

COMMONWEALTH OF PENNSYLVANIA

# Legislative Journal

TUESDAY, MARCH 28, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 15

## SENATE

TUESDAY, March 28, 2017

The Senate met at 1 p.m., Eastern Daylight Saving Time.

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

## PRAYER

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

God, can we have a conversation? The conversation that I have every day, usually in the car before I enter my district office or the Capitol--and I believe it is a conversation that we all have--God, do not let me be overcome by the cynicism of what we find in the politics of our day. Do not let me be overcome by interests and by the campaigns, campaign funding, and all of these things we find. Help me, God, and help each of us to find the spirit and to let it come into us. The ancient rabbis, when asked the question, where is God, answered by saying, wherever you let Him in. Can you let Him in right now where we stand here in this Assembly? Can you let Him in in the work that I do and that each of us does each and every day?

You know, sometimes, God, when I pray, I pray not to become like an onion. Not just the smell of the onion, which sometimes becomes the smell of the interests in everything in politics, but it is when you peel an onion, what do you find? Nothing. There is no core. There is no inner part of that onion. Too often in politics and too often in our lives, we dance the dance in order to get elected, in order to keep this interest group or that interest group happy, and in the end, we lose our core. We lose our spirit. God, do not let any of us become an onion. God, ultimately, we have to renew our spirit. Several weeks ago, I was visiting a church as part of an anniversary celebration, and I heard the words of a contemporary hymn. And the hymn said, God surely is alive, living in the inside, roaring like a lion. Can you help me hear the roar and can you help me roar as well?

So, Father, we pray that we do not become cynical, we pray that we are open to the spirit and feel it, we pray that we can let You in each and every day and each and every hour, that our own ego, our own selfishness does not stand in the way, and we become more capable of submitting to Your will. It is a struggle, dear God, to submit to Thy will. A struggle each of us goes through.

Finally, can You help us as Senators understand that here in Pennsylvania we have a very, very special responsibility? William Penn, when he founded Pennsylvania, was a man of faith

and he founded it based on the notion of religious liberty, God. And so today, may we continue to assure that there is religious liberty for each and every one of us, no matter the differences we might call You in Your name, we all pray to You and ask You to bless it. At the end, each and every one of us, when we end our term here, want to be able to say all is well with my soul, God. At the end of our lives, we earnestly thrive to hear You say, well done, my son; well done. Amen.

## PLEDGE OF ALLEGIANCE

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

## 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:

March 28, 2017

Senators EICHELBERGER, ALLOWAY, SCARNATI, AUMENT, RAFFERTY, FOLMER, BROOKS, RESCHENTHALER, WHITE, WAGNER and MARTIN presented to the Chair **SB 300**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in general budget implementation, further providing for Department of Human Services.

Which was committed to the Committee on FINANCE, March 28, 2017.

Senators VULAKOVICH, KILLION, BARTOLOTTA, COSTA, HUGHES, MENSCH, RAFFERTY, RESCHENTHALER and McGARRIGLE presented to the Chair **SB 500**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in protection from abuse, further providing for commencement of proceedings.

Which was committed to the Committee on JUDICIARY, March 28, 2017.

Senators KILLION, COSTA, DINNIMAN, FARNESE, HAYWOOD, HUGHES, LEACH, McGARRIGLE, McILHINNEY, SABATINA, SCHWANK, STREET, TOMLINSON and WILLIAMS presented to the Chair **SB 501**, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms, providing for relin-

quishment of firearms and firearm licenses by convicted persons and further providing for firearms not to be carried without a license and for loans on, or lending or giving firearms prohibited; and, in protection from abuse, further providing for definitions, for commencement of proceedings, for hearings, for relief, for return of relinquished firearms, other weapons and ammunition and additional relief and for relinquishment for consignment sale, lawful transfer or safekeeping and repealing provisions relating to relinquishment to third party for safekeeping.

Which was committed to the Committee on JUDICIARY, March 28, 2017.

Senators McGARRIGLE, KILLION, BARTOLOTTA, COSTA, HUGHES, MENSCH, RAFFERTY, RESCHENTHALER and VULAKOVICH presented to the Chair **SB 502**, entitled:

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

Which was committed to the Committee on JUDICIARY, March 28, 2017.

Senators BROWNE, EICHELBERGER, COSTA, YAW, MARTIN, KILLION, VULAKOVICH, SABATINA, MENSCH, RESCHENTHALER, YUDICHAK, TARTAGLIONE, BREWSTER, RAFFERTY, BLAKE and WARD presented to the Chair **SB 543**, 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 health services, providing for administration of epinephrine auto-injectors by school bus drivers.

Which was committed to the Committee on EDUCATION, March 28, 2017.

Senators DiSANTO, SCARNATI, CORMAN, AUMENT, EICHELBERGER, FOLMER, HUTCHINSON, MARTIN, RAFFERTY, RESCHENTHALER, SCAVELLO, STEFANO, WAGNER, WARD, WHITE and BROOKS presented to the Chair **SB 561**, entitled:

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, further providing for definitions, for proposed regulations and procedures for review and for final-form regulations and final-omitted regulations and procedures for review; and providing for concurrent resolution required for economically significant regulations.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 28, 2017.

Senators STEFANO, BROWNE, GORDNER, MENSCH, FOLMER, GREENLEAF, VULAKOVICH, BARTOLOTTA, BREWSTER, TARTAGLIONE, WARD, FARNESE, YUDICHAK, LANGERHOLC, AUMENT, HUTCHINSON, SABATINA, VOGEL, HAYWOOD, RAFFERTY and STREET presented to the Chair **SB 563**, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in uniform military and overseas voters, further providing for definitions, for duties and responsibilities of secretary and for registering to vote.

Which was committed to the Committee on STATE GOVERNMENT, March 28, 2017.

Senators YAW, McGARRIGLE, YUDICHAK, BREWSTER, BARTOLOTTA, VOGEL, HAYWOOD, RAFFERTY and BROWNE presented to the Chair **SB 564**, entitled:

An Act providing for installation of protective fencing on certain State-owned bridges and for powers and duties of the Department of Transportation.

Which was committed to the Committee on TRANSPORTATION, March 28, 2017.

## BILLS REPORTED FROM COMMITTEES

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

### **SB 108 (Pr. No. 82)**

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in anatomical gifts, further providing for manner of executing anatomical gifts.

### **SB 554 (Pr. No. 613) (Amended)**

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in human trafficking, further providing for definitions, repealing provisions relating to appropriate implementation for minor victims of human trafficking, providing for special relief to restore victim's dignity and autonomy and for safe harbor for sexually exploited children, establishing the Safe Harbor for Sexually Exploited Children Fund and imposing penalties; in riot, disorderly conduct and related offenses, further providing for the offense of obstructing highways and other public passages; in public indecency, further providing for the offense of prostitution and related offenses; and, in juvenile matters, providing for immunity and for dependency in lieu of delinquency.

### **SB 560 (Pr. No. 614) (Amended)**

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in wiretapping and electronic surveillance, further providing for definitions, for exceptions to prohibition of interception and disclosure of communications and for exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices; and providing for recordings by law enforcement officers.

Senator WAGNER, from the Committee on Local Government, reported the following bills:

### **SB 5 (Pr. No. 470)**

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for findings regarding firearms and ammunition; and, in preemptions, providing for regulation of firearms and ammunition.

### **SB 365 (Pr. No. 357)**

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in corporate powers, further providing for personal property.

### **SB 399 (Pr. No. 399)**

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, in election of officers and vacancies in office, further providing for supervisors.

