

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, OCTOBER 20, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 59

SENATE

TUESDAY, October 20, 2015

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

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

PRAYER

The Chaplain, Most Reverend JOSEPH C. BAMBERA, Bishop of The Diocese of Scranton, offered the following prayer:

Let us pray.

Lord God, in Your word to Isaiah the prophet You proclaimed, let justice descend, you heavens, like dew from above, like gentle rain let the skies drop it down. O God, today we make these words of the prophet our prayer. Let Your spirit descend upon our legislators that justice may reign down upon our Commonwealth, and our laws reflect Your truth. Watch over both the powerful and the powerless that the former may always remember the latter in all they do. Grant peace to our communities, work to our laborers, health, and prosperity to our citizens. May we especially treasure and respect the poor who walk among us and who most clearly reflect Your presence and life in our midst. Help us to serve them generously through the work You have entrusted to our care. In all things, may we give thanks as we remember You, our Creator and gracious God. Amen.

The PRESIDENT. The Chair thanks Bishop Bambera, who is the guest today of Senator Blake.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

**CORRECTION TO NOMINATION
REFERRED TO COMMITTEE**

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

MEMBER OF THE PENNSYLVANIA
BOARD OF PROBATION AND PAROLE

October 20, 2015

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

Please note that the letter dated May 7, 2015, for the nomination of 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, should be corrected to read:

October 19, 2015

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

HOUSE MESSAGES

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 765**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 890**, with the information the House has passed the same without amendments.

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 20, 2015

Senators FONTANA and SCHWANK presented to the Chair **SB 1024**, entitled:

An Act repealing the act of February 12, 2004 (P.L.73, No.11), entitled "An act providing for intergovernmental cooperation in cities of the second class; establishing an intergovernmental authority; providing for financing, for bankruptcy and for sovereign immunity; and making an appropriation."

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, October 20, 2015.

Senators VULAKOVICH, BARTOLOTTA, SCARNATI, COSTA, DINNIMAN, FONTANA, GREENLEAF, HAYWOOD, HUTCHINSON, RAFFERTY, SCAVELLO, VOGEL, YUDICHAK, BAKER, BROWNE, BROOKS, WAGNER, WARD and AUMENT presented to the Chair **SB 1039**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for exemptions and special provisions.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, October 20, 2015.

Senators TEPLITZ, WOZNIAK, SABATINA, COSTA, DINNIMAN, GREENLEAF, TARTAGLIONE, RAFFERTY and AUMENT presented to the Chair **SB 1040**, entitled:

An Act designating the bridge on State Route 225 that crosses the Armstrong Creek in Halifax Township, Dauphin County, as the Staff Sergeant Brian K. Mowery Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, October 20, 2015.

BILLS REPORTED FROM COMMITTEE

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

SB 62 (Pr. No. 41)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for probationary license.

SB 146 (Pr. No. 93)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in accidents and accident reports, further providing for duty to give information and render aid.

HB 838 (Pr. No. 1006)

An Act designating a bridge on that portion of Garrett Road over the Darby Creek, Upper Darby Township, Delaware County, as the Honorable Nicholas A. Micozzie Bridge.

HB 1278 (Pr. No. 1836)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for television equipment.

HB 1335 (Pr. No. 1817)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in powers of department and local authorities, further providing for emergency telephones along Pennsylvania Turnpike.

HB 1411 (Pr. No. 2397) (Amended)

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.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Greenleaf, Senator Rafferty, and Senator Ward, and a legislative leave for Senator Gordner.

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

Senator COSTA. Mr. President, I request temporary Capitol leaves for Senator Leach and Senator Williams.

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Greenleaf, Senator Rafferty, and Senator Ward, and a legislative leave for Senator Gordner.

Senator Costa requests temporary Capitol leaves for Senator Leach and Senator Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of September 16, 2015, is now in print.

The Clerk proceeded to read the Journal of the Session of September 16, 2015.

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

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

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

YEA-48

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**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 Leonard and John-Michael Yuriscic, who are Serving as guest Pages in the Senate. Both Hannah and John-Michael are eighth-grade honor students at Saint Michael School in Greenville.

Hannah is the daughter of John and Kathy Leonard. She is the vice president of her eighth-grade class and has participated in the Academic League Games of America, the Youngstown English Festival, the Pennsylvania Junior Academy of Science, and National History Day. She is a member of her school's varsity cheerleading squad, track and field team, choir, and band. Additionally, she choreographs school musicals and volunteers at Saint Paul's Nursing Home.

John-Michael is the son of Mike and Beth Yuriscic. He is the eighth-grade student council representative at his school. He has taken part in the Pennsylvania Junior Academy of Science, Youngstown English Festival, Math Challenge 24, and National History Day. John-Michael also plays soccer, participates in school musicals, and volunteers at Saint Paul's Nursing Home.

Hannah and John-Michael are accompanied here today by their chaperone and Hannah's mother, Kathy Leonard, who is seated in the Senate gallery. Mr. President and colleagues, I ask the Senate to give my guests its usual warm welcome.

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

(Applause.)

**GUEST OF SENATOR JOHN P. BLAKE
PRESENTED TO THE SENATE**

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

Senator BLAKE. Mr. President, it is a deep honor and privilege to welcome to our Chamber today His Excellency Bishop Bambera from the Diocese of Scranton. I speak on behalf of four Senators because the Bishop's flock extends across a multi-county region of northeastern Pennsylvania. So, I welcome the Bishop on behalf of Senator Scavello, Senator Yudichak, Senator Baker, Senator Yaw, and my colleagues, all who appreciate your leadership, your excellency.

Bishop Bambera was born in Carbondale on March 21, 1956, the son of Irene Kucharski Bambera and the late Joseph Bambera. He attended Saint Rose of Lima Elementary School and graduated from Saint Rose of Lima High School in 1974. Much to the delight of my Leader on the Democratic side, following graduation he enrolled in the University of Pittsburgh and was awarded a bachelor's of arts degree in 1978. In 1978, Bishop Bambera was accepted for studies for the priesthood for the Diocese of Scranton and entered Saint Pius X Seminary in Dalton in September of that year. During that time, he attended the University of Scranton, pursuing courses in theology and philosophy. In 1979, Bishop Bambera continued his studies for priesthood at Mary Immaculate Seminary, Northampton, Pennsylvania, where he was awarded a Master of Divinity degree in 1982. He was ordained to the Diaconate on May 14, 1983, by the Most Rever-

end J. Carroll McCormick and was ordained to the priesthood on November 5, 1983, by the Most Reverend John J. O'Connor.

Bishop Bambera's first priestly assignment was as assistant pastor of the Church of Saint Mary of the Assumption in Scranton. He served in this position until 1987 when he was appointed assistant pastor of the Cathedral of Saint Peter in the city of Scranton. In 1989, Bishop Bambera was appointed to further studies in Canon Law, awarded a licentiate in Canon Law from Saint Paul's University in Ottawa, Canada, and a master's degree in Canon Law from the University of Ottawa in Ottawa, Canada. Following the completion of graduate studies, he was appointed judge in the Tribunal of the Diocese of Scranton. In 1995, Bishop Bambera was appointed by Bishop Timlin to assume the role of Vicar for Priests for the Diocese of Scranton and at the same time, he became the Diocesan director of continuing education for priests. While serving in numerous diocesan positions, Bishop Bambera was appointed administrator and then pastor of the Church of the Holy Name of Jesus in Scranton. He was made Prelate of Honor by His Holiness, Pope John Paul II, in March of 1997, and appointed pastor of my home parish in Archbald, Pennsylvania, the Church of Saint Thomas Aquinas and the Church of Saint Mary of Czestochowa in Eynon in July of 2007. In August of 2009, Bishop Bambera was named Delegate of Cardinal Justin Rigali, who on that day became the apostolic administrator for the Diocese of Scranton in conjunction with the retirement of then-Bishop Joseph Martino. On February 23, 2010, Pope Benedict appointed Bishop Bambera to be the 10th bishop of Scranton.

