about the motivation, but we should not be using a person's name on this floor in conversation.

The PRESIDENT. The point of order is well taken, Senator Williams. Generally, the etiquette and decorum we practice in the Senate Chamber is to not refer to other Senators by their name, but rather, as an example, the Senator from Philadelphia or the Senator from Montgomery County. So, thank you, Senator Williams.

Senator Wagner, I think you have heard, and I ask you to keep that in mind as you proceed.

Senator WILLIAMS. Mr. President, there is one other item I would like to add. I apologize. Motivations, we are not supposed to inquire with regard to motivations. I have been reminded of that, myself, personally, so I suggest that since this dialogue is apparently going on for a while, that we be mindful of that.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the Senator and appreciates his remarks and interest in the decorum and practice of the Senate.

Senator Wagner, please proceed.

Senator WAGNER. Mr. President, I came to the Senate because I want to see Pennsylvania do better. That is why I am here. I am not here to try to make more money for myself. I want to see Pennsylvania do better, and it can do better.

As I was mentioning, if a Walmart tractor-trailer passes you on the highway, on I-81 or the Turnpike, *The Wall Street Journal* reported that the average Walmart tractor-trailer driver makes \$78,000 per year, and that is much greater than minimum wage. It was reported in *The Wall Street Journal*, I believe on Saturday or last Friday, that there is a truck driver shortage nationwide, 48,000 drivers short in the trucking industry. It had a picture of a young man who, I believe, lived in New Hampshire or Maine.

This year, at 34 years old, he will make \$70,000. In southcentral Pennsylvania, we have 3,400 job openings for skilled workers - welders, carpenters, plumbers, et cetera. There are a lot of opportunities. We have a Governor right now who vetoed our budget. Then we passed an emergency funding package, and he vetoed that. And it is affecting our community. It is affecting communities all over the State of Pennsylvania.

In my district, I have two charter schools, and I learned, through a teach of whom I am a friend, that this school could not buy supplies. So, I went to the school 2 weeks ago. I went unannounced, did not have an appointment, and I showed up at the school, and in the courtyard were approximately 750 students, K through 5. I was invited to the program to stay and be a part of the program, and after the program I spent time with the principal. I learned their financial situation. There is money owed from the school district that they are a part of. They are owed money by the State of Pennsylvania for the 2014-15 year, Federal money that is being held up by the State. There is the 2015-16 money that is involved. And I went to the school, I spent probably a good 12 to 15 hours trying to help them through their financial situations. I never looked at any of those children and said they are white, they are brown, they are dark, whatever. Those kids, the K through 5 children who I saw that day out in courtyard, are innocent children. These children are becoming a victim of what is going on here in Harrisburg. And the school to which I was just referring was the Lincoln Charter School, 750 students in K through 5.

There is another school, the Helen Thackston Charter School, with 534 students, grades 6 through 12. Last Friday they were unable to make payroll. They are out of money. I am working on a plea to the community, and I am going to be involved in this, where we are going to help them raise money so they can make payroll every other week. I am a Republican. I do not want to see these children on the street, because a lot of these children come from unstable households, and if they do not go to school, a place that they really love to go every single day, there are going to be truancy problems. I am in the thick of this big time. I am determined, and trust me, these two schools will not close in my district. One way or another, we will figure it out. They are a victim of this budget.

When I tell you today that I am an employer and I employ approximately 600 people, last Friday those paychecks were issued and this Wednesday, all of the withholding money that was taken out of the paychecks from the employees in my various companies, the money will be sent to the State of Pennsylvania for their employee withholding. If someone walks into a car dealership today and purchases a car, the 6-percent sales tax transaction will take place. The bank account is building up. So we have a standoff. We have a Governor who has said publicly, I will not cave. Well, that is a problem.

