

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

WEDNESDAY, JULY 13, 2016

SESSION OF 2016 200TH OF THE GENERAL ASSEMBLY

No. 44

## SENATE

WEDNESDAY, July 13, 2016

The Senate met at 9 a.m., Eastern Daylight Saving Time.

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

## PRAYER

The following prayer was offered by Senator ANDREW E. DINNIMAN:

God, please give us guidance in what we hope is the final day of this Session, so that we make good decisions and we make right decisions. There was a song I was listening to on the radio this morning, and this individual cried out to God, how do You let these things go on? Do something, God, about poverty, about the violence that we have in our society. And the answer God gave was, I have. And what did He do? He said, I have created you.

How fortunate we are to have a God who has given us free will; to have a God that allows us to be part of the perfection of the world. In Jewish tradition, in tikkun olam, it is the responsibility of each of us to repair the world. Though we know we will not finish it in our lifetime, we have a God who has given us the power and has empowered us to perfect the world. God, thank You for giving us that responsibility. Thank You for allowing us to be a partner with You in perfecting Your creation. And would You give us the strength, the understanding, the wisdom, the ability to fight any cynicism, and the ability to fight all those forces which are against us as we join You in the holy mission of the perfection of the world, as we join You as a partner.

*(Translated from Hebrew:)*

Blessed art Thou, O Lord our God, Creator of the universe. Amen.

## PLEDGE OF ALLEGIANCE

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

## HOUSE MESSAGES

### SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 307**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

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

## HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 648**, with the information the House has passed the same without amendments.

## BILL SIGNED

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

### SB 648.

## LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Brooks, and legislative leaves for Senator Argall, Senator Gordner, and Senator Tomlinson.

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

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

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Brooks, and legislative leaves for Senator Argall, Senator Gordner, and Senator Tomlinson.

Senator Costa requests legislative leaves for Senator Leach and Senator Williams.

Without objection, the leaves will be granted.

## JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of June 6, 2016; June 7, 2016; and June 8, 2016, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 6, 2016; June 7, 2016; and June 8, 2016.

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

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

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

YEA-50

Alloway  
Argall  
Aument

Eichelberger  
Farnese  
Folmer

McIlhinney  
Mensch  
Rafferty

Vance  
Vogel  
Vulakovich

Baker	Fontana	Reschenthaler	Wagner
Bartolotta	Gordner	Sabatina	Ward
Blake	Greenleaf	Scarnati	White
Boscola	Haywood	Scavello	Wiley
Brewster	Hughes	Schwank	Williams
Brooks	Hutchinson	Smucker	Wozniak
Browne	Killion	Stefano	Yaw
Corman	Kitchen	Tartaglione	Yudichak
Costa	Leach	Teplitz	
Dinniman	McGarrigle	Tomlinson	

NAY-0

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

The PRESIDENT. The Journals are approved.

### **GUESTS OF SENATOR VINCENT J. HUGHES PRESENTED TO THE SENATE**

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

Senator HUGHES. Mr. President, every summer all of us, or most of us, have the opportunity to have some bright, young, and energetic interns working in our offices. Once again this summer I have the special pleasure of having two young folks from our State-related universities. One hails from the senatorial district of Senator Argall, and the other hails from the senatorial district of Senator Mensch. They are here in our gallery. Shamyra Watkins is a political science major at the great and wonderful Temple University, an institution which I know you love so dearly, Mr. President. She is originally from Pottsville, Pennsylvania, and a graduate of Pottsville Area High School. She has volunteered for a number of campaigns, including President Obama's.

We also have with us Austin Jaman, who attends Pennsylvania State University and is originally from Green Lane, Pennsylvania. He is studying political science and economics. Austin has also volunteered for numerous political campaigns and is involved in various other community service projects. They are in my office working hard, and we are doing the appropriate democratic indoctrination on them, Mr. President. I would appreciate it if the Senate would recognize these fine young people for their presence and their work here in the Commonwealth of Pennsylvania.

The PRESIDENT. Would the guests of Senator Hughes, the great interns, Shamyra Watkins and Austin Jaman, from Temple and Penn State, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

### **LEGISLATIVE LEAVE CANCELLED**

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

### **COMMITTEE OF CONFERENCE APPOINTED ON HB 1198**

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of Senators CORMAN, BROWNE, and HUGHES as a Committee of Conference on the part of the Senate to confer with a similar committee of the

House, if the House shall appoint such committee, to consider the differences existing between the two Houses in relation to House Bill No. 1198.

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

### **RECESS**

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

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

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

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

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.

### **HOUSE MESSAGE**

#### **HOUSE INSISTS UPON ITS AMENDMENTS NONCONCURRED IN BY THE SENATE TO HB 1198, AND APPOINTS COMMITTEE OF CONFERENCE**

The Clerk of the House of Representatives informed the Senate that the House insists upon its amendments nonconcurring in by the Senate to **HB 1198**, and has appointed Messrs. ADOLPH, REED, and DERMODY as a Committee of Conference to confer with a similar committee of the Senate, already appointed, to consider the differences existing between the two Houses in relation to said bill.

### **BILLS REPORTED FROM COMMITTEE**

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

#### **HB 1605 (Pr. No. 3730) (Amended) (Rereported)**

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption and for compliance checks; providing for cancer control, prevention and research; in disposition of abandoned and unclaimed property, further providing for definitions and for property held by fiduciaries, providing for notice given by holder and for United States savings bonds and further providing for certificate of finder registration and for notice and publication of lists of property subject to Commonwealth custody and control; providing for capital facilities; in oil and gas wells, further providing for Environmental Stewardship Fund and providing for oil and gas conservation; in heritage areas, further providing for program and providing for declaration of policy and for Heritage Area Program; providing for Business in Our Sites Program account; providing for transportation network companies and motor carrier companies; in special funds, further providing for funding and for State Workers' Insurance Board; in additional special funds, further providing for use of fund, providing for hospital uncompensated care payments and reimbursements for extraordinary

expense report and further providing for definitions, for Pennsylvania Race Horse Development Fund, for distributions from Pennsylvania Race Horse Development Fund, for drug and alcohol programs and for Natural Gas Infrastructure Development Fund; repealing provisions relating to 2011-2012 budget implementation and 2011-2012 restrictions on appropriations for funds and accounts; providing for 2016-2017 budget implementation and for 2016-2017 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for executive offices and for Gaming Control Board and providing for Commonwealth Financing Authority restricted revenue account, for Federal and Commonwealth use of forest land, for Motor License Fund, for Pennsylvania Liquor Control Board procedure, for restaurant liquor license auction and for Liquor Code term; providing for general budget restrictions on appropriations for funds and accounts; providing for school district intercepts for the payment of debt service during budget impasse; in 2015-2016 budget implementation, further providing for Department of Human Services; and making related repeals.