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

**SB 289 (Pr. No. 611) (Amended)**

An Act designating a bridge on that portion of old State Route 22 over the Conemaugh River in Blairsville Borough, Indiana County, as the Blairsville Area Veterans Memorial Bridge; and designating that portion of State Route 4027, also known as Business U.S. Route 220, over the Norfolk Southern mainline railroad tracks in Grazierville, Snyder Township, Blair County, as the John Fredrick Bridges Memorial Bridge.

**SB 435 (Pr. No. 612) (Amended)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, further providing for snow and ice dislodged or falling from moving vehicle.

**SB 553 (Pr. No. 590)**

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for chemical testing to determine amount of alcohol or controlled substance; and, in driving after imbibing alcohol or utilizing drugs, further providing for penalties and for ignition interlock.

Senator VULAKOVICH, from the Committee on Veterans Affairs and Emergency Preparedness, reported the following bills:

**SB 552 (Pr. No. 589)**

An Act amending Titles 51 (Military Affairs) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in Department of Military Affairs, further providing for Pennsylvania Veterans' Memorial Trust Fund; in State Veterans' Commission and Deputy Adjutant General for Veterans' Affairs, further providing for Veterans' Trust Fund; in Pennsylvania Veterans' Memorial Commission, repealing provisions relating to the Pennsylvania Veterans' Memorial Trust Fund and to expiration; and, in registration of vehicles, further providing for Pennsylvania monument registration plate.

**HB 165 (Pr. No. 129)**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, in decorations, medals, badges and awards, further providing for authorized decorations, medals, badges and awards and for specifications.

**RESOLUTIONS REPORTED  
FROM COMMITTEE**

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

**SR 32 (Pr. No. 382)**

A Resolution directing the Joint State Government Commission to study the use and effects of youth courts in the education and juvenile justice systems, establish an advisory committee to conduct a thorough and comprehensive analysis of the benefits and effectiveness of youth courts and report to the Senate its findings and recommendations.

**SR 35 (Pr. No. 489)**

A Resolution directing the Joint State Government Commission to establish an animal abuse prevention task force to conduct a thorough

and comprehensive analysis of laws for the prevention of animal cruelty and abuse and report to the Senate its findings and recommendations.

The PRESIDENT. The resolutions will be placed on the Calendar.

**LEGISLATIVE LEAVE**

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

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

The PRESIDENT. Senator Corman requests a legislative leave for Senator Tomlinson. Without objection, the leave is granted.

**LEAVE OF ABSENCE**

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

**SPECIAL ORDER OF BUSINESS  
SENATE RESOLUTION ADOPTED**

Senator STEFANO, by unanimous consent, offered **Senate Resolution No. 61**, entitled:

A Resolution designating the month of March 2017 as "Spread the Word to End the Word Month" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

**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, today we are joined by a large group of constituents associated with the Fayette County Special Olympics Team and The Arc of Fayette County. Earlier today several Members of the Senate joined them on the Rotunda steps to bring awareness to their cause of positive and inclusive language to describe those living with mental disabilities. Today's event is part of a national campaign called "Spread the Word to End the Word." My resolution designates March as the month to spread awareness of this important cause.

Last year, these groups had a very successful rally at the county courthouse, and this year they decided to bring their Spread the Word to End the Word campaign right here to the State Capitol. We are joined in the gallery by over 50 participants of these organizations, including Mary Mossburg, executive director of The Arc of Fayette County, and Mary Williams of the Fayette County Special Olympics. Both of them worked very closely with my staff to set up today's trip. I am so proud of them for standing up to hateful and derogatory language and for their advocacy for all people with mental and developmental disabilities. After they are done here, they will be taking a tour of our beautiful Capitol and then returning home, hopefully with a lifetime of memories. Also joining them today are the Fayette County commissioners David Lohr and Vince Vicites.

Mr. President, I ask that my colleagues give a warm welcome to my friends from The Arc of Fayette County and the Fayette County Special Olympics Team.

The PRESIDENT. Would the very special guests of Senator Stefano please rise so that we may welcome you. We are delighted to have you.

(Applause.)

Senator STEFANO. Mr. President, it is on their behalf and on behalf of all of those who live with mental and developmental disabilities that I offer this resolution declaring the month of March as "Spread the Word to End the Word Month" here in Pennsylvania. I encourage my colleagues and all Pennsylvanians to take the pledge not to use the "r" word at [r-word.org](http://r-word.org). Finally, Mr. President, I encourage all of my colleagues to stand with our friends in support of this resolution.

And the question recurring,

Will the Senate adopt the resolution?

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

#### YEA-49

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

#### NAY-0

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

The PRESIDENT. The resolution is adopted.

(Applause.)

### GUEST OF SENATOR RYAN AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, it is my pleasure to introduce my guest for the day, Sophia Benson. Sophia is a junior at Cocalico High School, where she is involved in student government and is a member of the National Honor Society. Outside of class, Sophia is a member of the varsity basketball team, where she serves as a team leader. In her spare time, Sophia enjoys serving her community through volunteer work with the National Honor Society and Habitat for Humanity. Sophia plans to attend college and is considering a career in law or government. Please join me in welcoming Sophia Benson to the Senate today.

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

(Applause.)

### GUEST OF SENATOR KIM L. WARD PRESENTED TO THE SENATE

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

Senator WARD. Mr. President, I rise today to recognize Pierre-Andre Clement. Pierre is shadowing me this week during our legislative Session. He is from Paris and works for the French National Assembly, which is very similar to our U.S. House of Representatives. That assembly is now on a long recess for the French national elections, and Pierre's boss suggested that he seek out work-related educational experiences during this slowdown in legislative activity. His wife is from Meadville and has family in Mechanicsburg, so he decided to combine a trip to visit family with the opportunity to learn about the Pennsylvania Senate and compare it with the system he works within.

Interestingly, Pierre is a civil servant who works as a legislative aide for all members of the national assembly, regardless of party. So he drafts legislation, he prepares remarks for debate, and he advises members, both liberals and conservatives alike. His current areas of focus are housing, urban affairs, and budget issues.

In addition to sitting in on meetings and observing some of our committee happenings and floor activity, Pierre has had the opportunity to meet with our Senate Secretary, who explained some of our procedures here in the Senate; Senator McGarrigle, who talked with him about Committee on Urban Affairs and Housing issues; and you, the esteemed Lieutenant Governor, who, I believe, got to practice some of your French with him. You gave him some attire tips, right? Because you are so fancy all the time. I thank each and every one of you for being so gracious in taking time with Pierre this week. I ask the Senate to please extend a warm welcome to Pierre. Thank you.

The PRESIDENT. Would the guest of Senator Ward, Pierre-Andre Clement, our guest from France, please rise so that we may welcome you here to the Pennsylvania State Senate.

(Applause.)

### GUEST OF SENATOR THOMAS J. MCGARRIGLE PRESENTED TO THE SENATE

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

Senator MCGARRIGLE. Mr. President, it is my pleasure this afternoon to introduce Kristian Emmons, who is shadowing me today. He is the son of Tom and Suzannah Emmons and is a resident of Media, Pennsylvania, in Delaware County. Kristian is a senior at Penncrest High School, where he is involved in Emanon, which is the school's theater program. He also belongs to the local fencing club, and is a member of The Noble Try, which is an improv group that performs in Delaware County. Next year Kristian plans to attend college, where he will major in international relations, political science, or law. Kristian's future plans include pursuing a career in government and, hopefully, he got a sense of that future today as he had the opportunity to attend meetings and a press conference with me as part of his shadowing experience.

Mr. President, I ask that we extend our traditional warm welcome to Kristian Emmons.

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

(Applause.)