Bishop Bambera has one sister, Mrs. Karen Hoffman, who along with her husband, Charles, and their daughter Elizabeth and son Charles, live in Stroudsburg in Senator Scavello's district. I just want you to know, Mr. President, that we are deeply blessed to have such a great leader of the flock in the Diocese of Scranton. He is an extraordinary humble and capable individual who is ably leading the Catholic Diocese of Scranton. I would really appreciate a very warm welcome from the Senate for Bishop Joseph Bambera.

The PRESIDENT. Would the guest of Senator Blake, the very distinguished, His Excellency Bishop Bambera, please rise so that the Senate may give you its usual warm welcome. Bishop Bambera, we thank you for a wonderful prayer.

(Applause.)

LEGISLATIVE LEAVE CANCELLED

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

**GUESTS OF SENATOR ROBERT F. TEPLITZ
PRESENTED TO THE SENATE**

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

Senator TEPLITZ. Mr. President, I rise to welcome guests from the Harrisburg region to our Senate Chamber today. With us are members of the board of directors and guests from the Capital Region Partnership for Career Development. I welcome Lynda Morris and Anne Lauritzen from the Capital Region Partnership for Career Development; Robert Manbeck of United Water; Christina Wood of the Pennsylvania Association for College Admission Counseling; Paul Zelusky of the Hershey Com-

pany; Renee McMinn from Lower Dauphin School District; and Andrew Miller and Elizabeth Potter from Central Dauphin School District.

This afternoon I will be introducing a Senate resolution recognizing Pennsylvania Career Development Day. Earlier today in the Rotunda, my guests and I hosted a rally to emphasize the critical need to prepare students for life beyond high school graduation. They highlighted how schools, employers, and post-secondary partners here in the Harrisburg area are working collaboratively to prepare students for the opportunities and challenges of a 21st century workforce. I am pleased that they could come to the Capitol today in support of our students and future workforce. So, Mr. President, I ask that my colleagues join me in welcoming my guests to the Senate today.

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

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, I am honored today to have two guests, Joyce and Steve Ford. Joyce works at the Avon Grove Library, one of the best local libraries in the Commonwealth. Steve is recently retired. They won me, actually in a contest in which they bid and the money goes to the library as a nonprofit organization. Winning me means they can be introduced on the floor, and it also means they get a personalized tour of the Oakley paintings, both here and elsewhere in the Capitol. Because of your generosity, we were able to go into your office and examine the artifacts and the beauty of the Lieutenant Governor's office, which is one of the most beautiful here in the Commonwealth and the Capitol.

I also note that they live in a very famous house in Chester County. A house that dates back to the 18th century. Ann Preston had lived in this house initially. Ann Preston was one of the first women doctors in the United States and later went on to head the Women's Medical College of Pennsylvania. So, I ask that we give a warm welcome to Joyce and Steve Ford, Mr. President.

The PRESIDENT. Will the lucky winners of Senator Dinniman, and the guests of Senator Dinniman, Joyce and Steve, please rise so that the Senate may give you its usual warm welcome.

(Applause.)

GUESTS OF SENATOR JAY COSTA PRESENTED TO THE SENATE

The PRESIDENT. We keep building the momentum. We have some special guests whom I had the pleasure of meeting in my Lieutenant Governor's Office today, and I really enjoyed them and they are my new friends. They are welcome back anytime.

To introduce our special guests, the Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, thank you for taking the time to meet with the students from WPSD, the Western Pennsylvania School for the Deaf. It is my pleasure to introduce them here again to the Senate, the students from the school. The school is

located in my senatorial district, and on many occasions I have had the privilege of being a visitor to the school, particularly the new residence hall that exists there and the great work that they do. WPSD is located on a 21-acre campus that is accessible for all of the students. The students come from all over Pennsylvania, and many of my colleagues in a few moments will be introducing students from their district who make their way there.

Mr. President, the energy of the students powers the campus and they make it the center for learning and growth. The school and its students and faculty and administration are open and warm, and a real asset not only to southwestern Pennsylvania but, quite frankly, as we now know, to our entire Commonwealth. WPSD is fully accredited and the largest center of deaf education in Pennsylvania, and students live in dorms and commute to campus and have been an integral part of the fabric of western Pennsylvania. Mr. President, it truly is my honor to be here today to introduce these young men and women and boys and girls who are here today and allow my colleagues to speak along those lines, as well.

As we know, it is customary here, because we know that they visit us frequently, I ask that my colleagues join me in welcoming them to the Senate floor by the traditional hand signal that we recognize that they are here with us. So I ask my colleagues to join me in doing that at this time.

The PRESIDENT. Will our great guests, who are in the gallery, please rise so that we can welcome you to the Pennsylvania Senate.

("Jazz hands" sign language applause.)

GUESTS OF SENATOR DONALD C. WHITE PRESENTED TO THE SENATE

The PRESIDENT. Further to also send greetings and welcome our guests, the Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, I am happy to follow my friend and colleague, Senator Costa. His words about the Western Pennsylvania School for the Deaf are right on. It is a fabulous institution that we are very blessed to have in the Pittsburgh area, and it serves kids from all over the western part of the State, and including some of my other Senators here in the east, who send their kids to the school.

I have three students from the Western Pennsylvania School for the Deaf from my district who are visiting the Capitol today. I have Braden Elliott and his brother, Bernie Elliott, and they are from the Chicora area. I actually played golf with Braden here not too long ago and he is a budding star. Braden is in the sixth grade and he is a Boy Scout and enjoys playing golf. Bernie is in the fifth grade and really enjoys reading. Also in the group is Shaila Rodriguez, who is from Kittanning. She is in the sixth grade and her interests include karate and basketball. I ask for a nice warm welcome for them, Mr. President.

The PRESIDENT. The Chair thanks Senator White in welcoming our guests.

(Applause.)

GUESTS OF SENATOR WAYNE D. FONTANA PRESENTED TO THE SENATE

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

Senator FONTANA. Mr. President, I would like to introduce two special constituents of mine who are visiting today with the group from the Western Pennsylvania School for the Deaf. Valerie DeVos is a sixth-grade student at WPSD, where she has been a student for 8 years. Her favorite subjects are social studies and science, and she enjoys photography as a hobby. Valerie says what she likes best about WPSD is being involved in the school play, playing sports, chatting with friends, and learning a lot from her great teachers there.

Also, Mr. President, Makenna Hager is here. She is a fifth-grader and has been a student at WPSD since she was 3 years old. Her favorite subjects are art and science. Her teachers have shared with me that Makenna excels in math, and is a positive role model for her entire class. Mr. President, both of these young ladies are very amazing, and I ask my colleagues to join me in extending a warm Senate welcome to both Valerie and Makenna. Thank you.

The PRESIDENT. The Chair thanks Senator Fontana for his welcoming remarks to our friends from WPSD.

GUESTS OF SENATOR SCOTT E. HUTCHINSON PRESENTED TO THE SENATE

The PRESIDENT. Further, to welcome our guests, the Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I, too, welcome all of these students from the Western Pennsylvania School for the Deaf to the Senate today. In particular, I am pleased to have this opportunity to introduce Sierra Woodford. She is a constituent of mine who is visiting today with the school. Sierra is 11 years old. She is a fifth-grader from my hometown of Oil City, Pennsylvania. She enjoys playing soccer, she loves school, and she enjoys helping her teachers and spending time with her friends. Mr. President, please join me in welcoming Sierra to the Pennsylvania Senate.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Hutchinson, for once again welcoming Sierra and all of our guests from WPSD.

