

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

THURSDAY, DECEMBER 10, 2015

SESSION OF 2015 199TH OF THE GENERAL ASSEMBLY

No. 75

**SENATE**

THURSDAY, December 10, 2015

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

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

**PRAYER**

The following prayer was offered by Hon. MEGAN MARTIN, the Secretary of the Senate:

Let us pray.

Heavenly Father, we gather here today as public servants and as Your humble servants. Look upon us gathered here, and with Your favor direct us in all of our actions. Give us the use of Your gifts of peace and understanding that we may approach the matters we must handle with sincere and just hearts. We ask that You bless us with patience to listen to different points of view, with wisdom to do what is best for the citizens of this great Commonwealth, and with a collaborative spirit to work together in unity this day and all days. Amen.

**PLEDGE OF ALLEGIANCE**

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

**LEGISLATIVE LEAVES**

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Aument, and a legislative leave for Senator Gordner.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Aument, and a legislative leave for Senator Gordner. Without objection, the leaves will be granted.

**CALENDAR**

**BILL ON CONCURRENCE IN HOUSE AMENDMENTS**

**SENATE CONCURS IN HOUSE AMENDMENTS**

**SB 442 (Pr. No. 1449)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring notification in advertising.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 442?

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. 442.

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

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

Senator COSTA. Mr. President, I ask for an affirmative vote on Senate Bill No. 442. Members discussed it in caucus earlier and supported this measure in the past. So, I ask for an affirmative vote. Thank you.

And the question recurring,  
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 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.

**LEGISLATIVE LEAVE CANCELLED**

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

**RECESS**

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held in the Rules room, followed by a Republican caucus to be held in the Majority Caucus Room.

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

Senator FONTANA. Mr. President, I ask Democrats to report to our caucus room after the meeting of the Committee on Appropriations.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations in the Rules room, 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 LEAVES**

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator Mensch and Senator Vogel.

The PRESIDENT. Senator Corman requests legislative leaves for Senator Mensch and Senator Vogel. Without objection, the leaves will be granted.

**CONSIDERATION OF CALENDAR RESUMED**

**THIRD CONSIDERATION CALENDAR**

**PREFERRED APPROPRIATIONS BILL OVER IN ORDER**

**HB 1460** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**BILLS OVER IN ORDER**

**HB 57, HB 150, HB 158, SB 489, SB 606 and SB 691** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

**BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 777 (Pr. No. 877)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

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.

**BILL OVER IN ORDER**

**HB 805** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**BILL LAID ON THE TABLE**

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

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

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

**HB 837 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that House Bill No. 837, Printer's No. 1556, 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 917 (Pr. No. 1096)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, providing for interagency information sharing.

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

**SB 917 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 917, Printer's No. 1096, 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 936 (Pr. No. 1148 )** -- The Senate proceeded to consideration of the bill, entitled:

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

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

**SB 936 TAKEN FROM THE TABLE**

Senator CORMAN. Mr. President, I move that Senate Bill No. 936, Printer's No. 1148, 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 ON THIRD CONSIDERATION AND FINAL PASSAGE**

**HB 941 (Pr. No. 2649)** -- 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 organization, further providing for advisory boards and commissions; in Commonwealth agency fees, further providing for distillery of historical significance license fee reduction; providing for transportation network companies and for race horse industry reform; conferring duties upon the Joint State Government Commission; making editorial changes; and making related repeals.

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 gentleman from Philadelphia, Senator Farnese.

Senator FARNESE. Mr. President, I rise in support of this bill. I will be supporting House Bill No. 941, the Administrative Code, because it bridges the gap between now and when TNC legislation will be signed into law. Currently, as you know, Mr. President, TNCs are operating illegally in Philadelphia. There is no clear oversight authority or enforcement mechanism in place. This provision gives TNCs 1 year to operate legally within the city of Philadelphia. TNCs will not be allowed to pick up hails at airports or the 30th Street Station, so there are protections in place for the existing limo and taxicab markets in Philadelphia.

I want to reiterate that, because there have been a lot of questions and concerns over the last 24 hours about airports and other areas. TNCs will not be allowed to pick up hails at airports or the 30th Street Station, so these protections are in place for the existing limo and taxicab markets within the city of Philadelphia. Again, this is a 1-year authorization. At the end of 1 year, if TNC legislation has not passed, we will be able to revisit this issue and address the concerns that arise during that time. This provision is important, Mr. President, because it allows the PPA to enforce regulations of TNCs within Philadelphia and will bring an important source of revenue for the School District of Philadelphia.