### **GUESTS OF SENATOR GENE YAW PRESENTED TO THE SENATE**

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

Senator YAW. Mr. President, I rise today to welcome and congratulate several individuals from my Senate district who are with us in the Chamber. Seated on the Senate floor are the 2016 Stock Market Game Challenge winners from Montgomery Area High School, who captured their fifth consecutive State championship and won the last six out of seven State titles for Montgomery. The Stock Market Game participants with us today include: Jason Hill, Bethanie Patterson, Arianna Fox, Madeline Wenner, and Lucas Drick. Also with them is their teacher and advisor, Ryan Monoski, a math teacher at Montgomery High School. I am also told that before Mr. Monoski's teaching career began, he was a financial planner and stockbroker for American Express Financial. His background has certainly proven very helpful to the students in this competition. In addition to Mr. Monoski and the students, they are joined today by Dr. Jeffrey Krug, Dean of Business at Bloomsburg University.

For those of you who are not familiar with the Stock Market Game Challenge, it is an award-winning educational program used in classrooms to help teach math, social science, business, economics, and language skills while focusing on the importance of long-term savings and investments. In the Stock Market Game, students are given a virtual cash account of \$100,000 and are encouraged to create the best performing portfolio using a live trading simulation. Teams trade common stocks and mutual funds from the New York Stock Exchange and NASDAQ exchange, earn interest on cash balances, pay interest if buying on margin, and pay a commission on all trades. Students work together on teams practicing leadership, organization, negotiation, and cooperation as they compete for the top spot. In building their portfolio, students research and evaluate stocks and make investment decisions based on what they have learned.

Since 1977, more than 15 million students have participated in the Stock Market Game program. The Montgomery High School students competed with about 1,000 other teams throughout the State. They took an initial investment of \$100,000 and turned it into over \$474,101 in only 10 weeks of trading. That is quite an achievement, maybe something that can be useful in State government. During last year's national championship, known as the Capitol Hill Challenge, Montgomery also won the championship title out of thousands of teams and earned a trip to Washington, D.C., to meet with representatives of the Senate and the House of Representatives to discuss different financial matters.

Mr. President, again, I offer congratulations for my special guests from Montgomery Area High School who captured their fifth State title in the Stock Market Game. I ask my colleagues to give them a warm Senate welcome. Thank you.

The PRESIDENT. Would the guests of Senator Yaw, the Montgomery High School Stock Market Game Challenge win-

ners, 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 our class picture, or Senate photo, that we are about to take here, followed immediately by a Republican caucus to be held in the Majority Caucus Room.

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

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

The PRESIDENT. For purposes of the class photo, 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 LEAVE**

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

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

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

### **LEAVE OF ABSENCE**

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

### **CALENDAR**

#### **THIRD CONSIDERATION CALENDAR**

#### **BILL ON THIRD CONSIDERATION AND FINAL PASSAGE**

**SB 133 (Pr. No. 555)** -- The Senate proceeded to consideration of the bill, entitled:

An Act imposing a duty on the Department of Transportation to file with the Department of Homeland Security a request for extension of time to comply with the REAL ID Act of 2005; and making a related repeal.

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 Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I submit written comments on Senate Bill No. 133 for the record.

The PRESIDENT. Without objection, the remarks will be spread upon the record.

*(The following prepared remarks were made part of the record at the request of the gentleman from Lebanon, Senator FOLMER:)*

Mr. President, as the prime sponsor of Act 38 of 2012 to restrict Pennsylvania's involvement with the Federal REAL ID Act, I would like to make some brief comments as to why I oppose Senate Bill No. 133 to bring the Commonwealth into compliance with this Federal law.

For too long, Mr. President, I believe the Federal government has failed to adhere to the requirements of the 10th Amendment to the United States Constitution: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." These concerns are why I pushed to exempt Pennsylvania from the mandates of the Federal REAL ID Act of 2005, which requires States to comply with Federal standards for drivers' licenses and identification cards.

My legislation to exempt Pennsylvania was first introduced in 2009 and thoroughly vetted. It was amended three times in 2009 and 2010, but not passed. In 2011, I reintroduced similar legislation, which was again amended, passed the General Assembly with just five negative votes, and signed into law in 2012. At that time, other States passed similar measures. From 2012 until last year, the Federal government had not taken action against Pennsylvania for not complying with REAL ID. Then, the Federal government notified the Commonwealth its drivers' licenses would no longer be accepted to get into Federal facilities, military bases and nuclear plants, at the end of January 2017.

Beginning January 22, 2018, we were told Pennsylvania drivers' licenses would not be accepted to board commercial flights. This notice led to citizen angst and action was initiated to bring Pennsylvania into compliance with REAL ID, resulting in a Federal extension to June 30, 2017, for compliance. While I am certain Pennsylvania will become compliant, I remain concerned with REAL ID.

Requiring identification is not rare. My question is how REAL ID makes us safer? Consider 1995 Oklahoma City bomber Timothy McVeigh. Born and raised in a typical working-class environment, McVeigh joined the Army and was decorated for valor before being discharged. There would be no reason he would not have received a REAL ID card. Yet, he was convicted and executed for the worst case of domestic terrorism: his bomb killed 168. A REAL ID card would not have stopped Timothy McVeigh.

REAL ID requires States collect a digital facial image/photograph of all drivers' license applicants. Prior to REAL ID, most drivers' photos were low resolution pictures that were not facial recognition compatible. What are the costs to upgrade licenses to the high resolution digital facial images required by REAL ID?

REAL ID also gives the Secretary of Homeland Security power to determine when "official purposes" require a REAL ID compliant drivers' license. My fear is "official purposes" could someday include the purchase of weapons and/or ammunition or perhaps picking up prescriptions. Nowhere can I find Constitutional authority for such broad and sweeping power being given to the executive branch in general and a cabinet member in particular.

REAL ID also calls for linking State motor vehicle databases to give federal authorities direct or indirect access. While people will still be able to board commercial airliners without a REAL ID compliant license or another acceptable ID, such as a passport, military ID card, or enhanced drivers' license, how will people in these databases be protected from identity theft?

Article IV, Section 2, of the US Constitution guarantees "the Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States." This gives us the right of free ingress into and from other States. I do not believe this right should ever be interpreted as a "convenience." As James Madison said, "I believe there are more instances of the abridgement of the freedom of the people by

gradual and silent encroachment of those in power than by violent and sudden usurpation." I fear the Federal REAL ID law is an example of Madison's warning.

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-46

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

#### NAY-2

Folmer                      Hutchinson

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

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

#### LEAVE OF ABSENCE

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

#### CONSIDERATION OF CALENDAR RESUMED

#### THIRD CONSIDERATION CALENDAR RESUMED

#### BILLS OVER IN ORDER

**SB 167, SB 171, SB 227, SB 260 and SB 288** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### SECOND CONSIDERATION CALENDAR

#### BILLS OVER IN ORDER

**SB 7, SB 9, SB 54, SB 95, SB 128, SB 173, SB 178, SB 201, SB 202, SB 203, SB 221, SB 222 and SB 229** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

**SB 250 (Pr. No. 541)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in contributions by employers and employees, further providing for contributions by employees and for Service and Infrastructure Improvement Fund.

On the question,

Will the Senate agree to the bill on second consideration?

Senator GORDNER offered the following amendment No. A0573:

Amend Bill, page 1, line 15, by inserting after "penalties," in administration of act, providing for unemployment compensation call centers; and,

Amend Bill, page 1, lines 21 through 23, by striking out all of said lines and inserting:

Section 1. The act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, is amended by adding a section to read:

Section 202.1. Unemployment Compensation Call Centers.

