

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, FEBRUARY 8, 2016

SESSION OF 2016 200TH OF THE GENERAL ASSEMBLY

No. 6

SENATE

MONDAY, February 8, 2016

The Senate met at 1 p.m., Eastern Standard Time.

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Captain MATTHEW GUNCHEON, U.S. Army, Erie, offered the following prayer:

As I pray in my tradition, please feel free to honor the practices of your own spiritual discipline or faith tradition.

Almighty God, today we ask You to bless this Chamber and those who enter and dwell within it. May it stand and serve this Commonwealth as its Founders intended, as a refuge from persecution, a beacon of hope, and an exemplar of law and justice. May it continue to be the home of those who author freedom and the birthplace of liberty.

Today, Lord, we honor the lives of four of Your servants who perished 73 years ago in the cold waters of the North Atlantic. Father John Washington, Rabbi Alex Goode, Reverend Clark Poling, and Reverend George Fox, a native Pennsylvanian, saw no higher calling than that of serving their God and their country. Each one true to their faith and charge gave the last full measure of devotion that their comrades might have a chance of life in their stead. May we be filled with courage, strength, and devotion to rise to life's great challenges, that our actions may inspire others in times of hardship, fear, and struggle as the four chaplains did. We pray for all of those who defend freedom at home and abroad, and all of those men and women who are even now in harm's way.

Almighty God, You have given us this good land as our heritage. May we prove ourselves as people mindful of Your generosity and glad to do Your will. Bless our land with honest industry, truthful education, and an honorable way of life. Save us from violence, discord, and confusion, from pride and arrogance, and from every evil course of action. Make us, who came from many cultures with many different languages, a united people. Defend our liberties and give those whom we have entrusted with the authority of government wisdom that there may be justice and peace in our Commonwealth. When times are prosperous, let our hearts be thankful, and in troubled times, do not let our trust in You fail. Be with us today and evermore, Almighty God. Amen.

The PRESIDENT pro tempore. The Chair thanks Captain Guncheon, who is the guest today of Senator Wiley.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

JUDGE, COURT OF COMMON PLEAS

[data missing]

January 29, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2018, vice The Honorable Kathleen Mulligan, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

January 29, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Centre, Magisterial District 49-2-01, to serve until the first Monday of January 2018, vice The Honorable Leslie A. Dutchcot, resigned.

TOM WOLF
Governor

**MEMBER OF THE APPALACHIAN STATES
LOW-LEVEL RADIOACTIVE WASTE COMMISSION**

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg, 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice E. Christopher Abruzzo, Hershey, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brenda L. Rios (Public Member), 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for *[data missing]* of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Ann Catalano, Camp Hill, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until January 16, 2019, and until her successor is appointed and qualified, vice Rose Planinsek, Ligonier, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg, 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until January 21, 2021, and until his successor is appointed and qualified, vice Dixie Henry, Mount Union, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
ENERGY DEVELOPMENT AUTHORITY

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Energy Development Authority, to serve for *[data missing]* four years and until her successor is appointed and qualified, vice Robert Sanders, Philadelphia, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF HAMBURG CENTER

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Hamburg Center, to serve until January 21, 2021, and until his successor is appointed and qualified, vice Joanne D. Reckley, Temple, resigned.

TOM WOLF
Governor

MEMBER OF THE HEALTH POLICY BOARD

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for *[data missing]* three years and until her successor is appointed and qualified, vice C. Michael Blackwood, Mars, resigned.

TOM WOLF
Governor

MEMBER OF THE INDUSTRIAL BOARD

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday in January 2019, and until her successor is appointed and qualified, vice Bony Dawood, Mechanicsburg, resigned.

TOM WOLF
Governor

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

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Kutztown University of Pennsylvania of the State System of Higher Education, to serve for *[data missing]* six years and until her successor is appointed and qualified, vice Richard Orwig, Wyomissing, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (Public Member), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve October 9, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Tammy Gilette, Blooming Grove, whose term expired.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for *[data missing]* three years and until her successor is appointed and qualified, vice Ray Morrow, Pittsburgh, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS
OF NURSING HOME ADMINISTRATORS

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland

Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Richard Bruno, Brockway, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF PHARMACY

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve until June 11, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Craig DeFranco, Roseto, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF PODIATRY

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Barbara Wiggan, Mechanicsburg, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (Public Member), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for *[data missing]* six years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Mackey, Mount Bethel, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE WESTERN YOUTH DEVELOPMENT CENTERS

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2021, and until his successor is appointed and qualified, vice Loretta Hogans, New Castle, resigned.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF WHITE HAVEN CENTER

February 2, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of White Haven Center, to serve until January 21, 2017, and until his successor is appointed and qualified, vice Louise Powell-McLafferty, Clarks Summit, resigned.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (Public Member), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 23, 2018, and [data missing] her successor is appointed and qualified, but not longer than six months beyond that period, vice Tina Miller, Pittsburgh, resigned.

TOM WOLF Governor

MEMBER OF THE ARCHITECTS LICENSURE BOARD

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice John Martine, Pittsburgh, resigned.

TOM WOLF Governor

MEMBER OF THE COMMONWEALTH OF PENNSYLVANIA COUNCIL ON THE ARTS

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2017, and [data missing] her successor is appointed and qualified, vice Susan Corbett, Glenshaw, resigned.

TOM WOLF Governor

MEMBER OF THE BANKING AND SECURITIES COMMISSION

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Banking and Securities Commission, to serve at the pleasure of the Governor, vice Gerald Pappert, Plymouth Meeting, resigned.

TOM WOLF Governor

MEMBER OF THE STATE CONSERVATION COMMISSION

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Conservation Commission, to serve until May 30, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Edward Kuckuck, Indiana, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF CRANE OPERATORS

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (Public Member), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of

Crane Operators, to serve until December 8, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jason Giurintano, Camp Hill, whose term expired.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
DRUG, DEVICE AND COSMETIC BOARD

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Drug, Device and Cosmetic Board, to serve until October 15, 2016, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joan Tarloff, Collegetown, deceased.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES
OF EBENSBURG CENTER

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until January 20, 2021, and until her successor is appointed and qualified, vice Marcelle Cooney, Cresson, resigned.

TOM WOLF
Governor

MEMBER OF THE PENNSYLVANIA
FISH AND BOAT COMMISSION

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (District 6), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Fish and Boat Commission, to serve for a term of four years, and *[data missing]* her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Bachman, Denver, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE HARNESS
RACING COMMISSION

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Harness Racing Commission, to serve for a term of three years and until his successor is appointed and qualified, vice C. Edward Rogers, Mechanicsburg, resigned.