#### **HB 1606 (Pr. No. 3723) (Amended) (Rereported)**

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, in preliminary provisions, providing for duties of Public School Building Construction and Reconstruction Advisory Committee; in school districts, providing for data collection reduction; in duties and powers of boards of school directors, providing for publication of rules, regulations and policies; in school finances, providing for payroll tax; in school district financial recovery, providing for additional criteria; providing for the posting of annual financial information for public school entities; in professional employees, further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, providing for substitute teaching permit for prospective teachers, further providing for granting provisional college certificates, providing for provisional vocational education certificate and further providing for program of continuing professional education; in pupils and attendance, providing for assignment of students to school districts of the first class A and further providing for exceptional children and education and training and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; providing for Drug and Alcohol Recovery High School Pilot Program; providing for administrative partnerships between school entities and for the E-chievement Program; in high schools, further providing for courses of study; in charter schools, further providing for definitions, for school staff and for funding for charter schools; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees and for financial program and reimbursement of payments; in disruptive student programs, further providing for applications and establishing the Alternative Education Program Account; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties and for educational tax credits; in funding for public libraries, providing for State aid for fiscal year 2016-2017; in reimbursements by Commonwealth and between school districts, further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for assistance to school districts declared to be in financial recovery status or identified for financial watch status and providing for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; saving an appropriation from lapsing; allocating an appropriation; making related repeals; and making editorial changes.

#### **LEGISLATIVE LEAVES**

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator Scarnati and Senator Yaw.

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

#### **LEGISLATIVE LEAVE CANCELLED**

The PRESIDENT. Senator Brooks has returned, and her temporary Capitol leave is cancelled.

#### **CALENDAR**

##### **THIRD CONSIDERATION CALENDAR**

##### **BILLS OVER IN ORDER**

**HB 123, SB 142, HB 380, HB 869, SB 930, SB 1032, SB 1041, SB 1300, HB 1334, HB 1581, HB 1734 and HB 1895** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

##### **SECOND CONSIDERATION CALENDAR**

##### **BILLS OVER IN ORDER**

**SB 18, SB 20, HB 215, SB 481, HB 582, HB 664, HB 773, SB 805, SB 840, HB 853, HB 1079, SB 1330 and HB 1347** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

##### **BILL OVER IN ORDER AND LAID ON THE TABLE**

**HB 1394 (Pr. No. 3306)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in storm sewers and watercourses, further providing for authority of boroughs and for manner of financing work; and, in watercourses, flood protection projects and storm water systems, further providing for establishing and changing watercourses, flood protection projects and storm water systems and for assessment of benefits and liens.

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

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

##### **BILLS OVER IN ORDER**

**HB 1500 and HB 1597** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

##### **BILLS OVER IN ORDER AND LAID ON THE TABLE**

**HB 1640 (Pr. No. 3535)** -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the display of the national motto "In God We Trust" and the Bill of Rights in classrooms and other areas in public school buildings.

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

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

**HB 1653 (Pr. No. 2661)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, providing for diverse and disadvantaged businesses.

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

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

#### BILLS OVER IN ORDER

**HB 1703, HB 1781, HB 1787, HB 1948 and HB 1998** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### EXECUTIVE NOMINATIONS

##### *EXECUTIVE SESSION*

Motion was made by Senator ALLOWAY,  
That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to by voice vote.

##### *NOMINATIONS TAKEN FROM THE TABLE*

Senator ALLOWAY. Mr. President, I call from the table certain nominations and ask for their consideration.

The Clerk read the nominations as follows:

#### CONTROLLER, BUCKS COUNTY

June 28, 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, Michael J. Gallagher, 259 High Street, Newtown 18940, Bucks County, Tenth Senatorial District, for appointment as Controller, in and for the County of Bucks, to serve until the first Monday of January 2018, vice Raymond McHugh, Feasterville, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 13, 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, Dan Butler, Esq., 5710 Bartlett Street, Pittsburgh 15217, Allegheny County, Forty-third Senatorial District, for

appointment as Magisterial District Judge, in and for the County of Allegheny, Magisterial District 05-2-35, to serve until the first Monday of January 2018, vice The Honorable Hugh F. McGough, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 28, 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, Eric M. Schrantz, 23 Dew Drop Drive, Jim Thorpe 18229, Carbon County, Fourteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Carbon, Magisterial District 56-3-01, to serve until the first Monday of January 2018, vice The Honorable Edward M. Lewis, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 17, 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, Todd Bereda, 63 Percheron Drive, Spring City 19475, Chester County, Forty-fourth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Chester, Magisterial District 15-3-01, to serve until the first Monday of January 2018, vice The Honorable James V. DeAngelo, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 13, 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, Jonathan Birbeck, Esq., 149 South Pitt Street, Carlisle 17013, Cumberland County, Thirty-first Senatorial District, for appointment as Magisterial District Judge, in and for the County of Cumberland, Magisterial District 09-2-02, to serve until the first Monday of January 2018, vice The Honorable Jessica E. Brewbaker, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 13, 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, David O'Leary, Esq., 301 Chestnut Street, Apt. 2541, Harrisburg 17101, Dauphin County, Fifteenth Senato-

rial District, for appointment as Magisterial District Judge, in and for the County of Dauphin, Magisterial District 12-1-04, to serve until the first Monday of January 2018, vice The Honorable Marsha C. Stewart, resigned.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 13, 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, Alicia Zito, Esq., 641 Market Street, Bangor 18013, Northampton County, Fortieth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Northampton, Magisterial District 03-3-03, to serve until the first Monday of January 2018, vice The Honorable Todd Strohe, deceased.

TOM WOLF  
Governor

#### MAGISTERIAL DISTRICT JUDGE

June 13, 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, Wayne Gongaware, Esq., 12680 Deborah Drive, North Huntingdon 15642, Westmoreland County, Thirty-ninth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Westmoreland, Magisterial District 10-2-09, to serve until the first Monday of January 2018, vice The Honorable Douglas R. Weimer, Jr., resigned.

TOM WOLF  
Governor

On the question,  
Will the Senate advise and consent to the nominations?

