

COMMONWEALTH OF PENNSYLVANIA

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TUESDAY, NOVEMBER 24, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 68

SENATE

TUESDAY, November 24, 2015

The Senate met at 11 a.m., Eastern Standard Time.

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

PRAYER

The Chaplain, Reverend JAY SCHARFENBERG, Associate Pastor of Calvary Presbyterian Church, Willow Grove, offered the following prayer:

Let us pray.

Heavenly Father, as it is Thanksgiving week, I want to give thanks for our State Senators. I thank You first that they are Your servants. Lord, as Your word says, that You have established them through the people to serve You. As Your word says about those in government, I have raised you up for this very purpose so that I might display my glory through You. Lord, I also want to thank You for their service. I know that my own State Senator, where my church is located, has been a great blessing to the least of these in our community, and I know that in looking at this room we can multiply that by 50.

Lord, finally, I want to thank You for their sacrifice. This is not a 9-to-5 job Monday through Friday. This is a calling where they must go out on the campaign trail every 4 years, where people are raising money against them to replace them in employment. Lord, so we pray for them as they go through that, that You would bless them through that. Lord, I pray that You would bless them with wisdom in the decisions they make, remembering the words of James where he says, "But the wisdom that comes from heaven is first of all pure; then peace-loving, considerate, submissive, full of mercy and good fruit, impartial and sincere."

Finally, Lord, I pray that You would bless them with unity and love. In such context, it is very easy for an us-against-them attitude to develop. It is very easy for power struggles to develop. Lord, may this Senate be a place of encouragement, love, forgiveness, repentance, and gratitude across party lines. In Christ's name we pray. Amen.

The PRESIDENT. The Chair thanks Reverend Scharfenberg, who is the guest today of Senator Greenleaf and Senator Tomlinson.

PLEDGE OF ALLEGIANCE

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

BILL REPORTED FROM COMMITTEE

Senator McILHINNEY, from the Committee on Law and Justice, reported the following bill:

HB 941 (Pr. No. 1244)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth agency fees, further providing for distillery of historical significance license fee reduction.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Wagner and Senator Smucker.

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

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

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Wagner and Senator Smucker.

Senator Costa requests a temporary Capitol leave for Senator Williams.

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, November 24, 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, November 30, 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, November 30, 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.

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator Wagner and Senator Williams have returned, and their temporary Capitol leaves are cancelled.

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 today who gave us our prayer, Reverend Jay Scharfenberg. Reverend Scharfenberg is the Associate Pastor at Calvary Presbyterian Church, the church that I go to. He is married and has a 3-year-old son. You have to be in my church to hear his sermons. They are really great sermons, but he also has a sense of humor. Not everybody enjoys a sense of humor in church, but I do, and a lot of other people do as well. His sense of humor, you can see it in his 3-year-old son. They have a Chihuahua dog in their home and they named him Gizmo. Now, a 3-year-old does not know who Gizmo is, but I know it was Jay who named his dog Gizmo, and that is classic of him. He is here today, he is a graduate of the University of South Carolina, and a graduate of the Reformed Presbyterian Theological Seminary as well. He is my pastor, a wonderful person, and I would appreciate if the Senate would give him a warm welcome.

The PRESIDENT. Would the guest of Senator Greenleaf please rise so that the Senate may give you its usual warm welcome. Thank you for your prayers, Pastor.

(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 purposes of an off-the-floor meeting of the Committee on Appropriations to be held in the Rules room at the back of the Chamber, followed by 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, at the conclusion of the meeting of the Committee on Appropriations, Senate Democrats will meet in the rear of the Chamber for caucus.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, to be followed by 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 Smucker has returned, and his temporary Capitol leave is cancelled.

SPECIAL ORDER OF BUSINESS SWEARING-IN OF NEW MEMBER

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

Senator CORMAN. Mr. President, as a special order of business, I ask that the Senate proceed to receive the returns of the special election held in the 37th Senatorial District on the 3rd day of November and that the oath of office be administered to Senator-elect Guy Reschenthaler.

The PRESIDENT. At the request of Senator Corman, and without objection, as a special order of business, the Senate will now proceed to receive the official election returns for the special election held in the 37th Senatorial District, and administer the oath of office to Senator-elect Guy Reschenthaler.

ELECTION RETURNS PRESENTED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present Executive Deputy Secretary of the Commonwealth Thomas Weaver.

The PRESIDENT. The Chair recognizes the Executive Deputy Secretary of the Commonwealth.

Executive Deputy Secretary WEAVER. Mr. President, I have the privilege and honor of presenting the returns and the certification of campaign expense compliance for the special election held November 3, 2015, in the 37th Senatorial District.

The PRESIDENT. The Chair lays before the Senate the following communications from the Secretary of the Commonwealth, which the Clerk will read.

The Clerk read the election returns as follows:

COMMONWEALTH OF PENNSYLVANIA

TO THE HONORABLE PRESIDENT AND MEMBERS OF THE SENATE OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, GREETINGS:

I have the honor to present the official returns of the Special Election for Senator in the General Assembly of the Commonwealth of Pennsylvania held in the Thirty-seventh Senatorial District, as the same have been certified to and filed with my office by the Allegheny and Washington County Boards of Elections. Guy Reschenthaler, having received the highest number of votes in the Special Election, and having

complied with the provisions of Article XVI of the Pennsylvania Election Code pertaining to Primary and Election Expenses, was duly elected a Senator in the General Assembly.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of the office of the Secretary of the Commonwealth at the city of Harrisburg, this twentieth day of November in the year of our Lord two thousand fifteen and of the Commonwealth the two hundred fortieth.

PEDRO CORTES
Secretary of the Commonwealth

OFFICIAL
RETURNS
SPECIAL ELECTION
SENATOR IN THE GENERAL ASSEMBLY
37th Senatorial District

November 3, 2015

VOTES

DEMOCRATIC -	Heather Arnet	24,888
REPUBLICAN -	Guy Reschenthaler	30,565
WRITE-IN VOTES -	Scattered	51

STATEMENT BY THE PRESIDENT

The PRESIDENT. For the record, the Secretary of the Commonwealth has also certified that the Senator-elect has filed the accounts and affidavits as required by the election laws of this Commonwealth.

GUESTS OF SENATOR-ELECT GUY RESCHENTHALER PRESENTED TO THE SENATE

The PRESIDENT. Before proceeding to the administration of the oath of office, the Chair would like to introduce some special guests, members of the Senator-elect's family who are with us today. His parents, Dr. Guy and Jan Reschenthaler; and his grandfather, Gerald Potter. Welcome.

(Applause.)

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. The Chair takes the opportunity to politely remind all of our guests that taking still pictures or videotaping in the Senate Chamber is not permitted. So, I ask that during the administration of the oath of office, no pictures be taken or video be taped. At the end of today's ceremony, however, the Senate will be at ease so that you will be able to take as many photographs, and more, as you wish to.

ADMINISTRATION OF THE OATH OF OFFICE

The PRESIDENT. It is an honor and privilege to have with us today our former colleague, the Honorable D. Michael Fisher, United States Federal Judge of the Court of Appeals for the Third Circuit. He has kindly consented to be with us today to administer the oath of office to Senator-elect Reschenthaler in accordance with Article VI, Section 3, of the Pennsylvania Constitution.

Will the Senator-elect please present himself at the bar of the Senate.

Members and guests will please rise.

Judge Fisher will now administer the oath.

Judge FISHER. Mr. President, first of all, it is a great honor for me to be able to return here to this body, where I spent 16 years as a Member of the Senate, to swear in the newest Member of the Senate, Senator Guy Reschenthaler, who represents the district where I live and the seat that I formerly represented. So, it is a great honor to be here.

Senator Reschenthaler, please place your left hand on the Bible and raise your right hand and repeat after me:

I, Guy Reschenthaler, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity.

Congratulations, Senator.

(Applause.)

REMARKS BY THE PRESIDENT

The PRESIDENT. On behalf of all the Senate, the Chair thanks Judge Fisher for presiding at the ceremony and congratulates our new Senator.

The Senate will now be at ease.

(The Senate was at ease.)

ANNOUNCEMENT BY THE MAJORITY LEADER

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

Senator CORMAN. Mr. President, before we return to the Calendar and Session today, I want to recognize, before he walks out the door, it is a great honor to have the Speaker of the House, Representative Mike Turzai, here with us today. I want to thank him for coming over and joining us for the swearing-in ceremony.

(Applause.)

The PRESIDENT. The presence of the Speaker, Mr. Turzai, it is a pleasure to have you here, sir. Thank you for visiting with us. Thank you, Senator Corman, for acknowledging the presence of the Speaker of the House, Representative Mike Turzai, here in the Senate Chamber.

CALENDAR

BILLS VETOED BY THE GOVERNOR

BILLS OVER IN ORDER

SB 1000 and **SB 1001** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1073 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

NONPREFERRED APPROPRIATION BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 912 (Pr. No. 1415) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

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-48

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

NAY-2

Stefano Wagner

A constitutional two-thirds 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.