TOM WOLF
Governor

MEMBER OF THE HEALTH POLICY BOARD

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years and until her successor is appointed and qualified, vice Cecelia Dougherty, Philadelphia, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF LANDSCAPE ARCHITECTS

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Daniel DiMucci, West Chester, whose term expired.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard (Public Member), 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lisa Hegedus, Jeannette, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE REGISTRATION BOARD
FOR PROFESSIONAL ENGINEERS, LAND
SURVEYORS AND GEOLOGISTS

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 901 Capital Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Earnest Long, Gettysburg, resigned.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF
SOUTH MOUNTAIN RESTORATION CENTER

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Brenda L. Rios, 1224 N. Third Street, Unit 502, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of South Mountain Restoration Center, to serve until January 21, 2019, and until her successor is appointed and qualified, vice William Shank, Chambersburg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF VEHICLE
MANUFACTURERS, DEALERS AND SALESPERSONS

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 901 Capital Street, Harrisburg, 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Frank Snyder, Reynoldsville, whose term expired.

TOM WOLF
Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE
WESTERN YOUTH DEVELOPMENT CENTER *[sic]*

February 4, 2016

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Leah J. Sheppard, 214 Cumberland Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the *[data missing]* Western Youth Development Centers, to serve until the third Tuesday of January 2021, and until her successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

TOM WOLF
Governor

CORRECTIONS TO NOMINATIONS
REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

January 29, 2016

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

Please note that the letter dated November 18, 2015, for the nomination of Keri Ellis, 109 Carriage Lane, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, should be corrected to read:

Keri Ellis, 190 Carriage Lane, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, resigned *[sic]*.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF OPTOMETRY

January 29, 2016

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

Please note that the letter dated November 18, 2015, for the nomination of Anthony Diecidue, O.D., 103 McMichael Drive, Stroudsburg 18360, Monroe County, Fortieth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until March 20, 2017, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lawrence Sylvester, O.D., Chambersburg, resigned, should be corrected to read:

Anthony Diecidue, O.D., 103 McMichaels Drive, Stroudsburg 18360, Monroe County, Fortieth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until March 20, 2017, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Lawrence Sylvester, O.D., Chambersburg, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD
OF OSTEOPATHIC MEDICINE

January 29, 2016

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

Please note that the letter dated November 18, 2015, for the nomination of Burton Mark, D.O., 203 West Chestnut Street, West Chester 19380, Chester County, Nineteenth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, should be corrected to read:

Burton Mark, D.O., 25 Stoneridge Road, Thornton 19373, Delaware County, Ninth Senatorial District, for reappointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

January 29, 2016

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

Please note that the letter dated November 18, 2015, for the nomination of Renee J. Cardone, 40 College Avenue, Collegeville 19426, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, should be corrected to read:

Renee J. Cardone, 40 College Avenue, Trappe 19426, Montgomery County, Twenty-fourth Senatorial District, for reappointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

JUDGE, COURT OF COMMON PLEAS
[data missing]

February 4, 2016

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

Please note that the letter dated January 29, 2016, for the nomination of Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2018, vice The Honorable Kathleen Mulligan, resigned, should be corrected to read:

JUDGE, COURT OF COMMON PLEAS,
ALLEGHENY COUNTY

Mary K. Topper, Esq., 223 Pine Street, Apt. 3A, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as Judge, Court of Common Pleas, Allegheny County, to serve until the first Monday of January 2018, vice The Honorable Kathleen Mulligan, resigned.

TOM WOLF
Governor

CORRECTION TO CORRECTION TO
NOMINATION REFERRED TO COMMITTEE

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

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

February 4, 2016

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

Please note that the letter dated November 18, 2015, then corrected on January 29, 2016, for the nomination of Keri Ellis, 190 Carriage Lane, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, resigned *[sic]*, should be corrected to read:

Keri Ellis, 190 Carriage Lane, Pittsburgh 15241, Allegheny County, Thirty-seventh Senatorial District, for reappointment as a member of the State Board of Accountancy, to serve for a term of four years and until her successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

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

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Senator CORMAN, by unanimous consent, offered the following resolution, which was read, considered, and adopted by voice vote:

In the Senate, January 27, 2016

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 9, 2016, at 11:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Tom Wolf; and be it further

RESOLVED, That a committee of three, on the part of the Senate, be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

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

HOUSE MESSAGES

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS TO SENATE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to the House amendments to **SB 166**.

HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILL

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 158**.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

January 28, 2016

HB 824 -- Committee on State Government.
HB 1330 and **1331** -- Committee on Finance.

February 3, 2016

HB 1062 -- Committee on Public Health and Welfare.
HB 1087, 1413 and **1418** -- Committee on Transportation.
HB 1661 -- Committee on Local Government.

BILLS INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Bills numbered, entitled, and referred as follows, which were read by the Clerk:

January 28, 2016

Senators BLAKE, BREWSTER, TARTAGLIONE, SABATINA, FONTANA, YUDICHAK, COSTA, BOSCOLA, HAYWOOD, BROWNE, HUGHES, ARGALL and SCAVELLO presented to the Chair **SB 1069**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, authorizing assessments for energy improvements in districts designated by municipalities; and imposing a fee.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, January 28, 2016.

Senators DINNIMAN, COSTA, BREWSTER, VULAKOVICH and HAYWOOD presented to the Chair **SB 1102**, entitled:

An Act providing immunity for providers of free or low-cost health care.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, January 28, 2016.

Senators BAKER, VULAKOVICH, GREENLEAF, RAFFERTY, BARTOLOTTA, BLAKE, TEPLITZ, TOMLINSON, SCHWANK, FONTANA, COSTA, SCARNATI, TARTAGLIONE, BREWSTER, ALLOWAY, WOZNIAK, VOGEL, LEACH, WHITE and BROWNE presented to the Chair **SB 1109**, entitled:

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

Which was committed to the Committee on FINANCE, January 28, 2016.

Senators ARGALL, YUDICHAK, VULAKOVICH, COSTA, RAFFERTY, SCHWANK and BAKER presented to the Chair **SB 1112**, entitled:

An Act amending Title 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; and, in general administration relating to correctional institutions, providing for salary of corrections managers.

Which was committed to the Committee on JUDICIARY, January 28, 2016.

Senators VOGEL, AUMENT, YAW, ARGALL, SMUCKER, MENSCH, EICHELBERGER, SCARNATI, BROOKS, BAKER, CORMAN, GORDNER, McILHINNEY, FOLMER, GREENLEAF, HUTCHINSON, BARTOLOTTA, WARD, RAFFERTY, WHITE, RESCHENTHALER and TOMLINSON presented to the Chair **SB 1120**, entitled:

An Act to provide additional appropriations from the General Fund for the expenses of the Executive Department for the fiscal year July 1, 2015, to June 30, 2016, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2015.

Which was committed to the Committee on APPROPRIATIONS, January 28, 2016.

Senators BAKER, YAW, ARGALL, EICHELBERGER, VULAKOVICH, BROOKS, SCARNATI, STEFANO, HUTCHINSON, BARTOLOTTA, AUMENT, RAFFERTY, VANCE, WARD and RESCHENTHALER presented to the Chair **SB 1121**, entitled:

An Act making a supplemental appropriation from the General Fund to the Department of Human Services for the purpose of medical assistance payments to critical access hospitals for the fiscal year beginning July 1, 2015.