Thank you, Mr. President.

**POINT OF ORDER**

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

Senator TEPLITZ. Mr. President, I ask for a ruling from the Chair under Rule 20(c)(2), just like I did for Senate Bill No. 984, due to the fact that my law firm represented the Uber drivers in an administrative proceeding that I did not participate in.

The PRESIDENT. The Chair's prior ruling on this issue applies in the current situation. Although you are a member of a group that may or may not derive some benefit, there is no direct, special, or particular benefit to you. Therefore, not only are you entitled to vote on this particular issue, you must under Rule 20. Therefore, Senator, you are directed to vote on the bill.

Senator TEPLITZ. Mr. President, thank you.

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 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.

**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 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.

**SB 1064 (Pr. No. 1402)** -- The Senate proceeded to consideration of the bill, entitled:

An Act transferring roads between Hanover Township, Lehigh County, and the Department of Transportation.

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.

BILL LAID ON THE TABLE

**HB 1201 (Pr. No. 1576)** -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of May 21, 1943 (P.L.279, No.131), entitled "An act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof, in the exercise of the war power, and providing the procedure therefor."

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

HB 1201 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1201, Printer's No. 1576, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.  
The PRESIDENT. The bill will be placed on the Calendar.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1327 (Pr. No. 2650)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption; in financially distressed municipalities, providing for financial recovery; in oil and gas wells, providing for the Environmental Stewardship Fund; in special funds, further providing for funding, for State Workers' Insurance Board, for expiration and for other grants; in additional special funds, further providing for use of the Tobacco Settlement Fund and for distributions from the Pennsylvania Race Horse Development Fund and providing for miscellaneous limitations and transfers and for the Natural Gas Infrastructure Development Fund; in general budget implementation, further providing for the Department of Community and Economic Development, for the Department of Education, for the Department of Environmental Protection, for the Department of General Services, for the Department of Public Welfare, for the Pennsylvania State Police, for the Environmental Quality Board and for the Pennsylvania Housing Finance Agency and providing for the Commonwealth Financing Authority; providing for 2015-2016 budget implementation; making a related repeal; and making editorial changes.

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	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 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

**HB 1332** and **HB 1335** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1603 (Pr. No. 2651)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sex trafficking and missing and abducted children; in uniform interstate family support, making extensive revisions to general provisions, jurisdiction, civil provisions of general application, establishment of support order, direct enforcement of order of another state without registration, enforcement and modification of support order after registration, determination of parentage, interstate rendition and miscellaneous provisions and providing for support proceeding under convention; and, in juvenile matters, further providing for definitions and for disposition of dependent children.

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	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 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.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

**HB 49, SB 56, SB 126, SB 127, HB 139, SB 201, HB 400, SB 731, SB 805, HB 950** and **SB 976** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

**SB 1013 (Pr. No. 1427)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for voluntary veterans' preference in private employment.

Considered the second time and agreed to,

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

BILL OVER IN ORDER AND LAID ON THE TABLE

**HB 1170 (Pr. No. 1518)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of Blair Mill Road in Montgomery County as the PVT William H. Walls, U.S.M.C. Memorial Highway.

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

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

BILL OVER IN ORDER

**HB 1296** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS OVER IN ORDER AND LAID ON THE TABLE

**HB 1329 (Pr. No. 1883)** -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain hospitals to allow patients an opportunity to designate caregivers in patients' medical records and imposing duties

on hospitals.

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.

**HB 1341 (Pr. No. 2309)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a portion of State Route 51 in the Borough of Coraopolis, Allegheny County, as the Fred A. Trello Memorial Boulevard.

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 ON SECOND CONSIDERATION**

**HB 1691 (Pr. No. 2652)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for sex trafficking and missing and abducted children; and, in juvenile matters, further providing for definitions and for disposition of dependent child.

Considered the second time and agreed to,

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

**THIRD CONSIDERATION CALENDAR RESUMED**

**RECONSIDERATION OF HB 1327**

**BILL ON FINAL PASSAGE**

**HB 1327 (Pr. No. 2650)** -- Senator CORMAN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 1327, Printer's No. 2650, just passed finally.

