

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JANUARY 30, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 5

SENATE

MONDAY, January 30, 2017

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

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

PRAYER

The Chaplain, Reverend DANIEL ULISHNEY, of Catholic Community of Connellsville, Connellsville, offered the following prayer:

Thank you, Governor. It is a privilege to be here today. I also wish to thank Senator Stefano for the invitation to pray here with the Senate today.

O God, Creator and Father of us all, we gather today and ask Your blessing to be upon us. We give thanks for blessings of this land and the gift of human freedom enjoyed in this country and throughout this Commonwealth. O giver of the eternal and natural law, today we seek Your wisdom, grace, and guidance upon these, our legislators, elected and chosen by the people to exercise the grave responsibility of governance. As they make laws for our land, help them to ponder the law of nature to be faithful to its call.

Today they vote on executive appointments, may they choose men and women who will carry out their responsibilities with justice and integrity. Send Your Holy Spirit, the spirit of wisdom, counsel, and fortitude over these men and women to guide them. Grant them discernment, understanding, and prudence. Inspire us all with a renewed appreciation of the common good and profound respect for the dignity of the human person in every phase of life, and compassion for the least of these in every circumstance. Help us all to reflect on the law of nature and be faithful to it. We ask, O Lord, the grace to work together to be good and prudent stewards of all that has been entrusted to us, our human and natural resources, our tax dollars, and our common home.

God, our State was founded unique among the Colonies as a haven for the first freedom of religious liberty and tolerance. May it always be a place of respect and concern for all people. Bless the people of our Commonwealth with human and moral virtue, integrity, and honesty, and with a sincere love of justice and right. May our Leaders work on behalf of all Pennsylvanians and with each other remembering Your example of leadership as service, and so they may inspire a spirit of service among the people of our Commonwealth. We ask all of this through Christ our Lord. Amen.

The PRESIDENT. The Chair thanks Father Ulishney, who is the guest today of Senator Stefano.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

**CORRECTIONS TO NOMINATIONS
REFERRED TO COMMITTEE**

The PRESIDENT 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 BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

January 25, 2017

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

Please note that the letter dated December 9, 2016, for the nomination of Logan L. Steigerwalt, 112 Meadow Lane, Northampton 18067, Northampton County, Eighteenth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Chelsea Getsy, California, graduated, should be corrected to read:

Logan L. Steigerwalt, 4825 Timberline Road, Walnutport 18088, Northampton County, Fortieth Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Chelsea Getsy, California, graduated.

TOM WOLF
Governor

**MEMBER OF THE BOARD OF GOVERNORS OF
THE STATE SYSTEM OF HIGHER EDUCATION**

January 27, 2017

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

Please note that the letter dated December 9, 2016, for the nomination of Brian Swatt, 301 Washington Avenue, Jermyn 18433, Lackawanna County, Twenty-second Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Todd Garrett, Mercer, graduated, should be corrected to read:

Brian Swatt, 622 Pompano Lane, Indiana 15701, Indiana County, Forty-first Senatorial District, for appointment as a member of the Board of Governors of the State System of Higher Education, to serve until graduated or separated from the University, vice Todd Garrett, Mercer, graduated.

TOM WOLF
Governor

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 26, 2017

Senators FOLMER, SCARNATI, LEACH, VULAKOVICH, RESCHENTHALER, WAGNER, LAUGHLIN, STEFANO, BREWSTER, BARTOLOTTA, BOSCOLA, MENSCH and BROWNE presented to the Chair **SB 8**, entitled:

An Act amending Titles 4 (Amusements), 18 (Crimes and Offenses), 30 (Fish), 42 (Judiciary and Judicial Procedure) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, extensively revising forfeiture provisions as follows: in administration and enforcement relating to gaming, further providing for prohibited acts and penalties; in inchoate crimes, further providing for the offense of manufacture, distribution, use or possession of devices for theft of telecommunications services; in assault, further providing for the offense of terrorism; in loss of property rights relating to sexual offenses, further providing for general rule and repealing provisions relating to process and seizure, to custody of property and to disposal of property; in forgery and fraudulent practices, further providing for the offenses of copying and recording devices and for trademark counterfeiting; in riot, disorderly conduct and related offenses, further providing for the offense of gambling devices, gambling, etc.; in wiretapping and electronic surveillance, further providing for seizure and forfeiture of electronic, mechanical or other devices; in minors, further providing for sentencing and penalties for trafficking drugs to minors; in nuisances, further providing for the offense of scattering rubbish; in other offenses, further providing for drug trafficking sentencing and penalties; in vehicle chop shop and illegally obtained and altered property, further providing for loss of property rights to Commonwealth and repealing provisions relating to procedure with respect to seized property subject to liens and rights of lienholders; in enforcement relating to Fish and Boat Code, further providing for forfeiture of fish and devices; in actions, proceedings and other matters generally relating to Judicial Code, providing for forfeiture of assets; in forfeitures, repealing provisions relating to controlled substances forfeiture, to terrorism forfeiture and to procedure with respect to seized property subject to liens and rights of lienholders; in size, weight and load relating to Vehicle Code, further providing for transporting foodstuffs in vehicles used to transport waste; in liquid fuels and fuel use tax enforcement, further providing for forfeitures and process and procedures and for disposition of fines and forfeitures; providing for conduct of forfeiture; and making repeals of provisions of the Liquor Code and another act relating to certain forfeiture of property.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators McGARRIGLE, BREWSTER, FOLMER, YAW, RAFFERTY, KILLION, VULAKOVICH, BOSCOLA, COSTA, BROWNE and MENSCH presented to the Chair **SB 188**, entitled:

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

Which was committed to the Committee on FINANCE, January 26, 2017.

Senators McGARRIGLE, SABATINA, BREWSTER, HUGHES, RAFFERTY, BAKER, VULAKOVICH, COSTA, and BROWNE presented to the Chair **SB 189**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in crime victims, further providing for rights.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators McGARRIGLE, MARTIN, RAFFERTY, KILLION, STEFANO, VULAKOVICH, COSTA, RESCHENTHALER and BROWNE presented to the Chair **SB 190**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for self-service storage facility insurance.

Which was committed to the Committee on BANKING AND INSURANCE, January 26, 2017.

Senators McGARRIGLE, MARTIN, WARD, HAYWOOD, RAFFERTY, FOLMER, AUMENT, VULAKOVICH, BREWSTER, COSTA, MENSCH, RESCHENTHALER and DINNIMAN presented to the Chair **SB 191**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for sale of tobacco and for use of tobacco in schools prohibited.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators STEFANO, BREWSTER, ALLOWAY, SCAVELLO, WARD, VULAKOVICH and WAGNER presented to the Chair **SB 192**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in Pennsylvania Game Commission, further providing for powers and duties of commission and for accountability; and, in hunting and furtaking licenses, further providing for license costs and fees and making an editorial change.