Which was committed to the Committee on APPROPRIATIONS, January 28, 2016.

Senators SCAVELLO and BOSCOLA presented to the Chair **SB 1122**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in community colleges, further providing for election or appointment and term and organization of board of trustees.

Which was committed to the Committee on EDUCATION, January 28, 2016.

February 3, 2016

Senators BREWSTER, TEPLITZ, EICHELBERGER, FONTANA, YUDICHAK, SCHWANK, VOGEL, WARD, AUMENT and HAYWOOD presented to the Chair **SB 1116**, entitled:

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, further providing for members of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, February 3, 2016.

Senators BREWSTER, TEPLITZ, EICHELBERGER, FONTANA, YUDICHAK, SCHWANK, VOGEL, WARD, FOLMER, BLAKE and AUMENT presented to the Chair **SB 1117**, entitled:

An Act prohibiting certain per diem payments to members of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, February 3, 2016.

Senators BREWSTER, TEPLITZ, EICHELBERGER, SCHWANK, VOGEL, WARD, FOLMER and AUMENT presented to the Chair **SB 1118**, entitled:

An Act prohibiting the lease or conveyance of motor vehicles by the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, February 3, 2016.

Senators BREWSTER, TEPLITZ, EICHELBERGER, SCHWANK, VOGEL, WARD, FOLMER and AUMENT presented to the Chair **SB 1119**, entitled:

An Act prohibiting certain gifts to members of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, February 3, 2016.

February 5, 2016

Senators DINNIMAN, EICHELBERGER, SCHWANK, COSTA, HUTCHINSON, BARTOLOTTA and RAFFERTY presented to the Chair **SB 1125**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling and waste reduction, further providing for Commonwealth recycling and waste reduction.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 5, 2016.

February 8, 2016

Senators VOGEL, SCARNATI, HUTCHINSON, BARTOLOTTA, YAW, WHITE, MENSCH and WARD presented to the Chair **SB 1123**, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, in weights and measures, further providing for standards for automotive fuel.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, February 8, 2016.

Senator DINNIMAN presented to the Chair **SB 1124**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in Commonwealth budget procedures, providing for General Assembly general appropriation procedure and further providing for revenue estimates.

Which was committed to the Committee on APPROPRIATIONS, February 8, 2016.

Senators STEFANO, SABATINA, BREWSTER, VOGEL, TARTAGLIONE, TEPLITZ, COSTA, RAFFERTY, DINNIMAN, WHITE, KITCHEN, MENSCH, YUDICHAK, BAKER, VULAKOVICH, WARD, HUGHES and SCARNATI presented to the Chair **SB 1126**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, in licenses and regulations for liquor, alcohol and malt and brewed beverages, further providing for special occasion permits.

Which was committed to the Committee on LAW AND JUSTICE, February 8, 2016.

Senators STEFANO, SABATINA, BREWSTER, EICHELBERGER, VOGEL, TARTAGLIONE, TEPLITZ, HUTCHINSON, COSTA, RAFFERTY, DINNIMAN, WHITE, KITCHEN, MENSCH, YUDICHAK, BAKER, VULAKOVICH, WARD, AUMENT, HUGHES and SCARNATI presented to the Chair **SB 1127**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions.

Which was committed to the Committee on FINANCE, February 8, 2016.

Senators WILLIAMS and YUDICHAK presented to the Chair **SB 1128**, entitled:

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

Which was committed to the Committee on FINANCE, February 8, 2016.

RESOLUTIONS INTRODUCED AND REFERRED

The PRESIDENT laid before the Senate the following Senate Resolutions numbered, entitled, and referred as follows, which were read by the Clerk:

January 28, 2016

Senators ARGALL, FOLMER, YUDICHAK, VULAKOVICH, RAFFERTY, MENSCH, HAYWOOD and WAGNER presented to the Chair **SR 263**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study regarding overtime costs incurred by the Department of Corrections relating to staffing shortages.

Which was committed to the Committee on JUDICIARY, January 28, 2016.

Senators SCHWANK, SABATINA, TEPLITZ, VULAKOVICH, GREENLEAF, FARNESE, COSTA, FONTANA, BREWSTER, RESCHENTHALER, STEFANO, DINNIMAN, BARTOLOTTA, RAFFERTY, YUDICHAK, BAKER, YAW, LEACH, BROOKS, WHITE, EICHELBERGER, McGARRIGLE, WILEY, AUMENT, GORDNER, MENSCH, HAYWOOD, WAGNER, HUGHES and WARD presented to the Chair **SR 267**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to study issues relating to the need for, availability of and access to effective drug addiction treatment in this Commonwealth.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, January 28, 2016.

Senators RESCHENTHALER, TOMLINSON, ARGALL, COSTA, MENSCH, McILHINNEY, GREENLEAF, RAFFERTY, BARTOLOTTA, SCAVELLO, SABATINA, ALLOWAY, HAYWOOD, AUMENT and WARD presented to the Chair **SR 275**, entitled:

A Resolution urging the Congress of the United States to pass H.R. 2646, the Helping Families in Mental Health Crisis Act of 2015.

Which was committed to the Committee on PUBLIC HEALTH AND WELFARE, January 28, 2016.

February 5, 2016

Senators STEFANO, EICHELBERGER, ARGALL, BARTOLOTTA, GORDNER, WHITE, VOGEL, HUTCHINSON, FOLMER, VULAKOVICH, WARD, YAW, SCARNATI and WOZNIAK presented to the Chair **SR 277**, entitled:

A Resolution urging the Department of Environmental Protection to request a two-year extension for submitting a plan to comply with the Federal Clean Power Plan, and directing the Legislative Budget and Finance Committee to conduct a cost compliance study prior to submission of the final implementation plan to the Environmental Protection Agency.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 5, 2016.

February 8, 2016

Senators EICHELBERGER, WARD and WAGNER presented to the Chair **SR 276**, entitled:

A Concurrent Resolution petitioning the Congress of the United States to call a convention of states limited to proposing a regulation freedom amendment to the Constitution of the United States.

Which was committed to the Committee on STATE GOVERNMENT, February 8, 2016.

GENERAL COMMUNICATION

INDEPENDENT FISCAL OFFICE'S ASSESSMENT OF THE STATE'S FISCAL CONDITION AND PROJECTION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
Independent Fiscal Office
Second Floor, Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

February 2, 2016

The Honorable Joseph B. Scarnati, III
President Pro Tempore
Senate of Pennsylvania
292 Main Capitol Building
Harrisburg, PA 17120

The Honorable Mike Turzai
Speaker
Pennsylvania House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Dear Sirs:

Enclosed please find a copy of the Independent Fiscal Office's assessment of the state's current fiscal condition and a projection of the fiscal condition during the next five years. The enclosed report,

entitled *Economic & Budget Outlook: Commonwealth of Pennsylvania Fiscal Years 2015-16 to 2020-21*, was produced in accordance with 71 Pa.C.S. §4104.