I came to Harrisburg, and I will tell you, what I have learned in the last 18 months is mind-boggling. It is like nobody cares up here. There is no one, no owner in this building tonight who is going to walk around and turn out the lights, like I have done in my business and like hundreds of thousands of business owners are going to do tonight in their businesses. The business owners are going to turn down the heat in their buildings before they leave. There is nobody doing it up here. And I think we all agree, yes, this is a beautiful Capitol, but trust me, it is well lit up at night.

We are making up today for over 20 years of sins. We have many Members in the House and Senate who voted for the pension bill in 2001, but do you know what angers me and incenses me? When PennLive did a story 4 months ago and reports 983 people who are getting over \$100,000 a year. What angers me is when I learn that the top two recipients of pensions in the State of Pennsylvania are former Penn State muckety-mucks, the top guy receiving \$477,000 a year for the rest of his life, and the second person \$455,000 per year for the rest of his life.

This place is out of control, and the answer is not raising taxes or, in my world, throwing more money at the problem, because we are going to be back here next year. We have to solve the problem. There are some cuts that need to be made, and they are going to be painful.

There is constant report after report after report of abuses and wasteful spending up here. There was a report done 3 or 4 years ago by the Auditor General on the Department of Human Services, a billion dollars' worth of welfare fraud. Well, I want to know what the heck has been done about that. Show me the report. I want to see it.

I am sick and tired of hearing about, we need to raise taxes and this will solve the problem, because it is not going to solve the problem. I picked up the paper, I think it was back in April, and I read about in Philadelphia ghost teachers who are paid \$1.7 million in salaries but they have never stepped foot in a classroom, and they are being employed by the Philadelphia teachers' union. I think in July I saw an article in the paper about the Philadelphia School District spending \$4 million in legal fees to defend themselves over no-bid contracts for surveillance cameras.

I am here to represent the people in my district. Until we start holding people accountable, I am a "no" vote, period, on tax increases. We do not need tax increases right now. We need to solve the problems, and we have a lot of problems.

The answer is, tax the gas people. Well, you know what, if we did tax the gas people, according to the percentage of tax that is being proposed by the Governor, it would only raise, I think, \$98 million or \$105 million.

So the answer is, we have to take care of our problems first. You know what? I do not think the people up here in the House or Senate have the courage to do that. It is really a sad day. It is a very sad day, but meanwhile our social agencies, our schools, because, people, I do not care what party you are from, there is no courage to dive in and take care of the real problems that are plaguing us. It is like cancer. The pension problem, it is a cancer. It is going to continue to eat at us until we take care of it.

We have a lot of other issues. Many people in the private sector are experiencing dramatic, and I mean dramatic, healthcare costs in their companies. Well, I have a suggestion for Governor Wolf. Governor Wolf, why do you not ask every teacher, every State employee if they would be willing to pay \$5 a week more toward their health insurance. That is \$250 a year. If you asked people who are retired who enjoy this lavish, generous healthcare package that is provided to them by the State, ask everybody, and even employees who are listening to me tonight in the Senate, ask them to pay \$5 a week or \$250 a year more. Based on my calculations, this would raise somewhere between \$200 million and \$300 million more toward offsetting the costs of increasing healthcare.

I have not seen anybody up here ask anybody to do any sacrificing. Allegedly, the sacrificing that is taking place is on the streets. I will tell you that I am in a business where I cannot hide income. Nobody wants to talk about the underground economy, the cash economy in Pennsylvania or other States. There are a lot of businesses that have cash transactions. They do not report 100 hundred percent of their revenue. If everybody just stepped up to the plate and paid their fair share, and if the Federal government would change the Tax Code, maybe Apple computer would consider bringing, I believe, the \$800 billion in cash that they have in another country back on shore. There are lists, there are dozens and dozens of companies, they are based here but they are not domiciled here, if you know what that means.

So we have a lot of problems to take care of, and I am willing to pay my fair share, and the people I represent are willing to pay their fair share, but you know what, I can tell you standing here tonight, I have had enough. It is time we start making some tough decisions.