Before closing an unemployment compensation call center, the department shall submit a report to the chairperson and minority chairperson of the Labor and Industry Committee of the Senate and the chairperson and minority chairperson of the Labor and Industry Committee of the House of Representatives. The report shall include the performance data and operating costs of the unemployment compensation call center as compared to other unemployment compensation call centers in this Commonwealth.

Section 2. Sections 301.4(e)(2) and 301.9 of the act are amended to read:

Amend Bill, page 2, line 20, by striking out the period after "\$15,000,000)" and inserting:

and shall be allocated for the purposes specified under section 301.9(c)(1) and (3).

Amend Bill, page 4, by inserting between lines 11 and 12:

(h) No later than June 15, 2017, the department shall submit a report to the chairperson and minority chairperson of the Labor and Industry Committee of the Senate and the chairperson and minority chairperson of the Labor and Industry Committee of the House of Representatives. The report shall describe the department's plan to eliminate the department's reliance on moneys transferred into the Service and Infrastructure Improvement Fund for recurring operational costs. The General Assembly shall consider the information contained in the report when reviewing a supplemental funding request by the department.

(1) A supplemental funding request by the department for technological upgrades to the delivery system for unemployment compensation benefits for calendar years beginning after 2017 shall include all of the following:

(1) A detailed description of the technological upgrades to the delivery system for unemployment compensation benefits.

(2) An explanation of the improvements to the unemployment compensation benefits delivery system that will result from the technological upgrades.

(3) The total estimated cost of the technological upgrades to the delivery system for unemployment compensation benefits, including the total estimated cost each year and any additional funding sources that can be used for the project.

(4) The total estimated cost savings that will result from the technological upgrades to the delivery system for unemployment compensation benefits.

(5) The time period, as specified in years, that will be necessary for the department to complete the technological upgrades to the delivery system for unemployment compensation benefits.

(6) Information on a proposal received or contract executed for technological upgrades to the delivery system for unemployment compensation benefits if publicly accessible under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

(7) A detailed description of how the technological upgrades to the delivery system for unemployment compensation benefits will impact any related recommendations in a special performance audit conducted by the Auditor General.

Amend Bill, page 4, line 12, by striking out "2" and inserting:

3

On the question,

Will the Senate agree to the amendment?

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

#### YEA-45

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

#### NAY-2

Argall DiSanto

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

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was 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, as amended, was rereferred to the Committee on Appropriations.

#### BILL OVER IN ORDER

**SB 297** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

#### BILL ON SECOND CONSIDERATION

**SB 298 (Pr. No. 294)** -- The Senate proceeded to consideration of the bill, 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.

Considered the second time and agreed to,

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

#### BILL OVER IN ORDER

**SB 303** -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 421 (Pr. No. 415)** -- The Senate proceeded to consideration of the bill, entitled:

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

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 Appropriations.

#### BILLS OVER IN ORDER

**SB 522** and **SB 523** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

#### SENATE RESOLUTION No. 44, ADOPTED

Senator CORMAN, without objection, called up from page 6 of the Calendar, **Senate Resolution No. 44**, entitled:

A Resolution condemning acts of hate and vandalism against the Jewish community.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Wagner.

Senator WAGNER. Mr. President, I rise today to request unanimous support from my colleagues for Senate Resolution No. 44, which condemns the recent acts of hate and vandalism against the Jewish community. These acts total more than 150 since the beginning of the year, ranging from bomb threats to vandalism of synagogues and Jewish cemeteries. On February 27, the York Jewish Community Center was the target of one of these bomb threats, as was the Harrisburg JCC. Hence, the reason I felt the need to introduce this resolution along with nearly 30 of my colleagues from both sides of the aisle. As is the case whenever the York community feels wronged, they pull together, and that was exactly what happened in response to the February 27 bomb threat at the York JCC. On March 2, people of all walks of life came together at the York JCC for a community meeting to show solidarity against the hate that is plaguing our towns, our Commonwealth, and our nation.

Personally, I have been a supporter of the York JCC for nearly 30 years. I served on the board of the York JCC in the mid-1990s. I know the impact that the bomb threat had on the center as well as our whole community. It is important to note that 90 percent of the members who use the York JCC and children who attend kindergarten and preschool there are non-Jewish. Jewish community centers do not judge based on their religious beliefs, so we will not tolerate hateful judgment toward them. I would be remiss if I did not acknowledge last week's arrest of a Jewish teenager in Israel suspected of being responsible for many of the JCC bomb threats. The religious affiliation and home country of the individual responsible for the threats does not change what happened here, and a person in Israel certainly did not topple more than 100 gravestones at the Mount Carmel Cemetery in Philadelphia or vandalize synagogues and draw swastikas on college campuses across this

country. All of these actions are wrong regardless of who is responsible, and actions by one have fueled actions by others. It is critical that we stand together against these acts of hate.

I thank my colleagues who have signed on as cosponsors and to all Members for recognizing the importance of this resolution.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I thank my colleague, Senator Wagner, for offering this resolution. In the Jewish faith we have a concept called "Tikkun Olam." Loosely translated, that means to heal the world, that each of us has a responsibility to do what we can do to help make this a better place. Part of doing that is to recognize, most certainly, when we have communities that are threatened either by bomb threats or by acts of vandalism. I would add, too, that not only does this occur in the Jewish faith but also to so many other faiths that are practiced here in the Commonwealth of Pennsylvania, and I am sure that my colleagues would agree that not only do we support this effort to make sure that we never condone these kinds of acts of violence against the Jewish faith but other faiths as well. Once again, I appreciate my colleagues' support on this important resolution in light of the things that have happened recently. Thank you.

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

Senator DINNIMAN. Mr. President, I rise to echo Senator Schwank's comments. We certainly appreciate the support against violence against the Jewish community, but as Jews we know the history of discrimination because we have gone through the Holocaust and we have gone through other acts of discrimination, and we want to emphasize today that it is vital to protect all religious communities. This Commonwealth was founded by William Penn with the notion of religious tolerance and religious liberty for all. As we pass this resolution, which I am sure we will do, we certainly appreciate the condemnation of violence against the Jewish community, but we also rise to say that we condemn violence against any religious community, and that we here in this State stand for religious tolerance. We stand for freedom of religion. That is our heritage. That is why William Penn came here. So I rise in that spirit.

I also say that this nation, when we declared the Declaration of Independence, said that all men are created equal. It did not say women, it did not say people of color, it did not say the American Indian. We have struggled to make the American dream one in which people of all races, all ethnicities, and all sexual orientations have the right to equal rights within this Commonwealth. So it is in the spirit of religious tolerance, it is in the spirit of making sure that all are treated with respect and dignity, and the protection of the rights of all that I rise and thank Senator Wagner for his resolution and express that we in the Jewish community not only thank Senator Wagner, but we want it to be known that everyone's rights need to be protected and that religious bigotry is not acceptable, in this Commonwealth founded by William Penn, against any group or any person.

Thank you, Mr. President.

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

Senator COSTA. Mr. President, I rise with my colleagues who have just spoken along with Senator Wagner and thank him



for this very important resolution. It is with a heavy heart that we have to discuss a resolution of this particular nature condemning hatred. The fact that we are doing it is troublesome to me and, I think, to many folks in this room. The events that have taken place over the course of the last few months are mind-numbing. Cemeteries are places of final resting and reverence, of quiet reflection, and remembrances of lives well-lived. Their history and honor were suddenly toppled over and discarded by ignorance. Our community centers where our children play, where they grow, where they explore and learn about the world around them and the future that awaits them suddenly turned into places targeted by hate. Senseless acts of violence and vandalism leave us heartbroken and appalled that such bigotry still exists today. We have all watched the news and read the stories and seen the anguish in the faces of families who have been affected by these acts, and we share in their pain.

