

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, APRIL 24, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 19

**SENATE**

MONDAY, April 24, 2017

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

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

**PRAYER**

The Chaplain, Reverend CANON MARIA TJELTVEIT, of The Episcopal Church of the Mediator, Allentown, offered the following prayer:

Let us pray.

Gracious and loving God, as we come before You on Genocide Remembrance Day, help us to not only remember those who have been killed through intolerance and hatred, but to commit ourselves to lift up the dignity of every human being. We give thanks that our Commonwealth was founded on the principle of tolerance and embracing those fleeing persecution and other places. In the decisions they will make about the legislation before them, may each Senator work to make our Commonwealth a place of welcome and opportunity for all - refugees and immigrants, people of different religions, economic status, physical and mental abilities, ages, races, sexual orientations, and political perspectives. Give us all eyes to see our differences as gifts that strengthen our community rather than as obstacles that divide and diminish us. May we live, work, and stand together as one people embraced in Your love. Amen.

The PRESIDENT. The Chair thanks Reverend Tjeltveit, who is the guest today of Senator Browne.

**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:

**SECRETARY OF DRUG AND ALCOHOL PROGRAMS**

April 21, 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 Senatorial District, for appointment as Secretary of Drug and Alcohol Programs, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice the Honorable Garold Tennis, Harrisburg, resigned.

TOM WOLF  
Governor

**SECRETARY OF REVENUE**

April 24, 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, C. Daniel Hassell, 4285 Beaufort Hunt Drive, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as Secretary of Revenue, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice the Honorable Eileen McNulty, New Cumberland, resigned.

TOM WOLF  
Governor

**HOUSE MESSAGES**

**SENATE RESOLUTION RETURNED  
WITH AMENDMENTS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in **SR 6** by amending said resolution.

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

**HOUSE BILLS FOR CONCURRENCE**

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

April 20, 2017

**HB 45** and **381** -- Committee on Health and Human Services.  
**HB 93, 199, 269, 283** and **580** -- Committee on Transportation.  
**HB 595** -- Committee on Urban Affairs and Housing.

**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:

April 20, 2017

Senators SCHWANK, VOGEL, HUGHES, RAFFERTY, BLAKE, BOSCOLA, STREET, FONTANA, FARNESE, TARTAGLIONE and VULAKOVICH presented to the Chair **SB 632**, entitled:

An Act providing for grain dealer bonding; imposing penalties; and providing remedies.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, April 20, 2017.

Senators FONTANA, COSTA, RAFFERTY, TARTAGLIONE, BREWSTER, HUGHES, VULAKOVICH, RESCHENTHALER and SCHWANK presented to the Chair **SB 639**, entitled:

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for definitions; and providing for additional use of funds for financial assistance.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 20, 2017.

Senators RAFFERTY, YUDICHAK, COSTA and VULAKOVICH presented to the Chair **SB 640**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for records of distribution of controlled substances.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, April 20, 2017.

Senators RAFFERTY, COSTA, AUMENT and BROWNE presented to the Chair **SB 641**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in electronic voting systems, further providing for election day procedures and the process of voting; and, in primary and election expenses, further providing for late filing fee and certificate of filing.

Which was committed to the Committee on STATE GOVERNMENT, April 20, 2017.

Senators RAFFERTY, EICHELBERGER, FOLMER and RESCHENTHALER presented to the Chair **SB 642**, entitled:

An Act prohibiting the use of State funds for relocation of licensed facilities.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, April 20, 2017.

Senators RAFFERTY, FONTANA and BREWSTER presented to the Chair **SB 643**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, further providing for infancy, insanity or imprisonment.

Which was committed to the Committee on JUDICIARY, April 20, 2017.

Senators RAFFERTY, FONTANA, VULAKOVICH, COSTA and BROWNE presented to the Chair **SB 644**, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for records of distribution of controlled substances.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, April 20, 2017.

Senators RAFFERTY, BREWSTER, SCHWANK, COSTA and YUDICHAK presented to the Chair **SB 645**, entitled:

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, in enforcement and remedies, further providing for criminal penalties.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 20, 2017.

Senators KILLION, FONTANA, GREENLEAF, MENSCH, RAFFERTY, YAW, YUDICHAK, SCHWANK and WAGNER presented to the Chair **SB 646**, entitled:

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, in recycling fee, further providing for recycling fee for municipal waste landfills and resource recovery facilities and for Recycling Fund.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 20, 2017.

Senators HAYWOOD, BLAKE, FONTANA, GREENLEAF, RAFFERTY, SABATINA, BREWSTER, WHITE, COSTA, YUDICHAK, TARTAGLIONE, HUGHES, SCHWANK, HUTCHINSON, RESCHENTHALER and BROWNE presented to the Chair **SB 647**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, providing for lead testing; and, in charter schools, further providing for provisions applicable to charter schools.

Which was committed to the Committee on EDUCATION, April 20, 2017.

April 21, 2017

Senators RAFFERTY, RESCHENTHALER, DINNIMAN, YUDICHAK, AUMENT and BLAKE presented to the Chair **SB 648**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for Distracted Driving Awareness plate.

Which was committed to the Committee on TRANSPORTATION, April 21, 2017.

Senators BROWNE and HUGHES presented to the Chair **SB 651**, entitled:

An Act providing for the capital budget for fiscal year 2017-2018; itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance, flood

control projects, Keystone Recreation, Park and Conservation Fund projects, Environmental Stewardship Fund projects, State forestry bridge projects, park and forest management projects, State ATV/Snowmobile Fund projects, Pennsylvania Fish and Boat Commission projects, Oil and Gas Lease Fund projects and Motor License Fund projects to be constructed, acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed, acquired or assisted by the Department of General Services, the Department of Environmental Protection, the Department of Transportation or the Pennsylvania Fish and Boat Commission; authorizing the use of current revenue for the purpose of financing the projects to be constructed, acquired or assisted by the Department of Conservation and Natural Resources or the Department of Transportation stating the estimated useful life of the projects; making a related repeal; and making appropriations.

Which was committed to the Committee on APPROPRIATIONS, April 21, 2017.

April 24, 2017

Senators FOLMER, REGAN, EICHELBERGER, MARTIN, AUMENT, DiSANTO and WAGNER presented to the Chair **SB 650**, entitled:

An Act prohibiting employers from making employment conditional on certain labor organization status; providing for remedies and penalties; and making related repeals.

Which was committed to the Committee on LABOR AND INDUSTRY, April 24, 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:

April 24, 2017

Senators FOLMER, MENSCH and STEFANO presented to the Chair **SR 83**, entitled:

A Resolution urging the Congress of the United States to enact legislation to reinstate the separation of commercial and investment banking functions in effect under the Glass-Steagall Act and support repeal of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Which was committed to the Committee on BANKING AND INSURANCE, April 24, 2017.

### GENERAL COMMUNICATION

#### 2016 HAZARDOUS SITES CLEANUP FUND ANNUAL REPORT

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

COMMONWEALTH OF PENNSYLVANIA  
Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 2063  
Harrisburg, PA 17105-2063

January 31, 2017

Ms. Megan Martin  
Secretary-Parliamentarian of the Senate  
Senate Post Office Box 203053  
Harrisburg, PA 17120-3053

Dear Ms. Martin:

The Department of Environmental Protection (DEP) is pleased to present to you its Hazardous Sites Cleanup Fund Annual Report. This report summarizes DEP's accomplishments under the Hazardous Sites Cleanup Act, which provides DEP with the ability to immediately respond to spills of hazardous substances thereby eliminating threats to public health and the environment.

