

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, JUNE 6, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 30

SENATE

TUESDAY, June 6, 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 Monsignor MICHAEL PICARD, of St. Andrew Catholic Church, Newtown, offered the following prayer:

God, our Father and our friend, this day and all days are Yours. We offer You our acceptance of whatever You send for us - suffering, joy, work, or difficulties. You send us the grace to refine our vision today. Help us to focus on the faces we pass each day seeing You in them. Make us aware that You have made everything and that everything is precious in Your eyes. Extend Your blessing to all who call upon You, for You are the God of all and to You we give honor and glory. May the blessing of almighty God descend upon all present gathered here to do Your will. For we ask all this in Your holy name. Amen.

The PRESIDENT. The Chair thanks Monsignor Picard, who is the guest today of Senator McIlhinney.

PLEDGE OF ALLEGIANCE

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

COMMUNICATIONS FROM THE GOVERNOR

NOMINATIONS REFERRED TO COMMITTEE

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

MEMBER OF THE PENNSYLVANIA
HUMAN RELATIONS COMMISSION

June 6, 2017

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

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

rial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve for a term of five years, and until his successor is appointed and qualified, vice Terence Farrell, West Chester, resigned.

TOM WOLF
Governor

**MEMBER OF THE STATE BOARD
OF MASSAGE THERAPY**

June 6, 2017

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2020, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Donna Ponessa, Lancaster, resigned.

TOM WOLF
Governor

BILL INTRODUCED AND REFERRED

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

June 6, 2017

Senators ARGALL, FOLMER, SCHWANK, YUDICHAK, SCAVELLO, WAGNER, BOSCOLA, DINNIMAN, AUMENT, WHITE, ALLOWAY, BAKER, DiSANTO, RAFFERTY, MENSCH, STEFANO, BREWSTER, BROWNE, MARTIN and EICHELBERGER presented to the Chair **SB 76**, entitled:

An Act providing for tax levies and information related to taxes; authorizing the imposition of a personal income tax or an earned income tax by a school district subject to voter approval; providing for imposition of and exclusions from a sales and use tax for the stabilization of education funding, for increase to the personal income tax, for certain licenses, for hotel occupancy tax, for procedure and administration of the tax, for expiration of authority to issue certain debt and for reporting by local government units of debt outstanding; establishing the Education Stabilization Fund; providing for disbursements from the Education Stabilization Fund and for senior citizen property tax rent rebate assistance; and making repeals.

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

BILLS REPORTED FROM COMMITTEES

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

SB 529 (Pr. No. 854)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in dissemination of criminal history record information, further providing for general regulations and for order for limited access, providing for clean slate for convictions of misdemeanors and for charges not leading to convictions, for effects of expunged offenses and offenses provided limited access and for employer immunity from liability and further providing for use of records by licensing agencies; and imposing duties on the Pennsylvania State Police and the Administrative Office of Pennsylvania Courts.

SB 662 (Pr. No. 916) (Amended)

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of drug delivery resulting in serious bodily injury; and, in sentencing, providing for sentencing for drug delivery resulting in serious bodily injury.

SB 741 (Pr. No. 903)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in Administrative Office of Pennsylvania Courts, further providing for senior judge operational support grants; in facilities and supplies, further providing for deposits into account and for surcharge; and repealing provisions relating to expiration of chapter.

Senator WARD, from the Committee on Labor and Industry, reported the following bill:

SB 183 (Pr. No. 915) (Amended)

An Act providing for plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of Labor and Industry; establishing fees, fines and civil penalties; establishing the Plumbing Contractors Licensure Account; and making an appropriation.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request temporary Capitol leaves for Senator Folmer and Senator Greenleaf, and a legislative leave for Senator Corman.

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

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

The PRESIDENT. Senator Gordner requests temporary Capitol leaves for Senator Folmer and Senator Greenleaf, and a legislative leave for Senator Corman.

Senator Costa requests a legislative leave for Senator Williams.

Without objection, the leaves will be granted.

LEAVE OF ABSENCE

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

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of March 28, 2017, is now in print.

The Clerk proceeded to read the Journal of the Session of March 28, 2017.

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

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

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

YEA-49

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

NAY-0

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

The PRESIDENT. The Journal is approved.

LEGISLATIVE LEAVE CANCELLED

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

**GUESTS OF SENATOR DANIEL J. LAUGHLIN
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Erie, Senator Laughlin.

Senator LAUGHLIN. Mr. President, today I rise because I have the privilege of introducing a very inquisitive group from Erie, Pennsylvania. It is the Jefferson Civic Leadership Academy, which prepares Erie professionals for meaningful, fulfilling, and impactful engagement in their community by providing a dynamic and unique environment that fosters teamwork, growth, and learning through a transformative experience for those seeking to be agents of change in our community. In 2016, the leadership academy addressed blight in Erie County, creating a citizens' action guide that combats blight. The preliminary topic for this year will address the opioid crisis in Erie.

Please join me in giving the Jefferson Civic Leadership Academy a warm welcome to the Senate of Pennsylvania.

The PRESIDENT. Would the guests of Senator Laughlin, the Jefferson Civic Leadership Academy, please rise so that we may give you our warmest Pennsylvania Senate welcome. Thanks for all you do.

(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 a family from my Senate district who are seated in the Senate gallery. It is my pleasure to introduce Will Gowin and his mother, Shelly Gowin, as well as Shelly's parents, Jerry and Elsie Ross, all from Bradford County. Jerry and Elsie reside in Troy Borough, and Will and Shelly reside in Canton Township. Will is a student at Canton Junior/Senior High School, and I am told he has a keen interest in government and politics. We might see him again in the 23rd Senatorial District sometime in the future. Will also just celebrated his 14th birthday on Saturday.

Mr. President, it is always great to welcome residents from my Senate district. I ask my Senate colleagues to give Will, his mother, Shelly, and her parents, Jerry and Elsie, a warm Senate welcome.