GUESTS OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

The PRESIDENT. Further is our good friend, the Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, I rise, along with my colleagues, to also give a warm welcome to the students from the Western Pennsylvania School for the Deaf, but especially I wish to welcome Caleb Hawkins. He comes from the same town as my family's printing company, Dunbar, the center of the universe. So, I wish to welcome Caleb to the Senate.

The PRESIDENT. Thank you for welcoming a special constituent, Senator Stefano, from the center of the universe, Dunbar.

GUESTS OF SENATOR ELDER A. VOGEL PRESENTED TO THE SENATE

The PRESIDENT. Further to recognize our special guests, the Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I also welcome a constituent of mine, Blake Swayne, a sixth-grader from Slippery Rock in

Butler County. He has been at the Western Pennsylvania School for the Deaf since age 2. He is extremely energetic and is loved by his teachers. He enjoys reading and participating in sports, and he always shows good sportsmanship and effort in all that he does. I want to welcome him to the Senate today as well. Thank you.

The PRESIDENT. The Chair thanks Senator Vogel for also welcoming our special guests.

GUESTS OF SENATOR JOHN N. WOZNIAK PRESENTED TO THE SENATE

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

Senator WOZNIAK. Mr. President, obviously, this is the Western Pennsylvania School for the Deaf, but we also have a school for the deaf in Scranton, Pennsylvania, serving a lot of people throughout Pennsylvania. It is my pleasure, because everybody likes to be recognized, I have a young man and this is his second tour here in the Capitol, 2 years in a row. Maleek Washington is in the sixth grade and looking forward to this trip, and we had a nice opportunity to take pictures. I want to tell people a unique thing, because these are challenged young people, and to take a reprise from the United States Army, they are making these children all that they can be. So, congratulations to the Western Pennsylvania School for the Deaf and all of the students who are being educated there.

The PRESIDENT. Now, ladies and gentlemen of the Senate, why do not we give one more round of applause to our friends from the Western Pennsylvania School for the Deaf.

("Jazz hands" sign language applause.)

LEGISLATIVE LEAVE CANCELLED

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

SPECIAL ORDER OF BUSINESS MEMORIAL SERVICE FOR FORMER SENATOR THOMAS F. LAMB

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

Senator COSTA. Mr. President, I rise this afternoon to welcome the opportunity for this special order of business. Today our special order of business is to recognize and honor one of our former Members, former Majority Leader Senator Tom Lamb, Sr. Mr. President, we will be doing a resolution momentarily, but I am honored to be able to stand in the same spot that Senator Lamb stood for many years representing the Democratic Caucus and leading the Democratic Caucus here in the General Assembly. Mr. President, we have a short video we would like to play first before we get to the resolution and remarks. I ask that everyone take a look at the televisions that we have placed here for folks to see the short video.

Thank you, Mr. President.

The PRESIDENT. Let us all now take a look at video.

(Whereupon, a video tribute of the career of the late Senator THOMAS F. LAMB was presented.)

SENATE RESOLUTION No. 219 ADOPTED

Senators COSTA, FONTANA, DINNIMAN, WILEY, BREWSTER, EICHELBERGER, TEPLITZ, KITCHEN, WILIAMS, WARD, BOSCOLA, SCAVELLO, PILEGGI, GREENLEAF, RAFFERTY, McILHINNEY, AUMENT, TARTAGLIONE, VULAKOVICH, HUGHES, SCHWANK, FARNESE, YUDICHAK, MENSCH and BLAKE, by unanimous consent, offered **Senate Resolution No. 219**, entitled:

A RESOLUTION

Remembering the Honorable Thomas F. Lamb of Mt. Lebanon, Allegheny County, esteemed former member of the General Assembly, who died May 7, 2015, at 92 years of age.

WHEREAS, Thomas F. Lamb, a Pittsburgh native, was born on October 22, 1922; and

WHEREAS, Mr. Lamb was a son of James Lamb, a rail yard clerk, and Agnes Dunne Lamb, an Irish immigrant; and

WHEREAS, Mr. Lamb graduated from St. James High School, West End, and earned degrees from Duquesne University and Duquesne University Law School; and

WHEREAS, Mr. Lamb was a veteran of World War II, having attained the rank of lieutenant in the United States Navy; and

WHEREAS, Before embarking on his legislative career, Mr. Lamb worked as an attorney in Beechview; and

WHEREAS, Mr. Lamb was elected in 1958 to the House of Representatives from the 9th District and was reelected to three consecutive terms thereafter; and

WHEREAS, In the Senate, Mr. Lamb represented the 42nd District from 1967 through 1974, rising to the leadership position of Senate Majority Leader; and

WHEREAS, Mr. Lamb spearheaded legislative reforms related to State government, education, public transportation and conservation, including measures for clean streams, mine subsidence and strip mine control; and

WHEREAS, Mr. Lamb was instrumental in the University of Pittsburgh's transition from a private institution to a State-related institution; and

WHEREAS, Mr. Lamb additionally served on the Commission on Interstate Cooperation, Joint State Government Commission and Pennsylvania Legislative Reapportionment Commission of 1971-1973; and

WHEREAS, From 1986 through 1991, Mr. Lamb continued his notable leadership, service and outreach as Secretary of Legislative Affairs of the Commonwealth; and

WHEREAS, Mr. Lamb went on to serve as the first chairman of the board of the statutorily established Port of Pittsburgh Commission; and

WHEREAS, Mr. Lamb was a former trustee of Robert Morris University and former trustee and vice chancellor of government relations of the University of Pittsburgh; and

WHEREAS, A longtime member of the Allegheny County and Pennsylvania Bar Associations, Mr. Lamb generously directed his energies to the Knights of Columbus, American Legion, Veterans of Foreign Wars, Knights of Equity, Pittsburgh Banjo Club and West End Survivors; and

WHEREAS, Mr. Lamb's wife, Barbara Joyce Lamb; sons, Thomas F. Lamb, Jr., James Lamb and Michael Lamb; daughter, Barbara Garvey; sisters, Agnes Lamb and Catherine Williams; brother, James Lamb; and numerous grandchildren and nieces and nephews survive him; therefore be it

RESOLVED, That the Senate remember the Honorable Thomas F. Lamb of Mt. Lebanon, Allegheny County, esteemed former member of the General Assembly, who died May 7, 2015, at 92 years of age; and be it further

RESOLVED, That a copy of this resolution be transmitted to Mrs. Barbara Joyce Lamb.

On the question,
Will the Senate adopt the resolution?

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

Senator COSTA. Mr. President, as I mentioned, it is my honor and privilege this afternoon to rise and say a few words about the Honorable Senator Tom Lamb. As was noted, Senator Lamb began his Senate service here in 1967 representing the 42nd Senatorial District in the city of Pittsburgh and served as Senate Majority Leader from 1970 until his retirement in 1974. Senator Lamb passed away in early May of this year, and, in fact, this coming Thursday he would have celebrated his 93rd birthday. Mr. President, I welcome the Lamb family, who are with us today, to the Senate.

While Tom Lamb's service as a Majority Leader was a short period of time, what he achieved is still with us today. Mr. President, scholars say that the most effective politicians or leaders must have three qualities to be successful: passion, a feeling of responsibility, and a sense of proportion. Senator Tom Lamb had an immense reservoir of each. He loved being a politician, and he loved being with people. His style was never over the top, and compromise was preferable to outright conquest. He knew, as good leaders do, that today's harshest adversaries may in fact be tomorrow's most reliable associates. Balance was essential and honesty critical in dealing with Members and in life.