Due to the elimination of Pennsylvania's Capital Stock and Franchise Tax, which served as the primary funding source for this program, sufficient revenue will not be available to allow DEP to continue this important work in future years. I look forward to working with the General Assembly to address this need.

As provided in the Hazardous Sites Cleanup Fund Funding Act, DEP is distributing the report electronically and providing a link for accessing the report online. The report can be found on DEP's Website at [www.dep.pa.gov](http://www.dep.pa.gov). From that page, under "Businesses" choose the "Land" tab, then click on "Site Remediation" to get to the Hazardous Sites Cleanup Program to locate the report.

Thank you for your interest in this report and for continuing to partner with DEP to promote a clean environment and safe communities for all Pennsylvanians.

Respectfully,

PATRICK McDONNELL  
Acting Secretary

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

### LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator Wagner, and a legislative leave for Senator Ward.

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

Senator WILLIAMS. Mr. President, I request a temporary Capitol leave for Senator Dinniman, and a legislative leave for Senator Brewster.

The PRESIDENT. Senator CORMAN requests a temporary Capitol leave for Senator Wagner, and a legislative leave for Senator Ward.

Senator WILLIAMS requests a temporary Capitol leave for Senator Dinniman, and a legislative leave for Senator Brewster.

Without objection, the leaves will be granted.

### LEAVE OF ABSENCE

Senator CORMAN asked and obtained a leave of absence for Senator MENSCH, 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, April 24, 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 on Monday, May 8, 2017, unless sooner recalled by the President pro tempore of the Senate; and be it further

RESOLVED, Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, May 8, 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	Tartaglione
Argall	Eichelberger	Martin	Tomlinson
Aument	Farnese	McGarrigle	Vogel
Baker	Folmer	McIlhinney	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	Langerholc	Stefano	
Dinniman	Laughlin	Street	

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.

**GUESTS OF SENATOR ELDER A. VOGEL  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Beaver, Senator Vogel.

Senator VOGEL. Mr. President, with us today is Maxine Malvar from Lawrence County, who is a senior at Kennedy Catholic High School. Maxine has been awarded the titles of Distinguished Young Woman of Lawrence County and Pennsylvania. The Distinguished Young Women program strives to give every young woman the opportunity to further her education and prepare for a successful future. Maxine's outstanding talent and knowledge in the areas of interview, scholarship, talent, fitness, and self-expression, combined with her performance of "*Think of Me*" from the "*Phantom of the Opera*," captured her the victory. Maxine will be traveling to Mobile, Alabama, to compete against 50 other women at the National Distinguished Young Women competition in June. Please help me welcome Maxine as she addresses the Senate.

Thank you, Mr. President.

The PRESIDENT. Maxine, please come up as our outstanding Distinguished Young Woman and address the Pennsylvania State Senate.

Ms. MALVAR. Good afternoon, Members of the Senate. A wise man once said, "The secret of success is consistency of purpose." My name is Maxine Malvar, and I am a black belt in Taekwondo, homecoming queen, a gold medallist in figure skating at the State level, student council president, the 2-year captain and choreographer of my high school dance team, and the

Distinguished Young Woman of Lawrence County and the State of Pennsylvania for the class of 2017. Within all of my activities and for the rest of my life, I will carry the same consistent purpose to learn. Nowhere was that goal made more relevant than through my experiences in the Distinguished Young Women program. Participating in the program has benefitted me further by improving my interviewing skills, my public speaking skills, and instilling a newfound sense of confidence. It has allowed me to work with people from whom I am constantly learning. The young women who are accepted into the program are future surgeons, lawyers, teachers, paragons of change, and champions of progress, and because of the Distinguished Young Women program, I am now proud to call them my best friends. Every day they continue to inspire me to set higher goals which I am able to move toward because of the skills and mindset this program has conferred.

I am immensely proud to have been selected to represent these amazingly accomplished young women at the national level of the Distinguished Young Women program in Mobile, Alabama, this summer. The national program takes place over the duration of 2 weeks, during which all of the representatives will live with host families and other candidates in the program and culminates with a 3-night show to select the Distinguished Young Woman of America for the class of 2017. I eagerly await the opportunity to gain 50 new sisters, to keep honing my skills through the Distinguished Young Women program, and to continue pursuing my consistent purpose by learning from every experience.

Thank you for your time.  
(Applause.)

The PRESIDENT. Wow, outstanding. Senator Vogel, thank you for bringing such an outstanding young woman to our Chamber. Maxine, I know that you will be amazingly successful. We also want to introduce your mother, Dr. Maritoni Malvar, who is joining us here and is also very lovely. We appreciate all that you have done to mold Maxine. Thank you both for being here.

(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, this afternoon I rise to introduce a group of constituents and local elected and appointed officials who are visiting the Capitol today representing Eddystone Borough, Delaware County. This group is visiting the Capitol to observe the legislature at work, tour our Commonwealth's beautiful Capitol, and discuss issues impacting their community. Today they have had the opportunity to attend press events and to have met with the Pennsylvania State Boroughs Association.

These visitors include Mayor Allen Reeves; William Stewart, president of borough council; Karen Reeves, vice president of borough council; Kelly Butkus, borough councilwoman; Beth Gross, borough councilwoman; Despo Tatasciore, borough councilwoman; Ed Mokshefsky, police chief for the borough; Joe Pretti, police lieutenant for the borough; Tim Possenti, manager of Eddystone Borough; David Bennett, constable; and Katherine

Bennett. Mr. President, I ask that we extend our traditional warm welcome to these special guests who are seated in the gallery.

The PRESIDENT. Would the guests of Senator Killion, the great, outstanding public servants from Eddystone Borough, please rise so that we may welcome you to the Pennsylvania Senate. Thank you for all that you do.

(Applause.)

### **GUESTS OF SENATOR MICHAEL R. REGAN PRESENTED TO THE SENATE**

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

Senator REGAN. Mr. President, I am honored to be joined today by a team of young athletes who brought home the State CYO Basketball Championship and inspired an outpouring of pride in our hometown. This history-making team is Saint Theresa's Girls' Basketball Team, Cumberland County's own Lady Saints. In fact, Saint Theresa's had a banner year this season and made parish history, when both boys' and girls' teams won the Harrisburg Diocesan Championship in the same year. They are only the second program in the Harrisburg Diocese to capture both banners in the same year since 1953, a full 64 years ago.

The Saint Theresa's Lady Saints captured the 47th annual CYO Championship with a 41-37 victory over Sacred Heart of Hanover. This victory is Saint Theresa's 11th Diocesan title and gives them back-to-back championships for 2016 and 2017. The team has 13 players and is coached by Kevin Cicak and assistants Tammi and Dwayne Jones and Jim Gaumer.

