

COMMONWEALTH OF PENNSYLVANIA  
**Legislative Journal**

MONDAY, MARCH 19, 2018

SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 11

**SENATE**

MONDAY, March 19, 2018

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

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

**PRAYER**

The Chaplain, Reverend DAVID JONES, Pastor of New Vision Church, Allentown, offered the following prayer:

Let us bow.

Gracious Lord of all creation, we thank You for the continued preservation of our blessed country and this great Commonwealth of Pennsylvania. Give these public servants the vision to carry out their legislative and leadership duties entrusted to them by the people. I pray that You will endow them with wisdom and knowledge, with empathy and compassion to determine the best course of action that would affect the greatest good for all who would be affected by the decisions that are made here today. Give them the boldness to put the needs of the people before party and personal pursuits, because You have said that a house divided against itself cannot stand. Bless us all with sincere and joyful hearts of service. We pray justice and unity may abide, peace and prosperity be kept secure. This is our plea, and this is our prayer. Amen.

The PRESIDENT. The Chair thanks Pastor Jones, who is the guest today of Senator Browne.

**PLEDGE OF ALLEGIANCE**

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

**COMMUNICATIONS FROM THE GOVERNOR**

**RECALL COMMUNICATIONS  
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 COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

March 1, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 12, 2018, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until her successor is appointed and qualified, vice Robert Pullo, York, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE ANIMAL HEALTH  
AND DIAGNOSTIC COMMISSION

March 12, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 1, 2018, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jerry Slayton, Bedford, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE ANIMAL HEALTH  
AND DIAGNOSTIC COMMISSION

March 12, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated March 1, 2018, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas Sollenberger, St. Thomas, whose term expired.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS

March 12, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 4, 2017, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Vavro, Pittsburgh, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HOUSING FINANCE AGENCY

March 12, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated February 12, 2018, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2020, and until his successor is appointed and qualified, vice K. Scott Baker, Pittsburgh, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

March 12, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 12, 2018, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2022, and until her successor is appointed and qualified, vice Radu Gherghel, Orwigsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

## MEMBER OF THE CORONERS' EDUCATION BOARD

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Coroners' Education Board, to serve for a term of four years, and until his successor is appointed and qualified, vice Saralee Funke, Allentown, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve until February 4, 2019, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Reynolds Baldwin, Jr., Altoona, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
INDIANA UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Council of Trustees of Indiana University [data missing] of the State System of Higher Education, to serve until June 3, 2019, and until her successor is appointed and qualified, vice Gealy Wallwork, Indiana, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF  
INDIANA UNIVERSITY OF PENNSYLVANIA OF  
THE STATE SYSTEM OF HIGHER EDUCATION

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Thomas J. Yablonski, Jr., 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial

District, for appointment as a member of the Council of Trustees of Indiana University *[data missing]* of the State System of Higher Education, to serve until October 25, 2022, and until his successor is appointed and qualified, vice Jonathan Mack, Indiana, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

JUDGE, COURT OF COMMON PLEAS,  
LEHIGH COUNTY

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Rodney R. Akers, Esquire, 4307 Dakota Street, Pittsburgh 15213, Allegheny County, Forty-second Senatorial District, for appointment as Judge, Court of Common Pleas, Lehigh County, to serve until the first Monday of January 2020, vice the Honorable Carol K. McGinley, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

BRIGADIER GENERAL,  
PENNSYLVANIA ARMY NATIONAL GUARD

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated January 5, 2018, of Colonel Robert F. Hepner, Jr., 116 Garden Lane, Mount Joy 17552, Lancaster County, Thirty-sixth Senatorial District, for a Certificate of Eligibility to Brigadier General, LINE, with assignment as Director, Joint Staff, Joint Force Headquarters, Pennsylvania Army National Guard, to serve until terminated, vice Brigadier General David E. Wood, retirement.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF PHYSICAL THERAPY

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Physical Therapy, to serve until October 2, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice David Kozich, Mountain Top, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF PSYCHOLOGY

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Psychology, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Holly Martin, Canonsburg, resigned.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF VETERINARY MEDICINE

March 15, 2018

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

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination dated December 11, 2017, of Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve until June 23, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Douglas Ayers, Trucksville, deceased.

I respectfully request the return to me of the official message of nomination on the premises.

TOM WOLF  
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 STATE BOARD OF ACCOUNTANCY

March 1, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twentieth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve for a term of four years, and until her

successor is appointed and qualified, but not longer than six months beyond that period, vice Libby White, Penn Valley, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF ACCOUNTANCY

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Accountancy, to serve until June 23, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Tina Miller, Pittsburgh, resigned.

TOM WOLF  
Governor

MEMBER OF THE ANIMAL HEALTH  
AND DIAGNOSTIC COMMISSION

March 1, 2018

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 Animal Health and Diagnostic Commission, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jerry Slayton, Bedford, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ANIMAL HEALTH  
AND DIAGNOSTIC COMMISSION

March 1, 2018

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 a member of the Animal Health and Diagnostic Commission, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas Sollenberger, St. Thomas, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE APPALACHIAN STATES  
LOW-LEVEL RADIOACTIVE WASTE COMMISSION

March 1, 2018

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 a member of the Appalachian States Low-Level Radioactive Waste Commission, to serve at the pleasure of the Governor, vice E. Christopher Abruzzo, Hershey, resigned.