Which was committed to the Committee on GAME AND FISHERIES, January 26, 2017.

Senators BAKER, SCAVELLO, FOLMER, BROOKS, EICHELBERGER, VULAKOVICH, SCARNATI, RESCHENTHALER, WARD, McGARRIGLE, RAFFERTY, WHITE, STEFANO, MARTIN, BROWNE and MENSCH presented to the Chair **SB 193**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Pennsylvania Emergency Management Agency, further providing for organization.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 26, 2017.

Senators BAKER, FOLMER, GREENLEAF, BARTOLOTTA, GORDNER, LANGERHOLC, RAFFERTY, WHITE and STEFANO presented to the Chair **SB 194**, entitled:

An Act amending the act of June 3, 1919 (P.L.366, No.179), entitled "An act reorganizing the Department of State Police; creating therein a Bureau of Fire Protection; providing for a State Police Force, and defining the powers and duties of the same, including the enforcement of laws relating to game, fish, forestry, and water supply, and certain other laws, and including the collection of information useful for the detection of crime, and the apprehension of criminals; providing for the equipment, maintenance, and transportation of such police; providing for barracks and substations therefor; and prescribing penalties," further providing for the Commissioner of Pennsylvania State Police.

Which was committed to the Committee on LAW AND JUSTICE, January 26, 2017.

Senators FOLMER, VULAKOVICH, VOGEL, STEFANO, RAFFERTY, SCARNATI, RESCENTIALER, AUMENT, MARTIN and BROOKS presented to the Chair **SB 195**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, repealing provisions relating to report of racial and ethnic groupings, to study of public schools that provide Internet instruction, to corporate seal, to submission of plans, to approval of plans, to disapproval of plans, to Department of Public Instruction to prepare plans, to establishment of reorganized school districts, to advance establishment, to special school watchmen-school districts in townships of the second class, to copies of school laws, to educational broadcasting, to residences for teachers and janitors, to heating stoves to be shielded, to ventilation and thermometer, to fire-proof construction, to doors to open outward and fire escapes, etc., to completion of abandoned WPA projects in districts of the third and fourth class, to condition of grounds and shade trees, to summer schools, etc., to possession of telephone pagers prohibited, to nonprofit school food program, to antitruancy programs, to medical care for children under six with defective hearing, to report, to care and treatment of pupils and to local wellness policy; in terms and courses of study, further providing for fire and emergency evacuation drills; repealing provisions relating to foreign language academies, to monthly reports to school directors of the districts second, third and fourth class, to alcohol, chemical and tobacco abuse program, to read to succeed program, to department duties and powers; in vocational education, further providing for duties of State Board for Vocational Education and reports; repealing provisions relating to schools or classes, supervisors, principals, instructors, etc., to estimate of expenses and reimbursements, appropriations and to teachers of evening schools; in Thaddeus Stevens College of Technology, further providing for powers and duties of the board of trustees; repealing provisions relating to annual report, to duties of public institutions of higher education, to medical education loan assistance, to special study on the revenue impact of out-of-State tax credits, to powers and duties of the board and to reports and recommendations.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators HUGHES, BARTOLOTTA, GORDNER, VULAKOVICH, BREWSTER, FONTANA, COSTA, FARNESE, YUDICHAK, HAYWOOD, RAFFERTY, BOSCOLA, MENSCH, BROWNE and WARD presented to the Chair **SB 196**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, providing for the definition of "electronic monitoring device" and further providing for relief.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators HUGHES, SCHWANK, BREWSTER, COSTA, HAYWOOD, BROWNE and WILLIAMS presented to the Chair **SB 197**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in membership, contributions and benefits, further providing for member's options, for death benefits and for payment of benefits; in administration and miscellaneous provisions, further providing for duties of board regarding applications and elections of members and for rights and duties of school employees and members; in benefits, further providing for member's options, for death benefits and for payment of benefits; and, in administration, funds, accounts, general provisions, further providing for duties of board regarding applications and elections of members and for rights and duties of State employees and members.

Which was committed to the Committee on FINANCE, January 26, 2017.

Senators HUGHES, FONTANA, COSTA, TARTAGLIONE and BREWSTER presented to the Chair **SB 198**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in charter schools, further providing for establishment of charter school, for enrollment, for funding for charter schools and for causes for nonrenewal or termination.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators HUGHES, COSTA, TARTAGLIONE, HAYWOOD, STREET and SABATINA presented to the Chair **SB 199**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school finances, further providing for distress in school districts of the first class.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators HUGHES, LEACH, GREENLEAF, SABATINA, BREWSTER, SCAVELLO, FONTANA, COSTA, TARTAGLIONE, FARNESE, SCHWANK, HAYWOOD, RAFFERTY, WARD and BROWNE presented to the Chair **SB 204**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a teacher tax credit.

Which was committed to the Committee on FINANCE, January 26, 2017.

Senators HUGHES, BREWSTER, FONTANA, COSTA, FARNESE, SCHWANK, STREET and BROWNE presented to the Chair **SB 205**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Health-Related Industries Educational Scholarship Program and the Health-Related Industries Educational Scholarship Program Fund.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators HUGHES, LEACH and STREET presented to the Chair **SB 206**, entitled:

An Act amending Title 46 (Legislature) of the Pennsylvania Consolidated Statutes, providing for racial impact statements in consideration of legislation.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators HUGHES, LEACH, TARTAGLIONE, FARNESE, HAYWOOD, STREET and BLAKE presented to the Chair **SB 207**, entitled:

An Act providing for mandatory Statewide employer-paid sick leave for employees and for civil penalties and remedies.

Which was committed to the Committee on LABOR AND INDUSTRY, January 26, 2017.

Senators HUGHES, LEACH, SABATINA, FONTANA, TARTAGLIONE, COSTA, FARNESE, HUTCHINSON and HAYWOOD presented to the Chair **SB 208**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for special tax provisions for poverty.

Which was committed to the Committee on FINANCE, January 26, 2017.

Senators HUGHES, McGARRIGLE, LEACH, TARTAGLIONE, HAYWOOD, KILLION, COSTA, FARNESE, WILLIAMS, DINNIMAN and STREET presented to the Chair **SB 209**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for sale or transfer of firearms.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators LEACH, FARNESE, STREET, SCHWANK, HUGHES and HAYWOOD presented to the Chair **SB 210**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for licensure.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, January 26, 2017.

Senators LEACH, FARNESE, HAYWOOD, COSTA and SCHWANK presented to the Chair **SB 212**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, further providing for referendum or public hearing required prior to construction or lease; and, in reimbursements by Commonwealth and between school districts, further providing for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators LEACH and STREET presented to the Chair **SB 213**, entitled:

An Act providing for personal use of marijuana, for lawful operation of marijuana-related facilities, for general powers of the Pennsylvania Liquor Control Board, for regulation of marijuana and for employers, minors and control of property; and making related repeals.