He came to politics easily. He was plucked from his law practice to run for the Pennsylvania House by Governor David Lawrence, a legendary political figure in the city of Pittsburgh, but also across Pennsylvania. He served in the Pennsylvania House from 1959 to 1966. He saw in Tom what many Pennsylvanians would later see, a talented leader who brought people together. While giving remarks on the Senate floor years ago, our friend and former Senator Mike O'Pake said this about Tom Lamb, it is Tom's abilities on the floor combined with his passion and his willingness to sacrifice totally of himself that made him such a respected leader. Former Democratic Leader Ed Zemprelli said that while Tom was a poor golfer, he, unlike others, could be relied upon to count his score, every stroke, illustrating the point that as a Senator, other Senators never questioned, collectively or individually, his motives or his integrity, which is important. Relationships were the foundation of Tom Lamb's success in his life.

After his career in public service, he was a founding member of an organization in the Pittsburgh area called PALS, Pittsburgh Assorted Lobbyists Society. That was a group of members and individuals whom he had come to know working here in government. They included a number of folks who some of us still probably remember today, Chuck Kolling, from Buchanan Ingersoll, who was one of the founding members. Names like Ernie Varhola, Tommy Thamert, Dennis McManus, and a few others who were part of that group. Mr. President, they would get together on a regular occasion to reminisce about their days in State government, but it was fostering the relationships that they built over the years that was important to Mr. Lamb and the members of that organization. Every memory of Tom Lamb begins and ends with that kind of recollection.

Tom served in the Senate for 8 years. Many here today may think that they have not been or would not have been touched by the presence of Tom Lamb in the Senate, but in truth, they have been. Senator Lamb was elected Majority Leader in 1970 without any opposition. In the early 1970s, Pennsylvania was teetering on the brink of financial collapse and the State was in a

downward spiral, but politics were changing. In fact, in 1970, Democrats took the Majority for the first time in nearly 35 years. New Senate Majority Leader Tom Lamb realized that to make Pennsylvania great, policy lines had to be crossed not with small steps, but with giant leaps. At that time, he helped engineer the passage of Pennsylvania's first income tax, and then when the courts threw it out, he did it again.

He did not stop there. As was mentioned in the video, he helped save the University of Pittsburgh, which was in deep financial trouble and on the brink of financial disaster. He also helped convert our State teachers colleges into State colleges, which ultimately became the current State System of Higher Education that we now know today and schools that collectively educate tens of thousands of Pennsylvania students.

He fought for legislation to clean water and to protect homeowners from mine subsidence. He put together a bipartisan group of Senators to streamline the appointment process here in the Senate, which in the process eliminated the political partisanship that took place and the logjams that were present. He changed the Senate and made it a more civil environment.

Senator Lamb loved music. He loved singing songs and introducing renditions of his Irish ballads "Danny Boy" and "Galway Bay" to the Senate on St. Patrick's Day. He was an incredibly gifted orator, he could construct a novel and compelling argument to help sway votes. He was also an excellent leader and a tough adversary because he had few, if any, enemies. He lived believing that if you treated everyone as you would like to be treated, with compassion, and that compassion should be the order of the day, and that kindness was not weakness but rather a strength. As Leader, he recognized that crisis came and went, but it was crucial, as he would counsel us on occasions, to never lose sight of the big picture.

Tom had unqualified love for his family, his Catholic faith, and, as I mentioned, his Irish heritage. He believed in people and ideas and used honesty, firmness, and fairness as the foundation of success on a wide range of issues. While he was a partisan Democrat, he was superb in managing the processes and a master of reaching across the aisle to help craft coalitions to bring about solutions to problems. Music, song, story-telling, and friendships were more than leadership tools to Tom Lamb, they were a way of life. Senator Tom Lamb lived a very full life, and he left blessings each place he stopped along the way.

He served his nation during World War II, he was an attorney, a gifted legislative leader, and politician. He was involved in many transformative events that took place in the city of Pittsburgh and southwestern Pennsylvania, and many times was called upon to reform with many great national and international leaders. Through it all, Tom Lamb remained focused on what was important - his family, his faith, and his principles. It was clear that he really did see the big picture.

Today, Mr. President, we are honored to have the Lamb family here. We welcome his wife, Barbara; his children Tom, Jim, Michael, and Barbara; and other members of the Lamb family who are with us today including Katie, Sarah, Conor, and Jill Lamb, along with Bill and Anne Garvey. Let us call on Tom's sense of fairness, collegiality, and integrity to guide us here in our deliberations as we go forward.

Mr. President, I ask my colleagues in the Senate to join me in recognizing that Pennsylvania is a better place today because of the service of Tom Lamb to this Commonwealth.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, briefly, the Senator from Allegheny County did a very eloquent job of talking about the former Senator. I never had the opportunity to meet him, but my father did. My father served here for some time before I got here. When I got here, it was sort of the beginning of the changing of the guard. There was a group of Senators who had been here some time and they were beginning to retire and move on and they put in a lot of important years steering this Commonwealth. The institution is really what is important here. We have our differences and we have our debates, and that is important to have those public debates and to air out all of the issues, but at the end of the day it is the institution that is important. I think everyone who serves in this Senate understands that, and Senator Lamb was a tremendous person for the institution.

I never got a chance to meet him. I did know some of his family, and if that is a representation of what a good person he was, then obviously he was a great person, because I know some of his family members well and they are special people. So just from the Republican side, I want to offer our condolences as well and our recognition of his tremendous service. To only be here two terms and to be the Majority Leader speaks volumes of the kind of character that he must have had for the people in his Caucus to look to him so quickly for leadership. So, I just want to build upon the Senator from Allegheny, Senator Costa's comments and say that we recognize the greatness of his service and wish his family well.

The PRESIDENT. I also was very fortunate to get to spend time with the Senator during the, it seems like month-long festivities for St. Patrick's Day when you go to Pittsburgh, and also to spend time, over the years, with many of the Lamb family. They are truly a treasure of Pennsylvania, a special and unique family who, as the patriarch, Senator Lamb, showed us that you do not have to be one party or the other to get things done and to love our State and our country, and he exemplified that by the way he lived his life and the way he raised his family. So we are blessed and fortunate and thankful.

And the question recurring,

Will the Senate adopt the resolution?

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

(Applause.)

RECESS

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

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

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

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

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

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 210 (Pr. No. 1282) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 210?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 210.

On the question,

Will the Senate agree to the motion?

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

YEA-47

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

NAY-1

Hutchinson

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

Ordered, That the Secretary of the Senate inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

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

HB 792 (Pr. No. 1678) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, further providing for the Housing Affordability and Rehabilitation Enhancement Fund.

Considered the third time and agreed to,

On the question,

Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, I rise today in support of House Bill No. 792. Back in June, we passed Senate Bill No. 566, which is identical to House Bill No. 792. This bill would provide funding for the Pennsylvania Housing Trust Fund with revenue from the realty transfer tax. The trust fund now uses fees collected from natural gas drilling for counties to help families with new construction, rental assistance, home rehabilitation, and repair. Only counties where drilling is occurring receive the funds now. This program has been such a great success, we want to see it expanded statewide. The bill does not propose any new taxes and the program will continue to benefit the poorest of the poor with housing needs. All 67 counties will now have the opportunity to address the shortage of affordable housing and homelessness statewide. I want to thank my colleagues for their support and Representative Killion for his hard work on this bill.

Thank you, Mr. President.

And the question recurring,

Shall the bill pass finally?

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

YEA-47

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

NAY-1

Hutchinson

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

SB 857 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL AMENDED

SB 874 (Pr. No. 1314) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 14, 1963 (P.L.1059, No.459), referred to as the Cemetery and Funeral Merchandise Trust Fund Law, further providing for deposits into merchandise trust funds; providing for price and description reports; and further providing for funds held in trust, for payments from merchandise trust funds, for filing of financial reports and for penalty.