Mr. President, what struck me most throughout all of this was the aftermath. While the families affected and the communities targeted could have been rendered motionless by these actions, they were instead inspired and moved to help. When they were in a place where no one could deny them the right to be angry and vengeful, they were full of hope. Think about that. In the aftermath of hate, compassion and kindness prevailed. Compassion, Mr. President, offered by a community of people who found themselves the target of actions fueled by ignorance and hate. After each event we saw communities of people, which was mentioned by Senator Wagner, reaching out to one another with a message of peace and resilience that could only be borne by hearts and minds filled with faith in humanity that cannot and will not be shaken. It was and is these continued acts of kindness and compassion and grace that have helped these individuals and communities recover and empower the rest of us to believe that this hate can and will be silenced.

Mr. President, I am blessed, we are all blessed to live and work and learn from communities of people across this Commonwealth who refuse to be broken, even in the face of the most vengeful adversity. Mr. President, I grew up in the city of Pittsburgh in the 14th Ward of the city of Pittsburgh, the home of probably the largest concentration of individuals of the Jewish faith in the Commonwealth, and had great opportunities there and today, my home is within a stone's throw away from Agudath Achim Cemetery, literally a stone's throw from my home. Many of our departed friends and neighbors from our Jewish community have ended their journey in this place atop the quiet hills of Forest Hills. This sacred place has thankfully been spared the damage and desecration many others have endured, but their families, their relatives, their loved ones, and their community, rich with cultures from around the globe, were affected and have come together to denounce this intolerance.

I could not be more proud to stand with my colleagues and with all of the folks who have been involved. The message our communities are sending together and will continue to send are simple: hate will never define us. Rather, as they and so many others have shown, it has strengthened our resolve to unite in the face of bigotry and prejudice. Let us be very clear, any act of violence or attempt to break the spirit and quiet the voices of our Jewish neighbors is an attack on all of us. Mr. President, I stand here today inspired by the outpouring of support by my colleagues but also from so many folks from across the State and across the nation in the face of these incidents, and I am filled

with hope given to me by those directly affected by these atrocities. As we look forward together into the future, I will stand with my community, connected to the rest of the world through the faith and hope which provides the strength to overcome. Together we will work to replace hate with love, and violence with peace and unity.

Thank you, Mr. President.

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

Senator WILLIAMS. Mr. President, I also thank the gentleman, Senator Wagner, for introducing this resolution. The significance of the turning over of sacred gravestones is only shadowed by the wave of anti-Semitic behavior that we have witnessed across the globe. This very specific and short moment that we take to reflect upon the heinous and cowardly act of others only reinforces that this is a unique experiment of America. It always amazes me that we have a union which certainly sometimes is imperfect, a nation that had one of the most extraordinary wars in international history, a Civil War, that within this country, with all of its imperfections, there is a perfect union regardless of where you come from, because the country gives opportunities to anyone, and I mean anyone. It does not mean that there are not obstacles, but anyone with a right and a desire to be a part of this country has the ability to succeed. That is only gifted because someone of a different background allows that to occur.

I am blessed enough to have a wide array of friends. I have Polish, Irish, Italian, Jewish, African American, Native American, and Latino friends, both men and women. I will tell you there is not one group that I have not talked to that has never told a story about their grandparent or parent who came from a different part of the world and the discrimination and hatred they had to come from, and they resided in this great country which they thought would provide protection for them. The fact that my grandchild now has to witness another global and a systematic event of hatred troubles me greatly. But most importantly, what troubles me is it is no longer in a foreign country, it is in the United States. It is within this country that the smoldering fires of dissension are beginning to occur. The false witness to division that provides protection is becoming heightened. It is in this country that people snicker under their breath and talk behind others' backs as these things occur as if it would not affect them.

The reason why I stand as an African American is because when we had a civil rights movement in this country in the 1960s, a significant partner in that relationship were Jews. Those who would step out in public, not those who would simply write a check in the background, not those who would say my heart is with you, not those who would say I am empathetic and understanding. No, those who literally marched with African Americans in the south were Jews. One of my best friends in college would argue with me about who was oppressed and persecuted more. We would spend hours on those stories. So it is only right that someone plants ground on behalf of the African American community and says that partnership was forged in blood in the 1960s, 1950s, and 1940s, and it does not change in this next generation in 2000, that history that is forgotten by some is remembered by me, and my children, and my grandchildren. That which binds us as human beings will never divide us simply because there is a moment within this nation that we are confused.

I am grateful that Senator Wagner brought this up because it allows a platform for us to discuss the current set of events, and that is truly what America should be about. That is brotherhood and sisterhood, regardless of what seed or DNA you come from. We are all human beings, we are all God's children, we are all Americans, and we deserve life, liberty, and the pursuit of happiness.

God bless you, and God bless this nation.

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

Senator STREET. Mr. President, I also rise to thank the gentleman from York for this resolution condemning the cowardice acts of violence against the Jewish community. Clearly, we are all saddened that these acts occurred, but I also point out that I am encouraged by the fact that so many people have stood up against these acts of violence and it has brought many communities together.

Last night I had the occasion to sit with members of the American-Jewish committee in the convening of a group of both Islamic and Jewish leaders to talk about the acts of violence that have occurred against both communities, and to begin discussions about how communities can support one another. I am encouraged by the fact that such dialogue is taking place. I am further encouraged that as we have seen these acts of violence, as you have seen, white Americans stood up against the violence against the black churches in the south that were desecrated, and we see Jewish Americans stand up against Islamophobia. We have seen Muslim Americans stand up against and raise money to pay for the repair of Jewish facilities that have been damaged and desecrated through these terrible acts of violence. I am encouraged because we have seen more Americans stand up for people who are not similar to them but who are dissimilar. It is that thing which brings us all together that allows us to understand that we are all connected in an interwoven fabric of the universe that binds us one to the other, regardless of our background, to understand that the rights of one another, if not protected, infringe the rights of ourselves.

So, I am thankful that the gentleman from York, Senator Wagner, has introduced this resolution, and I am encouraged by all of the expressions of support for the Jewish community that I have recently seen.

And the question recurring,

Will the Senate adopt the resolution?

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

### UNFINISHED BUSINESS SENATE RESOLUTIONS ADOPTED

Senators WAGNER, EICHELBERGER, DINNIMAN, GREENLEAF, MARTIN, SCHWANK, ARGALL, BROWNE, RAFFERTY, BROOKS, RESCHENTHALER, FONTANA, SCAVELLO, BREWSTER, HUTCHINSON, WARD, KILLION, BARTOLOTTA, AUMENT, MENSCH and FARNESE, by unanimous consent, offered **Senate Resolution No. 63**, entitled:

A Resolution designating the week of April 10 through 14, 2017, as "Local Government Week" and April 12, 2017, as "Local Government Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from York, Senator Wagner.

Senator WAGNER. Mr. President, as chairman of the Senate Committee on Local Government, I am proud to be sponsoring this resolution which designates April 10 through 14, 2017, as "Local Government Week," and April 12, 2017, as "Local Government Day" in Pennsylvania. I am joined in sponsoring this resolution by my colleague, Senator Eichelberger, who is the chairman of the Pennsylvania Local Government Commission, along with 18 of our colleagues from both sides of the aisle who have signed on as cosponsors. Together we offer this resolution to recognize the importance of more than 4,500 local government units across our Commonwealth's 67 counties. More importantly, we recognize the hardworking elected officials, staff members, and volunteers on the local boards and commissions who work tirelessly to provide fundamental services to their residents every day.