Which was committed to the Committee on LAW AND JUSTICE, January 26, 2017.

Senators LEACH, GREENLEAF, YUDICHAK, FONTANA and COSTA presented to the Chair **SB 214**, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, providing for hospital patient protection.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, January 26, 2017.

Senators LEACH, STREET and HUGHES presented to the Chair **SB 215**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in employment incentive payments, further providing for definitions and for employment incentive payments.

Which was committed to the Committee on FINANCE, January 26, 2017.

Senators LEACH, SABATINA, FARNESE, FONTANA, BREWSTER, HAYWOOD, STREET, COSTA, SCHWANK, HUGHES and BROWNE presented to the Chair **SB 216**, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in voting procedures, providing for early voting.

Which was committed to the Committee on STATE GOVERNMENT, January 26, 2017.

Senators LEACH, FARNESE, STREET, HUGHES and HAYWOOD presented to the Chair **SB 217**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for immunization required and penalty.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators LEACH, FARNESE and HAYWOOD presented to the Chair **SB 219**, entitled:

An Act establishing a lending program in Commonwealth libraries for electricity meters; creating a grant; and making an appropriation.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators FONTANA, BLAKE, BAKER, LANGERHOLC, YUDICHAK, GORDNER, BROOKS, COSTA, ARGALL, SCHWANK, RAFFERTY, BOSCOLA, BROWNE and STEFANO presented to the Chair **SB 220**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Corrections, providing for notice of public hearing for State correctional institution closure.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators GREENLEAF, VULAKOVICH, COSTA, YUDICHAK, HAYWOOD and RAFFERTY presented to the Chair **SB 221**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, providing for the offense of selling or furnishing dextromethorphan to minors and imposing a penalty.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators GREENLEAF, BAKER, BARTOLOTTA, MENSCH, McGARRIGLE and KILLION presented to the Chair **SB 222**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in organization and jurisdiction of courts of common pleas, further providing for courts of common pleas.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators GREENLEAF, HAYWOOD, RAFFERTY, BREWSTER and HUGHES presented to the Chair **SB 223**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for short title and purposes of chapter, for definitions, for scope of chapter, for powers and duties of probation officers, for masters, for inspection of court files and records, for law enforcement records, for guardian ad litem for child in court proceedings, for commencement of proceedings, for transfer from criminal proceedings, for informal adjustment, for taking into custody, for release or delivery to court, for place of detention, for release from detention or commencement of proceedings, for petition, for release or holding of hearing, for conduct of hearings, for notice and hearing, for right to counsel for children in dependency and delinquency proceedings, for consent decree, for adjudication, for court-appointed special advocates, for disposition of dependent child, for disposition of delinquent child, for limitation on and change in place of commitment, for transfer to criminal proceedings, for disposition of mentally ill or mentally retarded child and for assessment of delinquent children by the State Sexual Offenders Assessment Board and providing for role of interstate compacts.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators BARTOLOTTA, RESCHENTHALER, SCARNATI, YAW, HUTCHINSON, STEFANO, WARD, YUDICHAK, WAGNER, DiSANTO, VOGEL, WHITE, ALLOWAY, MENSCH, EICHELBERGER and SCAVELLO presented to the Chair **SB 224**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for definitions, for licenses, for sale or transfer of firearms, for Pennsylvania State Police, for firearm sales surcharge, for the Firearm Records Check Fund, for licensing of dealers and for administrative regulations.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators BAKER, BROOKS, VULAKOVICH, WARD, AUMENT, HUTCHINSON, FOLMER, VOGEL, WHITE and MARTIN presented to the Chair **SB 225**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for general appropriation bill.

Which was committed to the Committee on APPROPRIATIONS, January 26, 2017.

Senators BAKER, BROOKS, VULAKOVICH, WARD, AUMENT and MARTIN presented to the Chair **SB 226**, 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 appropriation bill timeline.

Which was committed to the Committee on APPROPRIATIONS, January 26, 2017.

Senators EICHELBERGER, VULAKOVICH, SCAVELLO, FOLMER, WHITE, RAFFERTY, SCARNATI, RESCHENTHALER, MARTIN, MENSCH and STEFANO presented to the Chair **SB 227**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in district superintendents and assistant district superintendents, further providing for manner of election or approval and for term and salary of assistants.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators EICHELBERGER, VULAKOVICH, DiSANTO, FOLMER, WAGNER, WHITE, STEFANO, RAFFERTY, SCARNATI, MARTIN, RESCHENTHALER, AUMENT and MENSCH presented to the Chair **SB 228**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employes, further providing for causes for suspension and for persons to be suspended.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators EICHELBERGER, VULAKOVICH, FOLMER, WHITE, RESCHENTHALER and MARTIN presented to the Chair **SB 229**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in professional employes, further providing for payment of salaries in cases of sickness, injury or death, repealing provisions relating to alternative payment plan, to persons entitled and to salary while on leave and further providing for Distinguished Educators Program.

Which was committed to the Committee on EDUCATION, January 26, 2017.

Senators BOSCOLA, COSTA, BROWNE, HUGHES, FARNESE, BREWSTER, SABATINA, TARTAGLIONE, KILLION, RAFFERTY, RESCHENTHALER, WARD and VULAKOVICH presented to the Chair **SB 230**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of cruelty to animals.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators BOSCOLA, SCARNATI, FONTANA, FARNESE, BREWSTER, HAYWOOD, SABATINA, TARTAGLIONE, VULAKOVICH, RAFFERTY, RESCHENTHALER, BROWNE and WILLIAMS presented to the Chair **SB 231**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against the family, providing for residency restrictions for certain offenders and imposing a penalty.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators BOSCOLA, HUGHES, FONTANA, FARNESE, SCHWANK, BREWSTER, HAYWOOD, TARTAGLIONE, YUDICHAK and WILLIAMS presented to the Chair **SB 232**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for statutes of limitations for certain offenses.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators BOSCOLA, HUGHES, FONTANA, FARNESE, SCHWANK, BREWSTER, HAYWOOD, TARTAGLIONE, YUDICHAK and WILLIAMS presented to the Chair **SB 233**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for limitations on civil actions based on certain assaults.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators LEACH, BLAKE, SABATINA, FONTANA, COSTA, SCHWANK, HUGHES, BROWNE and HAYWOOD presented to the Chair **SB 235**, entitled:

An Act amending the act of October 27, 1955 (P.L.744, No.222), known as the Pennsylvania Human Relations Act, further providing for findings and declaration of policy, for right to freedom from discrimination in employment, housing and public accommodation, for definitions and for unlawful discriminatory practices.

Which was committed to the Committee on LABOR AND INDUSTRY, January 26, 2017.