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

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

**NAY-2**

Folmer                      Wagner

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 REPORTED FROM COMMITTEE**

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

**HB 561 (Pr. No. 634)** (Rereported)

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, in consolidated collection of local income taxes, further providing for definitions.

**HB 1690 (Pr. No. 2653)** (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: in preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania Liquor Stores, further providing for when sales may be made at Pennsylvania Liquor Stores and for sales by Pennsylvania Liquor Stores. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, periods and hearings, for issuance, transfer or extension of hotel, restaurant and club liquor licenses, for sales by liquor licensees and restrictions, for special occasion permits, for wine option permits, for liquor importers' licenses, fees, privileges and restrictions and for interlocking business prohibited; providing for wine expanded permits and for casino liquor licenses; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for interlocking business prohibited and for breweries; establishing the Pennsylvania Malt and Brewed Beverages Industry Promotion Board; further providing for limiting number of retail licenses to be issued in each county, for incorporated units of national veterans' organizations, for licenses not assignable and transfers and for renewal of licenses and temporary provisions for licensees in armed services; providing for license auction; further providing for responsible alcohol management, for local option, for public record, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for shipment of wine into Commonwealth; providing for Pennsylvania Wine Marketing and Research Board; and further providing for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for identification cards, licensees and State Liquor Store Employees saved from prosecution. In distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries. Establishing a wine and spirits wholesale and retail privatization commission.

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

**BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 1690 (Pr. No. 2653)** -- The Senate proceeded to consider-

ation of the bill, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, as follows: in preliminary provisions, further providing for definitions. In Pennsylvania Liquor Control Board, further providing for general powers of board. In Pennsylvania Liquor Stores, further providing for when sales may be made at Pennsylvania Liquor Stores and for sales by Pennsylvania Liquor Stores. In licenses and regulations, liquor, alcohol and malt and brewed beverages, further providing for license districts, periods and hearings, for issuance, transfer or extension of hotel, restaurant and club liquor licenses, for sales by liquor licensees and restrictions, for special occasion permits, for wine option permits, for liquor importers' licenses, fees, privileges and restrictions and for interlocking business prohibited; providing for wine expanded permits and for casino liquor licenses; further providing for malt and brewed beverages manufacturers', distributors' and importing distributors' licenses, for malt and brewed beverages retail licenses, for application for distributors', importing distributors' and retail dispensers' licenses, for distributors' and importing distributors' restrictions on sales, storage, etc., for retail dispensers' restrictions on purchases and sales, for interlocking business prohibited and for breweries; establishing the Pennsylvania Malt and Brewed Beverages Industry Promotion Board; further providing for limiting number of retail licenses to be issued in each county, for incorporated units of national veterans' organizations, for licenses not assignable and transfers and for renewal of licenses and temporary provisions for licensees in armed services; providing for license auction; further providing for responsible alcohol management, for local option, for public record, for surrender of restaurant, eating place retail dispenser, hotel, importing distributor and distributor license for benefit of licensee and for shipment of wine into Commonwealth; providing for Pennsylvania Wine Marketing and Research Board; and further providing for unlawful acts relative to liquor, alcohol and liquor licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for identification cards, licensees and State Liquor Store Employees saved from prosecution. In distilleries, wineries, bonded warehouses, bailees for hire and transporters for hire, further providing for limited wineries and for distilleries. Establishing a wine and spirits wholesale and retail privatization commission.

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 gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, House Bill No. 1690, as our colleagues know, represents what I will call a liquor modernization proposal, in terms of how I interpret it. I can say that while for the past several years myself and my Caucus Leaders have worked very, very hard to not support a privatization model, we have argued for modernization for a number of years. House Bill No. 1690 contains a significant number of the modernization proposals that we have been trying to shepherd through this General Assembly for a number of years. While they are part of House Bill No. 1690, Mr. President, there are parts of House Bill No. 1690 that are very, very difficult for most of my colleagues to digest; more specifically, the use of the R license along those lines.