Thank you, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators SCHWANK, DINNIMAN, BROOKS, FONTANA, SABATINA, GREENLEAF, BROWNE, BREWSTER, RESCHENTHALER, HAYWOOD, WARD, HUTCHINSON, RAFFERTY, COSTA, YUDICHAK, LANGERHOLC, FOLMER, TARTAGLIONE, KILLION, VULAKOVICH, HUGHES, MENSCH, AUMENT and SCAVELLO, by unanimous consent, offered **Senate Resolution No. 64**, entitled:

A Resolution designating March 29, 2017, as "Female Veterans Recognition Day" in Pennsylvania and encouraging all Pennsylvanians to join in recognizing, appreciating and saluting the service and sacrifices of more than 71,000 female veterans who live in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator SCHWANK. Mr. President, women have a long, courageous, and largely unrecognized history of military service to our country. From the beginning of the formation of this country, women have been at the forefront, sometimes behind the scenes but still at the forefront, in helping us through battles that helped defend our freedoms. One in 10 living veterans is a female veteran, and more than 71,000 Pennsylvania residents are female veterans. One thing that we know, which we hope to correct over the years, is that after service, female veterans continue to face largely unrecognized challenges. One in four female veterans seeking VA medical care has experienced sexual assault, and female veterans have a 400-percent greater risk of homelessness than their male peers do. So we can see that female veterans certainly face some unique situations, but with their continued and elevated role in today's military, Mr. President, we have the

opportunity to recognize the contributions that women make and to make sure that they receive equal services to those that men receive as well.

Tomorrow, the Pennsylvania Commission for Women, as well as Governor Tom Wolf and Mrs. Wolf, will be celebrating "Female Veterans Recognition Day" here in Pennsylvania at the Governor's Mansion. Female veterans from across the State will be coming here to be recognized via certificate and also just to celebrate and talk with each other about their experiences. I think this is the second time that Governor Wolf has done this and it is a very nice event. I, in fact, will have three women coming with me tomorrow, Mr. President, who will be participating in this.

I ask that my colleagues all join me in helping to celebrate Female Veterans Recognition Day. Thank you.

The PRESIDENT. The Chair thanks the gentlewoman. I had the honor of serving with many tremendous female veterans, going all the way back to my officer's basic course, and you are right, Senator, they are a special group of veterans who really need to be honored and to look out for as we go into the future with unique veterans issues.

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, FONTANA, SCHWANK, DINNIMAN, SABATINA, YUDICHAK, AUMENT, EICHELBERGER, GREENLEAF, KILLION, RAFFERTY, HUTCHINSON, COSTA, TARTAGLIONE, VULAKOVICH and FARNESE, by unanimous consent, offered **Senate Resolution No. 65**, entitled:

A Resolution recognizing the month of March 2017 as "Eye 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 know that my good friend, Senator Farnese, will talk more in the next several minutes about organ donation. However, this particular resolution focuses on an area that does not usually receive enough attention on its own, and that is eye donation. Here in Pennsylvania, we need more concerned citizens willing to participate. Just as with blood donations, there is no medical substitute that can be used in eye donation other than the actual tissue. Interestingly enough, blood type does not affect eye donor eligibility, so everyone, when you are an eye donor, is a universal donor. When you become a willing designee, your decision to help a blind person to see again is incredible. This is one of the greatest gifts that you can give. Eye tissue transplants are necessary when tragedies such as injury, disease, or infection strikes. Sometimes, rare emergency instances require tissues to be readily available on demand for surgeons. Transplant procedures can restore vision to men, women, and children ranging from just weeks old to 100 years old. Transplants have a success rate of 75 percent, that is a good one, thanks to technological changes in the field, and they are really, certainly life-changing.

I also point out that the eastern Pennsylvania, southern New Jersey, and Delaware regions comprise the most giving regions in the country when it comes to eye donation. So it is great to see that Pennsylvania is part of the most giving groups across this nation. In the district that I represent, the wonderful professionals of Northeast Pennsylvania Lions Eye Bank, now known as SightLife Northeast, continue to educate the public, raise awareness, and really champion the cause. In over 60 years of service, the eye bank has provided more than 40,000 cornea transplants, and it is the fifth-largest eye bank by volume in the United States with a 37-county territory. I will finish with this thought: transplant processes are entirely dependent on donations, and while the eye surgery field continues to advance, one thing never changes, and that is the need for donations. The demand for tissue is simply never satisfied. So, therefore, Mr. President, to honor all of those people who make the decision to give that priceless gift of sight, as well as all those patients out there waiting for their opportunity to have a transplant, I offer this resolution recognizing March 2017 as "Eye Donor Month" here in this great Commonwealth.

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.

Senators GORDNER, EICHELBERGER, HAYWOOD, DINNIMAN, GREENLEAF, FONTANA, MARTIN, HUTCHINSON, RESCHENTHALER, KILLION, TARTAGLIONE, COSTA, FOLMER, RAFFERTY, SABATINA, AUMENT, BROWNE, WHITE, SCAVELLO, VULAKOVICH, HUGHES, YUDICHAK, MENSCH, SCHWANK and BARTOLOTTA, by unanimous consent, offered **Senate Resolution No. 66**, entitled:

A Resolution recognizing the month of April 2017 as "Financial Literacy Month" in Pennsylvania.

Which was read, considered and adopted by voice vote.

Senators FARNESE, BOSCOLA, BLAKE, DINNIMAN, SABATINA, BROWNE, BREWSTER, GREENLEAF, WHITE, COSTA, KILLION, RAFFERTY, AUMENT, VULAKOVICH and HUGHES, by unanimous consent, offered **Senate Resolution No. 67**, entitled:

A Resolution designating the month of April 2017 as "Pennsylvania Donate Life Month."

On the question,

Will the Senate adopt the resolution?

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

Senator FARNESE. Mr. President, I rise today with my colleague and good friend, Senator Boscola, to offer this resolution designating April 2017 as "Pennsylvania Donate Life Month." There are approximately 7,700 Pennsylvanians in need of a life-saving organ transplant, with more than 118,000 in need of transplants nationwide. In Pennsylvania, one person dies every 18

hours while waiting for a lifesaving transplant. For every person who donates organs and tissue, a potential 75 lives can be saved or enhanced, and 9 people can be taken off the organ donor transplant list.

Pennsylvania is a world leader, Mr. President, in organ and tissue transplantation, with 18 transplant centers throughout the Commonwealth. This resolution is meant to recognize the Commonwealth's leadership in organ and tissue transplantation and to further encourage and promote organ and tissue donation in Pennsylvania. Thank you for supporting the lifesaving work of our transplant centers in Pennsylvania and encouraging others to become organ and tissue donors.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman on a very important issue and encourages all of those who can to donate.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators EICHELBERGER, GREENLEAF, RESCHENTHALER, BROWNE, KILLION, ARGALL, VOGEL, BARTOLOTTA, DINNIMAN, RAFFERTY, FONTANA, YUDICHAK, WHITE, BREWSTER, HUTCHINSON, WARD, MENSCH, SCAVELLO, HUGHES and FARNESE, by unanimous consent, offered **Senate Resolution No. 68**, entitled:

A Resolution recognizing the month of April 2017 as "School Library Month" in Pennsylvania.

Which was read, considered, and adopted by voice vote.

### 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 Mr. and Mrs. Ralph Dissinger and to Lucille Bahrenburg by Senator Aument.

Congratulations of the Senate were extended to Joel Leise, Gavin Wilkerson, Cole Matthews, Mary Ann Peace, Cole Rickert and to members and coaches of the Reynolds Junior-Senior High School Wrestling Team by Senator Brooks.

