

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

SUNDAY, DECEMBER 6, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 71

**SENATE**

SUNDAY, December 6, 2015

The Senate met at 7 p.m., Eastern Standard Time.

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

**PRAYER**

The following prayer was offered by Senator JOHN. H. EICHELBERGER:

Dear heavenly Father, we come to You this evening with many problems facing our State and our nation. We ask for guidance and direction and pray, Lord, that we may humble ourselves to approach these many issues as people of faith, because we know that through You all things are possible. May we not lose sight of the many blessings You have bestowed on this country and the Commonwealth of Pennsylvania. Help us, Lord, as elected leaders, with the responsibilities with which we have been entrusted. We understand Your providence, Lord, and the instruction of the psalmist, to give thanks to You for You are good, for Your mercy endureth forever, for You satisfieth the longing soul and filleth the hungry soul with goodness. We ask for these blessings in Your precious name, we pray. Amen.

The PRESIDENT. The Chair thanks Senator Eichelberger for an excellent prayer.

**PLEDGE OF ALLEGIANCE**

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

**LEGISLATIVE LEAVE**

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

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

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator McIlhinney. Without objection, the leave will be granted.

**JOURNAL APPROVED**

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

The Clerk proceeded to read the Journal of the Session of October 14, 2015.

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

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

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

**YEA-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 majority of the Senators having voted "aye," the question was determined in the affirmative.

The PRESIDENT. The Journal is approved.

**REMARKS BY THE PRESIDENT**

The PRESIDENT. The Chair wishes all those of the Jewish faith who are celebrating Hanukkah a happy Hanukkah. Today is the first day of Hanukkah, the miracle of lights. Perhaps we will have a miracle and get a budget done this week. We have already had a minor miracle with the Eagles beating the Patriots tonight. Super Bowl, here we come.

**RECESS**

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

Senator CORMAN. Mr. President, I ask all Members of the Republican Caucus to come around the Leader's rostrum for a brief meeting.

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

Senator COSTA. Mr. President, Senate Democrats will consult around this podium as well.

The PRESIDENT. For purposes of each caucus to meet at their Leader's desk, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**CALENDAR**

**BILLS 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.

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 524 (Pr. No. 1443)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, establishing the Non-narcotic Medication Assisted Substance Abuse Treatment Grant Pilot Program; and, imposing powers and duties on the Department of Corrections.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 524?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 524.

On the question,

Will the Senate agree to the motion?

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

**YEA-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 inform the House of Representatives accordingly.

**THIRD CONSIDERATION CALENDAR**

**BILLS OVER IN ORDER**

**HB 57, HB 150** and **HB 447** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL LAID ON THE TABLE**

**SB 489 (Pr. No. 429)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 18, 1998 (P.L.146, No.22), known as the Check Casher Licensing Act, further providing for definitions, for authority of department, for conditions for licensing and for fees and charges; and providing for recovery of losses due to theft and fraudulent misrepresentation.

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

**SB 489 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 489, Printer's No. 429, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**BILLS OVER IN ORDER**

**SB 604, SB 606, SB 691, HB 837, HB 857, HB 909, SB 917, SB 936, SB 1022** and **SB 1054** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 1068 (Pr. No. 1405)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by the City of Lancaster, Lancaster County, in exchange for the imposition of Project 70 restrictions on other lands owned by the City of Lancaster, Lancaster County, and other consideration.

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 1161, HB 1279, HB 1332, 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

## BILL OVER IN ORDER

**HB 49** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

## BILL LAID ON THE TABLE

**SB 126 (Pr. No. 1365)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, providing for lottery winnings intercept.

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

## SB 126 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 126, Printer's No. 1365, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILL LAID ON THE TABLE

**SB 127 (Pr. No. 1366)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in enforcement, providing for State income tax intercept.

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

## SB 127 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 127, Printer's No. 1366, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILLS OVER IN ORDER

**HB 139 and HB 158** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

## BILL LAID ON THE TABLE

**SB 201 (Pr. No. 504)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for roll-back taxes and special circumstances.