I will tell you, when I leave here tonight, one thing that I am going to be on my phone about, and I am going to check my email, I want to know how these two charter schools are doing in my district. It is very important to me. The total students between those two schools is 1,300. You know what? I walked in, I did not look at what color they were, I saw K through 5 students, and I saw the innocence of those children, all wearing uniforms, some with their shirttails out, some did not have belts, but you know what, they were very polite and they were innocent. The 6 through 12 students, I visited the school, unbelievably polite children. Right now, this is my number one priority in my Senate district, these two charter schools.

I just want to leave with you tonight, Mr. President, it does not matter where they came from, who they are, these two schools are going to stay open. So I think it is time we do our job so we can help make sure that these schools and other schools throughout the State of Pennsylvania stay open.

The PRESIDENT. For the information of the Members, the last time you spoke, Senator, about the issue of the lights being on, I considered it to be an important issue. We have been told that the lights are turned off and monitored regularly, but we will make sure, because we would hate to see the resources of the people of Pennsylvania squandered.

The Chair recognizes, for the second time, the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, being someone who has put in long hours in this building for a number of years, as has been so aptly pointed out by one of my colleagues, I know very clearly that the lights get turned off around here late at night, and I know very clearly that the thermostat is reduced in this building late at night, but you have to be in the building late at night to know that these things happen late at night. That is just a fact.

I have the responsibility, Mr. President, of representing a district that has an interesting and wonderful combination of charter schools and traditional public schools. What I have the responsibility of, Mr. President, is looking out for all of the children, no matter what school they may be in. Whether it be the Global Leadership Academy Charter School, or whether it be Martha Washington, a traditional public school. I have the responsibility of making sure that all of the children are looked after, not just a few. I have the responsibility of making sure that the children at Plymouth-Whitemarsh High School and Upper Dublin High

School, Mr. President, Upper Dublin with the brand new \$108 million high school; a high school with a swimming pool in it, a high school with the six flat-screen TV webcenter in it that can determine lightning strikes from a 300-mile radius, a high school which averages about 12, 13, 14 or 15 kids in a classroom, even that high school, which spends about \$24,000 a year per student, I have a responsibility to keep an eye on them and look out for them and make sure that things are going well in that community. It is a different kind of an eye, but it is an eye that I must have to make sure that they are all right.

Now, the different kind of eye happens in Overbrook High School, where the fourth and fifth floors have been mothballed, which averages probably about 35 kids in a classroom, which does not have enough substitute teachers to come in. I do not believe they have a nurse there at Overbrook either. They definitely do not have a swimming pool. They have less than what everyone else has, or at least what they have in those districts that do have. What I do know, Mr. President, is those kids are just as important and just as valuable as the kids in any charter school, any other traditional public school, any other archdiocese school, or any school in the city or the suburbs or in a rural area. They are just as valuable, just as important, and require me to have an eye on them as I have an eye on Global's kids, as I have an eye on Imhotep Charter School, as I have an eye on Martha Washington, and H.C. Lea, and Cassidy, and all of the rest. I have an eye on all of them because all of these children are as important as each and everyone else, and each and every student is important.

I just happened to be watching TV one night and PCN was on and there was a really fantastic school leader, a district leader who is known around the State and is known around the nation for innovative ideas, and not just innovative ideas, but innovative implementation of those ideas. He just so happened to be talking to 400 or so other teachers and school leaders in a conference about innovation, and I learned a lot. He happens to be from the York area. I do not think York City, but right outside. One of the things that I learned is that his kids, he does not have to deal with textbook costs because the kids in his school all learn off of--what do they call them? Notebooks, tablets. That is what they learn off of, Mr. President. That is where they get their education from. They learn off of tablets and off of notebooks. Somebody obviously kept an eye on them. A different kind of eye, but an eye, nonetheless. Kids in other public schools around the Commonwealth cannot even find a textbook, let alone a tablet or a notebook. Parents or teachers have to bring in resources to help staff and support the classes. Copy paper, reams of copy paper have to be brought in. They have to buy it themselves and bring it in. Now mind you, these are teachers who have not had a raise in 4 years, operating without a contract.