Congratulations of the Senate were extended to Helen Noel Jacobson, Donald Q. Adams and to members and coaches of The Pennsylvania State University Wrestling Team by Senator Corman.

Congratulations of the Senate were extended to the Honorable John Dindak by Senator Costa.

Congratulations of the Senate were extended to the Honorable William Peduto by Senators Costa, Fontana, and Vulakovich.

Congratulations of the Senate were extended to Brian N. O'Leary and to Horse Power for Life by Senator Dinniman.

Congratulations of the Senate were extended to Homeland Center by Senator DiSanto.

Congratulations of the Senate were extended to Waltier Blocker and to Saint Thomas Gospel Choir by Senator Hughes.

Congratulations of the Senate were extended to Mr. and Mrs. James Flinchbaugh, Mr. and Mrs. Jack Adams, Jeremy D. Carlson and to Casey McVay by Senator Hutchinson.

Congratulations of the Senate were extended to Brent A. Shultz, Diane Robertson and to the Donegal Chapter of the National Society of the Daughters of the American Revolution by Senator Martin.

Congratulations of the Senate were extended to Sandra Landis, citizens of the Borough of Trappe, Upper Perkiomen Sportsmen's Association, Inc., by Senator Mensch.

Congratulations of the Senate were extended to DaVinci's Pub by Senator Rafferty.

Congratulations of the Senate were extended to Dr. Jane Keat and to Stock and Leader, Attorneys at Law and to Mummert Farms by Senator Wagner.

Congratulations of the Senate were extended to Duane Hutter by Senator Ward.

Congratulations of the Senate were extended to Charon Battles by Senator Williams.

### 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 Paul Wilkins by Senators Dinniman and McGarrigle.

Condolences of the Senate were extended to the family of the late Haneef Amir Brown by Senator Haywood.

### BILLS ON FIRST CONSIDERATION

Senator STREET. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.

The bills were as follows:

**SB 5, SB 108, SB 289, SB 365, SB 399, SB 435, SB 552, SB 553, SB 554, SB 560 and HB 165.**

And said bills 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

#### WEDNESDAY, MARCH 29, 2017

9:00 A.M.	LABOR AND INDUSTRY and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the State Workers Insurance Fund and the impact of the Cancer Presumption Act)	Hrg. Rm. 1 North Off.
9:30 A.M.	EDUCATION (to consider Senate Bills No. 363, 406 and 494; Senate Resolution No. 34; and House Bills No. 202 and 224)	Room 8E-A East Wing
1:00 P.M.	AGING AND YOUTH, HEALTH AND HUMAN SERVICES and INTER-	Hrg. Rm. 1 North Off.

GOVERNMENTAL OPERATIONS  
(joint public hearing, along with the  
Appropriations Subcommittee on Health  
and Human Services, to examine the  
impact on the Commonwealth on the  
consolidation of the Departments of  
Health, Human Services, Aging and  
Drug and Alcohol Programs)

Off the Floor

APPROPRIATIONS (to consider Senate  
Bill No. 250)

Rules Cmte.  
Conf. Rm.

## PETITIONS AND REMONSTRANCES

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

Senator FOLMER. Mr. President, I previously talked about Senator Argall's Senate Bill No. 76 to eliminate school property taxes and both his efforts and mine to understand why those who oppose this plan offer no alternatives to continue the support of the status quo. Mr. President, let me address some of the many myths a number of opponents have thrown at Senate Bill No. 76 to discredit it, all the while offering no recommended changes and certainly no alternatives to the total elimination of school property taxes.

One big myth is this claim, and this is taken right from an attack piece, and I quote, Senate Bill No. 76 erodes the concept of local control that is foundational to the public school system in this Commonwealth as it no longer allows school district residents to determine the resources necessary to provide a well-rounded education for their children using the elected school board members as their mouthpieces, unquote. Wow. Senate Bill No. 76 will destroy civilization as we know it. Who knew, Mr. President?

Mr. President, how many times have each of us been told that there is little or no local control due to costs of mandates such as pension costs, healthcare costs, collective bargaining, prevailing wage, economic furloughs, data collection, and other State and Federal requirements? First of all, some of these costs are determined locally, most notably, teacher contracts, but regardless, how can the opponents of Senate Bill No. 76 say it will take away local control when the same people have told us for years there is no local control? If they say they do not have local control today, how could Senate Bill No. 76 possibly take away anything that does not exist? It makes no sense. Plus, Senate Bill No. 76 does give school districts two options to raise school taxes for their schools: the personal income tax and the earned income tax. However, these increases would require voter approval, just like many other States.

For instance, seven other States require school budgets to be approved by a referendum vote. Thirty-four States require school districts to hold a referendum in order to approve property tax increases. Nineteen States require a referendum to approve property tax increases over a designated cap. So, voter referendums are not unique. At the same time, Mr. President, some of us have fought to repeal many of these mandates, only to feel we are standing alone, as the zeal that the opponents have for these releases of mandate relief is nowhere near the furor in their opposition to Senate Bill No. 76. In other words, if Senate Bill No. 76 opponents brought the same passion to lifting mandates that they have shown in their opposition to Senate Bill No. 76, I am convinced half the mandates they want to repeal would have been

gone years ago. Unfortunately, whenever legislation comes to lift school mandates, many of us who offer these pieces of mandate relief feel left standing alone.

When I was first elected to the Senate, I was told that the Pennsylvania Constitution required the Commonwealth to cover 50 percent of the education costs. Fortunately, I carry a copy of both the U.S. and Pennsylvania Constitutions, and nowhere is that requirement stated. Article III, Section 14, of the Pennsylvania Constitution states: "The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." I think we all can agree the taxpayers have been very generous in their support of public education. We presently spend approximately \$888 per second of each minute of each day of each week of each year. We are spending \$888 a second. However, the status quo does not work for either the taxpayers or for the schools. Why do we continue to perpetuate the status quo by continuing to allow for the imposition of school property taxes? It makes no sense. Plus, Mr. President, if 50 percent was supposedly either a constitutional requirement or a desired goal to properly fund schools, why is 50 percent good and 100 percent bad? I am hoping there is a magic number somewhere in this convoluted mix.

Another myth of Senate Bill No. 76 opponents is the proposed replacement revenues. They say that sales tax and personal income taxes are too unstable to properly support public education. As a little bit of history, Mr. President, let me point out that the Pennsylvania sales and use tax was enacted in 1953 as a so-called temporary tax of 1 percent that eventually evolved into support for public education, and except for the last few years, revenues from sales tax have roughly equaled the State appropriation for basic education. For example, during the last State budget, the sales tax raised nearly \$9.8 billion in the State budget appropriation of over \$10.7 billion for basic education. Even in lean years when the economy was weak and both the sales tax and personal income tax lagged, the State share for basic education increased or stayed the same even in the years when Federal stimulus moneys were used. So, the Commonwealth manages its budget where 77 percent of the State revenues come from the combination of sales and personal income taxes, and nearly 37 percent of the total budget goes to support education. My question is this: if the State can manage to support education with these taxes, why can we not do the same for schools as proposed by Senate Bill No. 76?

One last myth I will address, Mr. President. Opponents of Senate Bill No. 76 say that Senator Argall, other Senate Bill No. 76 supporters, and I have been misleading voters because we say it will completely eliminate school property taxes. Senate Bill No. 76 opponents say it will not because 43 percent of the school districts will maintain a property tax of at least 20 percent of their current rate. This, Mr. President, is a prime example of how you want to look at numbers. Is the glass half full or is it half empty? We believe it is 80 percent full. As an accommodation to some of the Senate Bill No. 76 opponents, any debt that exists prior to December after the enactment of the legislation would be excluded from the dollar-for-dollar property tax reductions, as it was felt schools would truly have no control over outstanding debt. However, to say that Senate Bill No. 76 would not result in immediate and significant reductions in school property taxes is mythical as the statewide average of schools needing to retain a portion of the property tax for existing debt service would be just

short of 22 percent. The average property tax reduction year one would be nearly 80 percent, and only 23 districts would have a property tax reduction less than 50 percent.

