

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, FEBRUARY 6, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 8

SENATE

MONDAY, February 6, 2017

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

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

PRAYER

The Chaplain, Reverend KEN REINFORD, Pastor of Petra Church, New Holland, offered the following prayer:

Please join me in prayer.

Father God, it is with grateful hearts that we come to You this afternoon. Today we give You thanks and praise for all of Your bountiful care over our lives. We acknowledge Your sovereignty over our nation, our State, this Senate, and our lives. Thank You for a refreshing weekend, and now as we start a new week, we ask for Your hand of mercy and grace to be upon us.

Lord, I thank You for every woman and man who has been called into this work of public service, working in the interest of our Commonwealth. Thank You, Lord, that each of us is known by You and each of us has been made in Your image. Lord, use each one of the gifts that You have given to us as we bring it to this Senate. We recognize the importance in the far-reaching decisions that need to be made. We ask for Your Godly wisdom and Your guidance upon this Senate. Grant them new and creative ideas for the challenges that they face. Grant each of these Members the strength and the courage needed to lead in accordance with the standards that You have set for ruling with righteousness, justice, and compassion.

Today, I pray a blessing on our Governor and the Members of the House and this Senate, a blessing of Your abiding presence, a blessing of refreshment for the weary, a blessing of hope for the discouraged, a blessing of peace for the anxious, and a blessing of unified wisdom for the tough issues before us. I pray for the safety of those who serve to protect us, those who protect our leaders, and for all of our citizens. We desire to favor You. We ask for Your continued blessing for our great Commonwealth. I pray all of these things in the name of my Lord and Savior, Jesus Christ. Amen.

The PRESIDENT. The Chair thanks Pastor Reinford, who is the guest today of Senator Aument.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

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 PENNSYLVANIA
COUNCIL ON AGING**

February 6, 2017

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, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Council on Aging, to serve until October 8, 2019, and until her successor is appointed and qualified, vice Orla Nugent, Reading, resigned.

TOM WOLF
Governor

**MEMBER OF THE STATE BOARD
OF AUCTIONEER EXAMINERS**

February 6, 2017

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, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Matthew Rader, Forty Fort, whose term expired.

TOM WOLF
Governor

**MEMBER OF THE STATE BOARD
OF AUCTIONEER EXAMINERS**

February 6, 2017

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-First Senato-

rial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Gerald Rader, Skippack, whose term expired.

TOM WOLF
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'
EDUCATION AND TRAINING COMMISSION

February 6, 2017

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, Damien M. Bower, 813 North 2nd Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until his successor is appointed and qualified, vice Mark Hall, Shippenville, resigned.

TOM WOLF
Governor

MEMBER OF THE STATE BOARD OF NURSING

February 6, 2017

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-First Senatorial District, for appointment as a member of the State Board of Nursing, to serve until June 10, 2020, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Ames, Coaldale, resigned.

TOM WOLF
Governor

MAGISTERIAL DISTRICT JUDGE

February 6, 2017

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, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Beaver, Magisterial District 36-1-02, to serve until the first Monday of January 2018, vice The Honorable William R. Livingston II, resigned.

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:

February 2, 2017

Senators BROOKS, LANGERHOLC, RESCENTIALER, VULAKOVICH, DiSANTO, FOLMER, SCARNATI, WHITE, STEFANO, ALLOWAY, RAFFERTY, HUTCHINSON, MARTIN, AUMENT, EICHELBERGER, BARTOLOTTA, WARD, VOGEL, YAW, WAGNER, ARGALL, BROWNE and MENSCH presented to the Chair **SB 3**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions, for medical consultation and judgment and for the offense of abortion on unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting.

Which was committed to the Committee on JUDICIARY, February 2, 2017.

February 6, 2017

Senators TARTAGLIONE, LEACH, BREWSTER, FONTANA, COSTA, YUDICHAK, HAYWOOD, SCHWANK, HUGHES, STREET and BROWNE presented to the Chair **SB 12**, entitled:

An Act amending the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, further providing for definitions, for rate of minimum wages, for Minimum Wage Advisory Board, for investigations, for duty of employer, for penalties and for civil actions; establishing the Wage Enforcement Fund; and further providing for preemption.

Which was committed to the Committee on LABOR AND INDUSTRY, February 6, 2017.