SB 913 (Pr. No. 1416) -- The Senate proceeded to consideration of the bill, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

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-48

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

NAY-2

Stefano Wagner

A constitutional two-thirds 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.

SB 914 (Pr. No. 1417) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; providing for public support and capital improvements; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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-48

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

NAY-2

Stefano Wagner

A constitutional two-thirds 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.

SB 915 (Pr. No. 1418) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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-48

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

NAY-2

Stefano Wagner

A constitutional two-thirds 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.

SB 916 (Pr. No. 1419) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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-48

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

NAY-2

Stefano Wagner

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

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

BILL OVER IN ORDER

HB 57 -- 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

HB 263 (Pr. No. 2535) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods; and, in hunting and furtaking licenses, further providing for elk hunting licenses.

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

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 477 (Pr. No. 2543) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for activities and experiences for children in out-of-home placements.

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-50

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 489 and **SB 606** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

HB 683 (Pr. No. 1427) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 27, 2006 (1st Sp.Sess., P.L.1873, No.1), known as the Taxpayer Relief Act, in senior citizens property tax and rent rebate assistance, further providing for definitions.

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

BILL OVER IN ORDER

SB 691 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 698 (Pr. No. 2458) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful devices and methods; and, in special licenses and permits, further providing for permits for individuals with disabilities.

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-50

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

NAY-0

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

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

BILLS OVER IN ORDER

HB 837, HB 857, HB 907, HB 909 and **SB 936** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 984 (Pr. No. 1440) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 53 (Municipalities Generally), 66 (Public Utilities) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in first class cities, further providing for definitions and for certificate of public convenience required; in general provisions, further providing for definitions; in powers and duties, providing for power of commission to confiscate, impound and sell vehicles; in contract carrier by motor vehicle and broker, further providing for declaration of policy and definitions; providing for motor carrier regulations and for transportation network service; and, in general provisions, further providing for definitions.

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

Senator BARTOLOTTA. Mr. President, I rise today to speak on the significance of Senate Bill No. 984, legislation that would establish a regulatory framework for the operation of transporta-

tion network companies, or TNCs, such as Uber and Lyft, in every county in our Commonwealth. These companies currently operate in some counties and municipalities under a 2-year temporary authority granted by the Pennsylvania Public Utility Commission. Senate Bill No. 984 establishes conditions, requirements, and standards for the operation of TNCs throughout Pennsylvania, as well as many other benefits to our communities. Some of these benefits include providing a flexible way for hard-working people in Pennsylvania to earn additional income by working a few extra hours a week around their schedule so they have more time to spend with their families.

Yet another benefit that TNCs deliver, besides the much-demanded convenience, is the reduction in DUI arrests and deaths related to drunk driving. Studies have shown that there is a direct correlation to Uber's operations in California and the decrease in the cases of drinking and driving fatalities in that State. In addition to a zero-tolerance policy on the use of both alcohol and drugs, Senate Bill No. 984 insures that TNC drivers meet key requirements, such as maintaining proper insurance coverage, meeting safety requirements, and reporting accidents. My bill also requires stringent background checks with longer look-back periods than we currently require for cab and limo drivers anywhere in Pennsylvania, and keeps individuals who have been convicted of certain crimes, including burglary, robbery, and sexual offenses, from offering rideshare services. Likewise, I recognize that TNCs provide a benefit to all people of this Commonwealth, and that a statewide regulatory framework is a must for this industry. To that end, my bill acknowledges the uniqueness of Philadelphia and the fact that the Philadelphia Parking Authority should have a role to play in overseeing this new and innovative transportation service that falls outside of their traditional bounds and regulations.

In conclusion, it is important that we recognize TNCs are here to stay. However, while they hold the potential to fulfill a number of transportation needs and provide new options for consumers, we must insure that they are capable of operating responsibly and safely, and I believe my bill accomplishes those goals. I ask my colleagues to cast an affirmative vote on Senate Bill No. 984.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, I rise today to briefly comment on Senate Bill No. 984. First, I thank the gentlewoman for her work on this bill over the last year or so and in getting it to where we are today. Just as importantly, I thank my good friend, Senator Fontana, for his leadership and efforts for many years on this very important issue. I believe that had it not been for his work, we would not be able to be here today in voting this bill out of the Senate. So, I congratulate both Senator Fontana and the gentlewoman, the maker of the bill.

I am going to be supporting the bill today, Mr. President, and although I may not have been very pleased, or really pleased, with the way that the companies and the way that this bill moved through the process, I do not believe it is right for me to allow those personal feelings to interfere with what my constituents want. I understand, like most of us here in this room, that our constituents want this service. Especially representing Philadelphia, and the area of Philadelphia that I represent, we certainly have a desire for this service. So, I am going to support it, but I want to make some comments first.

Number one, I want to acknowledge the hard work of our staff on this side of the aisle. Not only over the last year or so, but in the last several weeks and last several months, our staff has put together amazing work, amazing amendments, specifically under the guidance of Senator Kitchen, our Philadelphia delegation head, and working with other members of the leadership staff, and Senator Boscola, as well, who was our chairwoman of this committee, and her staff. The effort that was put forth, Mr. President, by staff was truly amazing, and what they came up with was a solid package of amendments that we believe would have made this bill a lot better. Those amendments and that work product are still there, if, in fact, the Members in the House want to use them.

We tried to get many of our ideas in this legislation, Mr. President. Some were taken, most were not, and that is unfortunate, because we really think that the opportunities that we had here, not only for Philadelphia, but I think to protect our constituents and to make a good bill better, I think we lost that opportunity here. Certainly, I think it was incumbent upon the companies to come to the table and want to participate even more vigorously than they did. So I was a little bit disappointed with that. That being said, again, I think the use of TNCs, both throughout Pennsylvania and by people in Philadelphia, my constituents, this is certainly something they want. There are some parts of this bill that I think we could have made better. I am not happy that UberX and Lyft have been operating illegally in Philadelphia for the last year. I think that is wrong, and I think it was wrong for them to have some kind of celebration marking that year event. It was inappropriate. To stick a finger in the eyes of the people of Philadelphia, the people who not only work for them but who are using that service, I think it was done in poor taste, and I truly wish they would not have done that.

The willingness of certain folks in this body to indulge the wishes of these companies is problematic since they have, in many ways, Mr. President, disregarded the laws of this Commonwealth, and I genuinely hope that this does not set a precedent for other industries that seek to come into Pennsylvania and be a part of the Commonwealth, profit and operate within our borders. I am not comfortable with some of the outstanding issues regarding public safety. Unfortunately, we were not able to address those issues in this Chamber. I hope that when this bill is considered in the House there is more willingness on behalf of the companies to address the safety of our constituents. I am disappointed that these companies desperately want to continue operating in Philadelphia, yet have given no indication, Mr. President, at least to me, that they want to be a real part of our community.

These companies stand to make millions and millions of dollars in Philadelphia alone. They stand to make millions of dollars just from Philadelphia alone, and they are saying that they cannot afford to give our kids 1.5 percent back to our schools. Now, I understand that people are in business to make money. I do not buy the argument that this fee is unprecedented. Specifically, a story was put out today by The Pew Charitable Trusts that highlights some of the fees that these companies are paying in other States. For example, a 3-percent excise tax in Nevada; 52 cents per ride in Chicago. What we were asking for here, Mr. President, on behalf of Philadelphia and the people of Pennsylvania, is not unprecedented. Rather, it was fair and reasonable. I am

very disappointed that we were not able to come to a better agreement on that.

Now, like I said, I understand these companies are in the business of making money and they do not want to part with that money. I get it, but their business model requires them to come into our communities and provide services to our constituents, and if they are going to be in our communities and be a part of our communities, then they should help our kids and help our schools. I can promise you, Mr. President, that formula, helping our kids and helping our communities, when you put that into work, when you exercise that, the result is not only something good for the city, but, I believe, something good for the company and the community, because at the end of the day, those kids are not only the new generation of technology moguls, but they are the passengers, they are the drivers, they are the partners, whatever you want to call it. So, there is an opportunity there that I really hope is not missed. I think that we had a real opportunity there to engage the companies with the communities, and not just in Philadelphia, but across Pennsylvania. I am not so sure we hit that nail as strongly as we could here, but there is an opportunity that maybe we can do that over in the House.

Access to high quality education has a significant positive impact, Mr. President, on surrounding communities. All that I have asked is that these companies do their part to make our schools and communities a better place. While we were not able to get it done to the extent I thought we should have here, I hope that my colleagues in the House have more success.

So, Mr. President, to my colleagues in the House, if these companies want to be treated like technology companies--and they will tell you that we are not a transportation company, we are a tech company. Well, then require them to give you the information you need to properly regulate. Do not accept that it is proprietary information. If you need this information to make this bill better, stronger, safer, better for our constituents, better for Pennsylvania, then demand it. Get it. They should give it to you. Do not hold the TNCs, Mr. President, to different standards, whether you are dealing with Uber or Lyft or any other TNC that comes in. This legislation treats everyone the same. There are no good guys or bad guys. A win for one is a win for the other. Whatever deal one of these companies is able to strike is going to benefit not only them but their partner when they come into Pennsylvania, and every other subsequent partner that comes into Pennsylvania as well. Do not lose sight of that. Do not lose sight of one company wanting to be a little bit more reasonable with you and blaming the larger company. Deal with them jointly, because at the end of the day, they are going to benefit the same for whatever we do, whoever that TNC is.