After their impressive Diocesan win, the Lady Saints went on to capture the State title by defeating Saint Thomas More by a score of 39-25. They finished the season with a record of 32 wins and 5 losses. Offense or defense, these young ladies can do it all - dribble, shoot, pass, block, and rebound - but it is not speed or height that makes these girls such daunting opponents, the girls win because they have mastered the art of teamwork. These young ladies practiced their hearts out and played their hearts out, and seem to have a sixth sense about where each other are on the court.

These young ladies are also amazing students, team players, and friends both on and off the court. With their display of sportsmanship at every game, they truly make Saint Theresa's and the entire Commonwealth of Pennsylvania proud. I am so honored to be able to have them here with me in the Capitol today, and extremely grateful for the privilege of introducing them to the Senate. Mr. President, please join me in giving a full-court press to these first-rate ballplayers, State champions, and friends, Saint Theresa's Lady Saints.

The PRESIDENT. Would the guests of Senator Regan, the Saint Theresa's Lady Saints team, coaches, and players please rise so that we may congratulate you.

(Applause.)

### **GUESTS OF SENATOR MICHELE BROOKS PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, I am happy to be joined today by two bright young men from the 50th Senatorial District

who are serving as guest Pages. Eighth-grader Evan Cianci is from Greenville, and Joseph Pflieger, also in the eighth grade, is from my hometown of Jamestown. They are accompanied by Evan's mom, Pam Cianci, who is seated in the gallery. Both students, who traveled 4 1/2 hours this morning to be with us here in the Capitol, attend Saint Michael School in Greenville. Evan is the class president, while Joseph is the class vice president. Together they compete on Saint Mike's basketball team and are involved with the Junior Academy of Science, and National History Day. Evan is an altar server who also takes part in the school musical and the academic games. Joseph plays soccer, runs track, and was the winner of the school geography bee.

These boys are multi-talented and well-rounded, and have demonstrated themselves to be skilled learners and future leaders. They are eager to learn more about State government. Please give Joseph, Evan, and Pam a warm Senate welcome as they get a memorable glimpse of State government from inside the Pennsylvania Capitol today.

Thank you, Mr. President.

The PRESIDENT. Would Evan and Joseph, the guest Pages, and parent Pam, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

### **GUEST OF SENATOR ARTHUR L. HAYWOOD PRESENTED TO THE SENATE**

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

Senator HAYWOOD. Mr. President, I rise today to recognize my youngest daughter, Alexandra Haywood, who is visiting from Saint Kitts. She is a student at Ross University School of Veterinary Medicine, and she is more than halfway done. We are so proud of her. She attended the hearing that we had with the Senate Committee on Judiciary, and I wanted to recognize my daughter. I am so proud of her, and I ask that we give her a warm welcome.

The PRESIDENT. I think we will be able to do that, Senator Haywood. What a nice privilege to be able to introduce your daughter. Would Senator Haywood's distinguished guest, his youngest daughter, Alexandra, a budding veterinarian, please rise so that we may welcome you to the Senate of Pennsylvania.

(Applause.)

### **LEGISLATIVE LEAVE CANCELLED**

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

### **GUESTS OF SENATOR PATRICK M. BROWNE PRESENTED TO THE SENATE**

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

Senator BROWNE. Mr. President, I have two very important constituents for me to introduce today. First is our guest Chaplain, Reverend Canon Maria Tjeltveit, who offered our prayer today. She is the chaplain for The Episcopal Church of the Mediator in Allentown. I ask the Senate for a warm Senate welcome for our Chaplain.

The PRESIDENT. Would the guest of Senator Browne, Pastor Tjeltveit, please rise so that we may welcome you.

(Applause.)

The PRESIDENT. Reverend Tjeltveit stuck with us, Senator. The last time she was scheduled she was stuck in traffic for 4 hours. It was so important that she got rescheduled, and she did a great job.

Senator BROWNE. Mr. President, another introduction. I am also pleased to introduce an outstanding young man with us today who is interning in my local Allentown district office, Jose Soto. Jose is a graduate of Louis E. Dieruff High School, a graduate of Lehigh Carbon Community College, where he received his associate's degree in applied science and business management, and will continue his higher education in the fall at DeSales University, where he will pursue a bachelor's degree in business management. Please give him a warm Senate welcome.

The PRESIDENT. Would the outstanding young man, Jose Soto, the guest of Senator Browne, please rise so that we may welcome you.

(Applause.)

The PRESIDENT. Reverend Tjeltveit has indicated that her church specializes in transitioning refugees to Pennsylvania. Two of our guests, I do not have the gentlemen's names, they are refugees from Eritrea. Gentlemen, please stand so that we may welcome you to the Pennsylvania State Senate.

(Applause.)

## CALENDAR

### SECOND CONSIDERATION CALENDAR

#### SB 25 CALLED UP OUT OF ORDER

**SB 25 (Pr. No. 314)** -- Without objection, the bill was called up out of order, from page 4 of the Second Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 25 (Pr. No. 314)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for definitions, for State Board of Nursing, for dietitian-nutritionist license required, for temporary practice permit, for graduates of schools of other states, territories or Dominion of Canada, for certified registered nurse practitioners, for scope of practice for certified registered nurse practitioners, for prescriptive authority for certified registered nurse practitioners, for Drug Review Committee and for professional liability; and providing for the expiration of the State Board of Nursing's power to license certified registered nurse practitioners.

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.

## RECESS

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

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

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

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

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

## AFTER RECESS

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

## RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for the purpose of a meeting of the Committee on Appropriations to be held in the Rules room immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, 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 Ward and Senator Wagner have returned, and their respective leaves are cancelled.

## CONSIDERATION OF CALENDAR RESUMED

### THIRD CONSIDERATION CALENDAR

#### BILL OVER IN ORDER

**SB 8** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

#### BILL OVER IN ORDER TEMPORARILY

**SB 260** -- Without objection, the bill was passed over in its order temporarily at the request of Senator GORDNER.

#### BILLS OVER IN ORDER

**SB 288, SB 289, SB 298 and SB 399** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL AMENDED

**SB 554 (Pr. No. 613)** -- The Senate proceeded to consideration of the bill, entitled:

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.

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

LEACH AMENDMENT A0681

Senator LEACH offered the following amendment No. A0681:

Amend Bill, page 2, line 16, by striking out "human trafficking" and inserting:  
sexual servitude

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

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

Senator LEACH. Mr. President, this is a technical amendment changing the term "human trafficking" to "sexual servitude" to bring it in compliance with other statutes. I believe it is an agreed-to amendment.

And the question recurring,  
Will the Senate agree to the amendment?  
It was agreed to.

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

LEACH AMENDMENT A0993

Senator LEACH offered the following amendment No. A0993:

Amend Bill, page 8, line 3, by inserting after "child":  
as defined in section 3001 (relating to definitions)

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

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

Senator LEACH. Mr. President, this is, again, a very technical amendment inserting the word "child" in a specific section. It is, again, an agreed-to amendment.

And the question recurring,  
Will the Senate agree to the amendment?  
It was agreed to.

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

**SB 260 CALLED UP**

**SB 260 (Pr. No. 240)** -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Consideration Calendar, by Senator GORDNER.

BILL ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 260 (Pr. No. 240)** -- The Senate proceeded to consideration of the bill, entitled:

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

Considered the third time and agreed to,

On the question,  
Shall the bill pass finally?