That being said, Mr. President, I will be supporting this bill today on this floor. It is a departure from where I have been over the past several years, but I think it is important that my colleagues, and more importantly, folks across the Commonwealth, know my particular position. I have the privilege of serving as

the Leader in the Senate Democratic Caucus and I have been part of the conversations with my colleagues from across the aisle to address a number of the issues that are before us in Pennsylvania. We have been working on a framework to try to bring this whole budget conversation to a close, and budget conversations that encompass a General Appropriation bill that we passed here earlier in the week that I think is very important to the people of Pennsylvania. It includes a pension modification or reform proposal that I think is important to the workers of Pennsylvania and the Commonwealth residents as a whole. We also, as part of that framework agreement, talked about a revenue package which would be forthcoming. The final piece of the equation, Mr. President, has been the wine and spirits proposal that we have before us today. Now, as mentioned by my colleague on a number of occasions, while it is great to advance bills through this process, unless they can get home to the Governor's desk and he would attach his signature to that particular piece of legislation, those votes are in some ways meaningless. This is a vote that the Governor has indicated that he will sign the legislation. He has indicated that to us personally and to many Members in this Chamber.

That all being said, Mr. President, as part of this framework conversation and as the Leader of this Caucus, it is my view that it is my role and obligation to support this process through this Chamber and hopefully make its way to the Governor for a signature. So that whole budget package, and that is what this is a reference to, the whole budget package has been negotiated at this point by the five parties. That is the reason why I stand in support of this particular piece of legislation today and will be voting in the affirmative.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise to talk about some concerns I have about House Bill No. 1690, which would provide for the proliferation of alcohol. I am told it is needed for a variety of different reasons, which include getting government out of the liquor business, lowering costs, giving consumers better selections, and encouraging greater consumption so that we can get more revenue for the Commonwealth.

Mr. President, as I consider the proliferation of alcohol across this Commonwealth, I wonder about the impacts that it will have on our citizens, especially our children. Everyone in this body knows that I have been on a 2-year journey to help children, their parents, veterans, and others, to give them an option of receiving medicine from a plant called cannabis, or as some prefer to call it, marijuana. This Chamber has twice, overwhelmingly, passed legislation that would allow for the compassionate use of medical cannabis. Last Session, Senate Bill No. 1182, and this Session, Senate Bill No. 3, in May of this year, passed overwhelmingly. However, Mr. President, we have not been able to get a medical cannabis bill to the governor because of a number of fears and concerns, which include how it might negatively affect our children and the fear it would be misused, harmed, or otherwise give children the wrong message about drugs.

Mr. President, I ask the Members to consider the 2012 national survey done on drug use and health that shows that 88 percent of drug users started with alcohol, which is 28 percent more than marijuana users who became drug users. So, which is the gateway drug: alcohol, which is 88 percent, or cannabis,

which is 60 percent? A study published in the Journal of School Health found that the theory of a gateway drug is not associated with marijuana, but rather one of the most damaging and socially accepted drugs in the world, alcohol. By the way, alcohol is 114 times more deadly than marijuana. The study concluded, and I quote, "The findings from this investigation support that alcohol should receive primary attention in school-based substance abuse prevention programming, as the use of other substances could be impacted by delaying or preventing alcohol use. Therefore, it seems prudent for school and public health officials to focus prevention efforts, policies, and monies on addressing adolescent alcohol use."

Mr. President, for this reason, I had an amendment drafted, A5018, which I am not going to offer. It would have, if I would have offered it, the same protections and safeguards for alcohol as has been proposed by Senate Bill No. 3 for medical cannabis. Each of the proposed safeguards in this proposed amendment come from the proposed House amendments to Senate Bill No. 3 and include requiring all alcohol sellers to take an annual 4-hour course on impacts of alcohol abuse; limiting the percentage of alcohol content to 10 percent when sold in private establishments; establishing a lifetime ban on any parent who has been convicted of any criminal offense relating to illegal sale or possession of alcohol, drugs, narcotics, and other controlled substances; allowing for government control and setting the maximum price for alcohol products; establishing regions to register alcohol sellers; requiring a physician at each location where alcohol is sold; requiring each applicant for licenses to verify and have \$2 million in capital, \$500,000 of which would have to be on deposit with a financial institution; and requiring additional funding to the Department of Drug and Alcohol Programs for alcohol abuse prevention, counseling, and treatment services.

Mr. President, each of these provisions uses the same so-called logic that is being applied to my Senate Bill No. 3 in the House to supposedly protect people. I simply do not understand how anyone can be for the proliferation of alcohol and against the use of medical cannabis for sick children, veterans, and others. Mr. President, I find this to be, for me, hypocritical. However, so as to not perpetuate such hypocrisy, I will not offer my amendment, even though I have it drafted. I simply want to thank you for giving me the opportunity to highlight the inconsistencies with expanding the sales of alcohol, while at the same time opposing giving parents and other patients the option to use medical cannabis.