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

POINT OF ORDER

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

Senator TOMLINSON. Mr. President, as a licensed funeral director, I seek a ruling from the Chair on whether I can vote on this amendment and the subsequent bill.

The PRESIDENT. The Chair thanks the gentleman for his inquiry about a conflict of interest. In the factual situation just given, the Chair rules that in the situation you just described, there is no conflict of interest, and the Chair rules that in accordance with Senate Rule 20, that you must vote on this bill and any amendments to it. The Chair finds that there is nothing particularly personal to you in this bill. You are a member of a class of individuals in the funeral industry who may or may not be affected by passage of this legislation. That being true, the Chair does not find that any votes you may cast would be particularly personal to you or privately affect you alone. Therefore, it would be the ruling of the Chair that you would be required to vote on this bill and any amendments.

Senator TOMLINSON. Thank you.

And the question recurring, Will the Senate agree to the bill on third consideration?

Senator McGARRIGLE offered the following amendment No. A3673:

Amend Bill, page 2, lines 21 through 29, by striking out all of said lines and inserting:

(c) If, prior to final payment of the purchase price under the contract, the purchaser shall default in making payments on account thereof, the seller shall be entitled to retain as liquidated damages [and withdraw from the special account] thirty percent of the contract price[, and shall refund to the purchaser the balance in the special account, if any]. The total refund shall be paid to the purchaser within sixty days of the default.

Amend Bill, page 4, lines 20 through 22, by striking out "and forward a copy of the report filed" in line 20, all of line 21 and "Office of Attorney General" in line 22

Amend Bill, page 4, lines 24 and 25, by striking out "or the Consumer Protection Bureau of the Office of Attorney General"

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

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

YEA-40

Table with 4 columns: Alloway, Costa, McGarrigle, Teplitz; Aument, Dinniman, McIlhinney, Tomlinson; Baker, Farnese, Pileggi, Vance; Bartolotta, Fontana, Rafferty, Vulakovich; Blake, Gordner, Sabatina, Ward; Boscola, Greenleaf, Scarnati, Wiley; Brewster, Haywood, Scavello, Williams; Brooks, Hughes, Schwank, Wozniak; Browne, Kitchen, Smucker, Yaw; Corman, Leach, Tartaglione, Yudichak

NAY-8

Table with 4 columns: Eichelberger, Hutchinson, Stefano, Wagner; Folmer, Mensch, Vogel, White

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 ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 874 (Pr. No. 2009) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for the offenses of harassment, stalking and threat to use weapons of mass destruction.

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

POINT OF ORDER

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

Senator GREENLEAF. Mr. President, this is a ruling that I previously obtained from the Chair several months ago, but I rise again on the floor of the Senate to ask for a ruling under Senate Rule 20 on whether I am required to vote on this bill where I have a union family member as employed by a union construction company.

The PRESIDENT. The Chair thanks the gentleman for his inquiry about a conflict of interest. In the factual situation just given, the Chair does not find that any votes that the gentleman may cast would be particularly personal to you or affect you alone. There is no direct pecuniary interest that would accrue to you from passage of this bill or any amendments to it. Your fam-

ily member is a class of individuals who are in the construction industry and part of a union and who may or may not be impacted by the passage of this legislation. Because there is no direct benefit to you, the Chair rules there is no conflict of interest, and that in accordance with Senate Rule 20, which you cited, you must vote on House Bill No. 874 and any amendments.

And the question recurring,

Will the Senate agree to the bill on third consideration?

Senator FARNESE offered the following amendment No. A3059:

Amend Bill, page 2, line 11, by inserting after "any] ":
statutorily or
 Amend Bill, page 2, line 18, by inserting after "any] ":
statutorily or

On the question,

Will the Senate agree to the amendment?

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

Senator FARNESE. Mr. President, I am proud to offer this amendment on behalf of working men and women across Pennsylvania. The amendment I am offering provides statutorily protected activities to insure that these activities do not fall within the scope of Title 18 offenses of stalking and harassment. This amendment will insure, Mr. President, that activities currently protected and permitted by Federal, State, or local law will remain protected from criminal prosecution. As written, without this amendment, House Bill No. 874 requires that the conduct meet the level of constitutionally protected activity to prevent criminal prosecution. There are many Federal, State, and local laws that address conduct of employers, workers, organizers, and protesters that would be impacted by this change. These laws, Mr. President, include the Civil Rights Act, the NLRA, the ADA, the EEO, and the Pennsylvania Labor Relations Act.

Mr. President, if House Bill No. 874 is passed without this amendment, this is the result that will happen to working men and women around Pennsylvania who belong to organized labor. Without this amendment, an individual complying exactly with the letter of one of these laws could be charged with a crime. For example, Mr. President, picketing an employer for paying wages below the local standard is allowed under the NLRA Section 8(b)(7). Organizers can apply to the NLRB to engage in specific picketing activities and the board can approve or deny the plan. Under House Bill No. 874 without the amendment, even if workers submitted a plan that was approved and organized following the guidance of the NLRB exactly, there is nothing to protect them from a criminal harassment charge.

Because of this, Mr. President, House Bill No. 874 will have a chilling effect on the speech and activities of lawful organizers. It will not be worth it to pursue higher wages if it could result in a battle over criminal charges. Let me say that one more time, because we have a battle going on right now, Mr. President, on raising the minimum wage and what workers are dealing with day in and day out. It will not be worth it to pursue their rights of organization or to pursue higher wages if it could result in a battle over criminal charges.

Mr. President, my amendment will insure that individuals acting under the color of law will be protected from vexatious

criminal prosecution and, Mr. President, this amendment will not lead to unchecked criminal behavior. In every instance, a court will be able to look at the facts and determine whether the activity is, indeed, protected by statute. Activities falling outside the statutory scope may be fully prosecuted.

Now, Mr. President, on this amendment, folks might say, well, there is language in the preamble that is the same or similar to what the amendment will do, but we know, Mr. President, that legislative intent, and God knows I have argued it many times from this exact podium, the courts are not going to get to legislative intent unless they first find the underlying law ambiguous or unclear. That is the only time. As we also know, Mr. President, the preamble is not legislative work and is not controlling in determining a court's requirement to follow the law.

So, Mr. President, I rise to offer this amendment, again, on behalf of working men and women across Pennsylvania who each and every day are fighting to insure not only their own living wage, but to insure they have a voice at the table, and to insure that we do not continually chip away at the rights of organized labor and the rights of men and women to organize and to be heard in the Commonwealth of Pennsylvania.

Thank you, Mr. President.

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

Senator CORMAN. Mr. President, I rise to oppose the amendment. House Bill No. 874 is a bill that came over to us from the House and it went to our Committee on Judiciary. Our Committee on Judiciary spent a lot of time on this bill. The chairman has spent a great deal of time talking to all sides to try to come up with this very specific language that could get support and ultimately solve the problem. That is what we are ultimately looking to do. The chairman of the Committee on Judiciary, I think, is well known for a fair approach to these types of matters. In fact, the bill came out with bipartisan support. So, Mr. President, anytime you have these careful negotiations, you land on a spot, and once you begin to alter that one side or the other, then the negotiations that were agreed to begin to fall apart. So, as well-intended as the gentleman's amendment may be, and we may not agree completely on the interpretation, I ask for a negative vote.

LEGISLATIVE LEAVE CANCELLED

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

And the question recurring,

Will the Senate agree to the amendment?

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

Senator FARNESE. Mr. President, I want to thank Members of my side of the aisle, of course, for their support, hopefully, of this amendment, and the minority chair of the Committee on Labor and Industry, Senator Tartgalione, for her leadership on these issues, and also her leadership on the minimum wage issue as well. It is integral, in my opinion, Mr. President, to what we are trying to do. I want to make sure we thank her as well.