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

Senator WARD. Mr. President, this bill is intended to broaden victim representation on the Victim Services Advisory Committee, also known as VSAC, within the Pennsylvania Commission on Crime and Delinquency. VSAC helps to establish funding priorities within PCCD and policy and guidelines for victim services through PCCD. The committee also helps determine funding uses for the Federal dollars that Pennsylvania receives through the National Crime Victims' Rights Act. It is important that as many crime victim populations as possible are represented when it comes to providing support and services for these victims.

Thank you very much, and I humbly ask my colleagues for a "yes" vote.

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

NAY-0

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

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

#### BILL OVER IN ORDER

**SB 560** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

#### SECOND CONSIDERATION CALENDAR RESUMED

##### BILL ON SECOND CONSIDERATION

**SB 5 (Pr. No. 470)** -- The Senate proceeded to consideration of the bill, entitled:

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.

Considered the second time and agreed to,

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

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

**SB 7 (Pr. No. 89)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education), 71 (State Government) and 72 (Taxation and Fiscal Affairs) of the Pennsylvania Consolidated Statutes, in retirement for school employees as to membership, contributions and benefits, further providing for actuarial cost method; in administration and miscellaneous provisions, further providing for administrative duties of board; in retirement for State employees and officers as to contributions, further providing for actuarial cost method; in administration, funds, accounts, general provisions, further providing for administrative duties of board; providing for taxpayer protection and establishing the Taxpayer Protection Fund; and repealing certain provisions of the Fiscal Code.

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

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

#### BILLS OVER IN ORDER

**SB 9, HB 16, SB 54 and SB 88** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### BILL LAID ON THE TABLE

**SB 93 (Pr. No. 70)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

#### BILL ON SECOND CONSIDERATION, AMENDED

**SB 95 (Pr. No. 315)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for immunity for constitutionally protected communications.

On the question,

Will the Senate agree to the bill on second consideration?

Senator FARNESE offered the following amendment No. A0991:

Amend Bill, page 2, line 16, by striking out "prothonotary" and inserting:

court

Amend Bill, page 4, lines 14 and 15, by striking out "or group of persons acting, directly or indirectly, in the interest of the party"

Amend Bill, page 4, line 20, by inserting after "the" where it occurs the first time:

nonmoving

Amend Bill, page 5, line 1, by striking out "Any good faith" and inserting:

A

Amend Bill, page 6, lines 2 through 6, by striking out all of said lines

On the question,

Will the Senate agree to the amendment?

It was agreed to.

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.

#### BILLS OVER IN ORDER

**SB 108, SB 128 and HB 165** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

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

**SB 173 (Pr. No. 165)** -- The Senate proceeded to consideration of the bill, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in taxation and finance, providing for spending limitations.

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

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

**SB 202 (Pr. No. 279)** -- The Senate proceeded to consideration of the bill, entitled:

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



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

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

**SB 203 (Pr. No. 280)** -- The Senate proceeded to consideration of the bill, entitled:

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

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

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

#### BILLS OVER IN ORDER

**SB 222, SB 242, SB 273, SB 297, SB 303, SB 354, SB 363, SB 383, SB 406, SB 435, SB 458, SB 494, SB 530, SB 531 and SB 592** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

#### UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

**SB 25 (Pr. No. 314)** (Rereported)

An Act amending the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, further providing for definitions, for State Board of Nursing, for dietitian-nutritionist license required, for temporary practice permit, for graduates of schools of other states, territories or Dominion of Canada, for certified registered nurse practitioners, for scope of practice for certified registered nurse practitioners, for prescriptive authority for certified registered nurse practitioners, for Drug Review Committee and for professional liability; and providing for the expiration of the State Board of Nursing's power to license certified registered nurse practitioners.

**SB 201 (Pr. No. 278)** (Rereported)

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

**HB 224 (Pr. No. 426)** (Rereported)

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 and school crossing guards.

#### SENATE RESOLUTIONS ADOPTED

Senators RAFFERTY, COSTA, MARTIN, LANGERHOLC, BREWSTER, GORDNER, EICHELBERGER, GREENLEAF, SCAVELLO, FONTANA, DINNIMAN, YAW, SABATINA, ARGALL, BROWNE, VOGEL, FOLMER, TARTAGLIONE, RESCHENTHALER, KILLION, YUDICHAK, BROOKS, MENSCH, SCHWANK, AUMENT, VULAKOVICH, HUTCHINSON, SCARNATI, WHITE, BARTOLOTTA and WARD, by unanimous consent, offered **Senate Resolution No. 84**, entitled:

A Resolution recognizing the week of May 14 through 20, 2017, as "National Police Week" and designating May 8, 2017, as "Police Officers' Memorial Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, once again, I have the privilege of, along with Senator Costa, representing the Senate at the State Fraternal Order of Police Memorial on May 8 here in Harrisburg. I long for the year, Mr. President, when I can stand there and read the resolution recognizing all of the men and women who have given their lives for us without adding any additional names. Unfortunately, this year we have to add additional names. Mr. President, this is a very solemn occasion and an occasion where we need to stand as a Commonwealth and support the men and women who wear the badge every day protecting our liberties, our rights, and our lives.

Since the beginning of law enforcement within this Commonwealth, hundreds of Pennsylvania police officers have made the ultimate sacrifice in the line of duty. Unfortunately, this past year in 2016, we lost two officers in the line of duty, and an additional two officers passed away in prior years as a result of service-related injuries, who are being honored this year by the Pennsylvania State Fraternal Order of Police. Police Officer Scott Leslie Bashioum, Canonsburg Borough Police Department, and Trooper Landon E. Weaver will both be honored this year. They both died in the line of duty in 2016. Officer Bashioum was shot and killed on November 10, 2016, and Trooper Weaver was shot and killed on December 30, 2016. Both law enforcement officers, Mr. President, were killed while responding to domestic disturbances. Additionally, Patrolman Edward A. Wehe III, of the Delaware County Courthouse and Park Police Department, died on November 5, 2013, due to a heart attack and health conditions from service, and police Officer Walter J. DeWitt III, Philadelphia Police Department, passed away on June 5, 2015, due to health complications from his on-the-job service.

The Fraternal Order of Police will conduct its annual memorial service ceremony on May 8, 2017. Senator Costa and I will be presenting this Senate resolution at the ceremony. I ask that the Senate not only recognize and remember the brave men and women who have lost their lives in the line of duty this past year, but also recognize the men and women of law enforcement who serve our residents every day and perform their duties honorably in the face of ever-present danger. They risk their lives for us, and we should be grateful for their service. Mr. President, it is a very solemn occasion for us and, again, an opportunity for us to remember the men and women who have made the ultimate sacrifice and the men and women who continue to serve us wearing the badge of law enforcement.

I ask, Mr. President, that you now recognize my friend and colleague, my partner with the Senate resolution, the gentleman from Allegheny, Senator Costa.

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

Senator COSTA. Mr. President, I rise this afternoon to join my good friend and colleague, Senator Rafferty from Montgomery County, on the resolution that he just described and also rec-

ognizing the eloquence in which he described how we must, as a Chamber and as a General Assembly, come and work together to honor not only the service of the individuals but their lives and memories. These men and women we talk about over the course of these many years are part of our community. They represent us in service very, very well and have done so in the past. This is another year, unfortunately, that we are rising to do this resolution because we have lost a couple of those individuals who, unfortunately, will not be able to make it back home to their families.