Sincerely,

MATTHEW J. KNITTEL
Director

The PRESIDENT. This report will be filed in the Library.

LEGISLATIVE LEAVE

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

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

The PRESIDENT. Senator Corman requests a legislative leave for Senator Smucker. Without objection, the leave will be granted.

LEAVES OF ABSENCE

Senator CORMAN asked and obtained leaves of absence for Senator McILHINNEY and Senator WHITE, for today's Session, for personal reasons.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, February 8, 2016

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, March 14, 2016, 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, March 14, 2014, 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-47

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

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 LEAVE CANCELLED

The PRESIDENT. Senator Smucker has returned, and his legislative leave is cancelled.

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, I am back again within one week with another championship team from Berks County, another group of young women who have made us very proud. Today I am honored to have the privilege of introducing the Berks Catholic Volleyball Team. Not only did the Saints win the PIAA Class AA Championship with an impressive 23-0 record, they also won the first State title in their school's history and have the honor of being the greatest Berks Catholic volleyball team of all time. The remarkable success they have achieved is a tribute to the hard work, dedication, and perseverance of each and every team member. Under the direction of their coach, Rick Fidler, this team competed with poise and confidence which allowed them to set a standard of excellence that future volleyball teams across the Commonwealth will be hard-pressed to equal.

By the way, Mr. President, I mention that one of the schools that these students bested in this tournament was Fort LeBoeuf, which, I believe, is one of the schools in Senator Wiley's district, as well as Senator Brooks' district. Please join me in welcoming the Saints, their managers, and coaches to the Capitol today.

The PRESIDENT. Would the guests of Senator Schwank, the Saints volleyball champions, please rise so that we may welcome you to the State Senate. Take that, Senator Wiley.

(Applause.)

Senator SCHWANK. Mr. President, I also have the pleasure of introducing Michael McLaughlin. Michael is an aspiring public servant from Berks County. He is a graduate of Twin Valley High School and from Penn State University in 2013 with a B.S. in biology. While at Penn State, he had the opportunity to be elected as public relations chair for the Penn State Berks Chemical Society. After graduating, Michael went on to work at a biotech company as a research intern studying treatments for multiple forms of cancer.

Michael came to the realization that his passions were focused more toward public service and making a difference in the future of our county. He went on to work for his current employer, VWR Catalyst, while also applying to graduate school for his master's degree in public administration. He recently began his program through the Penn State World Campus and hopes to complete his internship requirement here in Harrisburg through the Legislative Fellowship Program.

Michael has felt the Bern. He is a volunteer on the Sanders presidential campaign and is currently seeking to play a more active role within the county politically. His goal is to one day enter State politics here in Harrisburg as a public servant for the

people of Pennsylvania. Please join me in welcoming a very nice young man, Mr. President, Michael McLaughlin, to the Senate.

The PRESIDENT. Would the guest of Senator Schwank, Michael McLaughlin, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

GUEST OF SENATOR RYAN AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, it is my pleasure to introduce my guest today, Mitchell Bawell. Mitchell lives in New Holland and is a senior at Garden Spot High School. He is a prime example of a scholar athlete, as he has a cumulative GPA of 4.34 while playing numerous sports including football, track and field, and wrestling. He also served in numerous leadership roles such as vice president of student council, varsity football captain, and evangelist leader. Upon graduation, Mitchell, who has been nominated by Congressman Joe Pitts to attend the Air Force Academy, looks forward to one day serving our great country in the United States Air Force. Please join me in welcoming Mitchell to the Senate.

The PRESIDENT. Would the guest of Senator Aument, Mitchell, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

GUESTS OF SENATOR SEAN D. WILEY PRESENTED TO THE SENATE

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

Senator WILEY. Mr. President, it is my honor today to welcome our guest Chaplain, Captain Matthew Guncheon, to the Senate of Pennsylvania. Captain Guncheon is a native of Port Allegany, Pennsylvania, in the Commonwealth's 25th Senatorial District. He is an ordained minister of the Evangelical Covenant Church of America.

Captain Guncheon began his service in the United States Army in 2000, first enlisting and completing 19 Delta Cavalry Scout One Station Unit training in January 2001. He went on to serve in the 1st Infantry Division in Vilseck, Germany, before receiving a direct commission as 2nd Lieutenant upon entrance to the U.S. Army Chaplain Candidate Program. Upon completion of the program and returning to active duty in 2007, Captain Guncheon was the Squadron Chaplain of the 10th Cavalry Regiment, 2nd Brigade, 4th Infantry Division of Fort Carson, Colorado, and deployed with the squadron in support of Operation Iraqi Freedom from 2009 to 2010. Following that deployment, Chaplain Guncheon was assigned as the very first chaplain for the 303 Delta Ordinance Battalion in Schofield Barracks, Hawaii. Chaplain Guncheon and the battalion then deployed as part of the Combined Joint Task Force Troy Center in support of Operation New Dawn from 2010 to November of 2011. Upon return, Chaplain Guncheon was assigned as the 1st Battalion, 19th Field Artillery Regiment Chaplain at Fort Sill, Oklahoma, and completed the career course at the Army Chaplain Center and School in Fort Jackson, South Carolina, this past summer.

Chaplain Guncheon is currently serving as Deputy Brigade Chaplain, 3rd Recruiting Brigade, Army Recruiting Command in Fort Knox, Kentucky.

We are honored to have with us today a decorated war hero. I repeat, we are honored today to have with us a decorated war hero. Chaplain Guncheon is not technically a resident of my district. He and his wife, Jennifer, maintain a residence in Greensburg, Pennsylvania, in Senator Ward's district. However, he is the brother of Laura Guncheon, the director of community affairs and public relations in my district, and we consider him part of the 49th Senatorial District family. Mr. President, I ask that my colleagues join me in welcoming Chaplain Guncheon to the Senate of Pennsylvania. Thank you.

The PRESIDENT. Would the guest of Senator Wiley, Captain and Chaplain Guncheon, please rise so that we may thank you and welcome you to the Pennsylvania State Senate. Thank you for a wonderful prayer, Chaplain.

(Applause.)

GUESTS OF SENATOR GENE YAW PRESENTED TO THE SENATE

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

Senator YAW. Mr. President, I am very proud to introduce the Lewisburg High School Boys' Soccer Team. They are not seated in the gallery because for some reason they are being held up in the House of Representatives. They captured the 2015 PIAA Class AA Boys' Soccer Championship after completing an undefeated season of 25 and 0. In fact, they are only the fifth team since 1973 in the State to finish with an unbeaten or untied record. So, this team of 26 players deserve to be congratulated publicly, and even though they are not physically here, I want them to be recognized for their extreme accomplishment.

Thank you, Mr. President.