Thank you, Mr. President.

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

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

YEA-20

Blake	Farnese	Leach	Vogel
Boscola	Fontana	Sabatina	Wiley
Brewster	Haywood	Schwank	Williams
Costa	Hughes	Tartaglione	Wozniak
Dinniman	Kitchen	Teplitz	Yudichak

NAY-28

Alloway	Eichelberger	Mensch	Tomlinson
Aument	Folmer	Pileggi	Vance
Baker	Gordner	Rafferty	Vulakovich
Bartolotta	Greenleaf	Scarnati	Wagner
Brooks	Hutchinson	Scavello	Ward
Browne	McGarrigle	Smucker	White
Corman	McIlhinney	Stefano	Yaw

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

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

On the question,
Shall the bill pass finally?

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

Senator COSTA. Mr. President, on House Bill No. 874, I rise to echo many of the comments raised by my colleague, the gentleman from Philadelphia, Senator Farnese, who articulated very well some of the concerns that we see with respect to this bill. Had we had the opportunity to be successful with respect to the amendment, I think it would have been a different outcome, at least as far as we are concerned, to be able to preserve some of the rights of the working men and women in Pennsylvania. In our view, this bill is harmful to working men and women in this Commonwealth with respect to the right to be able to do certain things to be able to advance their cause, to fight for some of the things that are very important to working men and women across Pennsylvania. So for those reasons and other reasons articulated by my colleague, I ask for a negative vote.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-30

Alloway	Eichelberger	Pileggi	Vogel
Aument	Folmer	Rafferty	Vulakovich
Baker	Gordner	Scarnati	Wagner

Bartolotta	Greenleaf	Scavello	Ward
Brooks	Hutchinson	Smucker	White
Browne	McGarrigle	Stefano	Yaw
Corman	McIlhinney	Tomlinson	
Dinniman	Mensch	Vance	

NAY-18

Blake	Fontana	Sabatina	Williams
Boscola	Haywood	Schwank	Wozniak
Brewster	Hughes	Tartaglione	Yudichak
Costa	Kitchen	Teplitz	
Farnese	Leach	Wiley	

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL LAID ON THE TABLE

HB 907 (Pr. No. 2335) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, in short title and definitions, further providing for definitions.

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

HB 907 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 907, Printer's No. 2335, 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

HB 909, 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

BILLS OVER IN ORDER

HB 263, SB 388 and HB 400 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED

SB 411 (Pr. No. 1325) -- 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, further providing for open-records officer, for regulations and policies and for requests, and 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 DINNIMAN offered the following amendment No. A3684:

Amend Bill, page 11, lines 28 through 30; page 12, lines 1 through 3; by striking out "COMMONWEALTH EMPLOYEE," in line 28, all of lines 29 and 30 on page 11 and all of lines 1 through 3 on page 12 and inserting:

or employee of a Commonwealth agency, judicial agency, legislative agency or local agency.

On the question,

Will the Senate agree to the amendment?

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

Senator DINNIMAN. Mr. President, this is simply a technical amendment that further clarifies what is in the bill as presented by Senator Brooks, and the clarification is important.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILL OVER IN ORDER

HB 455 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 482 (Pr. No. 748) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, further providing for the title of the act; and, in sale of property, providing for Optional County Demolition and Rehabilitation Fund.

Considered the second time and agreed to,

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

BILL OVER IN ORDER

HB 579 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 604 (Pr. No. 597) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in special licenses and permits, further providing for Lake Erie fishing permits.

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.

BILL OVER IN ORDER

HB 696 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 837 (Pr. No. 1556) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing certain financial institutions to conduct savings promotion raffles; and providing for enforcement by the Department of Banking and Securities.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

HB 1154 and **HB 1279** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SB 868 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 868, Printer's No. 1004, 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.

UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators BARTOLOTTA, SABATINA, DINNIMAN, FONTANA, BREWSTER, WHITE, RAFFERTY, GREENLEAF, TEPLITZ, KITCHEN, SCHWANK, VULAKOVICH, TARTAGLIONE, YUDICHAK, COSTA, AUMENT, FARNESE, BROWNE, HUGHES and VOGEL, by unanimous consent, offered **Senate Resolution No. 220**, entitled:

A Resolution recognizing the month of November 2015 as "Native American Heritage Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, the history and culture of our great nation have been significantly influenced, if not begun, by Native Americans and indigenous people. Their contributions have enhanced the freedom, prosperity, and greatness of America today, which is why their customs and traditions are respected and celebrated as part of a rich legacy throughout this country. Official recognition of Native American Heritage Week began in 1976 and was expanded by Congress and approved by the President in 1990, designating the month of November as "National Native American Heritage Month."

I stand here today to recognize the month of November 2015 as "Native American Heritage Month" in our Commonwealth, urging all Pennsylvanians to acknowledge the contributions and accomplishments that Native Americans have had on this State and country's history and culture. As a descendant of the Cherokee tribe, and a member of the Choctaw tribe of Oklahoma, I ask my colleagues to join me in support of this 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 TARTAGLIONE, SABATINA, BAKER, GREENLEAF, KITCHEN, FARNESE, ARGALL, TEPLITZ, McGARRIGLE, GORDNER, FONTANA, RAFFERTY, YUDICHAK, SCARNATI, DINNIMAN, BREWSTER, HAYWOOD, SCAVELLO, PILEGGI, MENSCH, BARTOLOTTA, COSTA, VULAKOVICH, SCHWANK, WILLIAMS and AUMENT, by unanimous consent, offered **Senate Resolution No. 221**, entitled:

A Resolution recognizing the month of October 2015 as "National Disability Employment Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TARTAGLIONE. Mr. President, this is a monumental year for those of us with disabilities. It was 70 years ago that President Truman first proclaimed the first week in October for disability awareness. We celebrated the 25th anniversary of the landmark passage of Americans with Disabilities Act, and today was my third annual and most successful Disabilities Day in the Capitol. The groups here today are an example of the hundreds of support organizations across Pennsylvania that are daily helping to make employment possible for this important population and demonstrate advancements we have made in providing accommodations. They demonstrate the important services and technologies that can help individuals while highlighting the importance of work in maintaining strong families and communities.

We must encourage Pennsylvania's labor force and its industries to create better strategies to work together in hiring, training, and retraining individuals with disabilities. We must make employment for all an integral part of our education policies, beginning from early intervention all the way to secondary institutions, preparing students for steady and meaningful lives in the workplace. We must help employers of all sizes realize the technologies which exist and the possible benefits individuals with disabilities can bring to their businesses and organizations.

For those reasons, I would like to recognize October 2015 as "National Disability Employment Awareness Month" in Pennsylvania. During this month, I encourage all Pennsylvanians to learn about the many barriers facing tens of thousands in our State, and I ask that we work to accommodate all persons in our community and workplaces throughout the year. At this time, I thank all of my colleagues and the providers who participated in Disabilities Day and ask for an affirmative vote on this resolution.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Tartaglione, for your personal efforts on behalf of the disabled.