So, I will just say this, Mr. President, we will be judged in the end by how we deal with the least of these. In the end, Mr. President, we will be judged by not how many more millionaires or billionaires we facilitated to move up to the next rung of economic wealth. We will be judged by how we helped those who are at the bottom rung of the economic ladder see a light and a pathway to get themselves through. That will be the judgment for all of us. The question will be asked, when you had the opportunity, when you were given the mantle of leadership and responsibility, when you were entrusted by the people who voted for you to put you in position, what did you do for the least of these? Not

for those who already have. The question will be not how many millionaires you turned into billionaires. The question will be how did you help out those who are living in the streets, who are in homeless shelters, who are suffering from mental health or mental retardation problems, who are autistic, who need a little bit of help, who are working 50 hours a week, 60 hours a week for \$7.25 an hour and can only see them stay in poverty? What did you do for them? How did you help them? That is the question that will be asked.

That is the conversation that will occur at the most important time when we are finally, once and for all, all equal, all at the same level, all in one place. What did you do? How did you help? How did you make a way through for little Johnny, little Jane, or her mother or father? Did you make sure that they were okay? Did you see the resiliency and the brilliance in that young student who was living on the streets for 4 years but still figured out a way to graduate from high school and figured out a way to work the system so that he could get accepted at LaSalle University? Did you see the resilience in that child and understand that, you know what, if that child can be resilient, I just need to provide a little bit of help to some other children so that they can figure their path through? Or did you say that it is okay for them and that they must figure out a way to pull themselves up by their bootstraps? What did you do? How did you answer that question? What did you do?

People ask me, why am I so passionate on this floor? As I said earlier, I am free, baby. I am clear in my conscience. I understand what I am advocating for and fighting for. I am free. So, I am not held back. I know what I am working for. I am passionate because these people, our people, the citizens of this State deserve to have someone stand up and speak the words that they do not have the privilege to speak for themselves, because they are working hard every day trying to make ends meet, or they are trying to raise their family and working three and four and five jobs to make it all come together. Someone has to speak up for them and speak their truth and speak their reality. It is our responsibility to respond to it accordingly. It is not our responsibility to take millionaires and make them billionaires. It is our responsibility to give hope and opportunity and real substance and real support for those who are struggling just to make it through, so that they can realize their own dreams.

Mr. President, with that, and the fact that Walmart workers, who are now making \$8.81 an hour, will get a raise at the end of this year to get to \$9 an hour, and another raise next year to \$10 an hour, the fact that we, as a State, have our minimum wage at \$7.25 an hour, with proposals ahead of us by the Majority party to keep these folks who are in poverty, to lock them into poverty. I say once again we can do better, we should do better, we must do better, and we are charged to do so much more for those who have so much less.

Thank you, Mr. President.

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

Senator BROWNE. Mr. President, the gentleman, my co-chair of the Committee on Appropriations, has talked about a lot of topics today, which I will not get into, but I wanted to take an opportunity to give, again, my perspective on relative positions as they relate to finalizing our joint responsibilities of a General Appropriation Act. There is no doubt that the Governor's agenda coming into his office from a financial perspective is a bold shift

from what has been approved by this Assembly and the previous Governor for the 4 years before that. Things, frankly, that in scale and scope we have a very difficult time accepting as an appropriate path. A 16-percent increase in spending, \$12 billion in additional taxes, things that the Majority in the Senate and the House believe will not put the Commonwealth on a solid footing as it relates to sustainability and competitiveness as it relates to job creation going forward. The gentleman mentioned our challenges as they relate to job creation. We do not believe that expanding the role of State government that significantly into the private sector, in a State that is not competitive as relates to cost now, is the way to go. It is too much. That has been our perspective all along, but we also understand that given his role as the Governor and our role as the Majority in this Assembly we have to come to accommodations. That is why I just wanted to briefly talk about the initial compromise.