So, Mr. President, I appreciate and echo the comments of my friend, Senator Rafferty, as he articulated how important it is that we recognize these men and women as we go forward. To that end, Mr. President, I ask that my colleagues in the Chamber rise and offer a moment of silence for these men and women to honor their lives, their service, and their memory.

Thank you, Mr. President.

The PRESIDENT. Upon consideration of the resolution honoring our fallen police officers offered by both Senator Rafferty and Senator Costa, Senators will please rise for a moment of silence to consider these brave heroes.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of FALLEN POLICE OFFICERS.)

The PRESIDENT. Thank you, and God bless them.

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

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

Senators LEACH, DINNIMAN, SCHWANK, REGAN, FONTANA, YUDICHAK, GREENLEAF, ARGALL, BROWNE, AUMENT, RAFFERTY, WHITE, MENSCH, BOSCOLA, HUGHES, McILHINNEY, VULAKOVICH, COSTA and WARD, by unanimous consent, offered **Senate Resolution No. 85**, entitled:

A Resolution commemorating the 69th anniversary of the birth of the State of Israel.

On the question,  
Will the Senate adopt the resolution?

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

Senator LEACH. Mr. President, this resolution recognizes the anniversary of the birth of the State of Israel, which I know the President and I have both been there, once together. This is particularly important during this time when we just recently saw the number of anti-Semitic incidents occurring in this country, going up by 30 percent in the last year. We have even seen mainstream political parties across the world embracing anti-Semitism. So, it is more important than ever that we acknowledge and affirm the homeland of the Jewish people and resist any efforts to delegitimize or stigmatize the State of Israel. So, with that in mind, I offer this 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 LEACH, STREET, KILLION, MENSCH, RAFFERTY, FARNESE, HUGHES, VULAKOVICH and COSTA, by unanimous consent, offered **Senate Resolution No. 86**, entitled:

A Resolution designating April 24, 2017, as "Pennsylvania's Day of Remembrance of the Armenian Genocide of 1915-1923."

On the question,  
Will the Senate adopt the resolution?

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

Senator LEACH. Mr. President, this resolution is a commemoration, recognition, and acknowledgment of the Armenian Genocide, which occurred from 1915 to 1923, in which 1.5 million Armenians were slaughtered in a genocide perpetrated by the Ottoman Turk Empire. Today is Armenian Martyrs' Day, the 24th of April every year. When, during the perpetration of the Holocaust against the Jews, Adolf Hitler was asked how Germany would be remembered, and he said, well, no one talks about the Armenians anymore, do they?

It is important that we recognize this first enormous genocide of the 20th century, which laid a groundwork and set a template for other mass genocides to follow, and that we never forget what happened to the Armenian people at that time.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for two very important and thoughtful resolutions.

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

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

Senators VULAKOVICH, BAKER, BREWSTER, BROOKS, BROWNE, COSTA, DINNIMAN, EICHELBERGER, FOLMER, GREENLEAF, HUTCHINSON, RAFFERTY, RESCHENTHALER, SABATINA, TARTAGLIONE, YUDICHAK, AUMENT and HUGHES, by unanimous consent, offered **Senate Resolution No. 87**, entitled:

A Resolution designating May 1, 2017, as "Loyalty 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, while "Loyalty Day" is not as well known as some of the other patriotic and commemorative holidays, this special occasion has been with us for nearly 60 years, since President Dwight D. Eisenhower signed Public Law 85-529 in 1958 designating May 1 as Loyalty Day in the United States. Each year the President of the United States issues a proclamation calling on government officials to display the flag on all government buildings and encouraging the observation of Loyalty Day in schools and in other appropriate forums.

Each year on May 1, the Pennsylvania Veterans of Foreign Wars, otherwise known as the VFW, holds their annual Loyalty Day program. This year's event will be held at 10 a.m. at Sol-

dier's Grove. I invite Members of the Senate, Capitol staff, and citizens to attend this program. Veterans from across the Commonwealth will be there to help reaffirm our pride and patriotism. My resolution charges each of us as citizens of this great State and this great nation to remember the message of Loyalty Day, that we honor the service of our men and women in uniform and that we remember, with gratitude and appreciation, the privileges of freedom and democracy that we enjoy. Mr. President, on May 1, let us reaffirm our allegiance to the United States of America and pay tribute to the heritage of American freedom.

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 SABATINA, FONTANA, BREWSTER, GREENLEAF, SCAVELLO, EICHELBERGER, BLAKE, DINNIMAN, LANGERHOLC, VOGEL, WARD, BARTOLOTTA, McGARRIGLE, BROWNE, AUMENT, FARNESE, RAFFERTY and HUGHES, by unanimous consent, offered **Senate Resolution No. 88**, entitled:

A Resolution designating the week of April 24 through 28, 2017, as "Every Kid Healthy Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator SABATINA. Mr. President, today I offer this resolution marking the week of April 24 through April 28 as "Every Kid Healthy Week" in Pennsylvania. Data show that there are a number of benefits for kids who increase the amount of physical activity in their daily lives, such as improving academic performance, reducing the risk of developing obesity and other chronic health conditions, such as heart disease, bone and joint problems, and obesity. Physical inactivity epidemics are well known, including here in Pennsylvania, where 30 percent of Pennsylvania children ages 10 to 17 are considered overweight or obese. More specifically, 14 percent of Pennsylvania children between the ages of 10 and 17 are considered obese, and less than 20 percent meet the recommended levels of aerobic and muscle-strengthening physical activities. This issue has gone beyond a public health policy matter as the increasing levels of obesity and physical inactivity are directly linked to increasing governmental healthcare costs. Here in Pennsylvania we have some of the highest health costs in the nation. Currently, we rank 11 out of 51 in healthcare spending per capita.

I am encouraging the legislature to recognize the importance of a physically active lifestyle and the role it plays in the physical, psychological, and academic well-being of Pennsylvania's children by supporting this resolution, which will designate April 24 through April 28 as Every Kid Healthy Week, and help draw attention to this important issue.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators SCAVELLO, MARTIN, BREWSTER, DINNIMAN, SABATINA, GREENLEAF, YAW, AUMENT, EICHELBERGER, RESCHENTHALER, BROWNE, HUTCHINSON, RAFFERTY, YUDICHAK, COSTA, KILLION and MENSCH, by unanimous consent, offered **Senate Resolution No. 89**, entitled:

A Resolution designating April 24, 2017, as "Motorsports Day" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator SCAVELLO. Mr. President, as many of you know, Pennsylvania has a long, rich history of motorsports of all types. The economy of this Commonwealth has benefitted from the longtime investments of a range of businesses that are involved in the production and engineering of many motorsport vehicles used in racing today. Pennsylvania is one of two States with the highest number of NASCAR fans, and approximately 20 chapters of the Official NASCAR Members Club are located in this Commonwealth. Long Pond, a community in my district, is home to Pocono Raceway, the host of the IndyCar event and two Monster Energy NASCAR Cup Series events annually. Just for the record, on three different days a year, Long Pond has the population of the fourth-largest city in our Commonwealth.