I am disappointed that we are moving this bill without addressing these issues. But again, I am supporting this bill because I believe that, number one, my personal feeling that the way this process went down should not play a part in that, that I should vote for this bill because, number one, my constituents want it. People in Pennsylvania want it, people in Philadelphia want it. I do think it is a good bill that could become a lot better, and I hope that as the industry begins to flourish here in Pennsylvania and begins to work with us and begins to grow, and that this industry begins to grow in Pennsylvania and across the country, that it will see a more willingness on their part to be engaged with us. Remember, Mr. President, what we were asking for,

whether it be 1 percent or 1.5 percent to go back to schools, I am asking them, do not look at it as a cost of doing business in Philadelphia. Look at it as an opportunity to grow your industry and help a partnership with the city and those schools. That is what this is about. It is not a cost of doing business, it is an investment, like we have asked every other industry that comes here to make an investment in these cities, because at the end of the day, it is these young people who are going to be the future of not only the Commonwealth but the future of the tech companies, the future riders, and the future partners. That is a point that I want to stress as strongly as I can before we put up a vote.

So, again, I thank the gentlewoman, the maker of the bill. I want to thank Senator Fontana for all of his hard work. I thank the Leadership on the other side of the aisle for allowing us to take part in this process, to allow us to share some of our ideas and the willingness to engage with us along the process. I thank you for that. Your integrity in the process certainly was appreciated.

Thank you, Mr. President.

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

Senator McGARRIGLE. Mr. President, this afternoon I plan on voting "no" on Senate Bill No. 984. I have several hundred taxicab owners who live in my district who have paid, some of them in excess of \$200,000 for their medallions in order to operate in the city of Philadelphia and in Delaware County. I thank Senator Bartolotta for addressing some of these concerns, but I think we have more concerns to look at and work toward to protect these business owners in my district. I have met with Senator Corman, spoke with Senator Bartolotta, and they have agreed that they will continue to work as this bill moves forward so that we can protect these business owners.

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-48

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

NAY-2

McGarrigle Pileggi

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.

SB 1065 (Pr. No. 1393) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for hunting on Sunday prohibited.

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-50

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

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 1279, HB 1335, HB 1340 and HB 1603 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 49, SB 126, SB 127 and SB 201 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

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 laid on the table.

BILL OVER IN ORDER

HB 400 -- 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

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.

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 602, SB 731 and SB 805 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 891 (Pr. No. 1413) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 1937 (P.L.774, No.211), referred to as the Pennsylvania Turnpike Commission Act, further providing for emergency vehicles.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 917, SB 952, SB 976, SB 986, SB 1013 and SB 1022 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL REREFERRED

SB 1047 (Pr. No. 1361) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in services for the blind and visually impaired, further providing for definitions and for business enterprises, equipment, leases, repayment.

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 1054, SB 1067 and SB 1068 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 1161 (Pr. No. 1512) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 1983 (P.L.306, No.84), known as the Board of Vehicles Act, further providing for definitions and for license to engage in business.

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

BILLS OVER IN ORDER

HB 1170, HB 1195, HB 1201 and HB 1278 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL REREFERRED

HB 1296 (Pr. No. 2553) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 25, 1973 (P.L.217, No.53), entitled "An act authorizing cities of the first class and second class to invest all funds received and deposited with the city treasurer in certain commercial paper under certain terms and conditions," amending the title of the act; and providing for investment of public corporation or authority funds.

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

BILL OVER IN ORDER

HB 1329 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 1332 (Pr. No. 1814) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for school employees, further providing for definitions and for construction of part; providing for notice to members; further providing for credited school service, for creditable nonschool service, for eligibility for annuities, for eligibility for vesting, for eligibility for refunds, for regular member contributions for current service, for pickup contributions, for return of accumulated contributions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board regarding applications and elections of members, for duties of employers, and for rights and duties of school employees and members; in retirement for State employees and officers, further providing for definitions, for credited State service, for creditable nonstate service, for Social Security integration credits, for eligibility for annuities, for eligibility for vesting, for eligibility for special vesting, for eligibility for refunds, for regular member contributions for current service, for Social Security integration member contributions, for waiver of regular member contributions and Social Security integration member contributions, for member contributions for the purchase of credit for previous State service or to become a full coverage member, for contributions for the

purchase of credit for creditable nonstate service, for incomplete payments, for return of total accumulated deductions, for maximum single life annuity, for disability annuities, for member's options, for termination of annuities, for death benefits, for payment of benefits, for duties of board to advise and report to heads of departments and members, for duties of the board regarding application and elections of members, for duties of heads of departments, for rights and duties of State employees and members, and for taxation, attachment and assignment of funds; and providing for construction of part with respect to the Internal Revenue Code.

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

BILL OVER IN ORDER

HB 1341 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

SENATE RESOLUTION No. 248, ADOPTED

Senator CORMAN, without objection, called up from page 13 of the Calendar, **Senate Resolution No. 248**, entitled:

A Resolution urging the Governor of the Commonwealth of Pennsylvania, the President of the United States and the Secretary of the United States Department of Homeland Security to discontinue the resettlement of Syrian refugees in this Commonwealth until such time as systems are in place to conduct effective and thorough security and background checks on Syrian refugees and to send a report detailing the increased measures to the states that are under consideration to receive Syrian refugees.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, this resolution urges the Governor of the Commonwealth, the President of the United States, and the Secretary of the United States Department of Homeland Security to discontinue and suspend the resettlement of Syrian refugees in this Commonwealth until such time where systems are in place to conduct effective and thorough security and background checks on Syrian refugees and to send a report detailing the increased measures to the States that are under consideration to receive such refugees.

Mr. President, this resolution was a direct result of November 13, 2015, when there were coordinated terror attacks carried out in the city of Paris. People were murdered and slaughtered. Hundreds were injured. ISIS, a radical, deadly terrorist organization based in Syria, claimed responsibility for the attacks and pledged further attacks worldwide. Mr. President, every newscast I have seen since then has shown the YouTube videos of ISIS showing scenes of New York City saying they are coming there next. Mr. President, we as a government, whether it is State, local, county, or Federal, hold as its core function the health, safety, and welfare of our residents.

The issues that have arisen since the Paris attacks have raised concerns that the security vetting procedures used in this migrant crisis may be inadequate. It makes sense to pause and to make sure our procedures are appropriate. We would not be at this stage today if the Governor did not announce that he was going

to let in Syrian refugees. We did not know that. Recognizing that we do not want a Trojan horse, Mr. President, in a country that no longer has an adequate resource center or adequate infrastructure to vet refugees, we are asking for a pause. Mr. President, this is not grown out of some concern that we hatched at our desks here in the Senate of Pennsylvania. U.S. Representatives with bipartisan support requested increased security for these individuals.

The United States Under Secretary of Intelligence and Analysis testified that we must have and must apply the most rigorous screenings that are available within the U.S. government at a time when we are not sure who is coming into this country. Mr. President, Christian Beckner, Deputy Director for Homeland Security, testified and recently said that one complication in checking out Syrian refugees is that the U.S. had a major military presence that could assist with such vetting in Iraq, a factor that is missing today in Syria. Without reliable intelligence on the ground in Syria, it is more difficult to protect against someone bent on violence and supporting a militant cause.

ISIS has made overt and public comments that they are a terrorist organization bent on destroying our government and our way of life. We truly are in new territory with a real and dedicated threat from ISIS. Mr. President, we as a Commonwealth, we as a Senate, by this resolution, are urging the President, Congress, and the Governor to pause and take a good look at our security measures. Immigration, we know, is a Federal issue, and I have heard the issue raised that it is Federal. We should allow the Federal government to do it. Well, we are lending to the Federal government our voice, as we have with some 14 resolutions that we have done in the past couple of years in this Senate Chamber, urging the Federal government to look at things from anthracite coal to the relocation of Apache helicopters. This is nothing new, but it is a critical juncture for us in the Commonwealth of Pennsylvania to insure the safety and welfare of our residents, to make sure that our residents are protected by those whom we bring in. Not putting up a barrier to stop it, just saying, let us take a look at it first, since there is not that infrastructure available to us. Mr. President, it makes sense to take a pause and make sure procedures are appropriate.

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

POINT OF ORDER

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

Senator WILLIAMS. Mr. President, I want to offer an amendment, before I do that, though, I ask for a point of order. Unfortunately, and I think many of us here know that a State Trooper was shot on the highway in Pennsylvania doing his job, and for all of us who are concerned about safety and certainly residents, law enforcement and our first responders come first in our minds. So, on behalf of the Senate and all of us, I want to extend prayers to his family. Apparently, he survived surgery and will, hopefully, be home for a happy--well, thankful Thanksgiving. I do not want the acrimony which may occur around this issue of safety or terrorism to be lost in the fact that we are all united about protecting this country, protecting the citizens, but most importantly, we are thankful that we have State Troopers and officers and military folks who are part of this country and protect the fabric of this country.