The PRESIDENT. Everyone is watching on PCN and they will know that we are recognizing the great Lewisburg High School Boys' Soccer Team, and let us do so by showing our appreciation with applause for the guests of Senator Yaw.

(Applause.)

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of a Republican caucus to be held in the Majority Caucus Room starting at 2:30 p.m.

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 immediately.

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

AFTER RECESS

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

CALENDAR

THIRD CONSIDERATION CALENDAR

PREFERRED APPROPRIATION BILL OVER IN ORDER

SB 1106 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS OVER IN ORDER

HB 57, SB 489 and **HB 561** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 568 (Pr. No. 541) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in orphans' court divisions, further providing for appointment and purpose and for compensation; and, in incapacitated persons, providing for venue and for confidentiality and disclosure of information, further providing for petition and hearing and independent evaluation, repealing provisions relating to county of appointment and qualifications, further providing for review hearing, providing for affidavit in uncontested termination matters and for counsel, further providing for emergency guardian, repealing provisions relating to provisions similar to other estates, providing for removal and discharge of guardian, for appointment of guardian in conveyance and for bond, further providing for evidence of incapacity, for cross-examination of witnesses and for provisions concerning powers, duties and liabilities, providing for protection of person dealing with guardian, and further providing for when accounting filed, for distributions of income and principal during incapacity and for guardianship services.

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-47

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

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 OVER IN ORDER TEMPORARILY

SB 606 -- Without objection, the bill was passed over in its order temporarily at the request of Senator CORMAN.

BILLS OVER IN ORDER

SB 691, HB 837, SB 1013, SB 1056, SB 1104 and HB 1296 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 50, HB 400 and SB 488 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

SB 805 (Pr. No. 922) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, in restructuring of electric utility industry, further providing for energy efficiency and conservation program.

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

SB 805 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 805, Printer's No. 922, 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 SECOND CONSIDERATION

SB 889 (Pr. No. 1519) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 28, 1935 (P.L.477, No.193), referred to as the Enforcement Officer Disability Benefits Law, extending benefits to certain employees of the Pennsylvania Game Commission and the Pennsylvania Fish and Boat Commission; and making editorial changes.

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

BILLS OVER IN ORDER AND LAID ON THE TABLE

HB 950 (Pr. No. 2625) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions relating to operation of vehicles, further providing for traffic-control signals and for expiration of automated red light enforcement systems provisions.

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.

SB 976 (Pr. No. 1372) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions and for exceptions to prohibition of interception and disclosure of communications.

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 1199 (Pr. No. 1574) -- The Senate proceeded to consideration of the bill, entitled:

An Act repealing the act of May 27, 1965 (P.L.63, No.50), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a bridge over the Monongahela River in Washington and Allegheny Counties, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages, and making an appropriation."

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

BILLS OVER IN ORDER

HB 1229, HB 1484 and HB 1660 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

THIRD CONSIDERATION CALENDAR RESUMED

SB 606 CALLED UP

SB 606 (Pr. No. 598) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator CORMAN.

BILL AMENDED

SB 606 (Pr. No. 598) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for limited liability for pilots and apprentices.

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

Senator McGARRIGLE offered the following amendment No. A5867:

Amend Bill, page 1, lines 1 through 4, by striking out all of said lines and inserting:

Amending the act of March 29, 1803 (P.L.542, No.156), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," providing for licensed pilot and apprentice liability.

Amend Bill, page 1, lines 7 through 19; page 2, lines 1 through 30; page 3, lines 1 through 22; by striking out all of said lines on said pages and inserting:

Section 1. The act of March 29, 1803 (P.L.542, No.156), entitled "An act to establish a Board of Wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned," is amended by adding a section to read:

Section 31.2. (a) The purpose of this section is to stimulate and preserve maritime commerce on the pilotage grounds of this Commonwealth by limiting and regulating the liability of certain pilots, which commerce is essential to the economic viability of this Commonwealth's maritime commerce and serves the public interests.

(b) A licensed pilot or apprentice providing pilot services shall not be liable for more than five thousand dollars for damage or loss caused by the licensed pilot's or apprentice's error, omission, fault or neglect in the performance of the pilot services, except for the following:

(1) damage or loss that arises because of the willful misconduct or reckless disregard for safety by the licensed pilot or apprentice; or

(2) an act or omission relating to the ownership and operation of a pilot boat unless the pilot boat is directly involved in pilot services other than the transportation of licensed pilots.

(c) This section does not exempt a vessel or its owner or operator from liability for damage or loss caused by the vessel to a person or property on the grounds that:

(1) the vessel was piloted by a licensed pilot or apprentice; or

(2) the damage or loss was caused by the error, omission, fault or neglect of a licensed pilot or apprentice.

(d) In a proceeding brought against a licensed pilot or apprentice for an act or omission for which liability is limited as provided by this section and in which other claims are made or anticipated with respect to the same act or omission, the court shall dismiss the proceedings as to the licensed pilot or apprentice to the extent the pleadings allege liability of the pilot that exceeds five thousand dollars.

(e) Liability under this section shall also be limited as follows:

(1) A pilot or apprentice shall not be liable directly or as a member of an organization of pilots for any claim that:

(i) arises from an act or omission of another pilot, apprentice or organization of pilots; and

(ii) relates directly or indirectly to pilot services.

(2) An organization of pilots shall not be liable for any damages caused by a licensed pilot's or apprentice's error, omission, fault or neglect in the performance of pilotage.

(f) For the sole purpose of occasions when this section is applicable as a defense to liability by a licensed pilot or apprentice, the licensed pilot or apprentice asserting the defense shall be considered to have been acting as the servant of the vessel, its owner and its operator.

(g) This section shall apply to all causes of action that occur on or after the effective date of this section.

(h) As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Apprentice." A person appointed as an apprentice pilot under 4 Pa. Code § 405.9 (relating to apprentices).

"Pilot." A person licensed under 4 Pa. Code Ch. 405 (relating to pilots and pilotage) by the Navigation Commission for the Delaware River and its Navigable Tributaries.

Section 2. This act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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

SENATE RESOLUTION No. 262, ADOPTED

Senator CORMAN, without objection, called up from page 5 of the Calendar, **Senate Resolution No. 262**, entitled:

A Resolution urging the United States Surface Transportation Board, the United States Department of Justice, the United States Department of Transportation and the Congress of the United States to reject any plans submitted by Canadian Pacific Railway to acquire Norfolk Southern Corporation and to consider the potential negative impact of the proposal with respect to building a more efficient freight network in this Commonwealth.

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 calls on the United States Congress, the United States Department of Justice, and the United States Department of Transportation to take a good look and to do due diligence on the Canadian Pacific Railway's attempt to take over Norfolk Southern. Norfolk Southern, many of us in Pennsylvania are very familiar with them. This would form a huge conglomeration that would control a very important aspect of our transportation system here in the Commonwealth. We are asking them to do their due diligence to make sure that this attempt by a large corporation to take over Norfolk Southern is in the best interest of the people of this Commonwealth.