Senator LEACH presented to the Chair **SB 290**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for alternative campaign financing option, administration and requirement; establishing the Clean Election Fund; providing for terms of participation, for the power of Department of State to adopt rules and for study report; imposing duties on the Department of State and a duty on the Department of Revenue; and imposing penalties.

Which was committed to the Committee on STATE GOVERNMENT, February 6, 2017.

Senators LEACH and HAYWOOD presented to the Chair **SB 291**, entitled:

An Act amending the act of November 30, 2004 (P.L.1672, No.213), known as the Alternative Energy Portfolio Standards Act, further providing for alternative energy portfolio standards and for portfolio requirements in other states.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, February 6, 2017.

Senators LEACH, SABATINA and TARTAGLIONE presented to the Chair **SB 292**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for unlawful taking or possession of game or wildlife.

Which was committed to the Committee on GAME AND FISHERIES, February 6, 2017.

Senators LEACH, WHITE and TARTAGLIONE presented to the Chair **SB 293**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in criminal homicide, further providing for the offense of murder.

Which was committed to the Committee on JUDICIARY, February 6, 2017.

Senator LEACH presented to the Chair **SB 294**, 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 plastic bag fee.

Which was committed to the Committee on FINANCE, February 6, 2017.

Senators FONTANA, LEACH, BREWSTER, COSTA, FARNESE, SCHWANK, RAFFERTY and HUGHES presented to the Chair **SB 295**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in duties and powers of boards of school directors, further providing for additional schools and departments and for kindergartens; and, in terms and courses of study, further providing for dates and times of school terms and sessions and commencement.

Which was committed to the Committee on EDUCATION, February 6, 2017.

Senators FONTANA, BREWSTER, TARTAGLIONE, HAYWOOD, SCHWANK, COSTA, HUGHES, FARNESE, BROWNE and LEACH presented to the Chair **SB 296**, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, in seller disclosures, further providing for disclosure form.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, February 6, 2017.

Senators TOMLINSON, GREENLEAF, BROWNE, COSTA, SCHWANK, HAYWOOD, YUDICHAK, MENSCH, RAFFERTY and VULAKOVICH presented to the Chair **SB 297**, entitled:

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, further providing for definitions, for registration of contractors, for home improvement fraud and for prohibited acts.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, February 6, 2017.

Senators ALLOWAY, REGAN, BARTOLOTTA, DINNIMAN, ARGALL, SABATINA, KILLION, YUDICHAK, FOLMER, BAKER, RAFFERTY, BLAKE, FONTANA, BOSCOLA, SCAVELLO, WARD, VULAKOVICH, YAW, COSTA, BROWNE, RESCHENTHALER, WAGNER, MENSCH, VOGEL, LEACH, STEFANO, FARNESE and BREWSTER presented to the Chair **SB 298**, 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, February 6, 2017.

RESOLUTION INTRODUCED AND REFERRED

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

February 6, 2017

Senators FONTANA, SABATINA, BREWSTER, TARTAGLIONE, COSTA, BLAKE and WILLIAMS presented to the Chair **SR 19**, entitled:

A Resolution amending Senate Rule 14.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, February 6, 2017.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDENT. The Chair wishes to announce the President Pro Tempore has made the following appointments:

Senator Richard L. Alloway as a member of the Chesapeake Bay Commission.

Senator David G. Argall as a member of the Joint Legislative Air and Water Pollution Control and Conservation Committee.

Senator John R. Gordner as a member of the Ben Franklin Technology Development Authority.

Senator Robert B. Mensch as a member of the Legislative Budget and Finance Committee.

Senator Gene Yaw as a member of the Chesapeake Bay Commission, as a member of the Board of Directors of the Pennsylvania College of Technology, as a member of the Environmental Quality Board, as a member of the Low-Level Waste Advisory Committee, and as a member of the Aggregate Advisory Board.

Mr. G. Warren Elliott as a member of the Chesapeake Bay Commission.

APPOINTMENTS BY THE MINORITY LEADER

The PRESIDENT. The Chair wishes to announce the Minority Leader has made the following appointments:

Mr. Wadded Ahmed as a member of the Board of Trustees of the Philadelphia College of Osteopathic Medicine.

Mr. Alan C. Kessler as a member of the Pennsylvania Intergovernmental Cooperation Authority.

BILL REPORTED FROM COMMITTEE

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

SB 3 (Pr. No. 283)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions, for medical consultation and judgment and for the offense of abortion on unborn child of 24 or more weeks gestational age, providing for dismemberment abortion ban and further providing for reporting.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Alloway and Senator White, and a legislative leave for Senator Tomlinson.