So, thank you, Mr. President.

The PRESIDENT. The Chair thanks my friend from Philadelphia for recognizing and keeping our heroic and brave State Police officers in our thoughts and prayers, and in this particular case, our prayers go out to the current trooper and his family. We thank Senator Williams for the gesture.

WILLIAMS AMENDMENT A4510 OFFERED

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

Senator WILLIAMS. Mr. President, with that said, I offer an amendment.

And the question recurring,

Will the Senate adopt the resolution?

Senator WILLIAMS offer the following amendment No. A4510:

Amend Resolution, page 1, line 17, by inserting after "residents":
from all enemies foreign and domestic

Amend Resolution, page 3, line 21, by striking out "therefore be it" and inserting:

and

WHEREAS, The Federal Bureau of Investigation established a Terrorist Watchlist following the September 11, 2001, attacks to protect American citizens from domestic and international terrorism; and

WHEREAS, Roughly 8,500 American citizens or permanent residents currently compose approximately 2% of the Terrorist Watchlist; and

WHEREAS, Those American citizens and permanent residents named to the Federal Bureau of Investigation's Terrorist Watchlist are unrestricted from purchasing and owning firearms despite the hazard they potentially pose to American life and liberty; and

WHEREAS, Between 2004 and 2014, more than 2,043 people have lawfully purchased a firearm despite being listed on the Federal Bureau of Investigation's Terrorist Watchlist; therefore be it

Amend Resolution, page 4, by inserting between lines 1 and 2:

RESOLVED, That the Senate of the Commonwealth of Pennsylvania urge the Governor of the Commonwealth of Pennsylvania, the Congress of the United States, the President of the United States and the Director of the Federal Bureau of Investigation to ban the purchase and ownership of firearms by potential terrorists named to the Terrorist Watchlist; and be it further

On the question,

Will the Senate agree to the amendment?

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

Senator WILLIAMS. Mr. President, given the fact that we are concerned about terrorists from afar, it makes sense that if we are going to give a resolution to Congress, then we should be suggesting to them that some of our own back doors are quite wide open. Unless we are just sort of waving the flag and wrapping ourselves in it for political favor, as opposed to substantively directing Congress to do something about this, I hope that we have the opportunity to vote upon that which is quite egregious. Those of us who are--as a matter of fact, almost all of us are aware of this, our national ports abound about this, that you can be on a terrorist watchlist in this country and not be allowed to board a plane, but, yet, you are still allowed to go and buy a gun in this country and be on that list.

We had a quite curious and active Committee on State Government meeting the other day, in which we decided to table this particular portion. I am not quite sure why or how. I do want the public to understand that if we are going to engage in the conversation about protecting all of us and being concerned about terrorism, I am equally as concerned, and I think all of us should be equally concerned that a terrorist in this country, like they had access to an airplane, like they had access to other types of armaments and disruptions, like they had access to all of those things that happened in France, we legally allow them to do that in this country. So this amendment, Mr. President, goes to the heart of the matter. We think that they should not be allowed to have access to those guns and we say that anyone on the terrorist watchlist, regardless of whether it is intended or not, should be denied that opportunity to buy a gun in America to add further security, obviously to all Pennsylvanians and all Americans. That is the substance of the amendment, Mr. President.

WILLIAMS AMENDMENT A4510 TABLED

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

Senator CORMAN. Mr. President, I certainly understand the desire and interest that the Senator has, but I do not believe that the amendment is germane to the resolution. So, I move that the amendment be laid upon the table.

The PRESIDENT. Senator Corman moves that the amendment be laid on the table.

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

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

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

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

Senator WILLIAMS. Mr. President, I know the motion is not debatable. I ask a question, germaneness, is there a specific criteria that relates to germaneness? Because we have done this for many years. The question is, how is germaneness defined?

POINT OF ORDER

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

Senator CORMAN. Mr. President, point of order.

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

Senator CORMAN. Mr. President, I believe we are on the resolution at this point in time and certainly, if the gentleman would like to ask a point of order to ask a question, that is certainly within his rights, but right now, we are on the resolution itself and all debate should be contained to the resolution.

The PRESIDENT. Senator Corman's point is well-taken and appropriately characterizes where we are. For that reason, Senator Williams, the issue of germaneness is not one to be discussed here on the floor, but I would personally be glad to work with you in the future, and we will figure it out together.

The Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I appreciate that particular moment. The question is, in this and any other moment, if rules are being followed, how is one to understand the rules if they do not have the opportunity, under a point of personal privilege or any other moment to say, I understand I am not debating the substance of what we talked about, but the process.

POINT OF ORDER

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

Senator CORMAN. Mr. President, same point of order that we are on the resolution at this point in time and all debate should be contained to that resolution. Obviously, if the gentleman has questions on rules, that can be taken up at another time, but right now, we are on the resolution itself.

The PRESIDENT. The debate involves a resolution related to immigration. Senator Williams, you are therefore guided to keep your arguments or discussion related to immigration.

Senator WILLIAMS. Mr. President, I actually have two amendments. I had a second amendment to be offered, but given the fact that I would expect the outcome to be the same, I will withdraw that second amendment. To the issue at hand, and that is the substance of what this resolution is supposed to do, and that is, it is supposed to give some rise to some level of concern in Congress, when it arrives, that we, as Pennsylvanians, are concerned about our security and suggesting that our Governor and President are not in line with that level of concern. I will first say this: That it is, unfortunately, quite common in American history, when confronted with these situations of mass immigration or migration, that we have a history of refuting them. Just going back as far as 1939 when Jews in mass numbers decided to arrive at the shores, or requested to be refugees at the shores, they were denied. After World War II, they were denied. Anne Frank, who comes to many people's minds, was denied. She sought refugee status. Asian Americans, who came out of the Vietnam era and beyond, were denied. Cubans were denied. Those refugee requests who apparently survived some of the ravages of Kosovo and Croatia had much more empathetic and sympathetic ears. Most notably, Japanese Americans. Japanese Americans were, because they happened to be Japanese, we took it to the ultimate level. We put them in holding pens. We secured them. We did it in the name of, they are Japanese. Certainly, there were many Americans of all stripes, some may have been African Americans, some may have been Italian Americans, Polish Americans, all had, what reflects in this moment, concern, fear, and trepidation, which is a natural response.

What is not natural is for the elected leadership to be in the same holding space. The gentleman stood and suggested that we are not trying to be disruptive, and, in fact, let us tell the Federal government and the President that once they get their plan together, we will be okay with it. What the gentleman failed to say was, that it takes almost 2 years for a refugee to enter this country. If the gentleman was sincere in his concern about doing something about terrorism, then I think we need to do something about terrorism. I do not know anyone that I am aware of who has ever been reported, in the history of this country, who has been defined as a terrorist. They waited 2 years of a process

when they broke every law to get access to weaponry, broke every law to fly a plane, broke every law to find a knife, broke every law to find an explosive, and broke every law to provide destruction in this country. Never has it happened. And, frankly, it is insulting to the common sense and intelligence of those of us to whom we are talking to suggest that there is not a process which is set up. It is even more insulting to suggest that we do not already have Syrians who are refugees in this country currently. To date, not one has blown up a building, let alone received a parking ticket. Not one. What we do is, we are very comfortable doing what we always do, is run to the bottom. Fear baiting. We conjure up the fear, we wrap ourselves in that comfort, we pretend like it is an American value and privilege when, in fact, it is the opposite.

This country is built on the back of those Jews who finally were allowed to enter this country. This country is built on the back of those Hungarians who were finally allowed to enter this country. This country is a better country because those Asians and Cambodians are taxpayers in this country. Those Cubans have fought in wars in this country. We are our brother's keeper. We are a nation amongst nations because we have found the ability to open our doors wide to those who are most crippled and sincerely pained. At this moment, where refugees who are running from terrorism are asking for the privilege for the protection to be a part of this country, we are deciding that we run to the lowest base element as leaders. We suggest that something is defective when, in fact, we know it is not.

This is not about terrorism. This is about tyranny. This is the tyranny of government defining itself and showing its face in this body. I understand the resolution, with all due respect, does not have much consequence. It will be in File 49 in Congress. They already have their own problems. But what it does do is speak to who we are as an institution.

So my plea, not my argument, is that if any of you, when you return on Thanksgiving and sit around a table with your loved ones and you look in their eyes and recognize that their ancestry comes from fighting to be an American, being privileged enough to be a part of this extraordinary experiment, then you have to recognize that what we are saying to those innocent refugees who happen to be Syrians, that we are casting them as we did the Japanese, as we did Hungarians, as we did Jews, as we did Cubans, that first wave, we are casting a stereotype of fear for no reason at all. I think it is a disappointment and, frankly, not a tragedy that we could find ourselves in this season of Thanksgiving and recognize what the extraordinary gift of being a part of this country is all about, and recognize that any terrorist who has been here came on a visa, not as a refugee.