Senators LEACH, COSTA and SCHWANK presented to the Chair **SB 236**, entitled:

An Act providing for living wage accreditation for nursing facilities and for employer responsibility penalties for nursing facilities; establishing the Employer Responsibility for Public Assistance Fund; and imposing penalties.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, January 26, 2017.

Senators LEACH, BLAKE, GREENLEAF, SABATINA, FONTANA, BREWSTER, YUDICHAK, COSTA, HUGHES, RAFFERTY and BROWNE presented to the Chair **SB 237**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in disabled veterans' real estate tax exemption, further providing for exemption.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 26, 2017.

Senators LEACH and BOSCOLA presented to the Chair **SB 238**, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for procedures re-

garding the request and dispensation of lethal medication to patients seeking to die in a dignified and humane manner, for duties of attending physicians, for duties of consulting physicians and for insurance or annuity policies; imposing duties on the Department of Health; providing for immunities and for attorney fees; and imposing penalties.

Which was committed to the Committee on JUDICIARY, January 26, 2017.

Senators VULAKOVICH, BARTOLOTTA, SCARNATI, COSTA, AUMENT, BAKER, BLAKE, BREWSTER, BROOKS, EICHELBERGER, GREENLEAF, HUTCHINSON, LAUGHLIN, LEACH, RAFFERTY, RESCHENTHALER, SABATINA, SCAVELLO, STEFANO, VOGEL, WAGNER, WARD, YUDICHAK and BROWNE presented to the Chair **SB 239**, 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 VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, January 26, 2017.

Senators HUTCHINSON, BAKER, BARTOLOTTA, BREWSTER, COSTA, FOLMER, RAFFERTY, VULAKOVICH, YAW, BROWNE and MENSCH presented to the Chair **SB 240**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking licenses, further providing for resident license and fee exemptions and for license costs and fees; and making editorial changes.

Which was committed to the Committee on GAME AND FISHERIES, January 26, 2017.

Senators BAKER, TOMLINSON, GREENLEAF, SCAVELLO, BREWSTER, EICHELBERGER, RESCHENTHALER, SCHWANK and RAFFERTY presented to the Chair **SB 242**, entitled:

An Act amending the act of December 10, 1974 (P.L.852, No.287), referred to as the Underground Utility Line Protection Law, further providing for definitions, for duties of facility owners, for duties of the One Call System, for duties of excavators, for duties of designers, for duties of project owners and for penalties; providing for enforcement, for underground utility line protection fund and for compliance; and further providing for One Call System authority and for expiration.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, January 26, 2017.

January 27, 2017

Senators McGARRIGLE, KILLION and MENSCH presented to the Chair **SB 184**, entitled:

An Act 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.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

Senators LEACH, SCHWANK, BOSCOLA and FONTANA presented to the Chair **SB 243**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for a Legislative Reapportionment Commission to designate legislative districts for the General Assembly within this Commonwealth.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2017.

Senators LEACH, HAYWOOD and COSTA presented to the Chair **SB 244**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in casualty insurance, providing for coverage for eating disorder treatment.

Which was committed to the Committee on BANKING AND INSURANCE, January 27, 2017.

Senators LEACH, GREENLEAF, YUDICHAK, BREWSTER, HAYWOOD, SCHWANK, HUGHES and COSTA presented to the Chair **SB 245**, entitled:

An Act amending the act of August 7, 1963 (P.L.549, No.290), referred to as the Pennsylvania Higher Education Assistance Agency Act, establishing the Pay It Forward Pay It Back Pennsylvania Program; imposing a natural gas severance tax; and establishing the Pay It Forward Pay It Back Pennsylvania Program Fund.

Which was committed to the Committee on EDUCATION, January 27, 2017.

Senator LEACH presented to the Chair **SB 246**, entitled:

An Act prohibiting the administration of certain antimicrobial agents in agriculture; providing for inspection and testing of agricultural operations, for enforcement, for reporting by agricultural operations and for alternatives to administration of antimicrobial agents to animals; and making related repeals.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, January 27, 2017.

Senators LEACH, HUGHES and TARTAGLIONE presented to the Chair **SB 247**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for disclosure of Federal income tax returns by candidates for President and Vice President of the United States.

Which was committed to the Committee on STATE GOVERNMENT, January 27, 2017.

Senator LEACH presented to the Chair **SB 248**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, providing for the offense of use of live animals in traveling exhibitions.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

Senators WARD, RAFFERTY, SCARNATI, McGARRIGLE, BARTOLOTTA, LANGERHOLC, TARTAGLIONE, KILLION, YUDICHAK, SCHWANK, FOLMER, BAKER, COSTA, STEFANO, HUTCHINSON, MARTIN, REGAN, TOMLINSON and BROWNE presented to the Chair **SB 249**, entitled:

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

Which was committed to the Committee on TRANSPORTATION, January 27, 2017.

Senators VULAKOVICH, ALLOWAY, AUMENT, BARTOLOTTA, BLAKE, BREWSTER, COSTA, FONTANA, HAYWOOD, LEACH, MARTIN, MENSCH, RAFFERTY, SCAVELLO, SCHWANK, STEFANO, WHITE, YUDICHAK, BAKER and DINNIMAN presented to the Chair **SB 251**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for schedule of convictions and points; and, in rules of the road in general, further providing for speed timing devices.

Which was committed to the Committee on TRANSPORTATION, January 27, 2017.

Senators VULAKOVICH, FONTANA, COSTA, BREWSTER, BARTOLOTTA, RESCHENTHALER, STEFANO, VOGEL and WARD presented to the Chair **SB 252**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in parking authorities, providing for granting of interests and mixed-use projects for authorities in cities of the second class.

Which was committed to the Committee on LOCAL GOVERNMENT, January 27, 2017.

Senators BOSCOLA, BROWNE, FONTANA, FARNESE, TARTAGLIONE, RAFFERTY and VULAKOVICH presented to the Chair **SB 253**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for drug-free school zones.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

Senators BOSCOLA, BROWNE, FARNESE, RAFFERTY and VULAKOVICH presented to the Chair **SB 254**, entitled:

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further providing for definitions.

Which was committed to the Committee on FINANCE, January 27, 2017.

Senators BOSCOLA, COSTA, BROWNE, HUGHES, FONTANA, TARTAGLIONE and WHITE presented to the Chair **SB 255**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in riot, disorderly conduct and related offenses, further providing for the offense of pool selling and bookmaking.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

Senators WARD, DiSANTO and VOGEL presented to the Chair **SB 256**, entitled:

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for definitions and for sanitary rules.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, January 27, 2017.

Senators WARD, WHITE, SCARNATI, GORDNER, SCHWANK, BROOKS, FOLMER, YUDICHAK, HUTCHINSON, COSTA, STEFANO, AUMENT, BOSCOLA and RAFFERTY presented to the Chair **SB 257**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for quality eye care for insured Pennsylvanians.