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

#### YEA-35

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

#### NAY-15

Blake	Fontana	Leach	Wiley
Brewster	Haywood	Sabatina	Williams
Dinniman	Hughes	Schwank	Wozniak
Farnese	Kitchen	Tartaglione	

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

Ordered, That the Governor be informed accordingly.

#### EXECUTIVE SESSION RISES

Senator ALLOWAY. Mr. President, I move that the Executive Session do now rise.

The motion was agreed to by voice vote.

#### LEGISLATIVE LEAVE CANCELLED

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

#### MOTION PURSUANT TO SENATE RULE 12

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

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 1, House Bill No. 1606, and move the Senate proceed to consider House Bill No. 1606, notwithstanding the provisions of Senate Rule 12(m)(2).

On the question,

Will the Senate agree to the motion?

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

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

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1606 (Pr. No. 3723)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L. 30, No. 14), known as the Public School Code of 1949, in preliminary provisions, providing for duties of Public School Building Construction and Reconstruction Advisory Committee; in school districts, providing for data collection reduction; in duties and powers of boards of school directors, providing for publication of rules, regulations and policies; in school finances, providing for payroll tax; in school district financial recovery, providing for additional criteria; providing for the posting of annual financial information for public school entities; in professional employees, further providing for payment of salaries in cases of sickness, injury or death; in certification of teachers, providing for substitute teaching permit for prospective teachers, further providing for granting provisional college certificates, providing for provisional vocational education certificate and further providing for program of continuing professional education; in pupils and attendance, providing for assignment of students to school districts of the first class A and further providing for exceptional children and education and training and for cost of tuition and maintenance of certain exceptional children in approved institutions; in school health services, further providing for definitions and providing for education of school employees in diabetes care and management, for diabetes care in schools, for possession and use of diabetes medication and monitoring equipment, for liability, for coordinating, supervising or educating not considered delegation and for diabetes care in nonpublic schools; providing for Drug and Alcohol Recovery High School Pilot Program; providing for administrative partnerships between school entities and for the E-chievement Program; in high schools, further providing for courses of study; in charter schools, further providing for definitions, for school staff and for funding for charter schools; in vocational education, further providing for vocational education equipment grants; in community colleges, further providing for election or appointment and term and organization of board of trustees and for financial program and reimbursement of payments; in disruptive student programs, further providing for applications and estab-

lishing the Alternative Education Program Account; in private alternative education institutions for disruptive students, further providing for contracts with private alternative education institutions; providing for rural regional college for underserved counties and for educational tax credits; in funding for public libraries, providing for State aid for fiscal year 2016-2017; in reimbursements by Commonwealth and between school districts, further providing for payments to intermediate units, for special education payments to school districts, for extraordinary special education program expenses and for assistance to school districts declared to be in financial recovery status or identified for financial watch status and providing for Ready-to-Learn Block Grant and for payment of required contribution for public school employees' Social Security; saving an appropriation from lapsing; allocating an appropriation; making related repeals; and making editorial changes.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator DINNIMAN. Mr. President, I am not asking any of you to vote "no" on this bill, but I am voting "no" as a protest, and let me explain why. First, I thank all of the Caucuses, including the Republican Caucus, for standing up for the provision that was put in this bill so that we would have full involvement in terms of the ESSA, which is the new Federal program. I was quite disappointed when the Governor threatened to veto the whole bill because of this request for full involvement. In fact, the Federal government specifically said that the States and the legislatures need to state their program for involvement in the new ESSA regulations. Understand, No Child Left Behind is dead, it is over as of June 30. This bill was simply a statement of where we, as a legislature, were to be in our involvement in the program.

Now, there are two questions that we need to ask. The first question is, why would I put that in there? I put that in there because we have a right to put it in there based on Federal regulations. We are required to state our goal and our end. I put it in there because of the experience that we have had with the Department of Education. Understand that the Department of Education has ignored the legislature and the rules and the legislation that we have passed on two occasions: First, in the Teacher Evaluation Act of 2012, the department simply suspended it, despite it being law. Second, we worked, and I worked with both Senator Folmer, Senator Piccola, and more recently, with Senator Smucker, and this whole legislature, that we would put an end to the Keystone Exams being required for graduation. The department has ignored that and continues to give the Keystone Exams. They have told schools they can do what they want, and in terms of school students who are graduating after 2018, they have told those schools they are still required to use the Keystone Exams. They have also ignored us on this matter of the project assessment. Those of you who have risen in this Assembly, the more conservative Members of this Assembly, and spoken about the rights of parents to opt out, that has also been ignored, because any parent who decides to opt out is required to do the project assessment. This is contrary to the law that we passed here in the legislature.

So, I am rising to say to you that I do not understand why when we put a bill in that was supported by both sides of the aisle, no opposition from the Democrats or Republicans in the House, that defined our role, why the Governor and the people who are representing him would threaten to veto the whole School Code if that remained in. I rise to say to you that the reason this was put in was because the Department of Education ignored the law on two occasions in the 2012 teacher evaluation, and, finally, when we passed the end of the Keystone Exams.

Two more things and then I will stop, Mr. President. Let us understand something and why the moratorium on testing was so important. It was important both in my district and it was important in every district. While we are giving these tests, we have students in many of our schools who do not even have the textbooks to pass the tests, and we are stamping "failure" on those youngsters. It is unconscionable that we continue to give tests that this legislature has said are not to be given, and we continue to stamp "failure" on children who are poor, and school districts that do not have the resources, and students whose failure is that they do not even have a textbook or a certified teacher, and in the case of biology, there have not been labs in some of these schools for 4 and 5 years.

Finally, Mr. President, let me bring this up. I tried to figure all this out. I asked myself, why would there be a threat to annihilate the school bill? What was so important? We simply were stating our role that we could get access to all of the materials and we had a final say. I tried to figure out, why would they oppose legislation passed unanimously by both Houses and signed by the Governor? So, Mr. President, I went back to the contracts, and I want to tell you something: While we sat here and worried ourselves about getting another \$3 million or \$4 million to a school district, that \$227 million of testing contracts has been signed since the beginning of the administration and 50 more were signed when Governor Corbett left. Two of those contracts, the extension of the PSSAs and the extension of the Keystones, where no-bid contracts that were signed with five subcontractors that are part of this. Let me go on to say, Mr. President, that when I went to ask for the original contract, not out of any maliciousness, but to try to figure out what was going on, why there would be this opposition, here is what I found on the Department of General Services' Web site: It says, "DGS has been notified about the missing file. Please check back later to see if the file has been updated." Well, I checked back today and I still get the same darn message that the file is missing. When we asked for a copy of the file, DGS said we are sorry, we do not have it, it is lost, go to the Department of Education to get it. When I asked the Department of Education, they told me they will get me the file sometime next week, we trust. Then when I could not get the file, I tried to get it through a RTN process, and I had the same problem with getting any adequate information.