The PRESIDENT. Would the very special guests of Senator Yaw, who are in the gallery, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

RECESS

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

Senator GORDNER. Mr. President, I request a recess of the Senate for purposes of, first, an off-the-floor meeting of the Committee on Local Government to be held in the Rules room, followed 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, the Senate Democrats will meet in our caucus room after the meeting of the Committee on Local Government.

The PRESIDENT. For purposes of a meeting of the Committee on Local Government, to be 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 CANCELLED

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

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request a temporary Capitol leave for Senator White, and a legislative leave for Senator Greenleaf.

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

Senator FONTANA. Mr. President, I request a temporary Capitol leave for Senator Street.

The PRESIDENT. Senator Gordner requests a temporary Capitol leave for Senator White, and a legislative leave for Senator Greenleaf.

Senator Fontana requests a temporary Capitol leave for Senator Street.

Without objection, the leaves will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 144 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 202 (Pr. No. 161) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	Eichelberger	Martin	Tartaglione
Argall	Farnese	McGarrigle	Tomlinson
Aument	Folmer	McIlhinney	Vogel
Baker	Fontana	Mensch	Vulakovich
Bartolotta	Gordner	Rafferty	Wagner
Blake	Greenleaf	Regan	Ward
Boscola	Haywood	Resenthaler	White
Brewster	Hughes	Sabatina	Williams
Brooks	Hutchinson	Scarnati	Yaw
Browne	Killion	Scavello	Yudichak
Corman	Langerholc	Schwank	
Costa	Laughlin	Stefano	
Dinniman	Leach	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 return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 267, SB 303, SB 332 and SB 383 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 434 (Pr. No. 473) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for ten year limitation, for mesne profits and for reimbursement and further providing for twenty-one year limitation.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

YEA-49

Table with 4 columns of names: Alloway, Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Corman, Costa, Dinniman, Eichelberger, Farnese, Folmer, Fontana, Gordner, Greenleaf, Haywood, Hughes, Hutchinson, Killion, Langerholc, Laughlin, Leach, Martin, McGarrigle, McIlhinney, Mensch, Rafferty, Regan, Reschenthaler, Sabatina, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Vulakovich, Wagner, Ward, White, Williams, Yaw, Yudichak

NAY-0

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

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

BILLS OVER IN ORDER

SB 458, SB 496, SB 503, SB 504 and SB 561 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 589 (Pr. No. 887) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for the definition of "stinger-steered automobile" or "boat transporter"; and, in size, weight and load, further providing for fire apparatus, for length of vehicles and for maximum gross weight of vehicles.

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 Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, Senate Bill No. 589 increases the maximum allowable weight for motor carrier vehicles which are powered by natural gas from 80,000 pounds to 82,000 pounds. When Congress passed the FAST Act in 2015, it included a provision that States may increase their allowable weights for such vehicles from 80,000 pounds to 82,000 pounds not only to promote the use of this cleaner burning fuel, but also for practical reasons. Vehicles powered by natural gas weigh more than gasoline or diesel powered trucks due to heavier fuel tanks and the related necessary equipment. Heavy duty natural gas tractor trailers that run at full weight capacity weigh closer to 82,000 pounds simply due to the weight of the necessary equipment needed to make the engine and the system work. Additionally, a dozen States have already enacted laws on this topic, with dozens more pending.

Furthermore, Mr. President, I have been pleased to work with my colleague, Senator Rafferty, in including amendments which will require and bring some of our Vehicle Code into Federal compliance with updates included in the FAST Act. I also thank the work of my colleague, Senator Tomlinson, on this matter. As a result of this collaboration, Senate Bill No. 589 is a win-win for Pennsylvania. It serves the dual purpose of promoting and encouraging the use of natural gas to power our large trucks and insuring that our laws are up to date and in no danger of losing Federal transportation funds.

Thank you, Mr. President, and I ask my colleagues for an affirmative vote on Senate Bill No. 589.

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

Table with 4 columns of names: Alloway, Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Corman, Costa, Dinniman, Eichelberger, Farnese, Folmer, Fontana, Gordner, Greenleaf, Haywood, Hughes, Hutchinson, Killion, Langerholc, Laughlin, Leach, Martin, McGarrigle, McIlhinney, Mensch, Rafferty, Regan, Reschenthaler, Sabatina, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Vulakovich, Wagner, Ward, White, Williams, Yaw, Yudichak

NAY-0

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

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

BILL OVER IN ORDER

SB 592 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 624 (Pr. No. 697) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 27, 1966 (1st Sp.Sess., P.L.31, No.1), known as The Bituminous Mine Subsidence and Land Conservation Act, providing for planned subsidence and for retroactivity.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-32

Alloway	Corman	Martin	Stefano
Argall	Eichelberger	McGarrigle	Tomlinson
Aument	Folmer	McIlhinney	Vogel
Baker	Gordner	Mensch	Vulakovich
Bartolotta	Hutchinson	Regan	Wagner
Brewster	Killion	Resenthaler	Ward
Brooks	Langerholz	Scarnati	White
Browne	Laughlin	Scavello	Yaw

NAY-17

Blake	Fontana	Rafferty	Williams
Boscola	Greenleaf	Sabatina	Yudichak
Costa	Haywood	Schwank	
Dinniman	Hughes	Street	
Farnese	Leach	Tartaglione	

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.

BILLS OVER IN ORDER

SB 630 and **SB 646** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 9, HB 27, HB 46, SB 53, HB 93, SB 113, SB 121, SB 128, SB 242, SB 403, SB 406, SB 430, SB 431, SB 446, SB 449,

HB 453, SB 469, SB 494 and **SB 515** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 527 (Pr. No. 911) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Office of State Inspector General.

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.

SB 564 (Pr. No. 610) -- The Senate proceeded to consideration of the bill, entitled:

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

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.

BILL OVER IN ORDER

SB 577 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 594 (Pr. No. 672) -- 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 sales and use tax, further providing for exclusions from tax.

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

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

BILLS OVER IN ORDER

SB 595, HB 595 and **SB 611** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 634 (Pr. No. 708) -- 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 transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for Transfer and Articulation Oversight Committee.