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

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

Senators VANCE, BAKER, HUTCHINSON, MENSCH, SCARNATI, COSTA, DINNIMAN, HAYWOOD, SCHWANK, ARGALL, BARTOLOTTA, EICHELBERGER, GORDNER, GREENLEAF, McGARRIGLE, PILEGGI, SCAVELLO, RAFFERTY, VOGEL, VULAKOVICH, FARNESE, FONTANA, SABATINA, TARTAGLIONE, TEPLITZ, YUDICHAK, BROWNE and AUMENT, by unanimous consent, offered **Senate Resolution No. 222**, entitled:

A Resolution designating the week of November 8 through 14, 2015, as "Nurse Practitioner Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VANCE. Mr. President, this is a subject near and dear to my heart. There are more than 205,000 nurse practitioners in the United States, and about 9,500 in the Commonwealth. They order, perform, and interpret diagnostic tests, diagnose and treat acute and chronic conditions, and prescribe medications and other treatments. Nurse practitioners are truly partners in the healthcare of their patients, promoting disease prevention, health education, and healthy lifestyles, as well. Nurse practitioners have advanced degrees and really solve a problem that we have, particularly in our rural areas. Eighteen percent of them practice in rural areas where there is a severe shortage of healthcare practitioners. It does appear, as the Affordable Care Act goes more into effect, we will need more and more people to care for them, and nurse practitioners are the ideal ones to do that.

Thank you very much, and please join me in favor of voting for this 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 RAFFERTY, SABATINA, ARGALL, GREENLEAF, SCAVELLO, EICHELBERGER, DINNIMAN, FARNESE, McGARRIGLE, TEPLITZ, FONTANA, TARTAGLIONE, YUDICHAK, COSTA, VULAKOVICH, SCHWANK and AUMENT, by unanimous consent, offered **Senate Resolution No. 223**, entitled:

A Resolution recognizing the month of October 2015 as "The Great Hunger Remembrance Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, I miss you down here on the floor with me. We usually tag-teamed together on this resolution. I feel honored to be able to carry on with our tradition, Mr. President, to remember October as "The Great Hunger Remembrance Month" in the Commonwealth of Pennsylvania. This is to remind people that the Irish population exploded in Ireland to about 8.5 million people in 1845. Most of the Irish population at that time relied on the potato as their main course and their main sustenance. I will tell you, Mr. President, around that time, between 1845 to 1850, a blight hit the potatoes in Ireland and the crop was just being devastated. What was happening was Britain, which controlled Ireland at the time, because Ireland was a colony of Great Britain, continued to export the food out of Ireland, starving the people of Ireland. Effectively by their business decisions, they starved a large portion of the population of Ireland, primarily because they were Catholic.

Mr. President, we hold this particularly solemn time in the Irish-Catholic tradition, and all Irish, Irish Protestants, as well, remember what happened those days. A number of those people died as well. The Great Hunger plagued Ireland from 1845 to 1850, and close to 2 million people died due to starvation, disease, and forced emigration. Once they emigrated, many of them were on the coffin ships, crossing the Atlantic to a better life in America, but when those who made it to America came upon the shores, they immediately acclimated themselves to American society. Even though they were met with "Irish need not apply" signs, they proved themselves to be hard workers, and we know the Irish became political leaders, religious leaders, police officers, built many of the Catholic churches and Catholic schools that were so well known and still are well known throughout this great country, particularly on the East Coast.

In every dark cloud there is a silver lining, they say, and I suppose that was our silver lining, that those who made it to the United States really helped contribute to the fabric of the United States' society and economic development from working in the railroads, coal mines, from running businesses and being political leaders.

Mr. President, as we stand here in the Chamber, I am mindful of the panels in front of us and I am mindful of the panel of Gettysburg, that it was the Irish Brigade of the Union Army that

helped hold the line for the Union forces at Gettysburg to defeat the Confederates, and George Gordon Meade, himself an Irishman, was a Commander of the forces. We remember those who died, we keep them in our prayers. We certainly will not forget the blight on the history of Ireland during that period of time, but we celebrate those who continue to live who rebuilt Ireland to the country it is today, where people love to go to be tourists. The Irish love Americans. If you have the opportunity, people should go and see the country, and those who emigrated to the United States of America made something of themselves and helped contribute to the great fabric of this great country.

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

The PRESIDENT. Thank you, Senator Rafferty, for continuing to stand up for a very important issue in American history, as well as Irish history. I visited Ireland over the summer and got to see some of the coffin ships. You are right, Irish Americans have had such a huge impact in this country, and we continue to recognize that as part of all our great ethnic traditions in Pennsylvania.

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

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

Senators TEPLITZ, GREENLEAF, SABATINA, MENSCH, RAFFERTY, FONTANA, DINNIMAN, COSTA, TARTAGLIONE, SCHWANK, VULAKOVICH, AUMENT, FARNESE, BROWNE and HUGHES, by unanimous consent, offered **Senate Resolution No. 224**, entitled:

A Resolution recognizing October 20, 2015, as "Pennsylvania Career Development Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator TEPLITZ. Mr. President, my resolution designates today, October 20, 2015, as "Pennsylvania Career Development Day." In today's economy, all students must graduate high school ready to succeed in college and their career. Research predicts that by 2020, about 65 percent of all jobs in the nation and 90 percent of new jobs in growing industries with high wages will require some postsecondary education. The unemployment rate among people who have a professional degree is significantly lower than that of people who have a high school diploma or less than a complete high school education. In addition, earnings increase significantly as a worker's degree of education rises.

Here in central Pennsylvania, we are fortunate to have many options for the next generation of workers. Organizations like the Capital Region Partnership for Career Development are fulfilling the critical needs of workforce development by connecting students with employers, educational institutions, and agencies. Today, I was honored to once again participate in a rally here in the Capitol with the Capital Region Partnership for Career Development to highlight this important connection. Pennsylvania is a major competitor in the global market, but if we want to continue to compete, we must invest in our future. That means

we must invest in education, and then incentivize our students to stay in Pennsylvania to learn and to work.

So, Mr. President, I ask that my colleagues join me in supporting this resolution and acknowledging organizations like the Capital Region Partnerships for Career Development who fulfill the critical needs of workforce development within this Commonwealth.

Thank you, Mr. President.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Mr. and Mrs. Donald Metz, Mr. and Mrs. James Dougherty and to Mr. and Mrs. Harold Brubaker by Senator Aument.

Congratulations of the Senate were extended to Dennis B. Nau and to Ennisville United Methodist Church of Huntingdon by Senator Corman.

Congratulations of the Senate were extended to Dr. Barbara S. Burstin by Senator Costa.

Congratulations of the Senate were extended to Peggy Holbrook, Messiah Community Preschool and to Englund by Senator Dinniman.

Congratulations of the Senate were extended to Ethan M. Dadum by Senator Fontana.

Congratulations of the Senate were extended to Mr. and Mrs. Walter Habowski and to Mr. and Mrs. Gerald Wascavage by Senator Gordner.

Congratulations of the Senate were extended to Margie DiFrancesco and to Saint Thomas Mar Thoma Church of Delaware Valley by Senator McGarrigle.

Congratulations of the Senate were extended to Greg Jakubowski by Senator McIlhinney.

Congratulations of the Senate were extended to Charles A. Harris IV by Senator Mensch.

Congratulations of the Senate were extended to Pauline H. Johnson by Senator Pileggi.

Congratulations of the Senate were extended to Matthew E. Houseman, Jacob A. Dunkelberger, Dylan Dunkelberger, Eric Flach and to Joseph M. Acee by Senator Rafferty.

Congratulations of the Senate were extended to Earl M. Parker, Jr., Punxsutawney Garden Club and to Standard Pennant Company, Inc., by Senator Scarnati.

Congratulations of the Senate were extended to Lawrence A. Berringer by Senator Schwank.

Congratulations of the Senate were extended to Andrew S. Aumen, Benjamin R. Fodness and to Elda Balmer by Senator Vance.

Congratulations of the Senate were extended to Charles Robert Lisella by Senator Vogel.

Congratulations of the Senate were extended to Ted Dubbs by Senator Williams.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Frank M. Henry, Jr., by Senator Baker.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.
The bills were as follows:

SB 62, SB 146, HB 838, HB 1278, HB 1335 and HB 1411.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, 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.
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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
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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 Long Military Acad.
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HOUSE MESSAGES**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS TO SENATE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments to **SB 748**.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 175**.