Mr. President, I thank you and the other Members of the Chamber for their patience as I highlighted these unfair inconsistencies. Thank you very much.

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

Senator VANCE. Mr. President, when House Bill No. 1690 came up in the meeting of the Committee on Appropriations, I was a negative vote, not because I did not like what was in the bill, but what was not in the bill disturbed me greatly. My concern is for the small, local beer distributors who have invested their entire life savings to build up their business, only to see, by legislation, grocery stores and other stores around them have the ability to sell both wine and beer, leaving them alone without that same kind of ability. It certainly seems to me to be discrimination against small business people that I think needs to be rectified, and hopefully in the very near future. I want them to have

the opportunity to compete, no special privileges, just the opportunity to compete with everyone around them. Overall, as I said, I do support the bill as proposed, but I am very hopeful that we will go back and give consideration to the small distributors to have that same opportunity. Thank you very much.

POINT OF ORDER

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

Senator WILEY. Mr. President, I rise to request a ruling from the Chair under Senate Rule 20(c)(2). My father works part-time in the liquor system in Pennsylvania, and I ask the President if I may vote on House Bill No. 1690.

The PRESIDENT. Thank you, Senator Wiley. I believe we visited this issue earlier with regard to this particular legislation. As you recall, my finding will be much the same as it was before. The situation you have described is one where a conflict of interest potentially could arise, and in accordance with Senate Rule 20, it does not to the level necessary under the rule, so you must vote on this bill and any amendments to the bill. The Chair finds there is nothing particularly personal to you in this bill, Senator Wiley. Your father is a member of a class of employees who may or may not be affected by the passage of this legislation, but we do not particularly find that any of the votes you may cast would be particularly personal or privately affect you in any particular, specialized way. Therefore, it is the ruling of the Chair that, as before, you, sir, must vote on the bill.

Senator WILEY. Mr. President, thank you for the clarification.

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-29

Alloway	Dinniman	Rafferty	Vulakovich
Argall	Eichelberger	Resenthaler	Wagner
Aument	Gordner	Scarnati	Ward
Baker	Greenleaf	Smucker	White
Bartolotta	McGarrigle	Stefano	Yaw
Browne	McIlhinney	Tomlinson	
Corman	Mensch	Vance	
Costa	Pileggi	Vogel	

NAY-21

Blake	Fontana	Sabatina	Williams
Boscola	Haywood	Scavello	Wozniak
Brewster	Hughes	Schwank	Yudichak
Brooks	Hutchinson	Tartaglione	
Farnese	Kitchen	Teplitz	
Folmer	Leach	Wiley	

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

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



**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 an off-the-floor meeting of the Committee on Labor and Industry to be held in the Rules room in the rear of the Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Labor and Industry, without objection, the Senate stands in recess.

**AFTER RECESS**

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

**BILLS REPORTED FROM COMMITTEES**

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

**HB 530 (Pr. No. 2658) (Amended) (Rereported)**

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for criminal history of employees and prospective employees and conviction of certain offenses and for Keystone exams; providing for powers and duties of the Secretary of Education; in duties and powers of boards of school directors, providing for publication of policies; providing for powers and duties of the Secretary of Education; providing for school watch, and for State opportunity schools; in grounds and buildings, providing for posting of information and further providing for limitations on approval of public school building projects; and establishing the Public School Building Construction and Reconstruction Advisory Committee; in professional employees; further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, further providing for granting provisional college certificates and providing for provisional vocational education; in pupils and attendance, further providing for education and training of exceptional children; and for cost of tuition and maintenance of certain expectational children in approved institutions; in school health services, further providing for definitions; providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; in terms and courses of study, further providing for agreements with institutions of higher education; in education support services and educational assistance programs, providing for supplemental online mathematics support; in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements; in charter schools, extensively revising and adding charter school provisions; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees, financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding, for transition to student-weighted basic education funding for 2014-2015 school year and for career and technical education career preparation; further providing for payments to intermediate units, for special education payments to school districts and for extraordinary special education program expenses; repealing provisions relating to special education funding for eligible students with disabilities in Cost Cate-

gory 3; further providing for assistance to school districts declared to be in financial recovery status or identified for financial watch status; providing for reimbursement for school districts not submitting required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; in the State Board of Education, further providing for powers and duties of the board; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

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

**HB 319 (Pr. No. 2657) (Amended)**

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for determination of contribution rate and experience rating; in compensation, further providing for qualification required to secure compensation and for rate and amount of compensation; and, in determination of compensation, appeals, reviews and procedure, further providing for decision of referee, further appeals and reviews and for powers of board over claims.