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Leach.

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Alloway and Senator White, and a legislative leave for Senator Tomlinson.

Senator Costa requests a legislative leave for Senator Leach. Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

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

In the Senate, February 6, 2017

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 the week of Monday, March 20, 2017, unless sooner recalled by the President pro tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House recesses this week, it reconvene on Monday, March 13, 2017, 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 March 13, 2017, it reconvene the week of Monday, March 20, 2017, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-49

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

NAY-0

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

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

LEGISLATIVE LEAVE CANCELLED

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

**GUESTS OF SENATOR JAY COSTA
PRESENTED TO THE SENATE**

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

Senator COSTA. Mr. President, I am pleased and honored this afternoon to welcome to the Senate today PIAA Class AA State Champions, the Steel Valley Ironmen High School Football Team, who are with us in the gallery. They won their first State title, the PIAA Class AA Football Championship, by defeating a very strong and historically very good Southern Columbia Area High School with a score of 49-7 to capture the State title. Most impressively though, Mr. President, the team went undefeated this season with 15 wins and, in fact, the closest that anyone ever came within to defeat them in scoring points was--they won every game by at least 34 or 35 points during the course of that year. Mr. President, they were also ranked number one in the country by MaxPreps 2016 small school rankings. Those are schools with under 1,000 students. Mr. President, they are here today taking in the Capitol. I had a few moments to spend some time on the Senate floor with them earlier today. They are led by head coach Rodney Steele and assistant coaches Ryan Murray, Paul Ciccone, Joe Golden, R.J. Euwer, Sean Zeiler, Vinnie Steele, and Corey Keyes.

Mr. President, these young men had an outstanding season this past year, but there is something else I would like to talk a little bit about. These are all very, very good and fine men in the community as well in the communities that they represent - Homestead Borough, West Homestead Borough, as well as Munhall. Three communities comprise the Steel Valley School District. It is a school district that enjoyed many champions in years past, former Steeler Charlie Batch, who was on this Senate floor with us a number of times, is a graduate of Steel Valley High School, as well as Adam Walker, and so many others. A couple of former head coaches in the NFL are part of their alumni. They are a very, very good group of young men, as I mentioned. What is most important is that of the 13 seniors who are on this team, as I understand, 7 are making their way to play college football next year. Here is one more fact that I will leave with you: when these young men started the playoffs, 96 percent of these students were honor roll students on the dean's list at Steel Valley High School. A very good high school, but certainly a very good group of young men who will someday be leaders in the Mon Valley and surrounding areas.

So, Mr. President, I am very, very honored to be able to introduce to all of my colleagues here today the Steel Valley Ironmen Football Team PIAA Class AA Champions for the State of Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. Will the guests of Senator Costa, the Steel Valley Championship Football Team coaches and players, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUEST OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, I am really honored today to have the pleasure of introducing a young lady who is serving as an intern in our district office this year. Her name is Emily Walker. Emily is a student who is a junior at Penn State Berks Campus with a global studies major and a minor in professional writing. Emily comes to us very experienced already. She serves on the Berks County Democratic Committee and was an organizing fellow for the Pennsylvania Democrats during the last election cycle. She is a hardworking young lady working at a restaurant almost full-time, as well as working in our office on a full-time basis, and continuing her studies.

We knew we liked Emily right away when she started with us, Mr. President. She just seemed to fit right in and got to work. Emily is extremely professional and the kind of young woman who I hope someday will look to serving in government because she has an awful lot to offer us. Mr. President, would you and my colleagues join me in welcoming Emily Walker to the Senate today.

The PRESIDENT. Will the guest of Senator Schwank, Emily Walker, who I think I met at Pathways to Pardons, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR THOMAS H. KILLION PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Delaware, Senator Killion.