So, finally, I was just trying to figure out why would they oppose this and try to put roadblocks in our legislation in terms of the matter of ending the Keystone Exams requirement. Why would they do that? When I went back to look at the vouchers for contracts starting in 2008, I went to the Treasury Department and I could find every check that was issued. I could not find half of the purchase orders for the original contracts in 2008, and I could not find any of the purchase orders that were issued for the extensions or for the combined contract.

So, in essence, Mr. President, I rise as one individual. I am not telling anyone not to vote for the School Code, because we need to get the money to the schools. We cannot and we should not, at this stage, stop it. But as Minority chair of the Committee on Education, as someone who has spent 5 years trying to end the Keystone Exams because they are wrong--and it is wrong to punish kids when they do not have the textbooks--I rise to say to you that I will not vote for the School Code as a protest. I do not understand why there was a threat to veto our legitimate role in the process. And I am not going to be intimidated because I am going to continue to speak out on these issues and work on these issues, and I do not understand the opposition to get, contrary to law, they continue not to enforce the Teacher Evaluation Act and, while contrary to law, they continue to give these Keystone Exams. That law was written by the best person--actually, that law is a Republican piece of legislation that I was second sponsor on, and that law was written with this word: "notwithstanding," which meant it superceded any other piece of regulation, and they convoluted this explanation why they will not do it.

Finally, Mr. President, what concerns me the most is if I, as a legislator, go on to the appropriate Web sites and cannot find information, and cannot even find purchase orders, what does the average citizen do in terms of transparency? In fact, what is occurring is, I am going to get this stuff only because I am a Senator, but the average citizen would have access to none of this information. This is not the end of this battle, this is the beginning of this battle. We have to stand up for the rights of the legislature. We have to stand up for the laws that we pass and we have to stand up for total transparency, and I hope in the months ahead we will do so. So, I tell the rest of you to vote for it. We have to get this thing done, but as far as I am concerned, I will not vote for it as a protest to what has gone on.

Thank you very much, Mr. President.

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

Senator COSTA. Mr. President, I rise and ask my colleagues to support this School Code, House Bill No. 1606. As I look at our analysis that was done by our Members, a lot of discussion and a lot of work has gone into this important piece of legislation as it begins to implement, in many ways, how we drive out some of the resources as they relate to our schools and how we fund our schools and various aspects of that. We have, in our estimation, at least 25 or 26 different items that are part of this legislation, and I think they represent a good cross-section of the issues that the Members in this Chamber have talked about.

Most importantly, though, is we know the budget we passed several weeks ago, that became law a few nights ago, incorporates a significant and continued significant investment in education. Certainly, we call upon the Department of Education to be thoughtful and expeditious in terms of how they drive out those resources to our school districts across Pennsylvania, as well as the community colleges and a whole host of other programs that fall within the Department of Education's jurisdiction. At the end of the day, notwithstanding what my colleague has talked about with his concern about the Keystone Exams, there are very positive aspects of what the department has done and will continue to do as we go forward. What is incumbent upon all of us is to make certain that we have a working relationship with not only that agency but all the agencies under State government so we can work together to be part of that conversation. Certainly, the

issue of openness and transparency is something that we stand for. This week we passed legislation in a cooperative way with all four Caucuses participating, an issue back in the city of Pittsburgh, for example, that talked about openness, transparency, and accountability, and we know going forward that will be part of the conversation. So I ask our Members to support House Bill No. 1606 because it represents the culmination of a lot of work that has taken place over the course of the past 7 or 8 months to get us to this point in time where we are able to do this and implement the important aspect of making investments in education and adjusting along the lines of things that are very, very important.

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

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

Senator DINNIMAN. Mr. President, I do not disagree with my colleague one iota. I urge you all to vote for the School Code. It has to be done, but I want you to know what is going on. In the months ahead, we need to make sure that the integrity of the legislature is respected. Let me explain, I do not disagree with what my Leader has said. Vote for it. I rise to tell you I am not, as a protest.

I do not want to hurt any school district, and I do not plan to do that, but I rise because we, as a body, need to really look into this matter that when we pass laws, the laws are not respected. We do not have a nation of laws, we do not have a State of laws if our executive departments are not respecting the law. We talked about transparency, but I discovered that when I tried to seek that transparency, I had tremendous difficulty, and I do not see how any citizen is going to get that transparency if they, too, go in. Finally, what I am trying to say to you is in the months ahead, we need to come to some kind of understanding, some kind of agreement, some way to force the issue, and the issue is, we have said unanimously no child would be forced to take this particular exam. A school district can do anything they want. They can select any other exam they want. This legislature unanimously, signed by the Governor, passed Act 1 of 2016, which makes it clear that you cannot use the Keystone Exams this year or in any way in the next 2 years. We did so because we felt that exam was not a good and fair assessment.

I rise because for five years I have been concerned, and many of my colleagues have been concerned, about that youngster who is sitting there today with his parents, who is not going to graduate because he did not pass that exam when he was not given a fair and decent opportunity to pass it. How can we, in good conscience, give tests to kids who do not even have the textbooks that are required for those tests? Are we crazy? Do we not understand that you do not teach kids by punishing them for things they have not done? What you do is use positive reinforcement to get education. So that is why I stand. I urge you to vote. I do not disagree with my Leader. I hope that all of you out here, I do not care what party you are in, have the courage to stand up for the very legislation that you passed and insist that the law that we passed as a body be enforced, because if we do not do it, then I am telling you one thing, we are part of the problem as well. I hope that now that No Child Left Behind is over, that we will yet assert our constitutional authority--education rests in this body by the Constitution--to determine the education of the students in this Commonwealth and not some bureaucrats, not some executive departments, because in Pennsylvania, we are one of the

only States in the Union that when the 1968 constitutional convention took that power away from the executive branch gave it to the Senate and House of Pennsylvania, and if we have taken an oath to support the Constitution, then we should stand up for the Constitution, especially when it gives us the authority. So, if that is a conservative position, then so be it, because we all should be defenders of the Constitution of this State. That is what we took an oath to uphold. So thank you. Vote for the School Code, but work with me to make sure that our laws are enforced and our Constitution is respected.

Thank you very much.