**MOTION PURSUANT TO SENATE RULE 12**

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

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 2, House Bill No. 530, and move the Senate proceed to consider House Bill No. 530, notwithstanding the provisions of Senate Rule 12(m)(2).

On the question,

Will the Senate agree to the motion?

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

**SPECIAL ORDER OF BUSINESS  
SUPPLEMENTAL CALENDAR No. 2****BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE**

**HB 530 (Pr. No. 2658)** -- 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 criminal history of employees and prospective employees and conviction of certain offenses and for Keystone exams; providing for powers and duties of the Secretary of Education; in duties and powers of boards of school directors, providing for publication of policies; providing for powers and duties of the Secretary of Education; providing for school watch, and for State opportunity schools; in grounds and buildings, providing for posting of information and further providing for limitations on approval of public school building projects; and establishing the Public School Building Construction and Reconstruction Advisory Committee; in professional employees; further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, further providing for granting provisional college certificates and providing for provisional vocational education; in pupils and attendance, further providing for education and training of exceptional children; and for cost of tuition and maintenance of certain expectational children in approved institutions; in school health services, further providing for definitions; providing for education of

school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; in terms and courses of study, further providing for agreements with institutions of higher education; in education support services and educational assistance programs, providing for supplemental online mathematics support; in opportunities for educational excellence, further providing for definitions, for responsibilities of school entities and for concurrent enrollment agreements; in charter schools, extensively revising and adding charter school provisions; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees, financial program and payment reimbursement; in disruptive student programs, further providing for applications; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties; in funding for public libraries, providing for State aid for fiscal year 2015-2016; in reimbursements by Commonwealth and between school districts, providing for student-weighted basic education funding, for transition to student-weighted basic education funding for 2014-2015 school year and for career and technical education career preparation; further providing for payments to intermediate units, for special education payments to school districts and for extraordinary special education program expenses; repealing provisions relating to special education funding for eligible students with disabilities in Cost Category 3; further providing for assistance to school districts declared to be in financial recovery status or identified for financial watch status; providing for reimbursement for school districts not submitting required documentation, for public school building lease and debt service reimbursements for fiscal year 2015-2016 and for ready-to-learn block grants; providing for school district debt refinancing bonds; in the State Board of Education, further providing for powers and duties of the board; and repealing provisions of The Fiscal Code relating to rural regional college for underserved counties.

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-40

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

NAY-10

Aument	Eichelberger	Rafferty	Wagner
Bartolotta	Folmer	Vogel	White
Brooks	Hutchinson		

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate

has passed the same with amendments in which concurrence of the House is requested.

**UNFINISHED BUSINESS  
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 Dorothy Burkholder by Senator Alloway.

Congratulations of the Senate were extended to Margaret G. Grigalonis by Senator Argall.

Congratulations of the Senate were extended to members and coaches of the Marian Catholic High School Football Team by Senators Argall and Yudichak.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Berger, Chief George C. Beever, Carol Ann Borry and to Madeline Golias by Senator Aument.

Congratulations of the Senate were extended to Daniel Rodriguez, Daniel C. Ide and to Nicholas S. Albertson by Senator Baker.

Congratulations of the Senate were extended to Scott R. Thomas by Senators Baker and Blake.

Congratulations of the Senate were extended to Dr. Ariane M. Palmasani Conaboy, Karl James Lewis and to Shirley Sledgeski by Senator Blake.

Congratulations of the Senate were extended to Omar V. Koury and to Liam Michael McGregor by Senator Boscola.

Congratulations of the Senate were extended to Riley James Bogac, Peter Joseph Illari, Russell P. Bear, Paul Stetz, Tucker Armstrong Bogac and to Justin Mark Dressel by Senator Browne.

Congratulations of the Senate were extended to Eric Reichard, Andrew Frymoyer, Brooke Kitting, James Vladimir McMaster and to The Pennsylvania State University Women's Soccer Team by Senator Corman.

Congratulations of the Senate were extended to Pamela C. Powell by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Rebecca Foxwell, Collin Mentzer and to Connor R. Sanbower by Senator Folmer.