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

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

BILLS OVER IN ORDER

SB 636, SB 649, SB 667 and HB 674 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 677 (Pr. No. 798) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the taxation or the exemption from taxation of amounts and events relating to the Pennsylvania ABLE Savings Program.

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

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

BILLS OVER IN ORDER

SB 724, HB 758 and HB 1071 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SENATE RESOLUTION No. 33, ADOPTED

Senator GORDNER, without objection, called up from page 9 of the Calendar, Senate Resolution No. 33, entitled:

A Resolution establishing a task force on lead exposure and the hazards of lead poisoning; imposing duties on the Joint State Government Commission; and authorizing a study.

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

On the question, Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Luzerne, Senator Yudichak.

Senator YUDICHAK. Mr. President, quickly, I will offer the balance of my remarks for the record, but I thank the Majority Leader, the Majority Whip, and the chair of the Committee on Environmental Resources and Energy for advancing this Senate Resolution No. 33, which is a bipartisan resolution that will establish a lead task force in Pennsylvania to address lead abatement across all 67 counties in our schools, in our daycares, and our residential communities.

Thank you very much, Mr. President.

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 Luzerne, Senator YUDICHAK.)

Mr. President, I thank my colleagues for taking up Senate Resolution No. 33, a bipartisan resolution that directs the full attention of the Commonwealth to the important issue of lead exposure in Pennsylvania. Currently, PA invests \$2 million for lead exposure education; however, no State funds are directed to residential or school lead abatement, and lead testing for children is not mandatory.

Senate Resolution No. 33 will help more aggressively advance PA's lead mitigation and abatement efforts. The resolution recognizes lead exposure is most readily caused by PA's aging housing stock and educational buildings, nearly 70 percent of which were built with lead-based paints prior to the 1978 Federal lead ban.

Senate Resolution No. 33 convenes a Senate task force, as well as an advisory committee of public and private sector experts under the Joint State Government Commission, to complete a report in 18 months that will:

- Study the prevalence of lead exposure in homes, schools, and daycares
• Identify best lead abatement practices
• Make recommendations to the full Senate

The final report of the task force will advance cooperative efforts and arm us with better information to bolster existing programs and develop new lead abatement programs that more aggressively mitigate lead exposure in PA.

I respectfully request my colleagues' favorable vote on Senate Resolution No. 33.

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

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

YEA-49

Table with 4 columns of names: Alloway, Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, Brooks, Browne, Corman, Costa, Dinniman, Eichelberger, Farnese, Folmer, Fontana, Gordner, Greenleaf, Haywood, Hughes, Hutchinson, Killion, Langerhole, Laughlin, Leach, Martin, McGarrigle, McIlhinney, Mensch, Rafferty, Regan, Resenthaler, Sabatina, Scarnati, Scavello, Schwank, Stefano, Street, Tartaglione, Tomlinson, Vogel, Vulakovich, Wagner, Ward, White, Williams, Yaw, Yudichak

NAY-0

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

The PRESIDENT. The resolution is adopted.

SENATE RESOLUTION No. 76, ADOPTED

Senator GORDNER, without objection, called up from page 9 of the Calendar, **Senate Resolution No. 76**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study of the feasibility of providing two additional passenger rail trips daily between Pittsburgh and Harrisburg and its impact on existing freight rail service.

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

On the question,
Will the Senate adopt the resolution?

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

Senator VULAKOVICH. Mr. President, I ask my colleagues to support Senate Resolution No. 76. This resolution, in short, directs the Legislative Budget and Finance Committee to study the feasibility and financial costs to expand passenger rail service from Pittsburgh both to the east and to the west. I believe the existing one train a day between Harrisburg and Pittsburgh does not meet the transportation needs of residents in western communities along the line, and many who depend upon passenger rail service to travel. The residents of western Pennsylvania deserve the same consideration and opportunity for increased frequency of service on this existing line as residents of Pennsylvania and other parts of the State along the Keystone Line.

Senate Resolution No. 76 directs the LBFC to conduct a study of the feasibility of providing an additional two passenger rail trains a day to the existing one daily train between Pittsburgh and Harrisburg, including whatever Federal money can be identified to support such a service. It also includes looking at rail service west of Pittsburgh to Cleveland and Chicago, which is of special interest to my friend, Senator Vogel, from the 47th Senatorial District in western Pennsylvania. The study should also determine what improvements to the rail infrastructure between Pittsburgh and Harrisburg are necessary in order to make the additional passenger rail service compatible with the existing freight service. I think it is important that we conduct a study like this before making any other decisions on increasing passenger rail. I would also like to say a special thanks to Senator Rafferty for his support of this study.

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

The PRESIDENT. The Chair recognizes the gentleman from Cambria, Senator Langerholc.

Senator LANGERHOLC. Mr. President, I offer my support for Senate Resolution No. 76 and respectfully ask my colleagues to do the same. I believe in passenger rail. I believe in its effectiveness to connect smaller cities and towns with larger urban centers. I believe this will be the catalyst to creating and driving economic growth and rejuvenating many smaller cities. One of these cities is Johnstown. I live in greater Johnstown. I grew up

in greater Johnstown. I have always called Johnstown a smaller version of Pittsburgh. The parallels are aplenty, from its steel history to the layout nestled between rivers to its staunch devotion to the Steelers, Pirates, and the defending Stanley Cup Champion Penguins. The two are connected. More rail service would greatly enhance not only the greater Johnstown region, but Pittsburgh as well.

As it is, there is only one train to Pittsburgh from Johnstown a day. One train. It is difficult, if not impossible, to travel between Pittsburgh and Johnstown in one day. Any trip necessitates an overnight stay. Succinctly, more trains equal more economic opportunity to the region. I have talked to many business leaders in the Johnstown community and have been privileged to meet with individuals from the Downtown Pittsburgh Partnership. They know the impact this will have on the regional economy. From an increased pool of employees to connections between universities like Carnegie Mellon, Duquesne, and the University of Pittsburgh, all would benefit. Couple that with increased cultural, recreational, and quality of life opportunities, and it is easy to see how tremendous of an asset more service would bring.