The facts should not seek a problem, the facts should liberate us and allow us to lead within our communities. That does not mean that you do not have constituents who are calling your office or my office every day talking about the Syrian problem. What it does mean is I take the time to explain to them there is not a Syrian problem, there is a terrorist problem. Syrian refugees do not need to be supplanted into the terrorist conversation. The facts do not speak to it, the time does not speak to it, but most importantly, history has provided us a model to understand these set of circumstances that we set ourselves in.

I stand in strong protest to any resolution that would represent me as a Pennsylvanian to go to the Federal government or Congress saying, this is what we believe as Pennsylvanians, because

we do not. We do not. Ben Franklin's experiment was an open place of peace. Quakers, an open place of gathering all types of people. This resolution speaks to a very limited, stereotypical not-American value. So, I would ask that in your thoughtful considerations in this season of forgiving, blessing, and protection, that we do seek peace. That we seek those who are most vulnerable and give them the privilege of being in what all of the world looks at as an extraordinarily open country.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Wiley.

Senator WILEY. Mr. President, I, too, rise today to share my thoughts regarding an issue that is obviously incredibly and emotionally charged. In the days since the tragedies in Paris and Beirut, our nation has become divided. It seems that many have forgotten the simplest of truths, that those seeking refuge in our country and in our State are human beings, and, as such, deserve the kind of compassion that you and I would expect should we ever have to flee in order to save our lives or our family's lives. To draw a direct connection between refugees entering the United States and terror attacks across the globe is simply exacerbating fear. The screening process for those entering this country is as rigorous as it is thorough.

Mr. President, I may see this from a different perspective than many of my colleagues. My district is home to one of the largest refugee populations in the Commonwealth, over 8,000 people and growing. We reap the benefit each day of the culture and values that those individuals carry with them. We are a better community for having embraced diversity and for having welcomed each individual with open arms. Our fair city is a true melting pot of culture, reminiscent of New York City during the early days. We are not fearful of a skin color that is different than ours. We do not shy away from those who dress in a manner of their home country. We do not ignore the plight of those who seek a life that is free from persecution, one that is safe, one where their children can be educated and have a future they may not have been able to attain. Rather, we support growing businesses and encourage longtime residents to take part in these new experiences. We benefit from a work ethic that is unparalleled, where our labor force grows stronger and stronger by the day.

Mr. President, Pennsylvania is, and has been since the days of William Penn, a multicultural society and a haven for the persecuted. Diversity shapes our historical experiences and has laid the foundation of our great Commonwealth. With this in mind, I will be casting a negative vote on this resolution.

Thank you, Mr. President.

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

Senator LEACH. Mr. President, I also rise in opposition to this resolution. Obviously, we should make it clear to people watching that we have no power in this area. This is a Federal matter and this is more sort of a philosophical debate than a practical debate on anything that is going to affect people's lives, but nonetheless, it is important to engage on that issue. We are talking about people who are literally dying. We have seen children washing up on beaches, and we have seen that repeatedly. We have seen people who are fleeing for their lives. We have seen people who are in a desperate situation. We have seen people who have really very little alternative. Going back to Syria is not an alternative. That has become a slaughterhouse. The only other

alternative is refugee camps where people live in squalor, when we can provide them so much more. It seems to me that the only reason that we would do this is if there were a compelling case to make that is factually based and checks out when you actually do the research.

Now, the allegation is that there is not an effective vetting process. Some people are on TV saying there is not a vetting process at all. That is false. People who say that are incorrect. We actually have a very rigorous vetting process in place. As it was mentioned, it takes 2, sometimes 3 years. We are not just taking people who wash up on the beach and we grab them and we move them to Davenport, Iowa, or Upper Milford, Pennsylvania. This is a multiyear vetting process, and I did a little research to find out exactly what that process entails, and I want to go through it quickly.

If you are a refugee or claim to be a refugee, you have to show that you have a well-founded fear of persecution or oppression or violence from where you came. You have to show that you are not a danger to the community where you are going. The first thing you have to do is apply before the United Nations High Commissioner for Refugees. They vet these refugees. They check them out and then they refer them, if they are refugees, to various countries. Less than 5 percent are referred to the United States. Those 5 percent or less are referred to the United States State Department, where they are screened by the National Counterterrorism Center. They are then screened a second time by the FBI. They are then screened a third time by the Department of Homeland Security. If they are Syrian, they are screened a fourth time by a special unit of the Department of Homeland Security, the Fraud Detection and National Security Directorate.

Just so people understand what these screenings mean, they include background checks, they include interviews with the applicant, and interviews with all of the references and the people whom the applicant discusses. That includes verification of things such as, you have to tell them what hospital you were born in and what date. They go to the hospital. They check that. Do you have a criminal record? They go and check that. What schools did you attend? They go and check those out. They talk to teachers, they talk to other people who are relevant at those schools. What jobs have you held? They go and check those out. They interview the employers, they interview coworkers. Are you married? What marriages or divorces have you had? They check those out. Who are your children? Who are your parents? They check those out, et cetera. Fingerprints are taken and run through the biometric databases. There is a very, very extensive protocol. Finally, if you were approved, you have to take a cultural orientation class to be assimilated into the United States.

As the previous speaker mentioned, no terrorist is going to do this. No terrorist wants all of their friends, their family, their history checked out. They do not want to wait 2 years when they do not have to, Mr. President. It is much easier, if you are a terrorist and you want to come to the United States, to go through the student visa program, which has none of these background checks, or the tourist visa program, which does not take 2 years and does not have these background checks, or even sneak across the border, which is far easier than going through this process. That is what terrorists do.

Now, how do we know that this is working? What evidence do we have that this is either working or not working? Because again, we cannot deny dying people their last refuge unless there

is a compelling case that is factually based. So, what are the facts then? Well, since 9/11, there have been 785,000 refugees admitted into the United States. Out of those, three have been arrested for acts of terrorism, and by which I mean, in those three cases, planning terrorism. There are zero who have been arrested for committing acts of terrorism. All of the September 11 hijackers, for example, were here on visas, not refugees. Three refugees out of 785,000. And I cannot help but think, we also try to screen people who buy guns, but every once in a while one of them shoots up an elementary school or a movie theater. We do not have a perfect system with that, yet we do not ban everyone from getting guns. In fact, the last year for which they had statistics, there were over 11,000 gun homicides in America versus, that year, zero acts of terrorism in America. Yet we do not say, well, gun owners, sorry, you cannot buy guns, but we are willing to say to Syrians, sorry, you can die on the beaches? That does not make any sense, Mr. President.

Is this a perfect system? Can we guarantee that there will never be someone who comes across the border as a refugee and does something wrong? Of course not, but that is not just true with Syrian refugees. That is true with everybody. That is true with all refugees, and that is true, as some of the other speakers have said, for the refugees who have come to America, the waves of refugees in the past. We have had Jewish refugees. At the time, they were considered very dangerous because they might be communists and we were going through the McCarthy era and we were fighting a war on communism, and a lot of people thought the Jews might be communists, because a couple of them were. As a result, we denied entry to this country to Jewish refugees of the Holocaust. The most famous example being the ship *St. Louis*, where we had people sitting in Miami harbor, watching the lights, watching the people walk around the streets of Miami, and we would not let them into this country, and we sent them back to Europe, where hundreds of them were killed by Hitler. We cannot make that mistake again.

It was not just the Jews. Italians were considered a great risk for being anarchist terrorists, which was a big thing back then. Polish immigrants—in fact, a Polish refugee, the son of a Polish refugee, Leon Czolgosz, actually committed an act of terrorism by shooting and killing President William McKinley. But we do not say we cannot let Poles into this country because they are dangerous. During World War II, there was another resistance to allowing Jews to come in because people felt that Jews who were coming from Germany might be pretending to be Jews and might be Nazis who were coming to commit espionage. That was a big issue, and it is interesting, because the percentage of people who opposed bringing Jews to America during the Holocaust and giving them refuge was higher in the polls than the percentage who oppose giving Syrians refuge now. Well, we have to grow as a country. We have to get beyond this.

Now, other countries are accepting refugees. Interestingly, this is borne because of the Paris attacks. After the Paris attacks, France increased the number of Syrian refugees that they said they were willing to take. Increased. Germany, a country much smaller than us, is taking a million refugees. President Obama said, we are taking 10,000. That is, what, a tenth of 1 percent of what Germany, a country smaller than us, is taking, but we are standing like there is a mouse on the floor and we are standing on the chair going "eek." That makes no sense. What is really tragic about this, and there are so many things, is this is exactly

what ISIS wants. ISIS recruits based on telling people in the Middle East and telling young Muslims, the West does not care about you. The West does not care about your suffering. The West is indifferent to you. And then we see children washing up dead on the beach and we are supposed to say, hey, tough luck. That is exactly what ISIS wants us to do. The last thing they want us to do is to provide a home for these people.