Which was committed to the Committee on BANKING AND INSURANCE, January 27, 2017.

Senators WARD, SCARNATI, LANGERHOLC, TARTAGLIONE, VULAKOVICH, WAGNER, WHITE, STEFANO, COSTA and BREWSTER presented to the Chair **SB 258**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Governor and other constitutional officers, of the Executive Board and of the Pennsylvania State Police, providing for the State Trooper Services Contractual program.

Which was committed to the Committee on LAW AND JUSTICE, January 27, 2017.

Senators WARD, RAFFERTY, RESCHENTHALER, BOSCOLA, VULAKOVICH, STEFANO, MENSCH, LAUGHLIN and BROWNE presented to the Chair **SB 259**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in falsification and intimidation, further providing for false identification to law enforcement authorities and imposing an additional penalty.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

Senators WARD, BROOKS, SABATINA, VULAKOVICH, FARNESE, YUDICHAK, BREWSTER, RESCHENTHALER, COSTA, MENSCH, RAFFERTY, HUGHES, STEFANO and BROWNE presented to the Chair **SB 260**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in administration, further providing for committee.

Which was committed to the Committee on JUDICIARY, January 27, 2017.

January 30, 2017

Senators SCARNATI, CORMAN and GORDNER presented to the Chair **SB 261**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further pro-

viding for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

Which was committed to the Committee on JUDICIARY, January 30, 2017.

Senators BAKER, SCAVELLO, EICHELBERGER, VULAKOVICH, BREWSTER, SCARNATI, COSTA, KILLION, RAFFERTY, STEFANO and MARTIN presented to the Chair **SB 262**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions.

Which was committed to the Committee on TRANSPORTATION, January 30, 2017.

Senators BAKER, BREWSTER, GREENLEAF, VOGEL, FONTANA, TARTAGLIONE, COSTA, LANGERHOLC, KILLION, HAYWOOD, BOSCOLA, WILLIAMS and MENSCH presented to the Chair **SB 263**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in voting by qualified absentee electors, further providing for applications for official absentee ballots.

Which was committed to the Committee on STATE GOVERNMENT, January 30, 2017.

Senators BAKER, GREENLEAF, TARTAGLIONE, COSTA, RAFFERTY, BOSCOLA, BROWNE, WARD and BREWSTER presented to the Chair **SB 264**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for definitions and for special tax provisions for poverty.

Which was committed to the Committee on FINANCE, January 30, 2017.

Senators REGAN, SCARNATI, RAFFERTY, GREENLEAF, WARD, AUMENT, BARTOLOTTA, COSTA, MENSCH, DINNIMAN and WHITE presented to the Chair **SB 265**, entitled:

An Act designating the bridge carrying State Route 3012 over the Susquehanna River between City Island and the intersection with State Route 1010 and State Route 1027, commonly referred to as the Market Street Bridge, as the Senator Harold Mowery Market Street Bridge.

Which was committed to the Committee on TRANSPORTATION, January 30, 2017.

GENERAL COMMUNICATIONS

ANNUAL REPORT ON THE STATUS OF THE CATASTROPHIC LOSS BENEFITS CONTINUATION FUND

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

COMMONWEALTH OF PENNSYLVANIA
Insurance Department
1326 Strawberry Square
Harrisburg, PA 17120

TO The General Assembly
Commonwealth of Pennsylvania
Harrisburg, PA 17120

FROM TERESA D. MILLER
Insurance Commissioner

RANDY ALBRIGHT
Secretary, Governor's Budget Office

DATE: January 20, 2017

RE Annual Report of the Status of the Catastrophic
Loss Benefits Continuation Fund

Pursuant to Act 24 of 1989, the Department is pleased to present the annual report of the status of the Catastrophic Loss Benefits Continuation Fund of the Insurance Department of the Commonwealth of Pennsylvania.

Should any questions arise regarding these statistics, members should feel free to contact me, Deputy Insurance Commissioner Laura Slaymaker, or our legislative office at (717) 783-2500.

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

REPORT ON TAX-EXEMPT BOND ALLOCATION FOR 2016

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

COMMONWEALTH OF PENNSYLVANIA
Department of Community and Economic Development
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120-0225

January 24, 2017

Megan Martin
Secretary of the Senate
Office of Secretary of Senate
462 Main Capitol Building
Harrisburg, PA 17120

Dear Ms. Martin:

As required by the Job Enhancement Act of 1996, (P.L. 434, No 67), Act 113, Section 2706, as amended, I am providing a report on tax-exempt bond allocation for the year-end of 2016.

This report includes:

1. a summary of volume cap allocation usage for small issue, exempt facility, housing, and education bonds; and
2. a list of small issue and exempt facility allocations including the issuing authority, project name, allocation amount, and estimated jobs for each project.

If you have any questions concerning this report, please contact my office.

Sincerely,

DENNIS M. DAVIN
Secretary

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

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 McGarrigle, and legislative leaves for Senator Argall, Senator McIlhinney, and Senator Tomlinson.

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

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

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

Senator Costa requests a legislative leave for Senator Tartaglione.

Without objection, the leaves will be granted.

LEAVES OF ABSENCE

Senator CORMAN asked and obtained a leave of absence for Senator GREENLEAF, for today's Session, for personal reasons.

Senator COSTA asked and obtained a leave of absence for Senator FARNESE, for today's Session, for personal reasons.

SENATE RESOLUTION ADOPTED

Senator CORMAN, on behalf of Senator TOMLINSON, by unanimous consent, offered **Senate Resolution No. 14**, entitled:

A Resolution designating the week of January 29 through February 4, 2017, as "Physician Anesthesiologist Week" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

YEA-48

| | | | |
|------------|--------------|-------------|-------------|
| Alloway | Dinniman | Leach | Stefano |
| Argall | DiSanto | Martin | Street |
| Aument | Eichelberger | McGarrigle | Tartaglione |
| Baker | Folmer | McIlhinney | Tomlinson |
| Bartolotta | Fontana | Mensch | Vogel |
| Blake | Gordner | Rafferty | Vulakovich |
| Boscola | Haywood | Regan | Wagner |
| Brewster | Hughes | Resenthaler | Ward |
| Brooks | Hutchinson | Sabatina | White |
| Browne | Killion | Scarnati | Williams |
| Corman | Langerholz | Scavello | Yaw |
| Costa | Laughlin | Schwank | Yudichak |

NAY-0

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

GUESTS OF SENATOR PATRICK J. STEFANO PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Fayette, Senator Stefano.

Senator STEFANO. Mr. President, it is my honor to reintroduce to you my constituent and my parish priest, Father Daniel Ulishney, who is our guest Chaplain today. Father Dan is the Parochial Vicar of the Catholic Parishes of Connellsville. In addition to his parochial duties, he is continuing his canon law studies and is serving on the bishop's committee for ongoing formation of clergy. Father Dan is also on the diocesan Catholic Committee on Scouting, and is a member of the Canon Law Society of America. He is here with his mother, Joan, and members of his family. Please give a warm Senate welcome to Father Dan and his family.