Senator KILLION. Mr. President, it is my pleasure to introduce the Garnet Valley High School Girls' Volleyball Team and their coaches, and extend to them my sincere congratulations for winning the 2016 PIAA State Class AAAA Girls' Volleyball Championship. To their great credit, the Jaguars took the State title with a 3-2 win over Parkland High School. The team also captured the Central League Championship on its way to the State win, and it is important to note they are the first girls' volleyball team in Delaware County and Garnet Valley High School's history to win a State championship. The team is seated in the Senate gallery and accompanied today by their families, as well as head coach Mark Clark, assistant coaches Vali Anderson, Greg Wood, Meg Spence, and Casey Houck. Members of the girls' volleyball team include: Gabby Davis, Cassidy Gallagher, Jessica Gourcier, Lizzie Herestofa, Julianne Hurley, Sekai Kaminski, Nicole Loan, Sydney Portale, Meagan Scott, Amber Goldberg, Erin Patterson, Dolce Whitwell, Rachel Cain, Alana Hagerty, and Emma Rokosky. Mr. President, Delaware County is very, very proud of these young ladies and their coaches. I ask my colleagues here in the Senate to join me in congratulating the Garnet Valley High School Girls' Volleyball Team on their historic victory with a great Senate welcome.

The PRESIDENT. Will the guests of Senator Killion, the

Garnet Valley High School Girls' Volleyball Team State Champions, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR RYAN AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, it is my pleasure this afternoon to introduce our Chaplain today, Pastor Ken Reinford. Pastor Reinford is executive pastor serving Petra Church in New Holland, Lancaster County. He resides in Ephrata and has two children and six grandchildren. Since being widowed in 2002, Pastor Reinford's passion has been to assist those dealing with addiction. He has opened up his home to young men to mentor them in recovery, while teaching them to be productive and healthy citizens. This has led to many rewarding relationships. The passion has also led him into the Plain community, where he has been able to bring together professionals, law enforcement, and legislators to educate parents and youth in this faith community. Today, Pastor Reinford is joined by Pastor Brian Coles, who serves as student ministries pastor at Petra Church.

Please join me in offering Pastor Ken Reinford and Pastor Brian Coles our usual warm welcome.

The PRESIDENT. Will Pastor Reinford and Pastor Coles please rise so that we may welcome you to the Pennsylvania State Senate, and thank you for your prayer.

(Applause.)

GUEST OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, today it is my pleasure to introduce Mr. Alan Yuhus from Lansdale, Pennsylvania. Alan was a member of the first graduating class of Trinity High School in 1966. He selflessly served in the United States Army and is a Vietnam combat veteran, for which all of us thank him for his service. Following his service for our country, he obtained his bachelor of arts degree and his juris doctorate degree from Temple University. He holds Series 7, 66, life, accident, and health licenses, and is currently employed at Merrill Lynch. He has over 40 years of investment experience.

Mr. President, please join me in welcoming Alan Yuhus to the Senate today.

The PRESIDENT. Will the guest of Senator Mensch, Alan Yuhus, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

GUESTS OF SENATOR ANDREW E. DINNIMAN AND SENATOR THOMAS J. MCGARRIGLE PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, on behalf of myself and Senator McGarrigle, we welcome the PIAA Class AAAA Boys'

Soccer Champions of Pennsylvania from Conestoga High School. Senator McGarrigle and I share the territory of this high school. I have Tredyffrin and my colleague has Easttown. It is a great victory to be able to come in at the PIAA Class AAAA level as the State champions. They also have done this, if memory serves me right, in 2011. It is my hope that they will win next year and the year after so after 3 years of being State champions they will be on the floor itself.

I welcome all of the members of the team, as well as head coach David Zimmerman, assistant coaches Angelo Capetola and Jamie O'Neil, and we have a great group of young men who have made quite an accomplishment and they are fortunate enough to attend one of the outstanding high schools not only in Pennsylvania, but in the nation as well. So I ask that we give them a warm Senate welcome.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Dinniman and Senator McGarrigle, the Conestoga High School 2016 Boys' PIAA Class AAAA State Soccer Champions and their coaches, please rise so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of an off-the-floor meeting of the Committee on Appropriations to be held in the Rules room in the back of the Chamber, to be followed by a Senate Republican caucus.

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

Senator COSTA. Mr. President, at the conclusion of the meeting of the Committee on Appropriations, Senate Democrats will meet in the rear of the Chamber for a caucus.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, followed by Republican and Democratic caucuses, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVES CANCELLED

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

BILLS REPORTED FROM COMMITTEE

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

SB 10 (Pr. No. 162) (Rereported)

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.

SB 137 (Pr. No. 91) (Rereported)

An Act amending Titles 51 (Military Affairs) and 74 (Transportation) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, providing for Civil Air Patrol; and, in authority of Department of Transportation, further providing for authority of department.