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

## LEGISLATIVE LEAVE CANCELLED

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

## CONSIDERATION OF CALENDAR RESUMED

## SECOND CONSIDERATION CALENDAR RESUMED

## SB 201 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 201, Printer's No. 504, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILL OVER IN ORDER

**HB 400** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

## BILL LAID ON THE TABLE

**SB 731 (Pr. No. 735)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

## SB 731 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 731, Printer's No. 735, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILLS OVER IN ORDER

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

## BILL ON SECOND CONSIDERATION

**SB 952 (Pr. No. 1176)** -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey a certain tract of land and improvements thereon in Lower Oxford Township, Chester County.

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**SB 976, SB 1013, HB 1170, HB 1195 and HB 1201** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION  
AND RECOMMITTED

**HB 1322 (Pr. No. 2453)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, in public assistance, further providing for identification and proof of residence.

Considered the second time and agreed to,

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

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

## BILLS OVER IN ORDER

**HB 1329 and HB 1341** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION  
AND RECOMMITTED

**HB 1690 (Pr. No. 2623)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for issuance, transfer or extension of hotel, restaurant and club liquor licenses, for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for licenses not assignable and transfers and for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee.

Considered the second time and agreed to,

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

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

## RECESS

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

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

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

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

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

## AFTER RECESS

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

UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEE

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

**SB 1073 (Pr. No. 1459)** (Amended) (Rereported)

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2015, to June 30, 2016, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account and the Justice Reinvestment Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2015, to June 30, 2016; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2015, to June 30, 2016, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2015; and to provide for the additional appropriation of Federal and State funds from the General Fund and the State Lottery Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2014, to June 30, 2015, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2014.

**SB 1082 (Pr. No. 1460)** (Amended) (Rereported)

An Act amending Titles 24 (Education), 51 (Military Affairs) and 71 (State Government) of the Pennsylvania Consolidated Statutes, extensively revising pension provisions as follows: In Title 24: for retirement for school employees, in the areas of preliminary provisions, of membership, contributions and benefits, of school employees' defined contribution plan and of administration and miscellaneous provisions; and for health insurance for retired school employees, in the area of preliminary provisions. In Title 51: for employment preferences and

pensions, in the area of military leave of absence. In Title 71: for boards and offices, in the area of Independent Fiscal Office; and for retirement for State employees and officers, in the areas of preliminary provisions, of membership, credited service, classes of service and eligibility for benefits, of contributions, of benefits, of State employees' defined contribution plan and of administration, funds, accounts, general provisions. Providing, as to the revisions: for construction and administration, for applicability, for liability, for member statements and for suspension of provisions of the Public Employee Retirement Study Commission Act.

**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 Cole Abell by Senator Alloway.

Congratulations of the Senate were extended to Nathanael P. Hale by Senator Eichelberger.

Congratulations of the Senate were extended to Hunter McRee by Senator McIlhinney.

Congratulations of the Senate were extended to Peter Jaskiewicz and to the Pottstown Chapter of SCORE by Senator Mensch.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

MONDAY, DECEMBER 7, 2015

Off the Floor	AGING AND YOUTH (to consider House Bill No. 777)	Rules Cmte. Conf. Rm.
Off the Floor	APPROPRIATIONS (to consider House Bills No. 1198 and 1327)	Rules Cmte. Conf. Rm.
Off the Floor	LAW AND JUSTICE (to consider House Bill No. 1690)	Rules Cmte. Conf. Rm.
Off the Floor	PUBLIC HEALTH AND WELFARE (to consider House Bill No. 1322)	Rules Cmte. Conf. Rm.

TUESDAY, DECEMBER 8, 2015

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing on Act 537, also known as the PA Sewage Facilities Act)	Room 8E-B East Wing
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WEDNESDAY, DECEMBER 9, 2015

10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bill No. 56; and Senate Resolutions No. 156, 254 and 255)	Room 461 Main Capitol
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**BILL SIGNED**

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

**SB 524.**

**RECESS**

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Monday, December 7, 2015, at 11 a.m. Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 10:59 p.m., Eastern Standard Time.