Congratulations of the Senate were extended to Zachary Elias Mansour by Senator Fontana.

Congratulations of the Senate were extended to Mr. and Mrs. Harold Shoemaker and to Mr. and Mrs. Charles Wetzel by Senator Gordner.

Congratulations of the Senate were extended to Anna Jackson Westervelt and to the members and directors of the Hatboro-Horsham High School Marching Unit by Senator Greenleaf.

Congratulations of the Senate were extended to Reece Whitely by Senator Haywood.

Congratulations of the Senate were extended to Mr. and Mrs. Samuel W. Lyon, Mr. and Mrs. James Lusher, Edna Lutz Foy and to James W. McMillen by Senator Hutchinson.

Congratulations of the Senate were extended to Joshua Clardy Rushworth and to Geryl D. McMullin by Senator McIlhinney.

Congratulations of the Senate were extended to Jonathan Kopsick by Senator Pileggi.

Congratulations of the Senate were extended to Peter A. Poplos, Samuel John Miller, Jr., Brandon John Ferruzza, Jarrett

Parker, Andrew Donatelli, Matthew Gwynn, Brandon Marcucci, Trevor Dobbins, Michael McIlree, Nick Wolk, Bridgeville Volunteer Fire Department and to the members and coaches of the Thomas Jefferson High School Football Team by Senator Reschenthaler.

Congratulations of the Senate were extended to Nathaniel George Rhoads, Douglas James Stangl, Theodore Kenneth Graham, Jack Henry Decker, Jason Phillip Ahing, John T. Burke, Jr., Elek William Zamolyi and to Adam Dabrowski by Senator Scavello.

Congratulations of the Senate were extended to Frank Kasproicz by Senator Schwank.

Congratulations of the Senate were extended to Michael Clark and to Country Meadows of Hershey by Senator Teplitz.

Congratulations of the Senate were extended to Stephen Cerbara, Andrew Robert Harnishfeger and to the Scottsville United Methodist Church of Langhorne by Senator Tomlinson.

Congratulations of the Senate were extended to Parimal H. Parikh, Alice Gustitus and to Andrew J. Wilkinson by Senator Vance.

Congratulations of the Senate were extended to Ralph Chiappetta by Senator Vogel.

Congratulations of the Senate were extended to Gordon Anthony Arch, Shawn Michael Harkins, Nickolas Campbell Bartel, Matthew A. Hickly and to Joshua P. Semon by Senator Vulakovich.

Congratulations of the Senate were extended to Alexander Wright by Senator Wagner.

Congratulations of the Senate were extended to Colin W. McCamy by Senator White.

Congratulations of the Senate were extended to McCord Memorial Library by Senator Wiley.

Congratulations of the Senate were extended to Mr. and Mrs. Homer R. Lyon by Senator Yaw.

Congratulations of the Senate were extended to Mr. and Mrs. John Tinner, Mr. and Mrs. Dennis Kachmarsky, Mr. and Mrs. Thomas Mendrzycki, Mr. and Mrs. Bob Peters and to Mara Pawlenok 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 Charles Steever and to the family of the late John W. Gumper by Senator Baker.

Condolences of the Senate were extended to the family of the late Gary Harkins by Senator Farnese.

Condolences of the Senate were extended to the family of the late John Myers by Senator Haywood and others.

Condolences of the Senate were extended to the family of the late Victoria Elizabeth Leavy by Senator Hughes.

Condolences of the Senate were extended to the family of the late Elam S. Lapp by Senator Teplitz.

Condolences of the Senate were extended to the family of the late Kevin Charles Hannah, Sr., by Senator Williams.

### BILL ON FIRST CONSIDERATION

Senator SABATINA. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee

for the first time at today's Session.

The motion was agreed to by voice vote.

The bill is as follows:

#### HB 319.

And said bill 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 Allegheny, Senator Costa.

Senator COSTA. Mr. President, I will be very brief. I want to take a few moments before we leave here, and I appreciate the indulgence of my colleagues. I rise to point out to the Members that since the beginning of this year, Pennsylvania has now enrolled in excess of 500,000 new enrollees in the Medicaid expansion program. A couple of years ago, Members of this Senate Chamber passed, in my view, pretty significant legislation that came out of here in a very strong, bipartisan way. My recollection is it was a 40-10 vote to enact in Pennsylvania, in 2012 I believe, a Medicaid expansion program. At that time, together we stood up and said that we would be able to provide a modest level of health insurance for some 500,000 citizens across Pennsylvania.