SB 166 (Pr. No. 271) (Rereported)

An Act providing for protection of paychecks of certain workers and for the collection of political contributions.

SB 167 (Pr. No. 272) (Rereported)

A Joint Resolution proposing integrated amendments to the Constitution of the Commonwealth of Pennsylvania, prohibiting the Executive Department and school districts from making payroll collections of dues, fees and political contributions.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request legislative leaves for Senator Greenleaf and Senator Wagner.

The PRESIDENT. Senator Corman requests legislative leaves for Senator Greenleaf and Senator Wagner. Without objection, the leaves are granted.

SPECIAL ORDER OF BUSINESS SUPPLEMENTAL CALENDAR No. 1

BILL ON SECOND CONSIDERATION AND 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.

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

Upon motion of Senator CORMAN, and agreed to by voice vote, the bill just considered was rereferred to the Committee on Rules and Executive Nominations.

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 meeting of the Committee on Rules and Executive Nominations to be held in the Rules room in the back of the Chamber.

The PRESIDENT. For the purpose of a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate stands in recess.

AFTER RECESS

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

CALENDAR**THIRD CONSIDERATION CALENDAR****BILL OVER IN ORDER**

SB 169 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

**BILLS ON THIRD CONSIDERATION
AND FINAL PASSAGE**

SB 170 (Pr. No. 146) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 12, 1931 (P.L.575, No.200), entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River, and the improvement of the facilities for transportation across the river; authorizing the Governor, for these purposes, to enter into an agreement with New Jersey; creating The Delaware River Joint Commission and specifying the powers and duties thereof, including the power to finance projects by the issuance of revenue bonds; transferring to the new commission all the powers of the Delaware River Bridge Joint Commission; and making an appropriation," further providing for the Delaware River Joint Commission, for composition, for employees, for financing and for executive sessions; providing for majority approval and contract procedures; further providing for report; providing for conflicts of interest and for master plan; creating the Port Authority Transit Corporation Commuter's Council; further providing for definitions; authorizing the Governor to apply for approval; prohibiting the entrance into a compact until passage of a similar act; and making editorial changes.

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

AMENDMENT OFFERED

Senator HAYWOOD offered the following amendment No. A0096:

Amend Bill, page 1, line 13, by striking out "for composition,"
Amend Bill, page 3, line 15, by striking out ", II"
Amend Bill, page 7, lines 5 through 30; page 8, lines 1 through 14;
by striking out all of said lines on said pages
Amend Bill, page 29, lines 19 through 21, by striking out "subject to" in line 19, all of line 20 and "Senate," in line 21

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

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Haywood.

Senator HAYWOOD. Mr. President, this amendment is solely intended to make the passage of this legislation and its full adoption by the Governor and the legislature much more likely. This is a piece of legislation that I think is very important and I fully support in trying to create a better governance for managing the Delaware River. At the same time, it contains a provision that requires appointment to the commission subject to the consent of

the Senate. By removing such consent, we can move this along, but it is not only that. This is a commission where the prerogative of the Governor is typical at this kind of level of government. The Senate does not need to be more involved in the activities of the executive branch. We should stay in our lane. By passing this amendment, we do two things: one, we make the passage and support of the Governor much more likely; and two, allow the executive branch its traditional role in the appointment of commissions. So, I ask for the support of my colleagues for this amendment.

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I, of course, urge a "no" vote on this amendment. It keeps coming up out of the central office. Mr. President, the Senate is charged with offering advice and consent for appointed officials on some of our State universities, on Liquor Control, and on the Turnpike. We are talking about an agency that oversees \$340 million a year. Anybody from southeastern Pennsylvania who does not realize the trouble that the Delaware River Port Authority has been in and continues to be in is missing the point. The DRPA has been under Federal investigation, the DRPA is under constant surveillance by the newspapers in that area and Paul Nussbaum, who is a very credible reporter, a great writer, did a lot of investigative journalism into the Delaware River Port Authority. Recently, Mr. President, a Federal judge, a United States District Judge, as recently as last September, overturned a \$17.8 million contract awarded by DRPA citing their undocumented process that was obscured from public scrutiny.

If you are going to have a fresh start in PA, which is what I heard 2 years ago, then make it a fresh start. Enough people running for statewide offices and this legislature like to use the word "transparency." Here is the chance to put up for it and to show the public the transparency. This will give the Senate of Pennsylvania the opportunity to interview in public and air in public these individuals being appointed to the DRPA by this Governor and any Governor. They are operating on a \$340 million budget.