Mr. President, this is, I believe, a profound moral issue and a profound test of America's moral stature in the world. It has become almost hackneyed to talk about the Statue of Liberty and "Give me your tired, your poor," but the fact is, we, as a nation of immigrants, cannot be known as the country that turns away refugees in desperate need. That is not who we are. We are better people than that. There is no evidence that anyone from Syria has been a problem so far, and there are already thousands of them here. There is no evidence that refugees from countries who are fleeing terrorism are a problem. Three out of 785,000. Given that utter lack of factual evidence that we are actually addressing a real problem, and given the factual evidence that we have a very, very advanced, rigorous, not perfect, but pretty darn close vetting process, why would we want to attach our name to something that, certainly, can be portrayed as xenophobic and, at best, portrays Americans as people who cower in fear? We can do better than that.

Thank you, Mr. President.

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

Senator TEPLITZ. Mr. President, I cannot be the only one here wondering if the appropriate time to engage in a debate on U.S. foreign policy might be after we pass a State budget. Thank you.

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

Senator RAFFERTY. Mr. President, some of what I heard here today is just beyond belief. Mr. President, this is a resolution because of terrorism and a political component of terrorism to destroy our government, our country, and our way of faith. Mr. President, this is not akin to what happened in World War II or any of those times. All we are asking for is a vetting of the process. We accepted 2,000 Syrian refugees last year. This year, the President is asking for 10,000. I am not sure that they are taking 3 or 4 years to get here. All we are asking is, because of the situation, because of the people in control of Syria today, that we take a closer examination before we admit them.

Mr. President, before Paris, a thousand cases were opened by the FBI looking at ISIS. It has been reported that Syrian refugees going into Europe today, over 50 percent of them are military-aged young men. We are all trying to say it is widows and children. It is not. Mr. President, my forefathers and yours were persecuted in this country, too. That is not our way in the United States, but it is our way in the United States to make sure that the safety and welfare of our residents is foremost. This world has changed dramatically. Paris changed this world. All we are asking for is a little time and a little security to make sure our residents stay safe. We are not throwing up walls, we are putting a check in place to make sure refugees, citizens, immigrants from a country that has no infrastructure, nobody we can pick up the phone and talk to or write to to make sure that we are not getting the wrong persons here in this country. That is all we are asking

for, Mr. President. We are taking an ounce of prevention to prevent what has happened with our allies in Europe. I ask for an affirmative vote.

Thank you, Mr. President.

The PRESIDENT. For the second time, the Chair recognizes the gentleman from Philadelphia, Senator Williams.

Senator WILLIAMS. Mr. President, I am still listening for motivation. The gentleman suggested that we are just asking for protection and caution and consideration. I do not think he heard a word that my dear friend Senator Leach said. There is a vetting process. More importantly, if Paris, France, accepts more, what makes us less concerned than they would be? I mean, as we often do in this place, we make up a set of facts in search of a problem, as opposed to seeking what is obviously a problem and going back and fixing it.

This is counterintuitive only for the purpose of politics, that we rise in a body that does not relate to any Federal function and talk about protections that do not exist when, in fact, they do exist. Those are the facts. People can be annoyed and red in the face about it, but those are the facts. This is nothing different, yes, it is nothing different than what we did with the Japanese in America during that same period of time. Military men, 50 percent, sounds a lot like profiling. You are guilty because you are of military age and you are a man and you are Syrian? Is that what we have come to? Because you are of military age and you are a man from Syria, you automatically qualify to be a terrorist? That is what we are literally saying. Go find the boogeyman, be scared of him. That is no different than what we do in this country with countless numbers of other young people who walk down a block, going to college, minding their own business, but because they fit a certain stereotype of what we think, guess what, they are guilty before charged. That is the ugly underbelly of this conversation. That is what we are talking about. We are not talking about protecting this country. Not one word is about protecting this country. Not one word. It is about tearing down the fabric of us getting together in this country and being a global leader.

So, I do not want to hear how people are irritated because we stayed a little longer, I could give two hoots. I am so irritated that people are irritated about the fact that there are some people here who think that human dignity and the American way is what this is about; otherwise, we would not be throwing up this piece of paper and sending it to Congress. So, do not tell me how annoyed you are or whisper behind my back or get red in the face because it bothers you. It insults me. It insults me as an American for Hungarians, for Polish, for Irish, for Italians, for Jews, for African Americans who have come here and have been stereotyped because of who they are. It bothers me. I try to contain my emotions around it, Mr. President, but when I see the reaction, the indifference, the who cares? Well, I do. I care. And those who come from the lineage as Americans like I did, we care. So we voice our opinion in the only way we can. We stand up and we protest it in the democratic process, in a republic which is the greatest in the world, who did not fear its triumphs, but, frankly, opened up its weakest chain to become stronger as a nation because of it. This is not a victory. This is an ugly moment in Pennsylvania history with regard to this resolution.

MOTION TO TABLE RESOLUTION

Senator WILLIAMS. For those reasons, Mr. President, I ask for us to table this particular resolution.

The PRESIDENT. Senator Williams moves that the resolution be tabled. It is not debatable.

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

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request legislative leaves for Senator Bartolotta and Senator Pileggi.

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

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

The PRESIDENT. Senator Gordner requests legislative leaves for Senator Bartolotta and Senator Pileggi.

Senator Costa requests a legislative leave for Senator Yudichak.

Without objection, the leaves will be granted.

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

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

YEA-19

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

NAY-31

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

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

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

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

YEA-37

Alloway	Dinniman	Rafferty	Vulakovich
Argall	Eichelberger	Reschenthaler	Wagner
Aument	Folmer	Sabatina	Ward

Baker	Gordner	Scarnati	White
Bartolotta	Greenleaf	Scavello	Wozniak
Boscola	Hutchinson	Smucker	Yaw
Brewster	McGarrigle	Stefano	Yudichak
Brooks	McIlhinney	Tomlinson	
Browne	Mensch	Vance	
Corman	Pileggi	Vogel	

NAY-13

Blake	Haywood	Schwank	Williams
Costa	Hughes	Tartaglione	
Farnese	Kitchen	Teplitz	
Fontana	Leach	Wiley	

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

The PRESIDENT. The resolution is adopted.

SB 604 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that Senate Bill No. 604, Printer's No. 597, 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

BILLS REPORTED FROM COMMITTEE

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

SB 1071 (Pr. No. 1410) (Rereported)

An Act Amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions: for the Public School Employees' Retirement System, in the areas of preliminary provisions, of membership, contributions and benefits, of School Employee's Defined Contribution Plan and of administration and miscellaneous provisions; for health insurance for retired school employees, in the area of preliminary provisions; for military pensions, in the area of military leave of absence; for boards and offices, in the area of Independent Fiscal Office; for the State Employees' Retirement System, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of State Employees' Defined Contribution Plan, of contributions, of benefits and of administration, funds, accounts, general provisions; and providing, as to the revisions, for construction and administration, for applicability, for funding, for liability, for State Employee member statements and for State Employees Retirement Board obligations.

HB 150 (Pr. No. 2573) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Share the Road plate.

HB 1327 (Pr. No. 1788)

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in special funds, further providing for State Workers' Insurance Board investments and for a related expiration provision.

SENATE RESOLUTIONS ADOPTED

Senators MENSCH, EICHELBERGER, BAKER, BREWSTER, VOGEL, SABATINA, TOMLINSON, DINNIMAN, TEPLITZ, ARGALL, RAFFERTY, GREEN-

LEAF, BROWNE, GORDNER, PILEGGI, SCHWANK, BARTOLOTTA, HUTCHINSON, COSTA, YUDICHAK, FONTANA, FOLMER, FARNESE, YAW, VULAKOVICH, SCARNATI, AUMENT and HUGHES, by unanimous consent, offered **Senate Resolution No. 250**, entitled:

A Resolution designating January 1 through 8, 2016, as "First Responder Appreciation Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator MENSCH. Mr. President, during January 1 through January 8, 2016, we designate "First Responder Appreciation Week." Thousands of Pennsylvanians have benefited from the brave and courageous service of first responders across the Commonwealth. The police, fire, emergency, medical service, and public health personnel who are commonly known as first responders work tirelessly and selfishlessly for the citizens of Pennsylvania, regardless of the peril and hazards to themselves. The men and women who bravely serve as first responders can at any moment find themselves on the front lines of homeland defense or the war against terrorism. First responders are called upon to serve the citizens of Pennsylvania when natural disasters occur. Fifty-five thousand registered emergency medical service workers respond to and treat many life-threatening emergencies such as traumatic injuries, strokes, and cardiac arrests. Seventy-five thousand firefighters, both volunteer and career personnel, provide critical fire prevention safety and education, fire suppression, automobile accident response, search and rescue, hazardous material response, and oftentimes they provide emergency medical services when needed at the scene. Forty-five thousand police officers protect our lives and our properties. They prevent and detect crimes and insure justice.