The PRESIDENT. Father Dan has risen, the guest of Senator Stefano, who is his parish priest. We are going to hold Father responsible for everything Senator Stefano does, but so far he is doing a great job. Father, we would like to give our warm Senate welcome to you and your mother. Thank you for your prayers. (Applause.)

LEGISLATIVE LEAVES CANCELLED

The PRESIDENT. Senator McGarrigle and Senator Tomlinson have returned, and their respective leaves are cancelled.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Permission has been granted for the Committee on Judiciary to meet today off the floor in the Rules room to consider Senate Bill No. 261.

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 immediately.

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

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

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE

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

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

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

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 69 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 138 (Pr. No. 92) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 20, 1979 (P.L.183, No.60), known as the Oil and Gas Lease Act, further providing for definitions, for payment information to interest owners, for accumulation of proceeds from production and for conflicts and providing for joint ventures and for inspection of records.

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-48

| | | | |
|------------|--------------|---------------|-------------|
| Alloway | Dinniman | Leach | Stefano |
| Argall | DiSanto | Martin | Street |
| Aument | Eichelberger | McGarrigle | Tartaglione |
| Baker | Folmer | McIlhinney | Tomlinson |
| Bartolotta | Fontana | Mensch | Vogel |
| Blake | Gordner | Rafferty | Vulakovich |
| Boscola | Haywood | Regan | Wagner |
| Brewster | Hughes | Reschenthaler | Ward |
| Brooks | Hutchinson | Sabatina | White |
| Browne | Killion | Scarnati | Williams |
| Corman | Langerholc | Scavello | Yaw |
| Costa | Laughlin | Schwank | Yudichak |

NAY-0

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

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

SB 139 (Pr. No. 93) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for protection for a lessor of natural gas rights who reports a violation or suspected violation of a contractual agreement and for remedies and penalties.

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-48

| | | | |
|------------|--------------|---------------|-------------|
| Alloway | Dinniman | Leach | Stefano |
| Argall | DiSanto | Martin | Street |
| Aument | Eichelberger | McGarrigle | Tartaglione |
| Baker | Folmer | McIlhinney | Tomlinson |
| Bartolotta | Fontana | Mensch | Vogel |
| Blake | Gordner | Rafferty | Vulakovich |
| Boscola | Haywood | Regan | Wagner |
| Brewster | Hughes | Reschenthaler | Ward |
| Brooks | Hutchinson | Sabatina | White |
| Browne | Killion | Scarnati | Williams |
| Corman | Langerholc | Scavello | Yaw |
| Costa | Laughlin | Schwank | Yudichak |

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.

SECOND CONSIDERATION CALENDAR

BILL REREFERRED

SB 10 (Pr. No. 162) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in matters affecting government units, further providing for exceptions to governmental immunity; and, in preemptions, providing for municipality of refuge.

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

BILLS OVER IN ORDER

SB 42, SB 50, SB 51, SB 59, SB 60, SB 62, SB 128, SB 137, SB 171 and SB 172 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

UNFINISHED BUSINESS

BILL REPORTED FROM COMMITTEE

Senator RAFFERTY, from the Committee on Judiciary, reported the following bill:

SB 261 (Pr. No. 243)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment, for no limitation applicable and for other offenses; and, in matters affecting government units, further providing for exceptions to sovereign immunity and for exceptions to governmental immunity.

SENATE RESOLUTIONS ADOPTED

Senator WHITE, by unanimous consent, offered Senate Resolution No. 15, entitled:

A Resolution designating February 6, 2017, as "Mutual Insurance Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, I ask that we designate February 6, 2017, as "Mutual Insurance Day" in Pennsylvania. (Reading:)

WHEREAS, Pennsylvania is the birthplace of America's insurance industry; and

WHEREAS, The first insurance company, The Philadelphia Contributionship, a mutual insurance company founded by Benjamin Franklin in 1752, is still meeting consumers' insurance needs today; and

WHEREAS, Mutual insurance companies are a major economic force in this Commonwealth with \$3.4 billion or more in property and casualty insurance premiums to meet the insurance needs and resolve insurance claims for residents and businesses in this Commonwealth; and

WHEREAS, Mutual insurance companies are also a significant contributor to State and local governments because of the premium taxes they pay to the State and property taxes they pay to municipalities and school districts; and

WHEREAS, The contribution of mutual insurance companies to Pennsylvania communities cannot be overstated given that mutual insurance companies are at the core of community service, community jobs and contribute significantly to the cultural and social life of their communities; and

WHEREAS, The Pennsylvania Association of Mutual Insurance Companies has communicated the value of the mutual insurance companies to this Commonwealth and to Pennsylvania consumers by observing "Mutual Insurance Day"; therefore be it

RESOLVED, that the Senate designate February 6, 2017, as "Mutual Insurance Day" in Pennsylvania in honor of the 61st observance of Mutual Insurance Day by the Pennsylvania Association of Mutual Insurance Companies and wish the management, employees and policyholders of mutual insurance companies good fortune in the days to come.

Thank you very much, Mr. President.

The PRESIDENT. The Chair thanks the gentleman, who, not surprisingly, is the chairman of the Senate Committee on Banking and Insurance.

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

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

Senators BOSCOLA, BROWNE, FARNESE, BREWSTER, BAKER, GREENLEAF, LEACH, EICHELBERGER, SABATINA, RESCHENTHALER, MARTIN, FONTANA, HUGHES, WARD, DINNIMAN, HAYWOOD, YUDICHAK, RAFFERTY, TARTAGLIONE, KILLION, SCAVELLO, AUMENT, STREET, VULAKOVICH and COSTA, by unanimous consent, offered Senate Resolution No. 16, entitled:

A Resolution recognizing the month of January 2017 as "National Blood Donor Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BOSCOLA. Mr. President, I offer this resolution designating January 2017 as "National Blood Donor Month." Accidents can happen in the blink of an eye, and we need to be ready and prepared with the proper blood supply here in Pennsylvania. Every 3 seconds there is a patient in need, and one unit can save several lives. Victims of trauma, surgery patients, and organ transplant recipients all need blood to stay alive.

Despite achievements in research and technology, there is no medical substitute or replacement for human blood. Volunteers provide nearly all of our nation's available blood supply. According to Miller-Keystone Blood Center in my senatorial district, over 50 percent of the U.S. population is eligible to donate blood. So 50 percent of our population is eligible to donate blood, yet only 5 percent actually do. As we close out the month of January, and whether winter bears down on us or not, Mr. President, blood centers across Pennsylvania are having difficulty keeping an adequate supply of blood. The giving season of the holidays may be over now, but the demand still remains. There is a rise in blood demand due to illness and accidents from inclement weather and hazardous roads, which is why I continue to introduce snow and ice legislation to protect all motorists, as well.