One of the many companies I spoke with in my region, Problem Solutions of Johnstown, is excited to partner their tech company with businesses and individuals who share the common vision. This can and will be the boost my region needs, as well as all of western Pennsylvania. I urge an affirmative vote for this crucial study, and I am excited to stand in its support.

Thank you, Mr. President.

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

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

ANNOUNCEMENT BY THE PRESIDENT

The PRESIDENT. We welcome our guests in the gallery. It appears to be a majority of intelligent and attractive young women and also some lucky male guests, but we welcome you to the great Pennsylvania Senate and we hope you are having a great visit here.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEE

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

SB 690 (Pr. No. 848)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in home rule and optional plan government, further providing for procedure for amendment of charter or optional plan.

SB 691 (Pr. No. 849)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in general provisions, providing for residency during military service.

SB 693 (Pr. No. 851)

An Act amending the act of October 27, 1979 (P.L.241, No.78), entitled "An act authorizing political subdivisions, municipality authorities and transportation authorities to enter into contracts for the purchase

of goods and the sale of real and personal property where no bids are received," further providing for title of the act; adding a short title; and providing for contracts for services.

SENATE RESOLUTIONS ADOPTED

Senators VULAKOVICH, COSTA, ARGALL, AUMENT, BOSCOLA, BREWSTER, DINNIMAN, FOLMER, FONTANA, GREENLEAF, KILLION, RAFFERTY, RESCHENTHALER, WARD, BAKER, SCAVELLO, YUDICHAK, WHITE, MENSCH, STREET and HUGHES, by unanimous consent, offered **Senate Resolution No. 136**, entitled:

A Resolution designating the week of June 11 through 17, 2017, as "State Veterans' Homes Week" 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, I rise today to offer a resolution designating June 11 through June 17 as "State Veterans' Homes Week" in Pennsylvania. When it comes to the servicemen and women who serve and fight for our nation, we cannot say thank you enough. We have a number of great programs for our veterans, not the least of which are our six veterans homes - the Delaware Valley Veterans' Home, the Gino J. Merli Veterans' Center, the Hollidaysburg Veterans' Home, the Pennsylvania Soldiers' and Sailors' Home, the Southeastern Veterans' Center, and the Southwestern Veterans' Center. These veterans homes provide the utmost in care and support for our veterans.

We recognize the sacrifices made by our men and women in uniform in times of peace and during conflict. These veterans homes are but one way that Pennsylvania shows its continuing support for those who stood tall in defense of freedom and our common values. I have been privileged to serve on the board of the Southwestern Veterans' Center and I am thankful for the work of the staff at the homes. It is not easy, but they do it in a professional and caring manner day in and day out for nearly 1,500 veterans and their spouses.

While I appreciate your support for this resolution, I encourage you to visit one of the homes and remind our heroes that they are not forgotten. I have provided a listing of their events to each of your offices. Please listen to their stories and what they did for our country. Then beyond that, we must show our defenders that we remember them by supporting their needs. Today I ask my colleagues to show their support for the men and women who each day care for our veterans by supporting this resolution marking State Veterans' Homes Week in Pennsylvania. God bless our veterans and the soldiers, men and women, who are serving today.

Thank you, Mr. President.

The PRESIDENT. I will visit the Southwestern Veterans' Center. I had, in my old senatorial district, the Delaware Valley Veterans' Home, and we have visited a number of them. Senator, thank you for standing up for the great care that our veterans deserve.

The Chair recognizes the gentleman from Montgomery, Senator Rafferty.

Senator RAFFERTY. Mr. President, very quickly, I join and commend my colleague, Senator Vulakovich, for this resolution. I have had the opportunity and the honor to be able to serve on the Southeastern Veterans' Center board for about 14 of my 15 years in the Senate. It is a rewarding experience to be able to work with our heroes and to make sure they receive the care that they so justly and rightly deserve. I commend my colleague, Senator Vulakovich, for his resolution, and I join with him as well. Thank you.

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

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

Senators RAFFERTY, TOMLINSON, BOSCOLA, MARTIN, BROWNE, GREENLEAF, DINNIMAN, EICHELBERGER, BROOKS, FARNESE, YUDICHAK, KILLION, ARGALL, MENSCH, BAKER, COSTA, YAW, SABATINA, FONTANA, BLAKE, AUMENT, BREWSTER, RESCHENTHALER, WARD, SCAVELLO, FOLMER, REGAN, HUTCHINSON and VOGEL, by unanimous consent, offered **Senate Resolution No. 137**, entitled:

A Resolution commemorating the 73rd anniversary of D-Day on June 6, 2017.

On the question,
Will the Senate adopt the resolution?

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

Senator RAFFERTY. Mr. President, I, along with Senator Vulakovich and Senator Eichelberger, offer this resolution. Mr. President, this is a very important and specific day to remember in American history, and actually world history. This was the day that the Allied Forces penetrated, by landing at Normandy on the beaches in France, the Nazi regime, and then began to move through France and all of the countries of Europe so occupied by the Nazis and drive towards Berlin. This is very important, and I hope that our students in school learn the significance of this day. This is the day that democracy stood together. The Allied troops - the United States, Great Britain, Canada, Australia, and France - all of us had troops on those beaches fighting our way into France to begin to lift that totalitarian curtain that had fallen all over Europe. It was a day for all of us to remember the sacrifices of the men and women that were made. The men who landed on the beach--but the women, I say, because the women were there to assist as nurses back in the hospitals and they all took very good care of our soldiers who were wounded that day.

Mr. President, it was a significant day. It was the largest land invasion in the history of this world. Names such as Eisenhower, Bradley, Patton, and even Montgomery became household American names because of their leadership skills, the bravery, and the men under their command in Europe on June 6, 1944. Thirteen thousand aircraft and 5,000 ships all supported the invasion that day. We gained that foothold in Normandy and began to liberate Europe so that once again democracy would thrive in Europe and the Nazi regime would come to its just end.