And the question recurring,  
Shall the bill pass finally?

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

#### YEA-47

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

#### NAY-3

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

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

### MOTION PURSUANT TO SENATE RULE 12

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

Senator CORMAN. Mr. President, as a special order of business, I call up Senate Supplemental Calendar No. 2, House Bill No. 1605, and move the Senate proceed to consider House Bill No. 1605, notwithstanding the provisions of Senate Rule 12(m)(2).

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

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

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 2

#### BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

**HB 1605 (Pr. No. 3730)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in cigarette sales and licensing, further providing for definitions, for retention of records and for violations and penalties and providing for preemption and for compliance checks; providing for cancer control, prevention and research; in disposition of abandoned and unclaimed property, further providing for definitions and for property held by fiduciaries, providing for notice given by holder and for United States savings bonds and further providing for certificate of finder registration and for notice and publication of lists of property subject to Commonwealth custody and control; providing for capital facilities; in oil and gas wells, further providing for Environmental Stewardship Fund and providing for oil and gas conservation; in heritage areas, further providing for program and providing for declaration of policy and for Heritage Area Program; providing for Business in Our Sites Program account; providing for transportation network companies and motor carrier companies; in special funds, further providing for funding and for State Workers' Insurance Board; in additional special funds, further providing for use of fund, providing for hospital uncompensated care payments and reimbursements for extraordinary expense report and further providing for definitions, for Pennsylvania Race Horse Development Fund, for distributions from Pennsylvania Race Horse Development Fund, for drug and alcohol programs and for Natural Gas Infrastructure Development Fund; repealing provisions relating to 2011-2012 budget implementation and 2011-2012 restrictions on appropriations for funds and accounts; providing for 2016-2017 budget implementation and for 2016-2017 restrictions on appropriations for funds and accounts; in general budget implementation, further providing for executive offices and for Gaming Control Board and providing for Commonwealth Financing Authority restricted revenue account, for Federal and Commonwealth use of forest land, for Motor License Fund, for Pennsylvania Liquor Control Board procedure, for restaurant liquor license auction and for Liquor Code term; providing for general budget restrictions on appropriations for funds and accounts; providing for school district intercepts for the payment of debt service during budget impasse; in 2015-2016 budget implementation, further providing for Department of Human Services; and making related repeals.

Considered the third time and agreed to,

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

On the question,  
Shall the bill pass finally?

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

#### YEA-45

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

#### NAY-5

Brooks	Hutchinson	Rafferty	Wagner
Eichelberger			

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



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

### LEGISLATIVE LEAVE

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

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

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

### REPORT OF COMMITTEE OF CONFERENCE SUBMITTED

Senator BROWNE submitted the Report of the Committee of Conference on **HB 1198**, which was placed on the Calendar.

### MOTION PURSUANT TO SENATE RULE 19

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

Senator CORMAN. Mr. President, I move that the Senate proceed, notwithstanding the provisions of Senate Rule 19(c)(1), to consider the Report of the Committee of Conference on House Bill No. 1198, which was adopted by the Committee of Conference.

The PRESIDENT. Senator Corman moves that the Senate proceed, notwithstanding the provisions of Senate Rule 19(c)(1), to consider the Report of the Committee of Conference on House Bill No. 1198, which was adopted by the Committee of Conference.

On the question,

Will the Senate agree to the motion?

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

### SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 3

### REPORT OF COMMITTEE OF CONFERENCE

#### REPORT ADOPTED

**HB 1198 (Pr. No. 3731)** -- The Senate proceeded to consideration of the bill entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in tax for education, further providing for crimes; and, in corporate net income tax, providing for amended reports.

Senator CORMAN. Mr. President, I move that the Senate adopt the Report of the Committee of Conference on House Bill No. 1198.

On the question,

Will the Senate agree to the motion?

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

#### YEA-28

Alloway	Corman	Leach	Tomlinson
Argall	Costa	McIlhinney	Vance
Baker	Farnese	Mensch	Vulakovich
Blake	Fontana	Scarnati	White
Boscola	Gordner	Scavello	Wiley
Brewster	Hughes	Schwank	Williams
Browne	Kitchen	Tartaglione	Yudichak

#### NAY-22

Aument	Greenleaf	Reschenthaler	Wagner
Bartolotta	Haywood	Sabatina	Ward
Brooks	Hutchinson	Smucker	Wozniak
Dinniman	Killion	Stefano	Yaw
Eichelberger	McGarrigle	Teplitz	
Folmer	Rafferty	Vogel	

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

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

### UNFINISHED BUSINESS CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Jeffrey Scott Balonek and to South Mountain Bible Church by Senator Alloway.

Congratulations of the Senate were extended to Corporal Kippon C. Garman by Senators Alloway and Vance.

Congratulations of the Senate were extended to Mr. and Mrs. Leonard Rimm, Mr. and Mrs. Phil Lasco, Mr. and Mrs. John Babinchak, Mr. and Mrs. Wilmon Hartman, Jr., Mr. and Mrs. Vito Galle, Mr. and Mrs. Jerry Van Luvanee, Michael H. Firestine, David Schucker, Jane Kruse, Thomas Yelito, Jacquelyn Deibert, William Folk, Denise Donmoyer, Yang Hepe, William R. McLaren, Connor Knowlan, Kevin Graff, Jr., Kenny Stehr and Sons Farm, Ashland Gun and Country Club, Schuylkill United Way, Pine Grove Chapter of Ducks Unlimited, Hope Hill Lavender Farm, LLC, and to Good American Hose Company No. 3 by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. David Kopfer, Leah Kurtyka, Jacob Hartman, Colin Kamp and to Dylan Schoemaker by Senators Argall and Schwank.

Congratulations of the Senate were extended to Kent Jackson, Leroy Wetzel and to Sundance Vacations by Senators Argall and Yudichak.

Congratulations of the Senate were extended to Reverend Dr. and Mrs. Robert Larson, Mr. and Mrs. Fred Heller, Mr. and Mrs. Edward Heffner, Mr. and Mrs. Peter Bush, Mr. and Mrs. Glenn Demmy, Mr. and Mrs. L. Eugene Wingert, Mr. and Mrs. Jay Mueller, Mr. and Mrs. Robert Peiffer, Mr. and Mrs. Joseph Zahn, Mr. and Mrs. Ellis Hufford, Mr. and Mrs. Charles Strohm, Jeffrey D. Jones, Dorothy C. Galebach, Joseph J. Lewis, Blanche R. Kauffman, Elisabeth Hausmann, Norman L. Zeager, Jr., Donald E. Smith, Loretta Droloet, Loretta M. Smith, Doris B.