As of 2013, and as a result of a study done by East Stroudsburg University, economic stimulus resulting from the events at Pocono Raceway was \$275,500,000 and resulted in the creation of 2,752 jobs. Also in 2013, the raceway generated over \$15 million in State tax revenue and put another \$15 million into the local economy. Pennsylvania is very fortunate to have Pocono Raceway, and I personally thank Pocono Raceway for its many contributions to motorsports and the economy of this Commonwealth. In addition to Pocono Raceway, Pennsylvania has numerous smaller tracks located throughout the Commonwealth which hold events for all types of motorsports and ranks among the top five States in the country in the number of racetracks.

That being said, I am honored to introduce this Senate resolution on the floor of the Senate today in honor of our rich history of motorsports in this Commonwealth, including the many contributions of Pocono Raceway, NASCAR fans, and other stakeholders, and therefore designating April 24, 2017, "Motorsports Day" in Pennsylvania. I ask for a unanimous vote. Thank you.

The PRESIDENT. The Chair thanks the distinguished Senator from Monroe, and what an important moneymaker the Pocono Raceway is for all Pennsylvanians. For sports fans, there is nothing better than Pocono Raceway, a true treasure for Pennsylvania.

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 Ethan Hanosek and to Jack Estes by Senator Alloway.

Congratulations of the Senate were extended to Justin Chase Pranga, PepsiCo Gatorade Mountain Top, Susquehanna County Conservation District, Ritz Company Playhouse, Harveys Lake Women's Club and to The Other Shop of Honesdale by Senator Baker.

Congratulations of the Senate were extended to Carlene Nichol as by Senator Blake.

Congratulations of the Senate were extended to Joshua Thomas Tingley by Senator Brooks.

Congratulations of the Senate were extended to Gloria May Bower by Senator Browne.

Congratulations of the Senate were extended to Captain Jon E. Cutler by Senators Dinniman and Haywood.

Congratulations of the Senate were extended to Tanner D. Eshenour by Senator Eichelberger.

Congratulations of the Senate were extended to Dr. David L. Soltz by Senator Gordner.

Congratulations of the Senate were extended to Garrett Matthew Glowacki and to Iroquis School District by Senator Laughlin.

Congratulations of the Senate were extended to Avalia Fusco and to Barbara Greenstein Blum by Senator Leach.

Congratulations of the Senate were extended to Brian Kennerly by Senator McGarrigle.

Congratulations of the Senate were extended to Branden Shaffer, Benjamin Andrew Medvitz, April Barkasi and to Cedarville Engineering Group, LLC, by Senator Rafferty.

Congratulations of the Senate were extended to Valley Forge Tourism and Convention Board by Senator Rafferty and others.

Congratulations of the Senate were extended to Jonathon Reynolds Pastor by Senator Regan.

Congratulations of the Senate were extended to Travis Stefanik and to Dave Crowell by Senator Scavello.

Congratulations of the Senate were extended to Harriet Abt by Senator Scavello and Boscola.

Congratulations of the Senate were extended to Walter R. Marcinkowski and to Harry J. White V by Senator Tartaglione.

Congratulations of the Senate were extended to Mr. and Mrs. Charles Andrew Belmont and to Matthew Dallas by Senator Tomlinson.

Congratulations of the Senate were extended to the Victim Assistance Canine Program by Senator Vulakovich.

Congratulations of the Senate were extended to Leon Strimel by Senators Vulakovich and Bartolotta.

Congratulations of the Senate were extended to Aaron Ward by Senator Wagner.

Congratulations of the Senate were extended to Boy Scouts of America Troop 345 by Senator Ward.

Congratulations of the Senate were extended to Thomas Bowman by Senator White.

Congratulations of the Senate were extended to Mr. and Mrs. Daniel Sokolowski and to Neal A. DeAngelo by Senator Yudichak.

**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 Evelyn E. Howell, to the family of the late Shirley D. Osborne and to the family of the late LeRoy B. Hummel by Senator Baker.

**ANNOUNCEMENTS BY THE SECRETARY**

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, APRIL 25, 2017

9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 144, 497 and 646; and Senate Resolution No. 33)	Room 8E-B East Wing
9:30 A.M.	TRANSPORTATION (public hearing with PENNDOT Secretary Leslie Richards on the "Twelve Year Program and Project Prioritization")	Room 8E-A East Wing
10:00 A.M.	BANKING AND INSURANCE (to consider Senate Bills No. 143, 630 and 637)	Room 461 Main Capitol
10:30 A.M.	HEALTH AND HUMAN SERVICES (to consider Senate Bill No. 200; and House Bill No. 23)	Room 461 Main Capitol
11:00 A.M.	AGRICULTURE AND RURAL AFFAIRS and APPROPRIATIONS Subcommittee on Education, Workforce, Community and Economic Development (joint public hearing on Farm Show Lease Leaseback)	Hrg. Rm. 1 North Off.
11:30 A.M.	JUDICIARY (to consider Senate Bills No. 434, 461, 496, 510 and 577)	Room 8E-B East Wing
12:00 P.M.	STATE GOVERNMENT (to consider Senate Bills No. 168, 353, 503, 504 and 539)	Room 8E-A East Wing
Off the Floor	LABOR AND INDUSTRY (to consider Senate Bill No. 269)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Resolution No. 6; and certain Executive Nominations)	Rules Cmte. Conf. Rm.
Off the Floor	TRANSPORTATION (to consider Senate Bills No. 332, 589, 614 and 648)	Rules Cmte. Conf. Rm.

WEDNESDAY, APRIL 26, 2017

10:00 A.M.	FINANCE (to consider Senate Bills No. 300, 508, 611 and 627)	Room 8E-A East Wing
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MONDAY, MAY 1, 2017

11:00 A.M.	AGING AND YOUTH, APPROPRIATIONS Subcommittee on Health and Human Services, HEALTH AND HUMAN SERVICES and INTER-GOVERNMENTAL OPERATIONS (joint public hearing to consider the impact of the proposed consolidation of the	Unv. of Pitt William Pitt Assem. Rm.
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Departments of Health, Human Services, Aging, Drug & Alcohol Programs into a unified Department of Health & Human Services)

WEDNESDAY, MAY 3, 2017

1:00 P.M.	COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (S) and GAMING OVERSIGHT (H) (joint public hearing to gather information from gaming industry stakeholders regarding gaming expansion options and suggested changes to the local share assessment)	Mt. Airy Casino Resort Event Center
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FRIDAY, MAY 12, 2017

12:00 P.M.	EDUCATION (public hearing on Erie City School District and implementation of the Financial Watch & Recovery Status System)	Central Tech H.S. Erie, PA
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**PETITIONS AND REMONSTRANCES**

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

Senator STEFANO. Mr. President, I rise today in response to the contest I talked about last week from Kraft Hockeyville. Last week, the Rostraver Ice Gardens made the final four in the contest. With everyone's support, I am proud to say I am here again this week and they are in the final two. Rostraver has moved forward and there are now only two left, one in Pennsylvania, of course, Rostraver, and one in Minnesota. So I need everyone's help again. We need to vote at [KraftHockeyville.com](http://KraftHockeyville.com) 50 times up until the end of the day Tuesday. You can vote online, or text RostraverPA to 35350. And let all of your friends and family know that we will put Pennsylvania on top, and our grand prize winner will be, with all of your support, the Rostraver Ice Gardens. The grand prize, again, is a \$150,000 upgrade to their ice rink and facilities. So, again, thank you for your support from last week, and we call on you again.