Mr. President, I ask for an affirmative vote. May God keep the souls of all those who gave their lives that day in His care.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for bringing up a very, very important date in history which made this country what it is today and this world what it is. On behalf of his cosponsor, Senator Eichelberger, we thank them both.

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, LEACH and COSTA, by unanimous consent, offered **Senate Resolution No. 138**, entitled:

A Resolution commemorating the 50th anniversary of the Reunification of the City of Jerusalem.

On the question,

Will the Senate adopt the resolution?

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

Senator SCHWANK. Mr. President, this resolution marks tomorrow, June 7, as the 50th anniversary of the Reunification of the center of Israel in Jerusalem. I recently had the wonderful opportunity to visit Jerusalem for the first time in my life. We arrived at Mount Scopus, one of the many hills or mountains on the outskirts of the city, just as the sun was setting and we had a panoramic view of the entire city, the Western Wall, many of the sites that are important to many different religions in the city of Jerusalem. It was so true, the saying is: (*in Hebrew*) Jerusalem of gold. The city literally glowed as we looked at the walls that are made of a golden colored stone in that twilight. It truly was a beautiful sight, Mr. President. It was a tremendously moving experience, as it is for so many people of so many faiths from all over the world.

I am happy to offer this resolution recognizing the anniversary at the request of the Pennsylvania Jewish Coalition. The resolution is open at the desk for Members interested in cosponsoring it. Thank you very much.

The PRESIDENT. What an important resolution. I have also visited the Holy Land a number of times and it is a wonderful and spiritually beautiful city and a place with the symbolic message that there are many things in life we disagree upon, but for the most important and deepest spiritual things we are all together. Jerusalem, like no other place in the world, is what that is all about.

Thank you, Senator Schwank.

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 Jackson Gunelson by Senator Argall.

Congratulations of the Senate were extended to Mr. and Mrs. Dale Miller, Elizabeth Ann Kurtz and to Carena Nottoli by Senator Aument.

Congratulations of the Senate were extended to Dr. Joseph M. Andrie, Willa's Gym and to Schlow Centre Region Library by Senator Corman.

Congratulations of the Senate were extended to James Ternent and Daniel Ternent by Senator Costa.

Congratulations of the Senate were extended to Benjamin V. Circus, Daniel John Law, Matthew Vincent Rindner, Joseph Thomas Ibarra, Alexander Seidel and to Niketh S. Charpanjeri by Senator Dinniman.

Congratulations of the Senate were extended to J. Carol Hanson by Senators Dinniman and Rafferty.

Congratulations of the Senate were extended to Jean Chernicoff by Senator DiSanto.

Congratulations of the Senate were extended to Hunter M. Beward by Senator Gordner.

Congratulations of the Senate were extended to Audrianna Van Tassel by Senator Hutchinson.

Congratulations of the Senate were extended to Benjamin Lawrence Chanenson by Senator Leach.

Congratulations of the Senate were extended to Michael Lynn Steger, Isaac Byrnes Novak and to John McKee Murdock by Senator Martin.

Congratulations of the Senate were extended to members and coach of the Camp Hill High School Quiz Bowl Team by Senator Regan.

Congratulations of the Senate were extended to members and coaches of the Saint Hubert's Catholic High School for Girls' Varsity Cheerleading Team by Senator Sabatina.

Congratulations of the Senate were extended to Katrina Lewis by Senator Scarnati.

Congratulations of the Senate were extended to Matthew Bartlett by Senator Scavello.

Congratulations of the Senate were extended to Christopher Berbaum by Senator Schwank.

Congratulations of the Senate were extended to Taryn Ashby 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 Dr. Pat S. Vulcano, Jr., by Senator Boscola.

Condolences of the Senate were extended to the family of the late Patricia Ann Seybert by Senator Hutchinson.

BILLS ON FIRST CONSIDERATION

Senator REGAN. 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 183, SB 529, SB 662, SB 690, SB 691, SB 693 and SB 741.

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, JUNE 7, 2017

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| 9:00 A.M. | COMMUNICATIONS AND TECHNOLOGY, LAW AND JUSTICE and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the Statewide Radio System) | Hrg. Rm. 1 North Off. |
| 1:00 P.M. | APPROPRIATIONS Subcommittee on Infrastructure, Environment and Government Operation (public hearing on Governor's proposed municipal fee for State Police coverage) | Hrg. Rm. 1 North Off. |

TUESDAY, JUNE 13, 2017

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| 9:00 A.M. | COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT (public hearing on the importance of Pennsylvania's tourism industry and its economic impact on the economy, as well as to receive input on tourism funding) | Hrg. Rm. 1 North Off. |
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WEDNESDAY, JUNE 14, 2017

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| 9:00 A.M. | HEALTH AND HUMAN SERVICES and VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (joint public hearing on the Department of Health: Hospital and Healthsystem Preparedness) | Hrg. Rm. 1 North Off. |
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THURSDAY, JUNE 15, 2017

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| 10:30 A.M. | VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (public hearing on after action assessment of the Eric Frein manhunt) | Pike Co. Training Ctr., Lords Valley |
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PETITIONS AND REMONSTRANCES

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

Senator FARNESE. Mr. President, first, let me wish you a belated happy birthday. I did not get a chance to do that.

The PRESIDENT. Thank you, Senator Farnese.

Senator FARNESE. Mr. President, I rise today to talk about a piece in the *Philadelphia Inquirer* dated May 31, 2017, which was written by the editorial board. The title of the piece was, "Must go after straw buyers to reduce gun violence in Philly." Again, it was in the May 31 edition of the *Philadelphia Inquirer* by the editorial board. I want to talk about it because it highlights the Commonwealth's straw purchase law, which was enacted in 2013 and established a 5-year mandatory minimum for straw purchases. That is a significant point in and of itself, especially

in this Chamber. As you know, Mr. President, we, at least one side of the aisle, the Majority party on many occasions has really scoffed at the idea of mandatory minimums because it infringes upon the purview of the courts and the discretion of the courts, and although we may disagree at times, I certainly respect the position that the two separate branches need to be kept separate.