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

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

Senator WOZNIAK. Mr. President, in keeping with the bipartisan effort of our transportation issues, I rise to support this resolution. If you look back in the history of the United States, we have had the monopolies of our railroads. In the infancy of our nation, we had the railroad monopolies. This would make this railroad, the Canadian Pacific, the third-largest rail corporation in the United States. I think we need to take a serious look at it. I am concerned about the effect it has on eastern Pennsylvania, but I have even more concern about what happens to western Pennsylvania.

So, let us not be in any hurry. There are billions of dollars at stake here and thousands of jobs. No hurry. Let us take a look at this and be slow, patient, and deliberate. I ask for an affirmative vote on this resolution to send this off to Congress to be cautious in their decisionmaking process. Thank you very much.

And the question recurring,

Will the Senate adopt the resolution?

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

UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED

Senators KITCHEN, COSTA, SABATINA, GREENLEAF, SCAVELLO, DINNIMAN, TEPLITZ, BREWSTER, EICHELBERGER, ARGALL, VULAKOVICH, AUMENT, SCHWANK, WOZNIAK, FONTANA, HAYWOOD,

BARTOLOTTA, WILLIAMS, YUDICHAK, VANCE, RAF-FERTY, HUTCHINSON, FARNESE, BLAKE, BOSCOLA, LEACH, HUGHES, WILEY and TARTAGLIONE, by unanimous consent, offered **Senate Resolution No. 279**, entitled:

A Resolution designating the month of February 2016 as "Black History Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator KITCHEN. Mr. President, it is with great honor that I rise for the last time as State Senator to ask for unanimous support on my resolution marking February as "Black History Month" in Pennsylvania. It has been quite an honor to present such important history to this body. Advancements, Mr. President, in any field or any vocation or any civil society happen because people before us made the commitment and sacrificed to improve life for all of us. We do that every day here in this Capitol, and we cannot stop working to improve life for all Pennsylvanians. Some of the African Americans who have blazed new trails for us were born right here in Pennsylvania. Bayard Rustin grew up in Chester before he joined the national civil rights movement in the 1960s; C. Delores Tucker, a fellow Philadelphian, walked with Dr. Martin Luther King from Selma to Montgomery, Alabama; artist Henry Ossawa Tanner was from Pittsburgh; "60 Minutes" broadcast journalist Ed Bradley was from Philly; and Dr. Daniel Hale Williams, who was born in this great State, performed the world's first successful heart surgery.

Besides the famous African American Pennsylvanians, we would not be here today, Mr. President, had it not been for the contributions of farmers, homemakers, explorers, and other educators who worked to make a difference even today. So, I ask, once more, to approve my resolution making February Black History Month in Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentlewoman, the great public servant from the city of Philadelphia. In the time you have offered the resolution, Senator, I have not once ever seen it fail. It has been personally enriching and a learning experience all of the times that you have offered it, and, of course, to be your friend and colleague.

The Chair recognizes the gentleman from Chester, Senator Dinniman.

Senator DINNIMAN. Mr. President, I also thank Senator Kitchen for bringing this information to our attention and helping us gain wisdom and understanding. It has been my privilege for the last 6 years to also rise when Senator Kitchen does this resolution because I want to emphasize the importance of knowing African American history for all people, both black and white. I had the privilege for 30 years at West Chester University of teaching African American history. We have all been tied in this knot of misunderstanding together. Sometimes the way to untie that knot, the way to increase our understanding of each other, is to understand our history, to understand how misunderstanding and racism evolved in the first place. When we study African American history, it is liberating for all of us, whether we be black, white, or in between.

When our Constitution was founded and when we did the Declaration of Independence, in that Declaration of Independence we said that all men are created equal, but we did not include women and we did not include people of color. As a nation, there were people at that time who knew that we could expand this concept of equality and equity. Thus, we had the Women's Suffrage Movement that eventually resulted in the integration of this Chamber in 1920. We have the paintings here, by the way, which were the first given to any woman as a public commission in the United States. We also have seen, and the fight continues for equity for people of color, and we need to understand the history as we go forward. Black history is part and parcel of Pennsylvania history, and we cannot understand the meaning of being a Pennsylvanian today without understanding the meaning of African American history. In this very Chamber, the very paintings that Violet Oakley did before us are a statement about African American history and a statement that all of us are part of what makes up the beautiful name of Pennsylvania.

We have to continue to be welcoming to new people, and to continue to treat everyone with equity and with respect, and when we do so, we will keep William Penn's legacy alive, and the study of black history helps us keep that legacy alive.

Thank you, Mr. President.

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

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

Senators WARD, FARNESE, EICHELBERGER, GREEN-LEAF, SABATINA, BROWNE, GORDNER, SCHWANK, YUDICHAK, VULAKOVICH, FONTANA, COSTA, TEPLITZ, RESCHENTHALER, BARTOLOTTA, AUMENT, RAFFERTY and HUGHES, by unanimous consent, offered **Senate Resolution No. 280**, entitled:

A Resolution designating the month of March 2016 as "Problem Gambling Awareness Month" in Pennsylvania and observing the month of March 2016 as "National Problem Gambling Awareness Month."

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Westmoreland, Senator Ward.

Senator WARD. Mr. President, Senator Farnese and I are offering a resolution that designates the month of March 2016 as "Problem Gambling Awareness Month" in Pennsylvania, and observes March as the "National Problem Gambling Awareness Month." The purpose of this resolution is to acknowledge that while many people can and do responsibly enjoy gaming as a legitimate form of entertainment, there are some individuals who suffer from the very real issue of problem gambling. It is our sincere hope that this resolution will help make people aware of the public health issue of problem gambling both in terms of prevention and treatment. While the Pennsylvania gaming industry has been quite successful in terms of job creation, revenue generation, and economic development, the Commonwealth must insure that it addresses any accompanying social issues in a responsible and effective manner. I ask for your consideration of this resolution. Thank you.

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

Senator FARNESE. Mr. President, I am pleased to stand here with my colleague and good friend, and, of course, co-chair of the Committee on Community, Economic and Recreational Development, Senator Ward, to lend support to the issue of problem gambling in Pennsylvania. The gaming industry here in Pennsylvania is one we are proud of, and an industry that has been a good steward of the economy and the communities in which it operates. However, with this industry comes issues for some people with problem gambling. Problem gambling is a public health concern, Mr. President, for people across ages, races, and ethnic backgrounds. It is, however, effectively treatable. Today's resolution is meant to increase education around this issue and to encourage our health and regulatory agencies to continue their outreach and education efforts in order to prevent problem gambling in the Commonwealth and the country.

Thank you again to Senator Ward for her leadership on this issue, and thank you to my colleagues in this body for lending your support to this resolution.

Thank you, Mr. President.