Mr. President, this bill passed the Senate 50 to 0 and 49 to 0 with the prior Governor. What has changed? Mr. President, this is a wrong move. The Senate of Pennsylvania has to stand its ground and say we want openness in an agency that has been clouded and shrouded in secrecy. It is time the Senate of Pennsylvania exerts its authority and offers its advice and consent. The Governor still gets to appoint, we just air out those individuals in public and offer our advice and consent. I urge a "no" vote on this amendment, Mr. President. Thank you.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, the following Senators have been called to another meeting in the building at this point in time, and I request temporary Capitol leaves for Senator Hughes, Senator Williams, Senator Fontana, Senator Boscola, Senator Farnese, Senator Schwank, and Senator Blake.

The PRESIDENT. Senator Costa requests temporary Capitol leaves for Senator Hughes, Senator Williams, Senator Fontana, Senator Boscola, Senator Farnese, Senator Schwank, and Senator Blake. Without objection, the leaves will be granted.

And the question recurring,
Will the Senate agree to the amendment?

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

YEA-15

Blake	Dinniman	Hughes	Street
Boscola	Farnese	Leach	Williams
Brewster	Fontana	Sabatina	Yudichak
Costa	Haywood	Schwank	

NAY-34

Alloway	Eichelberger	McGarrigle	Tomlinson
Argall	Folmer	McIlhinney	Vogel
Aument	Gordner	Mensch	Vulakovich
Baker	Greenleaf	Rafferty	Wagner
Bartolotta	Hutchinson	Regan	Ward
Brooks	Killion	Reschenthaler	White
Browne	Langerholc	Scarnati	Yaw
Corman	Laughlin	Scavello	
DiSanto	Martin	Stefano	

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

And the question recurring,
Will the Senate agree to the bill on third consideration?
It was agreed to.

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I ask for an affirmative vote on Senate Bill No. 170. This bill, besides a confirmation issue which we just overcame, clarifies the borrowing authority of the Delaware River Port Authority, authorizes executive sessions consisting of a majority of its members, prohibits commission members from caucusing separately, subjects DRPA to Pennsylvania's and New Jersey's procurement laws, requires DRPA to conduct biennial compensation reviews, allows the Auditor General of Pennsylvania and Controller General of New Jersey to be able to audit the books of the DRPA, and compensates DRPA business entities as written in contracts.

Mr. President, this is a, I think, very far-reaching bill, one that addresses a number of issues. Some changes have been made, and I give credit to Governor Corbett, Governor Christie, and Governor Wolf carrying through, but it is time to put them in statute and codify them so that there is no return to the old ways.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, on this particular measure, recognizing the changes that have been proposed, some of the changes have taken place at the agency already, and I applaud the folks for taking those steps. I agree with Senator Rafferty that these changes that are proposed in Senate Bill No. 170 are very important changes, and they should rightfully be done at some point in time. However, Mr. President, as discussed earlier, the

objection that many of my colleagues have on this side of the aisle to this particular piece of legislation relates to the appointing authority and the confirmation on the Senate side. Mr. President, we think that is something that should solely remain in the jurisdiction of the Governor, as with many other executive directors around the Commonwealth and other agencies.

So, I recognize that there may have been some challenges in the past, but steps have been taken to rectify those challenges that existed at this authority, and at the end of the day, my other colleagues and I feel we cannot support this measure because of the provision that will likely result in the measure being vetoed by this Governor as we go forward. We believe that this Governor or any Governor should have the opportunity to make nominations and appointments to executive positions and the like without Senate confirmation. So I ask for a negative vote.

Thank you, Mr. President.

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Rafferty, for the second time.

Senator RAFFERTY. Mr. President, I have deep respect for my colleague from Allegheny County. However, the people of the southeast have had to put up with \$500 million in increases because of financial investments made that had nothing to do with the bridges and the railroads in the southeastern Pennsylvania area. So, I think it is very important that we do this.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I think many of us on our side of the aisle, in deference to the Governor, will vote against the bill. However, let me say that I well understand the intent of the Majority to vote in favor of it because the problem that Senator Rafferty brings up is a real one that affects all of us in southeast Pennsylvania. Thank you.

LEGISLATIVE LEAVE

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator Browne.