TOM WOLF  
Governor

MEMBER OF THE ARCHITECTS  
LICENSURE BOARD

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Architects Licensure Board, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice David Majernik, Pittsburgh, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

March 1, 2018

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, Catzie Vilayphonh, 2440 South 8th Street, Philadelphia 19148, Philadelphia County, First Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until her successor is appointed and qualified, vice Robert Pullo, York, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF AUCTIONEER EXAMINERS

March 1, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Timothy Wiggan, Mechanicsburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF AUCTIONEER EXAMINERS

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Auctioneer Examiners, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Matthew Rader, Forty Fort, whose term expired.

TOM WOLF Governor

MEMBER OF THE BANKING AND SECURITIES COMMISSION

March 1, 2018

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 Banking and Securities Commission, to serve at the pleasure of the Governor, vice Gerald Pappert, Plymouth Meeting, resigned.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

March 1, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Sharon Dell, Martinsburg, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

March 1, 2018

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 Barber Examiners, to

serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Mark Robertson, Springfield, resigned.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF BARBER EXAMINERS

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donald Yost, Gaines, deceased.

TOM WOLF Governor

MEMBER OF THE COUNCIL OF TRUSTEES OF CALIFORNIA UNIVERSITY OF THE STATE SYSTEM OF HIGHER EDUCATION

March 1, 2018

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 Council of Trustees of California University of the State System of Higher Education, to serve until December 10, 2019, and until her successor is appointed and qualified, vice Aaron Walton, Allison Park, resigned.

TOM WOLF Governor

MEMBER OF THE STATE CHARTER SCHOOL APPEAL BOARD

March 1, 2018

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 a member of the State Charter School Appeal Board, to serve until June 14, 2018, and until his successor is appointed and qualified, vice Jamie Bracey, Philadelphia, resigned.

TOM WOLF Governor

MEMBER OF THE CHILDREN'S TRUST FUND BOARD

March 1, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Children's Trust Fund Board, to serve for a term of three years, and until her successor is appointed and qualified, vice Harry Hamilton, Wilkes-Barre, resigned.

TOM WOLF  
Governor

MEMBER OF THE CHILDREN'S  
TRUST FUND BOARD

March 1, 2018

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 a member of the Children's Trust Fund Board, to serve for a term of three years, and until his successor is appointed and qualified, vice Carole Gravagno, Wayne, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF COSMETOLOGY

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Cosmetology, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Christopher Metz, Pittsburgh, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF CRANE OPERATORS

March 1, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Crane Operators, to serve until December 8, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jason Giurintano, Camp Hill, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF CRANE OPERATORS

March 1, 2018

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 a member of the State Board of Crane Operators, to serve until December 8, 2019, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice John Dohner, Elizabethtown, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE NAVIGATION COMMISSION  
FOR THE DELAWARE RIVER AND  
ITS NAVIGABLE TRIBUTARIES

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Navigation Commission for the Delaware River and its Navigable Tributaries, to serve for a term of four years, and until his successor is appointed and qualified, vice James McDermott, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
DRUG, DEVICE, AND COSMETIC BOARD

March 1, 2018

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 a member of the Pennsylvania Drug, Device, and Cosmetic Board, to serve *[data missing]* a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joan Tarloff, Collegeville, deceased.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF EBENSBURG CENTER

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice Rose Planinsek, Ligonier, resigned.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF EBENSBURG CENTER

March 1, 2018

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 Board of Trustees of Ebensburg Center, to serve until the third Tuesday of January 2021, and until her successor is appointed and qualified, vice Marcelle Cooney, Cresson, resigned.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF DIRECTORS OF THE  
PENNSYLVANIA ECONOMIC DEVELOPMENT  
FINANCING AUTHORITY

March 1, 2018

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 a member of the Board of Directors of the Pennsylvania Economic Development Financing Authority, to serve for a term of four years, and until his successor is appointed and qualified, vice Robert Kane, Indiana, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
ENERGY DEVELOPMENT AUTHORITY

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Energy Development Authority, to serve for a term of four years, and until his successor is appointed and qualified, vice Robert Sanders, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF FUNERAL DIRECTORS

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County,

Thirty-first Senatorial District, for appointment as a member of the State Board of Funeral Directors, to serve for a term of five years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Donald Murphy, Camp Hill, resigned.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES  
OF HAMBURG CENTER

March 1, 2018

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 a member of the Board of Trustees of Hamburg Center, to serve until the third Tuesday of January 2021, and until his successor is appointed and qualified, vice Nancy Ann Houser, Bernville, resigned.

TOM WOLF  
Governor

MEMBER OF THE HEALTH POLICY BOARD

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Health Policy Board, to serve for a term of three years, and until his successor is appointed and qualified, vice C. Michael Blackwood, Mars, resigned.