I think it is interesting that the article did point out that within Pennsylvania there is a 5-year mandatory minimum for straw purchases. Now, the editorial goes on and suggests that more aggressive use of straw purchase laws are needed to combat gun violence within the city of Philadelphia. What it fails to mention, however, is the absence of the companion law that makes the straw purchase law practically chargeable. Right now, Mr. President, all a suspect needs to say when confronted with evidence that a crime was committed with a gun that they bought is that it was lost or stolen. That, in and of itself, is a get-out-of-jail-free card. Think about that. So when law enforcement tracks down a suspect who they believe purchased a gun illegally, a straw purchase of a gun, as you know what a straw purchase is, Mr. President, briefly it is where someone purchases guns, usually large amounts of them, 10, 15 at a time, for folks who are not legally able to purchase firearms, because of law enforcement infraction. So, when that suspect is confronted with evidence that a crime was committed with a straw purchase gun, all they need to say is that the gun was stolen or it was lost and automatically, that is it, get-out-of-jail-free card.

We have on the books a straw purchase law which includes, like I said, a mandatory 5-year minimum sentence. What the editorial fails to bring out is the fact that it is impossible to practically charge that law without allowing law enforcement to have the necessary piece of legislation, which is the lost and stolen. If this legislature passes a lost or stolen law, well, then we essentially take away that get-out-of-jail-free card. Lost and stolen legislation would not only give the straw purchase law, which is already on the books with a 5-year mandatory minimum, some teeth, but it is a helpful tool in law enforcement in cracking down on straw purchases. When police repeatedly trace crime and guns back to an owner who claims that each gun was, quote, lost, but never reported, police may be able to flag a potential trafficker or straw purchaser. Passing a lost or stolen law makes sense and it is absolutely necessary in order for our current straw purchase law to have any effective meaning.

The editorial board is missing another piece of the puzzle. It suggests that leaders need to come together for comprehensive reform, but it fails to recognize that we have been doing that. Year after year, legislative Session after legislative Session, we have been coming together. We have been introducing bills, we have attended rallies, and we have made speeches. Unfortunately, we have attended too many funerals of law enforcement struck down by illegal guns, by citizens in the streets struck down by illegal guns. We have done it all. We have done it here, we have done it back in our districts. I have appeared before the editorial board of the *Inquirer* on many occasions in the fishbowl and talked about legislative priorities, as many other Members of my delegation have. Year after year, we told them this is what we want to do. This is what I would like to do about straw purchases. Because without a lost or stolen provision, the straw purchase law has zero teeth.

What the *Inquirer*, I believe, failed to point out is what everybody in this building knows to be the fact: that the NRA dictates

gun policy in Pennsylvania. We know that. Again, do not forget, this is the place where we could not outlaw pigeon shoots because they did not want it. I will never forget that hearing of the Committee on Judiciary where a very good friend of mine, who tried to do something humane and right, was pushed back by an organization that he supported for years, and that his family supported. Pigeon shoots. Basically, clipping off a pigeon's wings, chuck them in a barn, and shooting at them. They, the NRA, did not want to stop them.

POINT OF ORDER

Senator GORDNER. Mr. President, point of order.

The PRESIDENT. Senator Gordner.

Senator GORDNER. Mr. President, can I get a clarification as to what our rule is on calling on outside organizations on the floor of the Senate?

The PRESIDENT. We will get you a ruling, Senator Gordner. I would say that, generally, on Petitions and Remonstrances, we have, by custom, been, I would say, very flexible and unrigid in how we assess it as it is considered generally by custom and by function an opportunity for Senators to be outside of the general strictures of how we do things. However, Senator, we will see if we can get you a ruling.

Senator Farnese, I hate to stop you momentarily, while you were on a roll, but if you would give us a second, we will see if we can come up with a ruling.

Senator FARNESE. Mr. President, thank you. I have a lot more to go, so certainly take the time for the Chair to review.

The PRESIDENT. Senator Gordner, as for your question regarding outside organizations, it appears that upon survey of our Rules that there is no specific reference to it. There is some language about calling outside executives, specifically by their names. It is not prohibited, but it seems under the Rules it is discouraged; however, directly talking about some outside organization, there is no prohibition and, in fact, there is no guidance in the Rules. So, I would say that without asking you to specifically talk about what your concern is, that is the answer, and I would probably advise that as long as the gentleman is not doing any proverbial yelling fire in movie theaters, he is probably clearly within his rights as a Senator and as an American citizen.

Senator Farnese, please proceed.

Senator FARNESE. Mr. President, thank you. As I was saying, what I believe that the *Inquirer* should have pointed out is the fact that the NRA dictates gun policy within the Commonwealth of Pennsylvania. If a piece of legislation even mentions the word "gun," they are going to weigh in on it, and most likely, they are going to stop it. In this building, an argument could be made, a strong argument based upon some of the bills that we have passed out of this Chamber in the last 8 years, that the NRA weighs in heavily on which bills that call into question or affect the Second Amendment ever reach the floor of this Senate or the General Assembly.

Look again, Mr. President, look again at lost and stolen. When the State failed to enact it, and we tried many times, many, many times, myself, other Members, most of the Members of the delegation, the Senate Democratic Caucus, Senator Tartaglione and others, when the State failed to enact it, local governments and municipalities took it upon themselves to enact reporting requirements. Guess who came to put a stop to it? The NRA. We

did it right here. We passed a preemption bill that gave unprecedented legal standing to an organization to go in, and we all know what that bill gave them the right to do: to sue municipalities, to sue citizens of Pennsylvania with unprecedented authority and standing, access to our courts, which was historic, not only in the jurisprudence of the Commonwealth but American jurisprudence. When the courts told the NRA that they did not have standing, when the courts told them that they could not pursue their cases, they came back to the legislature and, of course, had us fix that problem with preemption.