Murphy, Carolyn H. Thoensen, David Shafer, George C. Spiese, Jr., Melvin G. Hoffer, Renata Schlotthauer, Ruth H. Baum, Thomas H. Wynans, Harry B. Lamb, Miriam Aldridge, Richard W. King, John Raber, Ruth Trout, Ruth Whitney, Marion Herr, William E. Feirick and to Richard Garberich by Senator Aument.

Congratulations of the Senate were extended to Mr. and Mrs. Bruce Meyer, Mr. and Mrs. Arthur Morrison, Louise Petrus, Richard Fabri, Alexei Walutes, Larry Debevec, Deborah L. Giddings, Fern Hall, Ryan William Cohen, Royal Sutton, members and coaches of the Tunkhannock Area 8-to 10-Year-Old Girls' Little League Team and to citizens of the Borough of Tunkhannock by Senator Baker.

Congratulations of the Senate were extended to Procter and Gamble Company, Mehoopany Plant by Senators Baker and Yudichak.

Congratulations of the Senate were extended to Corporal Andrew Zimmer, John F. Baumgarten, Sr., City Mission and to the Meadows Racetrack and Casino by Senator Bartolotta.

Congratulations of the Senate were extended to the Reverend Monsignor Joseph G. Quinn, Julia Zacccone, Tom Brady and to Lackawanna Heritage Valley by Senator Blake.

Congratulations of the Senate were extended to Mr. and Mrs. Dale Edward Boehm, John Zemanek, James Dailey, Alexander Dailey, Hellertown-Lower Saucon Community Day Committee, Davies and Thomas Company and to Ukrainian National Women's League of America, Branch No. 91 by Senator Boscola.

Congratulations of the Senate were extended to Christopher Johnston, Gavin Hornyak and to Jeanette Bryant by Senator Brewster.

Congratulations of the Senate were extended to Carmella Ansinger, Bertha Mesarch, members and coaches of the District 1 All-Star Softball Team and to the Women's Services, Inc., Prevention Education Team by Senator Brooks.

Congratulations of the Senate were extended to William McQuillen, Helen T. Clausen, Robert Harris Miller, Marion B. Halperin, Laura Veronica Ochar, Patrick James Treacy, Antoinette Marie D'Angelo and to George W. Koneski by Senator Browne.

Congratulations of the Senate were extended to Lehigh County Conservation District by Senators Browne and Boscola.

Congratulations of the Senate were extended to Mr. and Mrs. Darwin E. Ciccolini, Mr. and Mrs. Ronald G. Bonson, Mr. and Mrs. Paul Wilson, Chief Thomas R. King, Steven Krupa, Zachariah Kooper Engle, Jacob Pusateri, Jacob Ulmer, Joshua Mazza, Polly Smith, Ronald J. Woodhead, members and coaches of the State College Area High School Girls' Rugby Team, Tuscarora Academy, Lower Tuscarora Presbyterian Church, members of the Mifflin County 4-H Archery Club, Park Forest Elementary School Zero Waste Team and to J. M. Young and Sons, Inc., by Senator Corman.

Congratulations of the Senate were extended to James H. Davis by Senators Corman and Eichelberger.

Congratulations of the Senate were extended to the Honorable Kathryn Streeter Lewis and to Kyle Robert O'Connor by Senator Costa.

Congratulations of the Senate were extended to Reverend Dr. Marvin T. Williams, Sr., Chief William Mossman, Phillip Dutton, Dorothy Lied Robinson, Maxwell Weiser, Robert Ryan, Bob Daily, Kirk John, James McGowan, David E. Fisher, Jacob

Denson, Anthony Cimellaro, Anthony Faralli, Zachary Ronayne, Second Baptist Church of Kennett Square and to Bethel African Methodist Episcopal Church by Senator Dinniman.

Congratulations of the Senate were extended to Heath Lawrence by Senators Dinniman and Killion.

Congratulations of the Senate were extended to Chester County Futures and to Chester County 2020 by Senator Dinniman and others.

Congratulations of the Senate were extended to Foster Robert Howe, Derrick Shoblock, Marie Cunningham, Bryan Yingling, Logan Morrison, citizens of the Borough of Duncansville, Williamsburg Community Farm Show, Dairyside Veterinary Service and to Williamsburg Area Volunteer Fire Department by Senator Eichelberger.

Congratulations of the Senate were extended to Dr. Gloria Ferraro Donnelly by Senator Farnese.

Congratulations of the Senate were extended to William Foster V, Sean Patrick Pasquale, Andrew John Pasquale, Kyle David Rosengrant, Edward Chatley, citizens of the Borough of Royalton and to Penn State Harrisburg by Senator Folmer.

Congratulations of the Senate were extended to Miriam Moutz by Senator Fontana.

Congratulations of the Senate were extended to Glen Thomas Brown II by Senators Fontana and Costa.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Doucette, Mr. and Mrs. Thomas Slusser, Mr. and Mrs. Jack Kuzo, Tyler Dunn, Logan Spencer Sprenkle, Nicholas Arman Bertone, Blade Thomas Harris, Hunter Matthew Harris, Logan David Schindler, Brent J. Engleman and to River Mertz by Senator Gordner.

Congratulations of the Senate were extended to Noah Kwornik and to Bryn Athyn Fire Company, Inc., by Senator Greenleaf.

Congratulations of the Senate were extended to Johnnie E. Trawick, Frederick Benincasa, Jr., Susie Virginia Dabner and to Enon Tabernacle Baptist Church by Senator Haywood.

Congratulations of the Senate were extended to Muhammad's Temple of Islam No. 12 by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. Edwin Atts, Mr. and Mrs. Bill Womer, Mr. and Mrs. Alvin Erman Irwin, Mr. and Mrs. LeRoy Armagost, Mr. and Mrs. Albert C. McGrath, Mr. and Mrs. Clifford Ehrhart, Mr. and Mrs. Paul Pierce, Mr. and Mrs. Jesse Copenhaver, Mr. and Mrs. Thomas Shiner, Mr. and Mrs. Michael E. Beichner, Mr. and Mrs. Ron Flick, Mr. and Mrs. Conrad Houk, Mr. and Mrs. Bradley Wetjen, Mr. and Mrs. Dick Curran, Mr. and Mrs. Donald R. McCall, Mr. and Mrs. Charles A. Bopp, Mr. and Mrs. Charles Long, Mr. and Mrs. Ken Etzel, Cadet Captain Logan V. Markle, Cadet Second Lieutenant Shaun C. Craig, Gary L. Renwick, Jr., Alex Michael Lee Shipton, Eleanor Beckmann, Kathrine Barger Brydon, Jerry Jespersen, Jacob William Heeter, Dalton Andrew Schultz, Charles L. Miller, W. Eugene and Connie Smith Farm and to the Kiwanis Club of Franklin by Senator Hutchinson.