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

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

Senators WILEY, FONTANA, RAFFERTY, SABATINA, SCAVELLO, DINNIMAN, TEPLITZ, SCHWANK, GREENLEAF, VULAKOVICH, BROWNE, FARNESE, YUDICHAK, WHITE, COSTA, RESCHENTHALER and BARTOLOTTA, by unanimous consent, offered **Senate Resolution No. 281**, entitled:

A Resolution designating February 3, 2016, as "Four Chaplains Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator WILEY. Mr. President, each February this country honors the ultimate sacrifice of four men who lost their lives one fateful night off of the coast of Greenland. The four chaplains, as they are commonly known, were each a lieutenant in their respective branches of the United States Armed Forces during World War II. They were traveling by boat with 900 men to a base in Greenland. Their boat was struck by a German torpedo and quickly began to sink. Putting the needs of their men above their own, the four chaplains shepherded the wounded and the living to lifeboats, guiding them in the dark. They prayed with the dying and comforted all in their last hours as many clung to life. In their final act of heroism, the four chaplains gave their own life jackets to others, insuring their own certain death as the lifeboats were full. Nearly 230 survivors were later rescued by nearby ships. The four chaplains are now memorialized across our nation for their selfless bravery.

It is fitting, Mr. President, that we had with us here today a U.S. Army Chaplain as our Senate guest Chaplain. As he serves his country and our freedoms each day in honor of those who

came before him, it is also fitting that each of us in this Chamber remember the message of the four chaplains: No matter your faith or your beliefs, you can work as one for the greater good. A Methodist, a Jew, a Catholic, and a Dutchman can parallel a Democrat, a Republican, and an Independent as we work together in service of the people of this great Commonwealth.

Mr. President, I ask that my colleagues join me in support of this resolution marking February 3, 2016, as "Four Chaplains Day" in Pennsylvania. Thank you.

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

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

Senators TEPLITZ, SABATINA, DINNIMAN, RAFFERTY, GREENLEAF, FONTANA, SCHWANK, VULAKOVICH, FOLMER, HUGHES, FARNESE, COSTA and RESCHENTHALER, by unanimous consent, offered **Senate Resolution No. 282**, entitled:

A Resolution designating the month of February 2016 as "USO Month" in Pennsylvania in recognition of the 75th anniversary of the United Service Organizations and its mission to enhance the quality of life of military members and their families.

On the question,
Will the Senate adopt the resolution?

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

Senator TEPLITZ. Mr. President, my resolution designates the month of February 2016 as "USO Month" in Pennsylvania. This year marks the 75th anniversary of the United Service Organizations, or USO, and its mission to enhance the quality of life of military members and their families. The USO was founded in 1941 by President Franklin Delano Roosevelt to lift the morale of our military and nourish support on the home front. Today's USO continuously adapts to the needs of our men and women in uniform and their families. USO centers operate at or near military installations across the United States and throughout the world, including combat zones. USO airport centers also offer around-the-clock hospitality for traveling service members and their families. The trademark USO tours bring America and its celebrities to service members who are assigned far from home to entertain them and convey the support of our nation. Its many specialized programs offer a continuum of support to service members throughout their journey of service.

So, Mr. President, I ask that my colleagues join me in celebrating the USO's dedication to our troops and their families for 75 years by designating the month of February 2016 as USO Month in Pennsylvania.

Thank you, Mr. President.

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

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

Senators EICHELBERGER, DINNIMAN, SCARNATI, GREENLEAF, SCAVELLO, SABATINA, MENSCH, ARGALL, TEPLITZ, BAKER, AUMENT, SCHWANK, BREWSTER, GORDNER, VULAKOVICH, McILHINNEY, FOLMER, BARTOLOTTA, HAYWOOD, FONTANA, COSTA, YUDICHAK, WARD, RAFFERTY, YAW, HUTCHINSON, WHITE, FARNESE, BOSCOLA, RESCHENTHALER and HUGHES, by unanimous consent, offered **Senate Resolution No. 283**, entitled:

A Resolution designating the week of January 31 through February 6, 2016, as "Catholic Schools Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, not being Catholic and not being a former student of a Catholic school, one may wonder why I am offering this resolution today. But, I am a big admirer and supporter of the products that come out of many of these schools across our Commonwealth. They do a great service for our citizenry. I know in my local area they do a tremendous job for the folks there. In Pennsylvania, they educate about 153,000 students annually and save the Commonwealth taxpayers about \$2 billion each year by people attending Catholic schools. They have a great success rate. In fact, less than 3 percent of their attendees drop out, and 90 percent seek higher education in some form.

So, last week was the week, and we were not in Session, but I wish them well and continued success as they do a lot of work for the young people of this great State. So, I ask for support from my colleagues today for their recognition. Thank you.

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 E. Lois Hohl by Senator Aument.

Congratulations of the Senate were extended to Michael Casey by Senator Brewster.

Congratulations of the Senate were extended to Chief Riley Smoot, Jr., by Senator Brooks.

Congratulations of the Senate were extended to Chief Edward Zunino by Senator Dinniman.

Congratulations of the Senate were extended to Brennan J. Sullivan by Senator McGarrigle.

Congratulations of the Senate were extended to Keenan Lemay by Senator McIlhinney.

Congratulations of the Senate were extended to Jennie Elias, Gertrude Yuknis and to Evelyn Milgram by Senator Tomlinson.

Congratulations of the Senate were extended to Robert Womer, Mary Sibley, Connie Metz, Tim Tabisz and to Scott Jones by Senator White.

Congratulations of the Senate were extended to Joseph J. Bruni by Senator Williams.

Congratulations of the Senate were extended to Tristan Sokach-Minnick by Senator Yudichak.

CONDOLENCE RESOLUTION

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

Condolences of the Senate were extended to the family of the late Maxine Baram by Senator McIlhinney and others.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 9, 2016

Off the Floor	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (to consider House Bill No. 944)	Rules Cmte. Conf. Room
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Off the Floor	GAME AND FISHERIES (to consider Senate Bills No. 979 and 1115; and House Bill No. 1168)	Rules Cmte. Conf. Room
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WEDNESDAY, FEBRUARY 10, 2016

9:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (public hearing on Senate Bill No. 1055)	Room 8E-B East Wing
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10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider House Bill No. 31)	Room 461 Main Capitol
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MONDAY, FEBRUARY 22, 2016

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Governor's Office/Governor's Budget Office/Executive Offices)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Independent Fiscal Office - Economic Outlook & Revenue Overview)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Health)	Hrg. Rm. 1 North Off.
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TUESDAY, FEBRUARY 23, 2016

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Judiciary)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - Treasury Department)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Auditor General)	Hrg. Rm. 1 North Off.
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WEDNESDAY, FEBRUARY 24, 2016