There has been this constant refrain by the other side that Members in the Majority of this Assembly have been unwilling to compromise. We understand, and the Governor made this clear, and many Members on this floor made this clear, the importance that he places on education funding. He had stressed that significantly during his campaign. He carried forward with that during his Budget Address, and he has held to that. Requests that cross many line items in the General Fund Department of Education budget, but most significant of which is a request for \$400 million in additional funding to go through our basic education line item to our 500 school districts.

Now, there is always going to be, in this Chamber, and there has always been, a rigorous debate as to the Commonwealth's place when it relates to funding for education, because it relates to many topics. It relates to our revenue capacity, how much we have the ability to invest, and how much we are willing to expand revenue capacity to invest. That is something that will always be up for debate here. What should not be is how we distribute that money. I believe there is a consensus in this building, and hopefully that continues to grow, that we need a fair way to distribute whatever dollars we raise, and that has been something that has been advanced and hopefully will survive through this process.

If you are going to define compromise, and I think the easy way to define it is, where does each party stand on the other party's most important priority? I think it is fair to say that, consistent with my colleague from Philadelphia and his expressing the importance of this to our schools, that the Governor's number one priority is that issue. It is where this government stands as it relates to basic education funding, and he offered up a \$400 million request to this Assembly to consider that. Now, this is where it is important to remember what has happened. Over the last several months we have been going back and forth regarding our relative interests, but there was an offer made. There was an offer made by the Majority in the Senate and the Majority in the House to meet the Governor's request of \$400 million. We recognized the need in Senate Bill No. 1192 with \$100 million and we were willing to go forward and say we will advance a final General Fund appropriation package with \$400 million in basic education, recognizing that this is the Governor's number one priority and understanding his passion and other people's passions in this room as the importance that has to our schools.

So, we were willing to meet his number one priority 100 percent. What we wanted him to fairly consider is, it is not just an

issue of revenue for our schools. It is also an issue of costs. The more cost pressure there is over the long term, the more need for revenue. The biggest cost driver, as it relates to the future, in terms of its unpredictability in what it will do to their ability to support their schools, our local communities, and our ability, is the issue of retirement costs. If we do not get a more predictable system on that, we will never really know what is fair and how much we need to invest going forward.

So that was our position. We wanted the Governor to sincerely consider a fundamental shift away from a platform that has made it almost impossible for this Assembly to predict what costs school districts have to incur to maintain operations. We offered 100 percent of his number one priority and said, we will be willing to advance a final document if you consider a significant move on pension reform, a significant move that really recognizes the problem. What we got back was a proposal--it is being worked on, but at that time--a proposal that affected 3 percent of the total workforce. That the platform that we needed to move to reduce that unpredictability was going to affect and be relevant for only 3 percent of the workforce. So with 100 percent compromise on the Governor's number one position, we got back a proposal that affects 3 percent of the workforce.

Now, if you wanted to find compromise, just on those simple terms, I think the Republicans in this Chamber and the Majority party in the House have moved forward with compromise, and we have been sincere about it. That was a sincere proposal to move things forward, and the Governor rejected it. He said no. He said, I know that \$400 million is my number one priority, but I am not willing to accept that. All right?

So we have to move this forward, and we will move this forward, but in order to move this forward we have to recognize each party's relative contribution to this process so far, what we have done in relative terms and how far we have taken it. Because if we do not do that, given the circumstances that are in place right now and the effect it is having on our constituents, it is going to be really, really hard for us to close, to meet our number one constitutional obligation, and that is to manage the financial affairs of this Commonwealth. I stand ready to continue to move that ball forward, to make compromises that are necessary for human services, compromises that are necessary to deal with the structural deficit. Let us put things in perspective, understand what we have been trying to do, and get down to work to finish the 2015-16 budget, because if we do not, we are not fulfilling our obligations to our constituents.

Thank you very much, Mr. President.

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, October 20, 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 6:17 p.m., Eastern Daylight Saving Time.