Mr. President, first responders make personal sacrifices in order to keep the Commonwealth of Pennsylvania safe, and sometimes make the ultimate sacrifice in the line of duty to insure the well-being of the citizens of Pennsylvania. These men and women deserve to be honored the first week of the year to show our renewed respect, appreciation, and gratitude for those who carry out the critical role of protecting and insuring public safety for all of us.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for recognizing unsung heroes and appreciates the 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 ALLOWAY, BOSCOLA, DINNIMAN, SABATINA, McGARRIGLE, TEPLITZ, COSTA, YAW, FONTANA, BREWSTER, FARNESE, BROWNE, GREEN-LEAF, RAFFERTY, PILEGGI, KITCHEN, MENSCH, YUDICHAK, VOGEL, WARD, BROOKS, VULAKOVICH, AUMENT and HUGHES, by unanimous consent, offered **Senate Resolution No. 251**, entitled:

A Resolution designating the month of November 2015 as "Food Pantry Donation Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator ALLOWAY. Mr. President, I rise to offer this resolution dealing with hunger, and I am proud to partner with my good friend, Senator Boscola. We have been talking about this idea and doing some research. What we want to do is make it as safe as possible in Pennsylvania for restaurateurs and others who deal in the food business to donate their leftover food to the food banks and homeless shelters. Over the years there have been some incidents and lawsuits that have caused some concerns for those business owners who are afraid to donate food, and if someone gets sick, they end up getting sued. Because of that, they end up throwing out millions of pounds of good food every year after their banquets and events. I know myself, I frequently -- many of us here, we have fundraising events and other get-togethers, and at the end, you see all of this leftover food and you want to utilize it in some way that is good.

I remind everyone in the food industry that there are Good Samaritan laws that do protect you when donating your food. The only way you can get in some trouble is if you willfully know that the food is spoiled. So, if you know that the food was under your care, and you did it right, you can donate it to the food banks and the shelters, and I urge you to do so. Many in this Caucus have worked tirelessly to try to help alleviate hunger in Pennsylvania, and it is one of the saddest things for someone in America to go to bed hungry at night. We are the land of the plenty, and former Senator Mike Brubaker, I think I invoked his name here the other day, who started the Hunger Caucus, was big in this. We also did the resolution for Hunters Sharing the Harvest, where sportsmen can donate their kill to the local butcher shops and that food ends up in the food banks as well.

So, again, I thank my friend, Senator Boscola, for working together with me on this. This is an important issue, especially at this time of Thanksgiving and the holidays when there is so much food, we all know we get up from the table and we see it all there. There is so much leftover food and there is someone going hungry. Let us try and do our part to fix that.

Thank you, Mr. President.

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

Senator BOSCOLA. Mr. President, I rise to echo the sentiments of my colleague and friend on the other side of the aisle over there, Senator Alloway. We wanted to come up with a way to maximize food donations going to charities and to acknowledge the importance of food donation to the overall well-being of our communities. It is very encouraging that with this resolution we are able to build on the Good Samaritan law already in place in Pennsylvania that protects restaurants, grocery stores, and other entities from potential lawsuits when trying to do the right thing and make good faith donations. Our resolution raises the awareness and encourages more training and consistency within the business community.

While such donation efforts are, of course, appreciated throughout the year, Thanksgiving week is indeed upon us. It is

the end of November, cold weather is setting in, and soup kitchens are hitting their season peak. Soon the hustle and bustle of our holiday season will have come and gone, but donations will still be needed. So for businesses and individuals alike, just remember to consider your own current situation compared to someone else who has fallen on hard times. It snaps everything into perspective when you think about the blessings that we all have and enjoy versus what is truly needed for our homeless and our struggling families, simply to survive. It is staggering.

So, hopefully during this holiday season we think about food donation, think about the homeless, and the hungry out there. Again, I thank Senator Alloway, my good friend, for offering this resolution with me.

The PRESIDENT. The Chair thanks both Senator Alloway and Senator Boscola for offering a very important resolution. We are all truly blessed.

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

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

Senators BROOKS and HAYWOOD, by unanimous consent, offered **Senate Resolution No. 252**, entitled:

A Resolution recognizing the month of November 2015 as "National Caregiver Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator HAYWOOD. Mr. President, former First Lady Rosalynn Carter said there are four kinds of people: Those who will become caregivers, those who are caregivers, those who were caregivers, and those who will need caregivers themselves. Across our Commonwealth, caregivers demonstrate love in action. Whether family members, friends, or healthcare professionals, these individuals give of themselves to insure the comfort and well-being of our neighbors.

In my own family, my sister, Leslie, has given up the last 4 years of her life to care for my frail, elderly mother. She has given up her job, moved in with my mother, and given all that she has. Earlier this year, I did a little bit when my mother stayed with me for 3 months. During that time, I got a much greater appreciation of the challenges and the great reward and joy of being a caregiver. Caregivers are those whom we must appreciate and acknowledge, and that is why I am very glad to support, with Senator Brooks, this resolution to make November "National Caregivers Month" in Pennsylvania.

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

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

Senators BROOKS and HAYWOOD, by unanimous consent, offered **Senate Resolution No. 253**, entitled:

A Resolution designating the month of November 2015 as "Alzheimer's Disease Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BROOKS. Mr. President, I rise today along with Senator Haywood to offer this resolution designating the month of November as "Alzheimer's Disease Awareness Month" in Pennsylvania. Alzheimer's is an irreversible degenerative brain disorder that affects more than 5 million Americans. As many as 400,000 Pennsylvanians have Alzheimer's or a related disorder, ranking the Commonwealth fifth in the nation in the occurrence of this life-changing disease. Additionally, we can expect the number of Pennsylvanians diagnosed with Alzheimer's or related disorders to continue to increase as Pennsylvania's population ages. Approximately 70 percent of all Pennsylvanians with Alzheimer's or related disorders live at home, where they depend on the assistance of caregivers such as spouses, children, siblings, and friends to provide the daily assistance that enables them to remain at home for as long as possible.

Therefore, Mr. President, it is truly fitting that the focus of this year's Alzheimer's Disease Awareness Month reflects the impact of this disease on the caregiver. In 2014, 671,000 Pennsylvanians provided more than 765 million hours of unpaid care to a loved one with Alzheimer's or a related disorder. Mr. President, I know my colleagues are fully aware of the growing impact of Alzheimer's on Pennsylvania families. Caring for a family member or a friend with this disease is a labor of love that can often be difficult. Hopefully, this resolution will help raise awareness of the heroic efforts of those who care for their special loved ones suffering from this heart-wrenching disease we call Alzheimer's.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentlewoman from Mercer for a very thoughtful resolution.

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 McKinley Anderson by Senator Alloway.

Congratulations of the Senate were extended to Christopher Argot, Roadside America and to South Schuylkill Garden Club by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. J. Melvin Eby, Mr. and Mrs. Ray Wolf Deater, Mr. and Mrs. Henry Brubaker, Mr. and Mrs. Elam G. Martin, Mary I. Beckett, Dylan Thomas Mulroney, Patrick H. J. Hall, Irene Gehman and to Marie P. Wolgemuth by Senator Aument.

Congratulations of the Senate were extended to Robert Lee Dolbear and to Catherine R. Benedict by Senator Baker.

Congratulations of the Senate were extended to Mary F. Evans by Senators Baker and Yaw.

Congratulations of the Senate were extended to Lieutenant Colonel Thomas J. Lynch, John Bate, Mitchell Coriell and to Hellertown Lions Club by Senator Boscola.

Congratulations of the Senate were extended to Patronella Bianchi Ohler and to Colin Harding by Senator Brewster.

Congratulations of the Senate were extended to Mr. and Mrs. Jerry Brown, Alex Maggitti, Clifford W. Benner, Elaine A. Steigerwalt, Jean M. Brown, Elsie Josephine Lamm and to Orlando Diefenderfer Electrical Company, Inc., by Senator Browne.

Congratulations of the Senate were extended to Aurel M. Arndt by Senators Browne and Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. John E. Colpetzer, Joshua M. Cavender, Katie McLaughlin, Mifflin County Christian Academy and to Esh Appliances by Senator Corman.

Congratulations of the Senate were extended to Robert Carr by Senator Costa.

Congratulations of the Senate were extended to Dr. Richard Winchester, Stella Majka Broskey Grobelny and to Glenda K. Brion by Senator Dinniman.

Congratulations of the Senate were extended to Master Sergeant Richard E. Bowman and to Andy Patterson by Senator Eichelberger.

Congratulations of the Senate were extended to Technical Sergeant Robert F. Fuess by Senator Folmer.

Congratulations of the Senate were extended to Sheilah Borne and to Patricia Husic by Senators Folmer and Vance.

Congratulations of the Senate were extended to John Ciangiarulo by Senator Fontana.

Congratulations of the Senate were extended to Mary L. Zimmerman and to Patricia A. Rumberger by Senator Gordner.

Congratulations of the Senate were extended to Harvey Portner by Senator Haywood.

Congratulations of the Senate were extended to Mr. and Mrs. Donald Jones by Senator Hutchinson.

Congratulations of the Senate were extended to Edward Metz by Senator Greenleaf.

Congratulations of the Senate were extended to Marian B. Tasco by Senator Kitchen and others.

Congratulations of the Senate were extended to Hank Van Zanten by Senator McGarrigle.