Congratulations of the Senate were extended to Dr. Rosalie M. Mirenda, Iva S. Willis, Priscilla G. Clapp, Ethel J. Goins, members of the Penncrest High School Envirothon Team and to the citizens of the Borough of Brookhaven by Senator Killion.

Congratulations of the Senate were extended to Richard E. Driver and to Porter's Day Care and Educational Center by Senator Kitchen.

Congratulations of the Senate were extended to Dr. Charles Cutler, Robert Weston Herrick and to Dorothea McLaughlin by Senator Leach.

Congratulations of the Senate were extended to William Bair, Christopher Dorman, David DePietro and to the Folcroft Borough Police Department by Senator McGarrigle.

Congratulations of the Senate were extended to Media-Upper Providence Free Library by Senators McGarrigle and Killion.

Congratulations of the Senate were extended to Nathan J. Engler, Nancy Crouthamel Spinosa, Dusty Bryan, Chris Seglem, Donald Peters, Staca Urie Shehan, William Andrew Girman, Irene Olshan, members and coaches of the Yardley Makefield Under-17 Girls' Soccer Team and to the members and coaches of the 1967 Central Bucks High School/Central Bucks High School West Football Team by Senator McIlhinney.

Congratulations of the Senate were extended to the Reverend Scott Roth, Margie Booz, Jason Wilson, Cindy L. Cairns, Nellie Leona Detterline, Ken Hamilton, Alec Dorris, Caeden James Goering, Todd Oehler, Jacob D. Graham, Aiden Kelch, Upper Perkiomen Child Care Center, Perkiomen Animal Hospital and to Goschenhoppen Historians, Inc., by Senator Mensch.

Congratulations of the Senate were extended to Nicholas Sontag and to Matthew Hennessey by Senator Rafferty.

Congratulations of the Senate were extended to Gary M. Kauffman and to Brian M. Gallagher by Senators Rafferty, Dinniman, and Mensch.

Congratulations of the Senate were extended to Michael Silvestri, Leah Smith, Sue Peindl and to Curt Leonard by Senator Reschenthaler.

Congratulations of the Senate were extended to Mr. and Mrs. John Mosier, Mr. and Mrs. Brooke McGhee, Dylan P. Foust, Kristina Francis, Samuel R. Ritter, Blayde Conley, Cullen McDowell, Richard Forshey, Anne Albright, members and coaches of the Keystone Little League Major All-Stars Team and to Walker's Hardware and Supply by Senator Scarnati.

Congratulations of the Senate were extended to Mr. and Mrs. William Walters, Reverend Dr. Leanon Trawick, Dr. Catherine Sweeney, Lieutenant Colonel Rosemarie Carol Hudock-Welch, Khyasia Caldwell-Adams, Joseph Michael Muretta, Jr., Nicholas Wesley DeGiulio, Nicholas Joseph Martocci, Wendy E. Frable, Leslie Daniel, Michael Couch, Andrew Thornton, Kash Fedrigo Belanger, LLC, and to the Pioneer Diner by Senator Scavello.

Congratulations of the Senate were extended to Albert Incledon, Tyler Heffner, Nathan John Bonslaver, Andrew E. Simmons, Jordan A. Lopez, vendors and customers of the National Farmers Week with the Penn Street Market, owners, management and staff of Appeeling Fruit, Inc., and to the Board of Directors and staff of the Berks Community Health Centers by Senator Schwank.

Congratulations of the Senate were extended to Giselda Tenisci Vettraino by Senator Tartaglione.

Congratulations of the Senate were extended to Mr. and Mrs. William Joseph Collins, Martha Ebersole, Jessica L. Garfola Wright, citizens of Rye Township, Tri County Community Action and to Johnson Nursery and Landscape, Inc., by Senator Teplitz.

Congratulations of the Senate were extended to Mr. and Mrs. John Huber, Dr. Carolyn Piccone, Dr. Kent Chabotar, Nancy A. B. McCann, Larry Warren, Frank J. Sullivan, Kevin Z. Bujak, Garcia Pav, Margaret R. Grundy Memorial Library, Anchor

Yacht Club and to the Pennsylvania War Dog Memorial by Senator Tomlinson.

Congratulations of the Senate were extended to Mr. and Mrs. Robert Kessler, Mr. and Mrs. Lewis Albert, Jr., Andrew Curtis Fickel, Evelyn Adams, Bryce Tyler Johnson, Ethan Garrett Thatcher, Evelyn Alice Taylor Punda, Matthew White, Garrett Harrison Knoebel, Kevin Keefer and to Carlisle Area Healthcare Auxiliary by Senator Vance.

Congratulations of the Senate were extended to Stephen P. Costello, Valley View Farm, members and coaches of the Ellwood City Lincoln High School Softball Team, Anderson's Candies and to Holy Trinity Greek Orthodox Church by Senator Vogel.

Congratulations of the Senate were extended to Thomas Bernard Cwalina, Richard A. Giesey and to Timothy M. Gannon, Jr., by Senator Vulakovich.

Congratulations of the Senate were extended to Mr. and Mrs. Willie Lee House, Sr., Mr. and Mrs. George Fickes, Thomas Dias, Noah Morton, Joshua Morton, Christopher Thiess, Robert Bell, Lucas Matthew Staub and to Matthew Clark by Senator Wagner.

Congratulations of the Senate were extended to Chuck Jarrell, Michael Robert Faccenda, Jeff Rhodes, Jack M. Eizenhafer, Debra Iwaniec, Chris Vanbibber, citizens of the Borough of South Greensburg, Turner Dairy Farms and to Rostraver Food Bank by Senator Ward.

Congratulations of the Senate were extended to Mr. and Mrs. Clifford McKeever, David Michael Landi, Alice Ware, Larry J. and Alice A. Boyle Farm, Smith Bus Company and to the Rayburn Township Volunteer Fire Company by Senator White.

Congratulations of the Senate were extended to Teresa Krichko, Alan C. Green, Aloysius R. Klugiewicz, Charles Kizina, Le Roy Edward Doehrel, Andrew Michael Wunch and to the Kiwanis Club of Erie by Senator Wiley.