BILLS SIGNED

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

SB 210, SB 748, SB 890, HB 175, HB 904, HB 906 and HB 910.

MOTION TO RECESS

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

Senator VANCE. Mr. President, I move that the Senate do now recess--

The PRESIDENT. I am sorry, Senator, would you mind sustaining for one second. I think the issue is, someone has a petition which went past our point in time. So, as a special order of business, if you have no objection, we would like to let them do a petition. Any objection, Senator?

PETITIONS AND REMONSTRANCES

The PRESIDENT. With hesitance, Senator Hughes, and I will read into Senator Vance's eyes, if I might. As long as it is within, say, 3 minutes, she is fine. If that is correct, Senator?

The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, as former chair of the Committee on Public Health and Welfare with Senator Vance, I have had the pleasure of staring into her eyes on repeated occasions, and I know what that look means. So, as you would know, I will be brief, as former Mayor Street would say, I will be brief, no matter how long it takes.

I rise again today, Mr. President, to once again raise the plight, the concern, and the issues of low-income working people across the Commonwealth of Pennsylvania. We are here another day without having had the opportunity to deal with the number one concern, which is a paycheck which unfortunately keeps them in poverty; a paycheck that based on the State's minimum wage which currently exists, which was last raised when we passed legislation in this body in 2006, that keeps people in poverty and has not changed since then. Almost a decade later, as prices have gone up, as bills have gotten steeper, as responsibilities have increased and, unfortunately, as the wealthiest of us in the Commonwealth of Pennsylvania have gotten far richer, those folks working at the low end of the income ladder have been locked into, unfortunately, a situation that keeps them in poverty.

I note for the record, Mr. President, that there are at least three measures that are currently existing, pieces of legislation that are currently existing in our body that are worthy of, at the very least, pointing toward. One of them is a measure that would increase the minimum wage to \$15 an hour. I believe the primary sponsor of that is Senator Leach. Another is a piece of legislation that has been introduced that would raise the minimum wage to \$10.10 an hour, and I believe the prime sponsor of that piece of legislation is Senator Tartaglione. For point of information, the third bill that is in front of us right now is a matter that would raise minimum wage to \$8.50 an hour, and that measure has been introduced by Senator Wagner. So we have three particular measures with very different impacts on the minimum wage and the economic health of the Commonwealth of Pennsylvania.

As I said, Senator Leach's bill takes us to \$15 an hour. It is consistent with a national effort adopted by communities, municipalities, and States around the nation to aggressively raise the minimum wage and to move folks out of poverty. One is a measure, Senator Tartaglione's measure, which is consistent with Governor Wolf's intent, which, when he announced it back in March of this past year in his Budget Address, would take folks to \$10.10 an hour and would begin the process, along with other initiatives that we need to address, to move folks into a much more secure economic situation on the job that they work and transition them out of a poverty situation. The third measure, unfortunately, is a measure which some have termed as the keep people in poverty measure, which is Senator Wagner's legislation, which is Senate Bill No. 610. As I said, some organizations call it the keep people in poverty legislation because it only mildly moves and basically has really no impact in terms of changing the economic condition that exists for low-income workers and the economic health of people across the Commonwealth.

So here we have three measures, very distinct and, some would say, vastly different, at least on the high end and low end. Senator Leach's measure, \$15 an hour on the high end; Senator Wagner's measure, \$8.50 on the low end. We have a decision that we must make. We have a decision that we have a responsibility to make. We have a decision that, as a Commonwealth, we should be, how shall I say? We should be urged at the least to make, which is a decision to try to move this Commonwealth forward and to try to move the economic capacity of the people who live in this Commonwealth forward. Not just those individuals who already have significant amounts of funds, but those individuals who are working and struggling on a daily basis to try to move forward. They want to move out of poverty. The best way to do that is to pay them a wage scale and to move them out of poverty. That is the best way to do it.

When someone is not making enough money and they are working 40 hours a week or 50 hours a week or 60 hours a week, which is the condition of a lot of these individuals, the best way--and they cannot work any more hours during the course of that week, Mr. President--the best thing to do is to give them an additional boost in their pay scale. Juice up their wages. Pay them at a level that they do not have to be locked into poverty as does Senate Bill No. 610. We can choose Senator Leach's measure, \$15 an hour; we can choose Senator Tartaglione's measure, \$10.10 an hour; or we can choose to stay in the dark ages of economic compensation and choose Senator Wagner's model, but it is a choice that we must make and it is a choice that our citizens

in the Commonwealth of Pennsylvania want us to make. Over three-quarters of Pennsylvania citizens, Democrat or Republican, say that we should increase the minimum wage. Seventy-five percent, it is overwhelming, Democrats and Republicans, say raise the wage.

All of the research that has been done says that if you raise the wage, you will not have an impact on job creation across the State. It is more compelling that we be competitive wage-wise with other States around Pennsylvania, since for the most part they are eating our lunch. In fact, if you look at it, eating our breakfast, lunch, and dinner because we have not raised the minimum wage and they have. Skilled workers are making a decision, and not-so-skilled workers are making a decision of whether they want to work in Pennsylvania or New Jersey, or whether they want to work in Pennsylvania or New York, or whether they want to work in Pennsylvania or Ohio or West Virginia or Maryland or Delaware or New Jersey, as I said earlier. They are making a decision to take work opportunities in areas and communities that pay more. We lose when we do not compensate people. We lose. It is a natural state of capitalism. People move toward incomes that are higher. Natural. That is the way capitalism was created.

So just as a comparative, Mr. President, at \$8.75 per hour a worker makes \$350 a week, makes \$1,400 a month, makes \$16,000 a year. Locked in to minimum wage. Locked in to poverty. Whereas a worker who makes \$10.10 an hour makes \$400 a week, makes \$1,600 a month, and makes \$19,392 a year. Of course, in Senator Leach's measure a worker who is working at \$15 an hour is making \$600 a week, \$2,400 a month or \$28,800 a year. The choice is, do we grow the economy by making sure that our workers at the low rung of the economic ladder get the appropriate wage that they deserve to have for all of the hours that they put in, or do we stay in the economic dark ages and pay people less than what they are worth and, once again, keep people in poverty?

We must take action, and we need to take action now, Mr. President. As I said, we have three major proposals that are in front of us. Senator Leach's, \$15 an hour; Senator Tartaglione's, \$10.10 an hour. Senator Leach's proposal is consistent with the 15 Coalition, all right? Wage at 15 Coalition that has made an impact nationally. In fact, made an impact internationally. We need to consider that. Senator Tartaglione's proposal at \$10.10 an hour is a proposal that President Obama has discussed and Governor Wolf has discussed it also in his budget proposal. Move us forward. Move folks out of poverty. Then we have Senate Bill No. 610, prime sponsored by Senator Wagner, which would get us to \$8.50 an hour, which many people have termed unacceptable and truly winds up keeping people in poverty. Those are the choices. That is what is in front of us. We need to act and we need to act now and do the right thing for the people of Pennsylvania. Give them an opportunity to work themselves out of poverty at a wage scale that is consistent with hard work and hard effort.

Somebody once said, Mr. President, and I know you know this, if there is dignity in our work, there should be dignity for our workers. The best way to show that dignity for those workers is to pay them at a dignified level, at a dignified wage. That dignified wage is wage that moves them out of poverty, not a wage that keeps people in poverty. That is the choice. That is what is in front of us, and it is time to act, and it is time to act now.

Thank you, Mr. President.

RECESS

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

Senator VANCE. Mr. President, again, I move that the Senate do now recess until Wednesday, October 21, 2015, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 5:51 p.m., Eastern Daylight Saving Time.