10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of Conservation and Natural Resources)	Hrg. Rm. 1 North Off.
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1:00 P.M.	APPROPRIATIONS (Budget Hearing - State Police/Homeland Security)	Hrg. Rm. 1 North Off.
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3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Drug & Alcohol Programs)	Hrg. Rm. 1 North Off.
<u>THURSDAY, FEBRUARY 25, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of Environmental Protection)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Community & Economic Development)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Attorney General)	Hrg. Rm. 1 North Off.
<u>MONDAY, FEBRUARY 29, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of Corrections/Board of Probation and Parole)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Transportation)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Aging)	Hrg. Rm. 1 North Off.
<u>TUESDAY, MARCH 1, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of General Services)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Labor & Industry)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Agriculture)	Hrg. Rm. 1 North Off.
<u>WEDNESDAY, MARCH 2, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - State Related Universities)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - PA State System of Higher Education)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - PA Emergency Management Agency/Fire Commissioner)	Hrg. Rm. 1 North Off.
<u>MONDAY, MARCH 7, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of Human Services)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Revenue/Lottery)	Hrg. Rm. 1 North Off.
3:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Military and Veterans Affairs)	Hrg. Rm. 1 North Off.
<u>TUESDAY, MARCH 8, 2016</u>		
10:00 A.M.	APPROPRIATIONS (Budget Hearing - Department of Education)	Hrg. Rm. 1 North Off.
1:00 P.M.	APPROPRIATIONS (Budget Hearing - PA Liquor Control Board)	Hrg. Rm. 1 North Off.

PETITIONS AND REMONSTRANCES

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

Senator FOLMER. Mr. President, as you and the Members of the Senate know, from time to time I rise to talk about an agricultural issue relating to a certain plant that can be used to help sick people with various diseases and other medical conditions. Of course, I am talking about cannabis and its use for medical purposes. On a number of occasions, I have questioned those who fear medical cannabis for a variety of different reasons and I wonder why these fears have delayed consideration of Senate Bill No. 3, which overwhelmingly passed this Chamber last May and has languished in the House since then. Mr. President, while Senate Bill No. 3 continues to sit in the House, people, including children, are dying. Yes, there have been discussions. Yes, there has been a special House task force to discuss the use of medical cannabis. Yes, there has been a handful of House committee votes, but there has been no vote on Senate Bill No. 3 by the full House, despite numerous promises to do so. We were promised a vote last October. No vote. We were promised a vote last November. No vote. We were promised a vote the first week of December. No vote. It is now February 2016, nearly a year since Senate Bill No. 3 passed the Senate, and, yet, it sits in the House with no vote scheduled. No vote, Mr. President, despite all of the protections built into Senate Bill No. 3 to insure medical cannabis will be properly used. These protections include licensing, testing, tracking, State oversight, rigorous reporting requirements, and other restrictions on the use of medical cannabis.

Meanwhile, Mr. President, does anybody believe that desperate patients, and especially desperate parents, are sitting around just waiting for us to act? No, Mr. President, many patients are self-medicating, and desperate parents are taking matters into their own hands. Consider this: a recent story from the *Salt Lake Tribune* about a Utah mother in hiding--imagine this, in hiding--with her children, unable to return to her home out of fear she could lose her children and face criminal charges because for nearly a year she has been administering small doses of cannabis oils to her daughter who suffers from congenital pituitary disease. The mother, Sarah Ellett, is in contact with the State Division of Child and Family Services in Utah and she hopes and prays that she will be able to work through these issues. Her case points to a dilemma parents face in watching their children suffer and the fear of violating State and Federal laws by turning to medical cannabis to ease their suffering.

As a strong supporter of both the United States and Pennsylvania Constitutions, I understand and I appreciate the legislature was established to be a deliberate body of our constitutional republic. It is why we have two Chambers, both the House and Senate, to insure all points of view, including the minority viewpoints, are being considered. On Senate Bill No. 3, Mr. President, the Pennsylvania General Assembly can honestly say it has done its due diligence as we have not only deliberated, but we have reached the point where I believe we have now reached paralysis from over-analysis. That is not what our Founding Fathers intended, Mr. President. Both the U.S. and Pennsylvania Constitutions begin with three words, three very important words: "We, the people." Unfortunately, Mr. President, I am starting to feel like Jimmy Stewart's character from the movie *Mr. Smith Goes to Washington*. In that movie, an idealistic young man is sent to Washington by the powers that be because they believe they can control him. However, they turn out to be wrong, because Jefferson Smith stands by his principles and runs into those powers and is discredited, humiliated, and threatened

with expulsion from the United States Senate. So, he fights by standing up and filibustering in support of his principles, just like I am doing now, but not nearly as long as Jimmy Stewart's character, Mr. Smith, who held the floor for nearly 24 hours. I promise I will be concluding in 5 minutes or so.

However, before I end my comments today, Mr. President, I will repeat the words of the fictional character, Senator Smith, because some days I feel overcome by the many questions and the countless delays I have faced in getting Senate Bill No. 3 signed into law. Stewart's character faced his mentor, Senator Paine, who set him up for his ouster from the Senate, and Mr. Smith addresses Senator Paine and the rest of the Senate and he says, "I guess this is just another lost cause, Mr. Paine. All you people don't know about lost causes. Mr. Paine does. He said once they were the only causes worth fighting for. And he fought for them once, for the only reason any man ever fights for them; because of just one plain simple rule: 'Love thy neighbor.' And you know that you fight for the lost causes harder than any other. Yes, you even die for them."

Unfortunately, Mr. President, this is not a movie. I am not Jimmy Stewart, I am not filibustering, and I do not know if, or when, Senate Bill No. 3 will ever become law. However, Mr. President, I do know this: I do know that the delays in getting a vote in the House are hurting people, which, again, is not what our Founding Fathers intended when they established this legislature to be a deliberative body.

So, let me return to the words of the Utah mom who decided to treat her daughter with medical cannabis, who saw that a week after her daughter started receiving medical cannabis, she was able to take 20 steps without her walker; whose daughter later started taking swimming lessons; after 2 weeks of classes, her focus improved, she was able to sit down with a book and concentrate; Remie's digestion improved and for 8 hours a day, Ms. Ellett was able to remove the tube and bag that gave her daughter continuous feeding and her child gained three pounds. She quotes saying, "She started jumping on the trampoline. She just started being able to make movements. Instead of sitting there and being the observer she started being a participant in the family."

Now this same mother has a decision to make. Her words, not mine: "I'm a stable person. I don't want to just up and leave with my children, move them away from the State, move them away from their father. I know her health is more important than our location. I have been trying to be patient with the State of Utah, but the more this is going on, the more I know I am going to be forced into not giving [Remie] the oil." This story was from Utah, but there are similar stories all across the great Commonwealth of Pennsylvania. I have met these folks. I am going to continue this fight, just like Jefferson Smith, played by that Indiana County, Pennsylvania, resident, Jimmy Stewart, who said, "You think I'm licked? You all think I'm licked? Well, I'm not licked. And I'm going to stay right here and fight for this lost cause. Even if the room gets filled with lies."

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for an excellent speech.

BILLS SIGNED

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

SB 166, HB 153 and HB 158.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I move that the Senate do now recess until Tuesday, February 9, 2016, 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 5:11 p.m., Eastern Standard Time.