Thank you, Mr. President.

The PRESIDENT. The Chair congratulates Senator Stefano on helping Rostraver move forward. Now it is our job to make sure that we win Hockeyville USA. So everyone must leave immediately and go vote, and vote often, at a maximum of 50 times, at [KraftHockeyville.com](http://KraftHockeyville.com). Everyone have that? Get ready to vote.

The Chair recognizes the gentleman from Philadelphia, Senator Hughes.

Senator HUGHES. Mr. President, as you know, as I think all of us are aware, we are in the season now of trying to make a determination about where we are with respect to our 2017-18 budget. We have had our hearings, the Governor made his proposal, we brought numerous cabinet Secretaries in to discuss the specifics of the operations of their respective departments, and the first action that was taken from a legislative perspective, Mr. President, was taken a week ago by our House Republican Majority colleagues. Their budget proposal, which is embodied in House Bill No. 218, is now available for public review and public conversation. Although we appreciate their action of passing that bill earlier this month, although it was an important first step toward trying to move the budget process forward, and although we are optimistic that starting the process much earlier than in previous years will lead to an on-time agreement, the problem

that we have, Mr. President, is the House Republican budget continues a repeated pattern of disinvesting in Pennsylvania and Pennsylvanians based on their apparent belief that we can simply cut our way out of a \$3-billion budget hole. It is kind of Trumpian math, Mr. President. It reminds me of President Reagan's voodoo economics. It just does not work, it has not worked, and, unfortunately, there is far too much history indicating that this kind of budget trick will clearly lead to something far less desirable. Draconian cuts titled Reinvent Pennsylvania are hiding the true intent behind a presumably politically popular slogan. It does not reinvent, it only cuts, slashes, burns, and tears down some more of the important infrastructure and service structure that exists here in the Commonwealth to take care of the needs of the 12 million people here in Pennsylvania.

Let us take a look, Mr. President, at some of the specifics of the Republican budget proposal that came out of the House of Representatives earlier this month. A 6.5-percent across-the-board cut to general government operations. These cuts in the executive, judicial, and legislative branches and row offices will impact government efficiency and the ability to provide services. In far too many places, Mr. President, Pennsylvania workers are in an environment where they are pushing the envelope. In fact, they are pushing through the envelope to try to provide services for the citizens of the Commonwealth of Pennsylvania. The 6.5-percent across-the-board slash would only make the ability to provide those services even more difficult than what it is right now. These cuts, in addition to the \$143 million in savings assumed by the Governor related to controlling the executive branch complement, going forward will result in approximately 1,700 furloughs across the executive branch due to insufficient funding.

As you will hear later on, Mr. President, from my good colleague and friend, Senator Farnese, at a time when creating jobs and revitalizing the economy is the number one issue facing Pennsylvania, House Republicans in their Reinvent Pennsylvania proposal would cut \$70 million from the Department of Community and Economic Development, compared to the 2016-17 budget that we are operating under right now. This would severely, Mr. President, hamper our job creation efforts. When our unemployment rate is higher than the national rate, we need the State to act as an economic driver, an engine for job creation and wealth creation for moderate- and low-income working individuals. The Reinvent Pennsylvania proposal does not reinvent Pennsylvania for those individuals. It cuts Pennsylvania's health for those individuals who need the Commonwealth the most. Senator Farnese will speak to that later this week, Mr. President.

You will also hear from Senator Schwank later this week. The House budget proposal slashes health and human service funding by \$341 million at a time when we should be rebuilding our social safety net programs that are still reeling from the previous 10-percent cut from the Republican governor, Governor Corbett, and his previous administration. We are trying to rebuild from the cuts from the Corbett administration, and Reinvent Pennsylvania reinvents itself dramatically for people who need the Commonwealth the most, low-income working individuals and modest-income families who are trying to make it through. They need Pennsylvania to be there for them. The Republican budget proposal walks away from their needs.

On the issue of the opioid crisis, Mr. President, which shows no sign of slowing down, the House Republican proposal de-

creases and eliminates funding for organizations and initiatives specifically aimed at helping those fighting addictions and their families. It cuts services, Mr. President, in a growing crisis that is, in fact, an epidemic, the opioid crisis. Mr. President, the Reinvent Pennsylvania budget proposal reinvents Pennsylvania as a place that has no sympathy and no concern for the individuals who are suffering from this crisis. It cuts the Department of Health and Human Services in medical assistance and behavioral health that may impact the Governor's Centers for Excellence initiative to battle the opioid crisis, and fails to fund the proposed \$10 million Naloxone grant program for law-enforcement personnel to respond to overdoses. It eliminates funding for the Center for Rural Pennsylvania, which has been very active in relation to the opioid crisis. Their budget proposal, Reinvent Pennsylvania, House Bill No. 218, reinvents this Commonwealth on the backs of people who need the State the most and it provides less services for them. Trumpian, I suggest; voodoo economics, I would add.

You will hear, Mr. President, from Senator Blake later on this week that the House Republicans have eliminated State funding for local government programs like adult probation services and intermediate punishment programs. House Bill No. 218 simply transfers the funding burden down to our local governments and will likely result in county, municipal, and school district tax increases. Mr. President, once again, this Trumpian plot to reinvent the Commonwealth of Pennsylvania reinvents itself on the backs of hardworking, middle-income, modest-income individuals who need, as I said before, the State to be there for them and not to be against them.

The House Republican budget, House Bill No. 218, is equally problematic for what it does not include. You will hear from my friend, Senator Haywood, shortly about the policy deficit that is being created in the Commonwealth based upon the lack of investments and our refusal to get our fiscal house in order. The House Republican budget proposal, Reinventing Pennsylvania, does not increase the minimum wage, once again leaving low-income individuals left wanting in terms of trying to find additional dollars to feed their families and to take care of their most basic needs. No increase in the minimum wage.

And on the concept of voodoo economics, Mr. President, the House Republican revenue assumptions used to balance their budget are also of concern. Their budget is built on a revenue deficit of \$786 million. That is exceedingly optimistic. In fact, the deficit by the end of April will be larger than \$786 million. Our staff believes that the year-end revenue deficit for Fiscal Year 2016-17 will be substantially higher and likely to exceed \$1 billion. Once again, the voodoo economics represented in the Reinvent Pennsylvania proposal from the House Republican Caucus uses a hodgepodge of revenues to claim their proposal is balanced. They claim they have identified over \$1.6 billion in potential revenue. However, these revenues come from increased liquor sales and gambling. So, let us get folks boozed up and let them go gamble. That is their proposal. Allow folks to drink more, get boozed up, get liquored up, and then they go gamble. These old ideas are regressive in nature and historically have had either little to no support in the General Assembly.

In addition, large portions of the revenue package are completely undefined, including \$160 million in special fund balance transfers and the redirection of \$250 million in dedicated special fund revenues to the General Fund. These, again, Mr. President,

are not identified. They are one-time transfers, but they are not identified. What are they? Where are they? What is the substance?