I rise to point out a couple points along those lines. First and foremost, most significantly, we were correct in that assessment. The second point is, when we look at some of the people who are covered now by the Medicaid expansion, in excess of 55 percent of the people who have been enrolled are women, providing services in healthcare for women across this Commonwealth. I want to take a moment to validate and let the Members know, particularly the new Members, that this Chamber went out a number of years ago to address this issue and things that we said together, that we stood together on and voted together on, came to fruition along the lines of Medicaid expansion exceeding 500,000 folks.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, very briefly, I am very happy the Education Code got passed. We needed it to help make sure that our schools get their money, but we do one thing every year that drives me up a wall. At the last minute we decide we are going to find a solution for the number of schools that are under 5 percent or under 10 percent. I am not sure whether this solution will work. God hopes that it works better than all of the ones that we have passed in the past, which have not. If you remember, Mr. President, we were going to solve this whole thing, and it occurred at the last minute when we were going to have turnaround experts who we spent money for, Federal funds, and then put it into the Education Code at that time, who would have taken the 91 lowest-performing schools in this Commonwealth and turned them around, and it was under the direction of the Department of Education. Have those schools turned around? Mr. President, they have not.

So, all I am saying is that hopefully this new program we put in there will work. The reason I am standing up in terms of a

remonstrance is this: we need to think about educational policy in a well-thought-out way. We cannot continue to think that we are going to solve the problems of the schools that fail in Pennsylvania by solving some budget crisis or Fiscal Code or Education Code at the last minute. It is one thing for political expedience when you want to have a bridge, when you might want to have a park, when you are doing an economic development project, but for the sake of the children, and in terms of the lowest-performing schools, we are not talking 10 years or 20 years, we are talking 50 years or 60 years, we are talking about generations of students who have gone through these failing schools. There is a way to turn schools around. We have a moral, ethical, and educational obligation to do it, but we can only do it if we think things out, if we understand with sound educational policy and thought how to turn it around. So while I support the Education Code, I feel obligated to stand up because it is no different this year than the years before where we put in last-minute things in terms of trying to make arrangements in terms of these lowest-performing schools.

Finally, Mr. President, what I hope to do as soon as we get back is to create a forum where all of the Members of the House and the Senate, and hopefully yourself, because I know of your great interest, Mr. President, in education, will come together, will begin to understand and study the problem of education in this Commonwealth, because what we are doing currently is hurting the best schools and we are not helping the worst-performing schools. We will develop the knowledge and the will and commitment to create change by then giving all of the Members an opportunity to share the ideas that we have together. So when we come to next year and we deal with an Education Code, we will not try to put in something at the last minute on expediency, but will be well thought out and well developed.

Mr. President, I want to make sure that I thank Senator Corman and thank Senator Costa, because if we would not have a budget, we would not have an Education Code at all, if it were not for the good work that they have done. I thank them, but on the other hand, I want to make sure as we go into future years that we really work on this problem of the lowest 5 percent, because it occurs every year, we try to do something in the Education Code, and we really have to think it out. Finally, I hope the Department of Education will do its job. Unfortunately, if we look at the past, the department has not been stellar in turning around anything, nevertheless the 5 percent of schools.

So we do need change. We do need different ways to do this, Mr. President, and as Minority chair of the Committee on Education, I am grateful for the Education Code. I thank Senator Corman and Senator Costa, but let us work on this problem so that we are not sitting here 60 years from now coming up with last-minute ways to solve the problem of those children who come from impoverished families who do not have an opportunity for equal education opportunity in the Commonwealth.

Thank you, Mr. President.

### HOUSE MESSAGES

#### HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

The Clerk of the House of Representatives informed the Sen-

ate that the House has concurred in amendments made by the Senate to **HB 857, HB 907, HB 1195, HB 1279** and **HB 1411**.

#### HOUSE CONCURS IN SENATE AMENDMENTS BY AMENDING SAID AMENDMENTS TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate by amending said amendments to **HB 838**, in which concurrence of the Senate is requested.

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

### BILLS SIGNED

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

**SB 442, HB 857, HB 907, HB 1195, HB 1279, HB 1411** and **HB 1579**.

### 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 14, 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 7:02 p.m., Eastern Standard Time.

NOTE: Session scheduled for December 14, 2015, was canceled.