Congratulations of the Senate were extended to Lee P. Cummings by Senators Wiley, Hutchinson, and Yaw.

Congratulations of the Senate were extended to Philadelphia Middle Passage Ceremony and Port Marker Project by Senator Williams.

Congratulations of the Senate were extended to Brother Shamus J. McGrenra, Ginger Fair and to Dennis Liegey by Senator Wozniak.

Congratulations of the Senate were extended to Mr. and Mrs. William Lockcuff, Mr. and Mrs. Hayes Richard Lose, Mr. and Mrs. Thomas Edward Farina, Nathon Donald Kurtz, Patrick Ian Blade, Matthew M. Lee, Eleanor A. Kurosky and to Charles F. Greevy III by Senator Yaw.

Congratulations of the Senate were extended to Mr. and Mrs. George Price, Mr. and Mrs. Joseph Olejnik, Mr. and Mrs. Frank C. Prokop, Mr. and Mrs. Edward Francis Flaherty, Mr. and Mrs. Gerald Minsavage, Mr. and Mrs. Paul Golias, Mr. and Mrs. Walter Perhalla, Jr., Mr. and Mrs. Louis Bailoni, Mr. and Mrs. Gary Burney, Mr. and Mrs. Edward J. Endler, Mr. and Mrs. Howard R. Gola, Mr. and Mrs. Alan Charles Rosenbaum, Mr. and Mrs. Leonard Spinelli, Mr. and Mrs. Brian Abromovage, Reverend Monsignor Arthur J. Kaschenbach, Dr. Patrick J. Kerrigan, Pete Hoherchak, Jimmy Cefalo, Ryan William McArdle, Jon Maehrer, Patricia Royek, Julie Romanisko, Josephine Yarrish, Thomas P. Pellegrini, Matt Long, Plymouth 12th Ward World War II Honor Roll, Jim McCarthy's Tavern on the Hill, members

and coaches of the 2006 Jim Thorpe Area High School Boys' Tennis Team, members of the 2010 Jim Thorpe High School Girls' 400-Meter Relay Team, Nesquehoning Woman's Club, Nesquehoning Memorial Veterans of Foreign Wars Post No. 8008, dental assistant program at Luzerne County Community College and to the Music Box Dinner Playhouse by Senator Yudichak.

Congratulations of the Senate were extended to Mr. and Mrs. Mike Korb, Dan Meuser, Scott Meuser, Patrick J. Solano, Sanofi Pasteur and to Gentex Corporation by Senators Yudichak and Baker.

### CONDOLENCE RESOLUTIONS

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

Condolences of the Senate were extended to the family of the late Judy L. Haggerty and to the family of the late Bruce Mackle by Senator Baker.

Condolences of the Senate were extended to the family of the late Melissa Ann Prokopchak by Senators Baker and Yudichak.

Condolences of the Senate were extended to the family of the late Thomas R. Seyfried and to the family of the late Suzanne M. Harold by Senator Boscola.

Condolences of the Senate were extended to the family of the late Michael P. Morgan by Senator McGarrigle.

Condolences of the Senate were extended to the family of the late Judith A. Lippencott Farris, to the family of the late Joseph J. Marko, Sr., and to the family of the late Connie M. Olsen by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Jane L. Welfley and to the late Desmond Ebo Awotwi by Senator Teplitz.

Condolences of the Senate were extended to the family of the late Elizabeth F. McDevitt Jonas by Senator Tomlinson.

Condolences of the Senate were extended to the family of the late Tyhir Jaquil Barnes and to the family of the late Robert Franklin Miller by Senator Williams.

### POSTHUMOUS CITATIONS

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

A posthumous citation honoring the late Honorable Edward Caswell Shannon was extended to the family by Senator Aument.

A posthumous citation honoring the late Walter J. DeWitt III was extended to the family by Senator Sabatina.

A posthumous citation honoring the late Honorable Joseph W. Battisto was extended to the family by Senator Scavello.

A posthumous citation honoring the late Elizabeth Mullen Brey was extended to the family by Senator Yudichak.

### REMAINING BILLS AND RESOLUTIONS ON CALENDAR LAID ON TABLE

Upon motion of Senator CORMAN, and agreed to by voice vote, all remaining bills and resolutions on the Calendar not considered were laid on the table.

## SENATE CONCURRENT RESOLUTION

### WEEKLY RECESS

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

In the Senate, July 13, 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, September 26, 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, September 19, 2016, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses the week of September 19, 2016, it reconvene on Monday, September 26, 2016, unless sooner recalled by the Speaker of the House of Representatives.

### JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of June 13, 2016, June 14, 2016, and June 15, 2016, are now in print.

The Clerk proceeded to read the Journals of the Sessions of June 13, 2016, June 14, 2016, and June 15, 2015, when, on motion of Senator CORMAN, and agreed to by voice vote, further reading was dispensed with and the Journal was approved.

### ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, AUGUST 23, 2016

7:00 P.M.

VETERANS AFFAIRS AND  
EMERGENCY PREPAREDNESS  
(public hearing on fire and EMS issues)

Monroe Co.  
Public Safety  
Center

### HOUSE MESSAGES

#### HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The Clerk of the House of Representatives informed the Senate that the House has adopted the Report of the Committee of Conference on **HB 1198**.

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 325**, **HB 806** and **HB 835**.

**BILLS SIGNED**

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

**HB 325, HB 806 and HB 835.**

**HOUSE MESSAGES****HOUSE CONCURS IN SENATE AMENDMENTS  
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 1605, HB 1606, HB 2137, HB 2138, HB 2139, HB 2140 and HB 2141.**

**COMMUNICATION FROM THE GOVERNOR****NOMINATION REFERRED TO COMMITTEE**

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

**MEMBER OF THE INDUSTRIAL BOARD**

July 13, 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, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday in *[sic]* January 2019, and until his successor is appointed and qualified, vice Cathy Mary, South Park, resigned.

TOM WOLF  
Governor

**BILLS SIGNED**

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

**HB 1198, HB 1605, HB 1606, HB 2137, HB 2138, HB 2139, HB 2140 and HB 2141.**

**RECESS**

The PRESIDENT. The Chair recognizes the gentleman from Lehigh, Senator Browne.

Senator BROWNE. Mr. President, I move that the Senate do now recess until Monday, September 26, 2016, at 1 p.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The PRESIDENT. The motion was agreed to by voice vote.

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