We rise, Mr. President, because we can no longer be in a situation where the overwhelming majority of Pennsylvania's people are carrying the weight for those at the very top. One of the wealthiest corporations, once again, Mr. President, one of the wealthiest sectors, once again, is the Marcellus Shale industry. It is doing extremely well. The only State in the nation, I remind you, that does not tax shale drilling on a statewide basis, a severance tax, is the Commonwealth of Pennsylvania. The Reinvent Pennsylvania proposal coming from the House Republican Majority really in this case does not reinvent Pennsylvania at all. It just keeps Pennsylvania at the status quo, because it chooses, once again, to walk away from a Marcellus Shale severance tax, although it is overwhelmingly supported by at least two-thirds of Pennsylvania's people. The Republican proposal coming out of the House, as I said earlier, does not reinvent Pennsylvania in this area. It allows for the status quo to continue. Consequently, we wind up, or better yet, the average individual in Pennsylvania, the average taxpayer in Pennsylvania, the average Joe and Jane in the Commonwealth of Pennsylvania, who are working hard, paying their fair share, playing by the rules, in many cases are subsidizing the non-severance-tax-paying Marcellus Shale industry.

Finally, Mr. President, even though they do not appear to generate enough dollars to generate their budget, they ask for a \$75-million increase in the EITC and OSTC tax credit program. This is something I am not sure we are in a position to pay for, Mr. President, since there are really no new substantial revenues coming out of the House Republican proposal. To be fair, the House Republican budget does have some positives, but they are de minimus, as the lawyers would say. They do not address the overwhelming needs of the people of the Commonwealth of Pennsylvania, and they lack, in their fiscal integrity, to add anything of substance to the needs of the people of Pennsylvania and to the State's fiscal situation.

So, we want to be a part of this process and we intend on being a part of this process. We want to put people back to work here in the Commonwealth of Pennsylvania. We want to make sure that they are paid a fair and appropriate wage. We want to make sure that Pennsylvania's people can withstand whatever may be coming out of Washington, D.C., and Lord knows we sure do not know what may be coming out of our nation's capital, 1600 Pennsylvania Avenue, to be specific. We are not clear on that, but we know that we have to defend our State, make the appropriate investments, put people back to work, provide an infrastructure and a strong safety net, rebuild this Commonwealth to make everybody a fair participant, everybody at the table, everybody eating well, going to fully funded schools, equitably funded schools, if I may correct myself, Mr. President. Those are the things and the important principles that we stand for.

We appreciate the early activity by the House Republican Majority. We do see that there are a significant number of deficiencies, which we have just lined up and laid out to this body and for anyone who is listening. We do intend to continue to advocate bold proposals and ideas and concepts to try to get us through this circumstance, but I can say first out of the box, Mr. President, the Reinvent Pennsylvania proposal that was voted on

and delivered to us a few weeks ago, earlier in this month, falls far short of addressing the needs of all of the people of the Commonwealth of Pennsylvania.

Thank you, Mr. President.

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

Senator HAYWOOD. Mr. President, I rise also to address the House Republican budget that was sent over to the Senate. This budget is wrong for Pennsylvania for a number of reasons that I will outline in the time that I have. First of all, as Senator Hughes has already stated, that budget fails to raise the minimum wage at all. You may know that we are at \$7.25 an hour. We have the lowest minimum wage of any State that surrounds us. Folks who are earning minimum wage have a choice to make: either pay rent, pay utilities, pay for food, or pay for medication. If they are not able to manage those choices with the little money that they earn, they then go to our public assistance for support - Medicaid, SNAP, or housing assistance - all because their employers do not pay them enough money to allow them to have the freedom that their hard work should provide.

Pennsylvanians are in support of raising the minimum wage so that hard work is not equal to the poverty pay that we currently have. Over 74 percent of Pennsylvanians, Mr. President, are for raising the minimum wage. Raising the minimum wage to \$12 an hour, as was stated in the Governor's proposal, would raise the wages for over 1 million Pennsylvanians. It would stimulate the economy. It is amazing to me the struggle we have with basic economics, but let me walk through it. When consumers have money to spend and they spend it, that means stores are selling more of their products. Stores that sell more of their products have to produce more products to sell. Producing more products to sell equals more jobs. That is why three out of five small businesses are in support of raising the minimum wage up to \$12 an hour. I am not aware of any stimulus for our economy that would be more effective than raising the minimum wage. That is why 29 States and the District of Columbia have done so.

Let me say, in addition to being wrong on raising the minimum wage, it is a decision that refuses to put money in the hands of everyday Pennsylvanians. Although we say we are for freedom and consumer choice, we block that choice by keeping the wages down for our fellow citizens. Now, this is a budget that is not just wrong for everyday Pennsylvanians by holding them down into low-wage positions, it is wrong because the opposite is also happening by providing more tax breaks to those who do not need them. As Senator Hughes has said, the shale industry continues to be a freeloader in our State by paying nothing on shale severance tax when we have, as many have said, the Saudi Arabia of shale. So we allow those who have money not to pay, and then we keep down the wages of those who need support.

Unfortunately, it does not end there in this budget. This is a budget that says not only do low-income wage earners stay low, but we are going to take more money from you by dealing with your gambling. If you are a gambler, and you know many gamblers are in low- and moderate-wage positions, trying to get a quick boost to their income, this budget says we are going to take approximately \$875 million from these same individuals from gambling. Those who are the most vulnerable. Those who may be suffering from an addiction. Not only do we keep your dollars low, we take the money that filled the budget with your gambling

habits and maintain the tax breaks for the shale industry, as Senator Hughes has already explained.

Now, Senator Hughes and I, along with several of our colleagues on this side, have an alternative way forward for the Commonwealth. It is raising the minimum wage to at least \$12 an hour. It is imposing a fair tax on the severance industry, but it does not end there. We have looked at the tax structure here in Pennsylvania to see that everyday Pennsylvanians are paying way too much in taxes. So we have developed a fair share tax plan that does one primary thing, it applies a tax on the wealthy. It applies a tax on the wealthy because it applies a tax at the rate of 6 1/2 percent on dividends, income from business, capital gains, income from rents, royalties, patents, and copyrights. These are the kinds of earnings that high-wealth individuals have, and by imposing a tax of 6 1/2 percent, it will generate at least \$2.5 billion. Now, we are going to offset that by reducing the taxation on everyday Pennsylvanians from the current 3.07 percent to 2.8 percent. That would generate about \$500 million in tax relief across the Commonwealth for everyday Pennsylvanians. This would mean 58 percent of taxpayers in Pennsylvania get a tax cut, 26 percent no change at all, and 15 percent would have a tax increase. Now, the 15 percent that are going to have a tax increase are mostly coming from those making in the top 1 percent or those in the top 5 percent. The top 5 percent is \$300,000 a year and more. Across rural communities and urban counties, there would be an average of 85 percent of our taxpayers seeing their taxes go down or be unchanged, all while we are generating tax relief and new revenue to address the investment agenda.

In a nutshell, we have a response to the wrong direction. When you go in the wrong direction, there is also a big sign that says, you are going in the wrong direction, so that you do not continue to go down that path. Senator Hughes and I and this Caucus are providing the alert, the sign: we are going in the wrong direction, and we have also provided a direction of where to make the turn so that we do not end up in the dead end of this budget.

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, April 25, 2017, at 1 p.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 3:53 p.m., Eastern Daylight Saving Time.