I believe that education is key to providing a long-term solution for the blood banks and statewide centers. We need to insure that their supplies do not dwindle, especially during these trying winter months. A half-hour spent donating a pint of blood can save the lives of three people. We need to let more people know that fact. We need to educate our children in this Commonwealth about donating, because for many this is literally a matter of life and death.

This resolution, Mr. President, is simply about taking the time to donate a pint of blood. It is about giving back to our community and bringing people together to help one another.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentlewoman for a very important resolution.

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

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

CONGRATULATORY RESOLUTIONS

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

Congratulations of the Senate were extended to Dustin Blake Jacobs by Senator Argall.

Congratulations of the Senate were extended to Noah Patrick Bamert by Senator Aument.

Congratulations of the Senate were extended to Morgan Voithofer by Senator Bartolotta.

Congratulations of the Senate were extended to John B. Topalanchik by Senator Blake.

Congratulations of the Senate were extended to Mr. and Mrs. John Hauser, John Laush, Virginia Gibson-Thurman, members of the Cochranon Junior Senior High School Application Team and to the Crawford County Chamber of Commerce by Senator Brooks.

Congratulations of the Senate were extended to Ralland Paul Miller and to the DeSales Free Clinic by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Chester P. Isett, Alexis M. Witherite, Jessye C. Smith and to Matthew Charles Smith by Senator Corman.

Congratulations of the Senate were extended to Drs. Richard Buckwalter by Senator Greenleaf.

Congratulations of the Senate were extended to David C. McDermott by Senators Leach and Rafferty.

Congratulations of the Senate were extended to Brandon Spaulding by Senator Regan.

Congratulations of the Senate were extended to Jeffrey Miller and to John Curtis Lelless by Senator Scarnati.

Congratulations of the Senate were extended to Elsie Sinclair Campbell Showmaker by Senator Scavello.

Congratulations of the Senate were extended to Brian B. Mears and to Bailey Machine Company by Senator Stefano.

Congratulations of the Senate were extended to Mr. and Mrs. James Wright by Senator White.

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 Thomas Anthony Cardinale by Senator Baker.

Condolences of the Senate were extended to the family of the late John J. Angelucci by Senator Boscola.

Condolences of the Senate were extended to the family of the late Matthew Joseph Honea by Senator Farnese and Senator Williams.

Condolences of the Senate were extended to the family of the late Anne Marie Barlick Ledva by Senators Sabatina and McIlhinney.

BILL ON FIRST CONSIDERATION AND REREFERRED

Senator LANGERHOLC. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.
The bill was as follows:

SB 261.

And said bill having been considered for the first time,
Upon motion of Senator CORMAN, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Appropriations.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JANUARY 31, 2017

10:30 A.M.

EDUCATION (to consider Senate Bills No. 227, 228 and 229)

Room 8E-A East Wing

| | | |
|------------------------------------|--|--------------------------|
| 11:30 A.M. | JUDICIARY (to consider Senate Bills No. 8, 146, 176, 221 and 222) | Room 8E-B East Wing |
| 12:30 P.M. | STATE GOVERNMENT (to consider Senate Bills No. 9, 166, 167 and 169) | Room 8E-A East Wing |
| Off the Floor | APPROPRIATIONS (to consider Senate Bills No. 10, 170, 181 and 261; and the adoption of Senate Appropriations Committee operating policy for 2017-18 legislative session) | Rules Cmte. Conf. Rm. |
| <u>WEDNESDAY, FEBRUARY 1, 2017</u> | | |
| 10:00 A.M. | GAME AND FISHERIES (to consider Senate Bills No. 30, 123 and 192) | Room 8E-B East Wing |
| <u>WEDNESDAY, FEBRUARY 8, 2017</u> | | |
| 1:00 P.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (H) and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (S) (joint public hearing on Veterans Issues) | Hrg. Rm. 1 North Off. |

PETITIONS AND REMONSTRANCES

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

Senator COSTA. Mr. President, I will be brief. I know my colleagues have a number of things to do this evening. Mr. President, I rise to make a few comments about an announcement that came today with respect to the consolidating of four agencies in State government. While I think it is an important step, the conversation that must take place as we go forward is one, in my belief, that must include the Members of this General Assembly, and must include the chairmen of the various committees along those lines so that we have a very thoughtful and comprehensive dialogue and conversation about how it is that these agencies will be moved into one. My intent and hope is that, and I believe personally, it will allow us the opportunity to be engaged in a process that will ultimately streamline what we do here in the Commonwealth of Pennsylvania in terms of how we deliver services, but certainly we have to be cognizant of some of the things that I believe we need to make certain are achieved through this process. We need to make certain through this process that we insure that the services that these collective agencies provide to the people of Pennsylvania continue to be provided at a minimum at the same level, if not better, than what we do today. I think it is also imperative that we continue to do it in a timely fashion. We have to make certain to do it in a manner that the people who deserve and have earned these services and benefits, we provide it to them in an efficient and appropriate manner.

We also need to take a look at some of the things along the lines of specific agencies. For example, there are a number of questions out there about proceeds of the Lottery Fund that are orchestrated and work through the Department of Aging and the work that they do along those lines. We have to make certain that we preserve the Lottery Fund and take steps to preserve the delivery of those services that we provide to our senior citizens. Those are just a couple of the things that we have to talk about.

We certainly must have this conversation through the hearing process of the Committee on Appropriations, but I respectfully suggest that possibly we also have this conversation take place through our Senate committees that have jurisdiction over these

agencies, specifically the Committee on Aging and Youth and the Committee on Health and Human Services. I believe those committees are the appropriate places, along with the Committee on Appropriations, to have this discussion to allow us to be in a position to make certain that we roll out something that we can implement on July 1. My hope is that it is a program and a consolidation of services that allows for the people of Pennsylvania to get what they have asked for - good services provided by our Commonwealth providers in a way which is most efficient and affordable.

Thank you, Mr. President. I appreciate the opportunity.

The PRESIDENT. The Chair thanks my friend from Allegheny and senses bipartisanship forthcoming.

The Chair recognizes the gentleman from Centre, Senator Corman.

Senator CORMAN. Mr. President, since the gentleman from Allegheny brought it up, obviously the announcement came today. We do not know a whole lot about it as of yet. I look forward to hearing from the Governor and his proposals. I can assure my colleague that all of those committees, including the Committee on Appropriations, the Committee on Health and Human Services, the Committee on Aging and Youth, as well as the Committee on Intergovernmental Affairs, will all be holding hearings to get a better understanding of what the Governor has proposed today. We are all for efficiencies and we are all for trying to reduce the size of government, if at all possible. However, I can remember before I got in the legislature, it was Governor Ridge who broke up a department because it got too big and too weighed down in bureaucracy, and that was the old department of DER, and he broke it into two.