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

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-38

Alloway	DiSanto	Martin	Tomlinson
Argall	Eichelberger	McGarrigle	Vogel
Aument	Farnese	McIlhinney	Vulakovich
Baker	Folmer	Mensch	Wagner
Bartolotta	Gordner	Rafferty	Ward
Blake	Greenleaf	Regan	White
Boscola	Hutchinson	Reschenthaler	Williams
Brooks	Killion	Scarnati	Yaw
Browne	Langerholc	Scavello	
Corman	Laughlin	Stefano	

NAY-11

Brewster	Fontana	Leach	Street
Costa	Haywood	Sabatina	Yudichak
Dinniman	Hughes	Schwank	

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 181 (Pr. No. 276) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for performance-based budgeting and tax credit efficiency review; establishing the Performance-Based Budget Board and providing for its powers and duties; and conferring powers and imposing duties on the Independent Fiscal Office.

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 Montgomery, Senator Mensch.

Senator MENSCH. Mr. President, very briefly, I am very pleased and delighted to be able to offer this bill to the Senate. We have called it the performance based budget bill, and it brings additional measurement and scrutiny into the budgeting process. Tomorrow our Governor is going to address the State and the legislature on some very important issues and, I would suggest, on a declining fiscal situation in our State. We need to try to equip our administration with as many positive tools as we can, and this is one more of those tools, I believe, that will help to refine the process and bring us a better budget product in the future.

I am also very pleased to suggest that there was an amendment during the hearing of the Committee on Appropriations by Senator Hughes and it was a very positive amendment to include tax credits. I think it is another very strong step forward. I think the bill is coming together very nicely. It is a starting point. I think there will be other things we will have to do in the next year or two to even further refine this process. I think it is a great starting point, and I encourage everyone to vote "yes."

Thank you, Mr. President.

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-49

Alloway	DiSanto	Leach	Street
Argall	Eichelberger	Martin	Tomlinson
Aument	Farnese	McGarrigle	Vogel
Baker	Folmer	McIlhinney	Vulakovich
Bartolotta	Fontana	Mensch	Wagner
Blake	Gordner	Rafferty	Ward

Boscola	Greenleaf	Regan	White
Brewster	Haywood	Reschenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
Costa	Langerholc	Schwank	
Dinniman	Laughlin	Stefano	

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 OVER IN ORDER

SB 9 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 30 (Pr. No. 11) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, providing for power to set fees; in fiscal affairs, further providing for collection fee for uncollectible checks; in fishing licenses, further providing for non-resident and tourist licenses, for one-day resident fishing license, for license, permit and issuing agent fees and for license and permit packaging options; in special licenses and permits, further providing for net permits, for boat and net licenses for boundary lakes, for permits for protection and management of particular fish, for permits for the use of explosives, for Lake Erie fishing permits and for fishing guide and charter boat permits; in regulated fishing lakes, further providing for licenses and for fees; in dams, bar racks and migration devices, further providing for obstructing migration of fish; in preliminary provisions, further providing for fees; and, in registration and titling of boats, further providing for issuing agents, for fees and for notice for boats and related equipment.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 42, SB 50, SB 60, SB 62, SB 123 and SB 128 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

SB 146 (Pr. No. 270) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 171, SB 172 and SB 176 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 192 (Pr. No. 224) -- The Senate proceeded to consideration of the bill, 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.

Considered the second time and agreed to,

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

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

BILLS OVER IN ORDER

SB 221, SB 227 and SB 229 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION

SB 241 (Pr. No. 281) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 17, 1959 (P.L.1913, No.694), known as the Equal Pay Law, further providing for wage rates.

Considered the second time and agreed to,

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

UNFINISHED BUSINESS BILL REPORTED FROM COMMITTEE

Senator CORMAN, from the Committee on Rules and Executive Nominations, reported the following bill:

SB 10 (Pr. No. 295) (Rereported) (Amended)

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.