Congratulations of the Senate were extended to Jessie Jin, Liam Dellinger, Maddie Ninatoski, Lucie Yackel and to Maria Grigoryants by Senator McIlhinney.

Congratulations of the Senate were extended to Barbara Clark by Senators McIlhinney and Tomlinson.

Congratulations of the Senate were extended to Luke Robert Cirullo, Marian Spaar Pershinsky, Kevin Rossi, Patrick McKernan and to Manfred Marschewski by Senator Mensch.

Congratulations of the Senate were extended to Nick Forte by Senators Mensch and McIlhinney.

Congratulations of the Senate were extended to Sean Francis Cannon, Cameron David West, Jonathan Scott Detwiler, Casey Berardi, Andrew William Iford, Bernard Vincent Moro, Ryan P. Baldino and to Casey Michael West by Senator Pileggi.

Congratulations of the Senate were extended to Theodore C. Fleck by Senator Rafferty.

Congratulations of the Senate were extended to Pier Lee, Patrick Lee Crago, Denon John Hubbard, members and coaches of the Upper St. Clair High School Girls' Soccer Team and to the members and coaches of the Sewickley Academy Boys' Soccer Team by Senator Reschenthaler.

Congratulations of the Senate were extended to Elizabeth Roberts, Josephine Bizzaro Petillo, Mark Black and to William Cebulskie by Senator Scarnati.

Congratulations of the Senate were extended to Douglas A. Weiss, Nina M. Woodling and to West End Ambulance Association by Senator Scavello.

Congratulations of the Senate were extended to Ethan Moquin, Benjamin Moody, Bryan A. Rudolph and to the staff and volunteers of Co-County Wellness Services by Senator Schwank.

Congratulations of the Senate were extended to the Board of Directors, staff and volunteers of Berks Encore by Senator Schwank and others.

Congratulations of the Senate were extended to Martha Wilson and to Benjamin Reese Banzhof by Senator Smucker.

Congratulations of the Senate were extended to Nancy Decker, Stephen M. Neubauer and to Greater Cumberland Committee by Senator Stefano.

Congratulations of the Senate were extended to Chief Master Sergeant Michael S. Kovach, Master Sergeant Eric L. Jackson, Jeffrey Robert Imboden, Camp Swamp Hole, Inc., Kids Academy Early Learning Center and to The Goddard School by Senator Teplitz.

Congratulations of the Senate were extended to Steven James Surrick and to John Izak by Senator Tomlinson.

Congratulations of the Senate were extended to Chief Master Sergeant Paul Swenson and to the Mechanicsburg Area High School Marching Band by Senator Vance.

Congratulations of the Senate were extended to William F. Gearhart and to Ethan Urey by Senator Wagner.

Congratulations of the Senate were extended to Todd Moore, Ronald Genard, Brandon Schaefer, Robert Orner, Ken Holsopple and to the City of Jeannette Fire Department by Senator Ward.

Congratulations of the Senate were extended to members and coaches of the Mercyhurst Preparatory School Girls' Tennis Team, members and coaches of the Villa Maria Academy Girls' Cross Country Team and to the members and coaches of the Villa Maria Academy Girls' Soccer Team by Senator Wiley.

Congratulations of the Senate were extended to Emerald Sims by Senator Williams.

Congratulations of the Senate were extended to Jada Elder-Wilkerson by Senators Williams and Tartaglione.

Congratulations of the Senate were extended to the Lewisburg Area High School Boys' Soccer Team by Senator Yaw.

Congratulations of the Senate were extended to Mr. and Mrs. Joseph Ruddy, Mr. and Mrs. Michael Foley and to Alex James Steigerwalt by Senator Yudichak.

CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Severn B. Newberry, Jr., and to the family of the late James H. Seaman, Jr., by Senator Baker.

Condolences of the Senate were extended to the family of the late Dino P. Cantelmi by Senator Boscola.

Condolences of the Senate were extended to the family of the late Rahn B. Forney by Senator Folmer.

Condolences of the Senate were extended to the family of the late Victrene S. Garman Thomas by Senators McIlhinney and Greenleaf.

Condolences of the Senate were extended to the family of the late Edwin Laverne Nelson by Senator Reschenthaler.

Condolences of the Senate were extended to the family of the late Ruth A. Hartman by Senator Schwank.

Condolences of the Senate were extended to the family of the late Reverend Julius Adams by Senator Teplitz.

POSTHUMOUS CITATIONS

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

Posthumous citations honoring the late Derek Shimko and the late William Ott were extended to the families by Senator Ward.

BILLS ON FIRST CONSIDERATION

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

The motion was agreed to by voice vote.

The bills were as follows:

HB 941 and **HB 1327**.

And said bills having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

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

Senator RAFFERTY. Mr. President, I will be brief, but I do want to comment on what the gentleman from Philadelphia said. It was very kind of him to remember our trooper who was shot this morning. From the reports that we have seen, indications are that he is doing well and we are very thankful for that. I thank him for mentioning that, but we did not forget it.

Mr. President, I want to take this opportunity to wish the people of the Commonwealth of Pennsylvania a very happy and blessed Thanksgiving. I know you, Mr. President, count this as a very special holiday, as do many of us here in the Senate of Pennsylvania. We look forward to that day to give thanks to God for all he has given us and to break bread with our family and friends, and I ask everyone to drive safely during this holiday when there is much traveling.

Thank you, Mr. President.

The PRESIDENT. Thank you, Senator Rafferty, and thank you for your good wishes and happy Thanksgiving. I hope you and your family will have a blessed and happy one, as all the folks in Pennsylvania as well.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 685** and **SB 686**, with the information the House has passed the same without amendments.

BILLS SIGNED

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

SB 685 and **SB 686**.

ANNOUNCEMENT BY THE MAJORITY WHIP

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

Senator GORDNER. Mr. President, before I make the recess motion, I would like to make an announcement. There will be a caucus of Senate Republican Members after the recess in the Majority Caucus Room.

The PRESIDENT. Senator Gordner has announced that at the conclusion of Session, Senate Republicans will meet in the first floor caucus room for a caucus.

PETITIONS AND REMONSTRANCES (Continued)

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

Senator WILLIAMS. Mr. President, I apologize for my late arrival to this moment, but I thought it was important, given what just occurred. Apparently, one of the Senators chose to go to maybe his Facebook page and post the following. It says, "On the floor debating our resolution demanding that Gov Wolf and the federal government do all they can to screen Syrian refugees before they enter our country. This is the most difficult and frustrating part of my job....the democrats are telling us how racist we are. We hate people who are different than we are. We're fear mongerears!/[sic] such crap!! These people are shameless."

Mr. President, what is shameless is that there were Democrats who voted for that resolution. What is shameless is that this gentleman--well, that is a caricature--but on this day would choose to inject the word "racist." Now, I am an African American who stood on this floor, and sometimes when people stand up and say something, people infer or inject what came out of your mouth. I want to be very clear, there was not a Democrat who said the word "racist." Not one time, including me. I did not suggest anyone was doing anything other than what I said, and that was break with history.

Now, maybe the gentleman does not want to accept the reality of what we said, in that it is inappropriate, and that most of our comments were about the lofty ideals of this country, how important it was and how we historically have embraced the weakest chain and how the rest of the world envies us for doing that. That is what we said. I do not think there is anything shameless about that. But I think it is disgusting for someone to misrepresent our views in a partisan way, which is, frankly, a lie, but most impor-

tantly, interject the issue of racism inappropriately. That is fear-mongering. That is casting a comment to the lowest common denominator.

I intentionally avoided it, the Members on this aisle intentionally avoided it, and for that person to post this to garner some level of votes, I guess, is disgusting. I am not apologizing for it, I am not going to gloss over it, I am not going to sugarcoat it, because it should never have been posted. That is the problem with this vote. That is the problem with that vote that I suggested earlier. There are so many ways you could approach it. I never suggested that the person who created the resolution had those dark seeds of hatred in his heart, because he does not. I just honestly disagree with how he approaches it, because it does divide us as a nation. It does divide us as immigrants. It does divide us on a lot of different lines.

Unfortunately, this person not only cast the bait, ate the bait, and sent the bait to the water, because they cannot wait to do that. They cannot wait to divide Pennsylvanians, one versus the other, so they can say, oh, there they go again. Here we go again, talking about race. No, here you go again, embarrassing yourself for saying things which are not true. Embarrassing yourself for posting things that only ignite and divide, for doing something that was totally inappropriate with the standards of this institution for which we all stand, regardless of whether you are Democrat, black, white, woman, man, urban, rural, suburban. We all have a right to represent our districts, and on this sensitive issue of Syrian refugees, I know it is a tough one for some Members, but I want to be clear as the Democratic Whip, there were Democrats who voted for it. And, by the way, no one said the word "racist."

So I suggest the gentleman come back and give an apology to the Senate for disrespecting its integrity and telling an untruth.

Thank you, 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 Wednesday, December 2, 2015, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 3:32 p.m., Eastern Standard Time.

NOTE: Session scheduled for December 2, 2015, was canceled.