So, it remains to be seen if this is a positive thing or not. Obviously, the Governor is trying to find new ways to restructure government, and we applaud that effort and we will work with him to better understand his proposal, and if it makes sense, I think it is something we can all get behind. There is a lot of information we do not know yet, and it is our role as the legislature to provide oversight. As the gentleman mentioned, ultimately, it will be a statutory change. This is not something that happens just by the Governor's fiat, it is something that we will all have to work on together. So, we look forward to the process over the next few months of reviewing not only this but many of the Governor's proposals as he rolls them out next week. We all face big challenges, and we certainly understand the new approach the Governor has put forward, but it is our job now to make sure it is the best thing for Pennsylvania. We look forward to engaging with our colleagues on the other side of the aisle to provide that oversight through the appropriate hearings by the appropriate committees.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes my past committee mate on the very important Committee on Banking and Insurance, the gentleman from Indiana, Senator White.

Senator WHITE. Mr. President, President Donald Trump recently said pharmaceutical companies are getting away with murder. I could not agree more and I was encouraged by his recognition of the arbitrary pricing tactics of Big Pharma and resulting skyrocketing drug costs across America. President Trump also said Big Pharma has a lot of lobbyists and a lot of power. That is certainly true not only at the national level, but right here in Pennsylvania. I have seen this firsthand over the last

few years as they continue to spend exorbitant amounts of money lobbying for insurance coverage mandates for expensive and oftentimes unproven drugs. They also have repeatedly thwarted any attempts to require transparency in their egregious pricing tactics that leave many Pennsylvanians unable to afford their medications.

In an effort to downplay their role in increasing healthcare costs, Big Pharma likes to point out they are only 10 percent of all healthcare costs in the U.S. However, that is not an insignificant number. Healthcare is one-sixth of the United States' total economy, which makes pharmaceuticals a multibillion dollar industry that is only getting bigger. Today, for example, the average price of a new cancer drug is well over \$100,000 a year. Zaltrap, a drug used to treat advanced colon cancer, was approved by the FDA in 2012. The clinical trial of this drug proved to be very similar to another drug called Avastin. In other words, it was like Coke battling Pepsi. However, Zaltrap, when first approved, cost more than twice as much as Avastin, or \$11,000 a month.

Prices generally never come down when comparable drugs enter the marketplace. For example, Gleevec, which is used to treat blood cancer, is the top-selling drug for industry giant Novartis, bringing in more than \$4 billion a year in sales, a total of \$35 billion since the drug came to market. Despite the introduction of several new drugs like Gleevec, for example, the price tripled from \$28,000 per year in 2001 to \$92,000 in 2012. Most recently, the cost of the EpiPen, which most of us in here are well aware of, a lifesaving medication for severe allergic conditions and reactions, increased by nearly 500 percent with virtually no explanation.

The question I have for all of these statistics is why? Big Pharma consistently points to research and development as major cost drivers in the overall cost of the drug. However, it is no secret they spend billions in marketing and advertising. Every time we turn on the TV in these last 8 to 10 years we see drug commercials that encourage us all to be self-prescribers.

Healthcare costs overall are out of control, and the pharmaceuticals are a big part of that. Given the magnitude of the industry, there is a great need for transparency and accountability. Therefore, I am reintroducing Senate Bill No. 893 from last Session, which will establish the pharmaceutical transparency commission to review drug prices in Pennsylvania. This legislation will require pharmaceutical companies to disclose information about their pricing. It will also establish a commission comprised of government officials and private sector representatives who will review the prices and determine if they are reasonably priced in relation to the overall cost of producing the drug.

Last fall, I had a hearing on the affordability of prescription drugs in Pennsylvania. I heard many heart-wrenching stories of people struggling to pay for their medicines. Some of the saddest stories were from parents who could not afford necessary medications for their children. While much of the focus has been on mandating insurers over these lifesaving medications, this would only spread the burden of paying for these medications to employers and individuals paying the premiums. Rather than making others pay, we should focus on making the drugs more affordable by bringing transparency and accountability to the Big Pharma industry.

While Governor Wolf faces many challenges in the upcoming legislative Session, I hope he will join me in helping make drug pricing and affordability a priority. This is truly a bipartisan issue that will help all Pennsylvanians. I encourage my colleagues in the General Assembly to support this important piece of legislation that will shed light on the pricing of the pharmaceutical industry and result in more reasonable and affordable prices for lifesaving drugs in Pennsylvania.

Mr. President, I serve as chairman of the Committee on Banking and Insurance, and I have for 11 years. Now, there are probably not two industries in this country of ours that are more heavily regulated than the banking and the insurance industries. The pharmaceutical industry pretty much flies by the seat of its pants. They have very little oversight, and I think going forward with some of the figures I have just mentioned is something we need to approach and approach fast. I think the days of *laissez-faire* with regard to the pharmaceutical industry are over and it needs to be under control and taken over.

Thank you very much for your time, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for very important remarks.

The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, I rise to provide comments related to the Muslim ban and the protests related thereto. Six members of the Assali family flew to Philadelphia with visas and had the right to immediate, permanent, and legal residency this weekend. They boarded a flight from Qatar to Philadelphia. During their flight, the ban on travel directed at Muslims was hastily put into effect by President Trump. Upon their arrival, they were detained and then forced to fly back to Qatar. Their story is one of dozens being told by refugees, mothers, wives, children, fathers, students, doctors, and interpreters. They have been detained, turned away, or told they cannot board flights to America, despite having taken all the necessary steps to do so.

Soon thereafter, on the same day, Saturday, several Federal court judges determined that these detentions and deportations were in violation of the Constitution of the United States of America. President Trump has broken the law and violated the Constitution in his first week in office. When governments target people based upon religion, the result is often abuse, and our history shows even devastation. Our nation is built on religious freedom, freedom from religious persecution that our Founders had to manage. This ban directly contradicts the values of our country. It builds on the lie that persecution is acceptable and effective. Not only is the Muslim ban illegal and immoral, it fails its intended purpose. Immigrants from Saudi Arabia, Egypt, Russia, and Lebanon - countries where terrorists who had recently attacked America came from - are not included in the ban. In fact, there have been zero fatal attacks from immigrants from any of the seven countries targeted by the ban.

This ban also punishes our key allies in the region, like Iraq. At a time when we cannot afford to alienate friends, I join with religious leaders, humanitarians, elected officials, and citizens across the nation and this world to condemn the Muslim ban. I hope to work with my colleagues here in the legislature to look at how we can compensate those who have had their rights violated as a result of the execution of this ban this weekend.

Thank you, Mr. President.

RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Tuesday, January 31, 2017, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:02 p.m., Eastern Standard Time.