Mr. President, I understand both the concerns and questions surrounding Senate Bill No. 76. At the same time, Mr. President, no one has offered a feasible alternative to eliminate school property taxes. And that, Mr. President, is why the emotions of the supporters of Senate Bill No. 76 have run so high. They want total elimination, not partial elimination of school property taxes, and no tax credits or State programs to reduce the burdens of the school property taxes. Make no mistake, Mr. President, the burden of school property taxes is increasing. Even in years when more State moneys are appropriated for education, no matter how much money the Commonwealth is able to give to education in any given year, their property taxes increase.

Here is where I agree with many of those who oppose Senate Bill No. 76. The General Assembly does need to address the cost drivers plaguing education systems - pensions, healthcare costs, collective bargaining, prevailing wage, economic furloughs, data collection, and other State and Federal requirements. We cannot continue to ignore these very important issues. For me, Senate Bill No. 76 is just the first step in insuring that this General Assembly is meeting its mandate of Article III, Section 14, of the Pennsylvania Constitution to, and I quote, "...provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." If you support the total elimination of school property taxes, I believe you should support Senate Bill No. 76. If you do not support Senate Bill No. 76, or worse, you say there has to be a better plan, then I anxiously await the alternative. Others have tried and others have failed, and now it is your turn to step forward with a plan.

In the interim, Mr. President, I will stand with the taxpayers in support of Senate Bill No. 76 because I believe in my heart that no tax should ever have the power to leave someone homeless. It just should not be.

Mr. President, thank you for your patience, and I am in conclusion.

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

Senator COSTA. Mr. President, I rise to, in some respects, echo the comments of my colleague from Lebanon County who would like us to have a conversation about property tax relief in this Commonwealth. As was stated last week, Senate Democrats look forward to having that dialogue on this particular Senate floor, and certainly in the House as well, a conversation that we have asked for through the process of having a Special Session on property tax relief. Then we will have the opportunity to look at not only the bill that he referenced, but also measures that have been introduced by other folks, including myself, on behalf of a number of Members from the Senate Democratic Caucus.

Mr. President, there are a couple of things that I would like to point out in response to the gentleman's comments about Senate Bill No. 76, one of which was an admission that, at the end of the day, while he calls it an elimination of property taxes, I think he acknowledged that about 40 percent of the school districts, in excess of 40 percent, would still be paying property taxes given the level of debt that would be remaining in those school districts. So, I am not sure how you can call something elimination of property taxes when you continue to receive property tax bills

and invoices in your mailbox, in addition to paying the increase, the 60-percent increase, I believe, in the PIT, the increase in the sales tax, and the like. I am not sure how you can claim that is not the case.

Mr. President, there was nothing directed in the comments that addressed the issue I raised last week about how the Commonwealth—I am not recommending that we make changes to local control issues, but more importantly, the Commonwealth will be collecting those dollars and building in the significant inequity in terms of the dollars and how they are driven out to our school districts. Building in that inequity, I think, is something that is wrong and we need to take measures to address that. Some of the issues that the gentleman talked about that we as a General Assembly need to look at I think are important. Others I do not think we need to look at, but the fact of the matter is, we always have to look at cost drivers, whether cost drivers are taking place at the local school district level or at the municipal level or even certainly at our State level on some of these issues that are important for us to look at.

The other area where I heard no response to my comments last week was how we are going to shift, in our estimate, \$3 billion away from our commercial property owners who today pay in excess of \$3 billion into the property taxes across the Commonwealth to our school districts, how we would be relieving them of that obligation and shifting that obligation onto the backs of Pennsylvania taxpayers. Pennsylvania wage earners would be picking up that \$3 billion in that shift. I deem that to be something that is inappropriate and something we should be looking at. The gentleman, on a number of occasions, asked about an alternative plan. Senate Democrats have put forth an alternative plan, as I referenced last week, a plan that would provide in excess of \$2,000 back to homeowners without putting it on the backs of the homeowners, as I mentioned earlier, the cost of commercial property taxes that will continue to be paid.

With respect to the number of individuals who will seek property tax elimination, school property tax elimination, not my numbers, the Independent Fiscal Office, to whom we oftentimes refer to look at these types of measures, they tell us that the plan we put forth that would drive in excess of \$2,000 back per household on average, or up to \$2,000, that 66 percent of the property owners in Pennsylvania would see property tax elimination under the plan we proposed. Similar to Senate Bill No. 76 and other measures, it would take steps to increase the PIT and the sales tax, as well as using gaming resources for property tax relief to allow us to be able to do that. So what you would have is two-thirds of the homeowners in this Commonwealth no longer having to make a payment for property taxes because they would be receiving a check in the mail for the rebate of those taxes that they would pay. To me, that is significant. That is true property tax elimination. That is not saying property tax elimination on one hand but on the other hand saying, well, by the way, most of you are going to get another bill for property taxes to deal with debt service.

That is just one issue. The other issue I want to talk about is when Governor Wolf came out a couple of years ago and talked about making changes to the sales tax, and one of the proposals was expanding the sales tax, expanding what is subject to tax in Pennsylvania, many of the same supporters of Senate Bill No. 76 who today claim that is a measure we need were the same folks who were critical of the Governor's Office in his proposal about

expanding the sales tax to things like legal services, to things like personal care type items, things like other types of services that are going to be provided. That is what we heard from the same people who are promoting Senate Bill No. 76 today, which does the same exact thing that the Governor proposed. I find it unconscionable that that is where people would be at in that respect.

This is not about Senate Bill No. 76. It is not about our plan. It is about a conversation that we must have as we go forward about how we address property tax relief. It is one of the most significant subject matters that our residents have wanted us to talk about and wanted us to try to fix for more than 30 years that I can think of, dating back to the mid-1980s when this General Assembly passed a measure that went to voter referendum and subsequent measures along those lines. We have to take steps to address that. We need to have a Session that allows us to have a down-and-dirty fight about what is right, what is best, and what we can build a consensus around, because at the end of the day, that is what I think our folks want us to do.

So, I recognize the gentleman's passion for Senate Bill No. 76, and I appreciate, certainly, his comments, but when he asked a question about an alternative plan, we have now submitted on two occasions on this Senate floor, suggested that we have an alternative plan for two-thirds of Pennsylvanians that eliminates, truly and sincerely eliminates, property taxes for two-thirds of the people of the Commonwealth, some 2 million to 3 million folks who own property, eliminates their property taxes, does not expand the base of the sales tax, and makes certain that the commercial properties continue to pay their fair share into the school districts of this Commonwealth. To me, I believe that is a better plan than what has been discussed with respect to Senate Bill No. 76 or some of the other measures out there. I am only 1 vote in this Chamber and 1 of 253 folks who have to make that determination. So, we stand ready to have that conversation, putting side by side some of these measures and let us reach a consensus. Maybe it is parts of Senate Bill No. 76, maybe it is parts of our plan, or maybe it is parts of what the Governor proposed 2 years ago, but at the end of the day we have to have a conversation about property tax relief and making certain that we build a consensus, because that is what the people of Pennsylvania have sent us here to do.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for his work on property tax elimination.

### 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 Wednesday, March 29, 2017, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:43 p.m., Eastern Daylight Saving Time.