SENATE RESOLUTION ADOPTED

Senators VULAKOVICH, COSTA, BAKER, BOSCOLA, BROWNE, DINNIMAN, EICHELBERGER, FONTANA,

GREENLEAF, HUGHES, MCGARRIGLE, RESCHENTHALER, YUDICHAK, KILLION, RAFFERTY, MENSCH and FARNESE, by unanimous consent, offered **Senate Resolution No. 20**, entitled:

A Resolution designating February 3, 2017, as "Four Chaplains Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator VULAKOVICH. Mr. President, each February this nation honors the ultimate sacrifice of four great men who lost their lives one fateful night off the coast of Greenland. The four chaplains, as they are commonly known, were each a lieutenant in their respective branches of the United States Armed Forces during World War II. They were traveling by boat with 900 soldiers to a base in Greenland. On February, 3, 1943, their boat was struck by a German torpedo. One hundred men were killed instantly, the ship lost communications and power, and began to sink. Putting the needs of their men above their own, the four chaplains - Lieutenant George Fox, Methodist; Lieutenant Alexander Goode, Jewish; Lieutenant John Washington, Roman Catholic; and Lieutenant Clark Poling, Dutch Reformed - shepherded the wounded and the living to the lifeboats, guiding them in the dark. They prepared and prayed with the dying and comforted them all in their last hours as many clung to life. In their final act of heroism, the four chaplains gave their own life jackets to others, insuring their own certain death as the lifeboats were full. Nearly 230 survivors were later rescued by nearby ships.

The four chaplains are now memorialized across our nation for their selfless bravery. They were posthumously awarded the Purple Heart and Distinguished Service Cross, but were technically ineligible for the Medal of Honor. Congress, wishing to honor their service, authorized a one-time Special Medal for Heroism that was awarded posthumously to their next of kin in 1961. Today the Four Chaplains Memorial Foundation of Philadelphia honors their legacy by recognizing unconditional acts of service performed by citizens for their communities. Mr. President, I ask my colleagues to join me in remembering the four chaplains and their act of valor. Thank you.

The PRESIDENT. The Chair thanks the gentleman for a very important and compelling 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 Myrtle M. Reinike and to Ethel C. Farrow by Senator Aument.

Congratulations of the Senate were extended to Devin Sean Hoffman and to Troop 64 of the Boy Scouts of America by Senator DiSanto.

Congratulations of the Senate were extended to Nicholas Bosley Merryman Kemp III and to Joseph Choi by Senator Leach.

Congratulations of the Senate were extended to Cameron Alexander Clark and to World Surgical Foundation by Senator Regan.

Congratulations of the Senate were extended to Robert Haddad by Senator Stefano.

Congratulations of the Senate were extended to the Honorable James J. Tayoun by Senator Tartaglione.

Congratulations of the Senate were extended to Richard Henry and to Zach Pounds by Senator White.

BILL ON FIRST CONSIDERATION

Senator STREET. 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 3.

And said bill having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 7, 2017

9:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing on Impacts of Pharmaceuticals on Pennsylvania Waterways)	Hrg. Rm. 1 North Off.
9:30 A.M.	FINANCE (to consider Senate Bills No. 7, 173, 201, 202 and 203)	Room 8E-B East Wing
3:00 P.M.	EDUCATION (public hearing to consider nomination of Estelle Richman to the Philadelphia School Reform Commission)	Hrg. Rm. 1 North Off.

WEDNESDAY, FEBRUARY 8, 2017

9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on REAL ID)	Hrg. Rm. 1 North Off.
10:30 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 54, 274 and 297)	Room 461 Main Capitol
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.
Off the Floor	COMMUNICATIONS AND TECHNOLOGY (to consider Senate Bill No. 133)	Rules Cmte. Conf. Rm.

PETITIONS AND REMONSTRANCES

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, I thought today my friend and colleague from Chester County, Senator Dinniman, and I would be lauding one of our residents for a victory at the Super Bowl; however, it did not work that way and you learn a lesson -- many people, I think, learned a lesson, you do not bet against the Patriots, especially with Brady and Belichick there. Congratulations to the Patriots for a well-played game and to Matt Ryan, our friend from Chester County. We are very proud of his efforts in bringing the Atlanta Falcons to the Super Bowl.

Mr. President, now with that out of the way, next week, pitchers and catchers report. So the Philadelphia Phillies and the Pittsburgh Pirates once again take to spring training and it is a new season, with new hope, and new anticipation. We wish them both the best, the Phillies a bit more, for spring training and for the endeavors of America's favorite pastime - baseball.

Thank you, Mr. President.

RECESS

The PRESIDENT. The Chair recognizes the gentleman from Columbia, Senator Gordner.

Senator GORDNER. Mr. President, I move that the Senate do now recess until Tuesday, February 7, 2017, at 11 a.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:50 p.m., Eastern Standard Time.