So maybe that is what the *Inquirer's* editorial board should look at next, find out why this organization will not allow a lost and stolen bill. Why they will not allow a companion legislation piece that actually gives teeth to something that is on the books. I am glad, at the very least, that the *Inquirer* has recognized the dangers of straw purchases, but coming together, as they say in their editorial, is not the problem. We are together. We have been together, but we are faced with a power lobby here, which is the real issue. That is where the editorial board should have focused their attention.

I hope we can truly overcome this issue and revisit legislation which will, in fact, make Pennsylvania's straw purchase law practically chargeable. Until that time, I hope the *Inquirer* and other editorial boards throughout Pennsylvania really look at the problem here because it is not with this legislative body, so to speak, it is not about the people, the men and women who come here and vote on the laws that affect the citizens, at least with particular attention to this matter. Straw purchase laws exist on the books, but there is no way to practically charge them until we pass a bill, lost and stolen, and finally give law enforcement the teeth and the opportunity they need to stop what we all agree is a significant and very troubling issue within the Commonwealth and across the United States of America.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I thank Senator Folmer as well for letting me speak while he was on the list first because of other obligations I have. Senator Folmer is always a good guy.

The PRESIDENT. No question.

Senator DINNIMAN. So, Mr. President, we thank Senator Folmer for that courtesy.

The PRESIDENT. We would not do it unless he agreed.

Senator DINNIMAN. Mr. President, Citizen Mike is our favorite here.

I want to talk about, and not long, a bill that we passed today, Speaker Turzai's bill, in terms of the Keystone Exams. It is a great bill and I want to say what the next action that we as a legislature need to do. First, you have to understand what our own Department of Education has done. When we passed Act 1 of 2016 last year, both the Senate and House passed it unanimously. They have refused to interpret the act the way we said in our legislation. They actually talked to me and other Senators and said that is not what our intent was. Well, how does a bureaucracy make a judgment of what our intent is? And as you know, they have refused to fully enforce the moratorium during the past 2 years. You add to it that they brought a commission together this summer and what they are now suggesting is that we actually continue the Keystone Exams, but that we provide a way for everyone to graduate anyway. So this is most peculiar.

In other words, we are supposed to continue these exams, which take up to 10 days of school time, and spend millions of dollars, I might humbly add, and take 2 weeks of the curriculum away for the exams, and at the same time, we have provisions we are going to put in place that it does not really matter whether you pass it or not, you are going to graduate. Why have them in the first place? By the way, the exams were never required by the Federal government. They were something that the former administration put in place. If you total up the amount of money that these exams and the PSSA exams cost, and what the school districts are paying in the last 8 years, we are talking about \$1.3 billion. That is a hell of a lot of money to be spending on testing when some of the young people taking the test do not even have the textbooks upon which they are tested.

So, we are going to have the opportunity to change this within the next several weeks in the Senate. Forty-seven Senators have signed on to a bill, which is a record, I think, here. A bill that both the Majority chair, Senator Eichelberger, and myself as Minority chair, have put together. That bill simply ends the graduation requirement. So, for every group of students we will not have to pass a bill similar to Speaker Turzai's bill which said, if you are in a vocational school, then do not worry about the Keystone Exams. Just get rid of them. That is all. In fact, for those students who fail the exam, do you know what happens? As long as they do their course work and pass, and give three indications that they thought about their career, then they will graduate. So why are we having these exams and taking all this time if in the end they do not mean anything?

So, what the bill will do, and it will have an opportunity to pass with 47 Senators as cosponsors, and I believe we will get it through 50-0, will be this: we are ending the graduation requirements and bringing the school back to where it should be, in the hands of the teachers. We recognize that not one single test or three high-stakes tests should determine whether someone graduates or not. We recognize that graduation depends on various types of evaluations and we refuse to let these tests prevent students from graduating. We can talk about what is happening in this class of 2017 and 2018, but when we got to the class of 2019, thousands and thousands of students would not be graduating from high schools in this Commonwealth, many of whom are some of the brightest kids in our schools today. We have students who are passing the college advanced placement tests and yet failing the algebra I Keystone test. I might humbly add, I told the department, why do they not try to take the tests themselves and see how well they do? Because they do not mind sharing the fact that students fail. I do not think they would pass them either. They never took me up on the offer, by the way, Mr. President.

One of the reasons I stood up today is because I came across something earlier this afternoon that amazed me, vis-a-vis the department. The department was well aware that Speaker Turzai's bill was going to pass because part of that bill said there are no more keystones in other subjects. The original bill called for 10 Keystone subjects, like in geometry, in history, and other subjects. Now, they have, on 4/25/17, which is about a month ago, signed an amendment to their contract with the DRC Corporation for an additional \$1 million to produce additional tests. Well, how could they be doing this when they knew that Speaker Turzai's bill passed the House, and we do not want any more additional tests? We want to get rid of the original ones. What

has happened is this, you have a department that has made up its mind that it wants to do what it wants to do and refuses to listen to the legislature.

There is a second bill that is going to come before us which can change that too, a bill that Senator Eichelberger and I are cosponsoring. That bill says that nothing is going to be submitted to Washington in terms of education for the next 30 to 40 years under ESSA, which replaced No Child Left Behind, until it is also approved by the legislature. Constitutionally, the authority for education rests in the legislature. In 46 other States, Mr. President, it rests with the Governor, Secretary of Education, or the Board of Education. Only in four States does it rest with the legislature, and the strongest constitutional provision of those four States is here in Pennsylvania, and it is time for us to assert our authority of making sure that nothing goes to Washington without our approval, and making sure we end these tests and they will be replaced for Federal accountability with the SAT tests. The advantage of that is 72 percent of the students already take these tests, and many poor kids who do not have the opportunity to take the SAT will now have that opportunity. In another State, when they put these tests into place as part of their State plan, 17,000 additional children, mainly coming from impoverished backgrounds, took the test, many went to college, and many received scholarships. The colleges look at the SAT. No one looks at the Keystone. So we will have the chance to tell the department to stop their games.

What they did, think about it, this corporation has already received, in 8 years, \$741 million from this State for testing. We just added another \$1 million in an amendment to have more tests at the very moment that this legislature is making it clear in both bodies that we do not want the original test, nevermind any more additional tests. It is time for legislative authority to be recognized, it is time for us to assert our authority, and it is time to stop, once and for all, government by bureaucracy. Unfortunately, what is happening in this nation, and I say this as a Democrat and not as a conservative Republican, it is not government by legislation, not government by law, but government in the form of regulations, and you see this in education. In my school district alone, in the West Chester School District, it has cost our district an unfunded mandate of \$1.2 million related to these tests. So, I am standing up in this remonstrance simply to protest the continued action of the Department of Education. I might humbly say, as this body well knows, the department also screwed up the basic education funding formula, which is going to have some results when many of us lose parts of our funding, but that is a topic for another day, and we are going to have to face that topic in the budget.

Finally, Mr. President, if we go to the SATs, and next year we use the PSATs as our baseline, and many of our schools already give them for free, we could save, in my estimation, about \$12 million, and God knows, we need every cent we can find in order to maintain the budget for this year. We can use it to make sure everyone gets enough money under the basic education funding formula, we can use it to cover some of the cuts of pre-Kindergarten, and we can use it to cover some of the cuts in transportation.

So, I thank you again, Mr. President. I urge this body, as we go forward to support the citizens of this Commonwealth and end these tests once and for all. In the next 8 years, if you are going to spend \$1.3 billion on education, spend it where it

counts, spend it in the classroom, spend it on the students, and not just on testing and tests that do not mean anything in the first place, tests that even our own department has said are not a good indicator of career and college readiness. It is time to stand up to the bureaucracy, and it is time to stand up to the Federal government and to assert our legislative authority here in Pennsylvania.

Thank you, Mr. President.

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

Senator BROOKS. Mr. President, today I was delighted to welcome back and help honor a familiar face to the Pennsylvania Capitol. No doubt most of you remember with enormous fondness and admiration my predecessor, Senator Bob Robbins, who served with distinction in the Senate from 1990 until his retirement in 2014. Most of you will also remember Bob Robbins as a no-nonsense West Point graduate who served as a captain in the United States Army and who completed two tours of duty in Vietnam. For that distinguished service, he earned the Soldier's Medal for Heroism, the Combat Infantry Badge, and the Bronze Star. When Bob Robbins returned from Vietnam, he became one of Pennsylvania's most passionate and most effective advocates for our men and women in uniform.

Today, Senator Robbins returned to the Capitol to be inducted into the Keystone State Games Hall of Fame. The Keystone State Games are Pennsylvania's largest amateur athletic festival, encouraging practice, teamwork, and a commitment to personal excellence. It makes perfect sense that Bob Robbins would be honored by the Keystone State Games as a Pennsylvanian who personifies teamwork, sacrifice, and service above self. For those of us who know and love him most, Bob Robbins is not only a decorated war hero with a tough-as-nails exterior, he is also a charismatic leader with the biggest of hearts and patriotism without end.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentlewoman for a salute to a great Senator and a great Pennsylvanian. I served with Senator Robbins, he is truly a great guy for so many Pennsylvanians. Thank you, Senator Brooks, for acknowledging that. Thank you for the great work that the Keystone Games do and acknowledging Senator Bob Robbins' accomplishments.

The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, as you are well aware, on a number of occasions I have risen to express my support for Senator Argall's Senate Bill No. 76 to eliminate school property taxes because, as I have said many times before, I believe no tax should have the power to leave you homeless. After my remarks, I sometimes thought about how hard it is to change the status quo. It is very, very difficult, especially when there is a fear of the unknown. That, Mr. President, is why it has been so hard to reach the much-needed and long-overdue goal of total elimination of school property taxes: fear and the power of the status quo. Previously, Mr. President, I addressed a myth on Senate Bill No. 76 to alleviate the unfounded fears with its approach to provide for total elimination of school property taxes. Today, Mr. President, let me share with you some facts on the status quo and property taxes.

When I was first elected to the Senate in 2006, the Commonwealth was spending over \$7.8 billion in General Fund money to support education. During that same period, local school districts

raised about \$10 billion through school property taxes. This current fiscal year, the Commonwealth will spend over \$16 billion in support of education, while school districts will levy nearly \$14 billion in school property taxes. So, during my 11-year tenure in the General Assembly, the State share to support education has more than doubled, and the school property taxes have increased as well. This shows the generosity of the taxpayer in fulfilling our responsibilities under Article III, Section 14, of the Pennsylvania Constitution, which states, and I quote: "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." However, Mr. President, the taxpayers' generosity in supporting education is not very efficient for these same taxpayers for a number of reasons, beginning with the fact that, as taxpayer support for education has risen from 2006 through 2016, student enrollment fell over the same period from 1,830,684 students in 2006 to 1,731,588 students last year. Fewer students but more taxpayer money; not a very efficient system.

Meanwhile, the status quo is becoming an increasing threat to not only taxpayers but to Pennsylvania's system of education as school property taxes are rising faster than taxpayers' ability to sustain the increases. From last year to this year, the projected increase in school property taxes is estimated to be nearly a half-billion dollars, about \$426 million, from \$13.86 billion to \$14.294 billion. These increases are projected to continue: \$488 million next year; \$537 million the year after that; \$558 million the following year; and \$578 million from 2020-21 to 2021-22.

Mr. President, the clock is ticking. School property taxes continue to rise and taxpayers continue to bear the burdens of these increases. The system simply is not sustainable, even with the continued increases in State support for education over the past 11 years. Mr. President, we can continue to talk about what to do about school property taxes, or we can act on the only bill that has been introduced in the Senate to date that provides for the total elimination of school property taxes - Senator Argall's Senate Bill No. 76. Again, because no tax should have the power to make you homeless. Thank you very much.

LEGISLATIVE LEAVE CANCELLED

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

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 Wednesday, June 7, 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 4:45 p.m., Eastern Daylight Saving Time.