TOM WOLF  
Governor

MEMBER OF THE HEALTH POLICY BOARD

March 1, 2018

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 Health Policy Board, to serve for a term of three years, and until her successor is appointed and qualified, vice Cecelia Dougherty, Philadelphia, resigned.

TOM WOLF  
Governor

MEMBER OF THE HEALTH POLICY BOARD

March 1, 2018

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 a member of the Health Policy Board, to serve for a term of three years, and until his successor is appointed and qualified, vice Anne Henry, Harrisburg, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HUMAN RELATIONS COMMISSION

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Human Relations Commission, to serve until October 14, 2019, and until her successor is appointed and qualified, vice Varsovia Fernandez, Ardmore, resigned.

TOM WOLF  
Governor

MEMBER OF THE INDUSTRIAL BOARD

March 1, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday of January 2019, and until her successor is appointed and qualified, vice Bony Dawood, Mechanicsburg, resigned.

TOM WOLF  
Governor

MEMBER OF THE INDUSTRIAL BOARD

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Industrial Board, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice Cathy Mary, South Park, resigned.

TOM WOLF  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

March 1, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until her successor is appointed and qualified, vice Gabriel Campana, resigned.

TOM WOLF  
Governor

MEMBER OF THE MUNICIPAL POLICE OFFICERS'  
EDUCATION AND TRAINING COMMISSION

March 1, 2018

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 Municipal Police Officers' Education and Training Commission, to serve for a term of three years, and until her successor is appointed and qualified, vice Ray Morrow, Pittsburgh, resigned.

TOM WOLF  
Governor

MEMBER OF THE PROFESSIONAL STANDARDS  
AND PRACTICES COMMISSION

March 1, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2021, and until his successor is appointed and qualified, vice Meghan Nese, Pittsburgh, resigned.

TOM WOLF  
Governor

MEMBER OF THE PROFESSIONAL STANDARDS  
AND PRACTICES COMMISSION

March 1, 2018

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 a member of the Professional Standards and Practices Commission, to serve until the third Tuesday of January 2021, and until his successor is appointed and qualified, vice Lisa Barbour, Butler, resigned.

TOM WOLF  
Governor



MEMBER OF THE WORKERS'  
COMPENSATION APPEAL BOARD

March 1, 2018

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 a member of the Workers' Compensation Appeal Board, to serve until January 15, 2019, and until his successor is appointed and qualified, vice Susan McDermott, Philadelphia, resigned.

TOM WOLF  
Governor

JUDGE, SUPERIOR COURT OF PENNSYLVANIA

March 6, 2018

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, Erin J. Osevala, Esquire, 22 Shirk Drive, Fredericksburg 17026, Lebanon County, Forty-eighth Senatorial District, for appointment as Judge, Superior Court of Pennsylvania, to serve until the first Monday of January 2020, vice the Honorable Kate Ford Elliott, resigned.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 6, 2018

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, Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice John Foradora, Brockway, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 6, 2018

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, Anne Gingrich Cornick, Esquire, 2311 Briarcliff Road, Harrisburg 17104, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years, and until her

successor is appointed and qualified, but not longer than ninety days beyond that period, vice Dante Battles, Erie, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 6, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice Richmond Parsons, Douglassville, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE REGISTRATION BOARD  
FOR PROFESSIONAL ENGINEERS, LAND  
SURVEYORS AND GEOLOGISTS

March 6, 2018

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, Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas Gillespie, Coopersburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE REGISTRATION BOARD  
FOR PROFESSIONAL ENGINEERS, LAND  
SURVEYORS AND GEOLOGISTS

March 6, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Garlitz, Sewickley, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

March 6, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice David Pennoni, Havertown, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE REGISTRATION BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS AND GEOLOGISTS

March 6, 2018

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 a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice James Szalankiewicz, Indiana, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

March 6, 2018

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, Nathanael R. Brague, 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Janet Hess, Lititz, whose term expired.

TOM WOLF Governor

MAGISTERIAL DISTRICT JUDGE

March 6, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Elise Claire Schell, 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as Magisterial District Judge, in and for the County of Delaware, Magisterial District 32-2-39, to serve until the first Monday of January 2020, vice the Honorable C. Walter McCray III, resigned.

TOM WOLF Governor

MAGISTERIAL DISTRICT JUDGE

March 6, 2018

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 Magisterial District Judge, in and for the County of Lehigh, Magisterial District 31-1-07, to serve until the first Monday of January 2020, vice the Honorable Robert C. Halal, deceased.

TOM WOLF Governor

MEMBER OF THE CONSTABLES' EDUCATION AND TRAINING BOARD

March 8, 2018

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 a member of the Constables' Education and Training Board, to serve for a term of three years, and until his successor is appointed and qualified, vice Harry Walsh, McKeesport, deceased.

TOM WOLF Governor

MEMBER OF THE STATE BOARD OF CRANE OPERATORS

March 8, 2018

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 Crane Operators, to serve until December 8, 2020, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jack Pletcher, Scottsdale, resigned.

TOM WOLF Governor

MEMBER OF THE STATE BOARD  
OF LANDSCAPE ARCHITECTS

March 8, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Landscape Architects, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Megan Carpenter, Beaver, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY

March 8, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2019, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice George Moyer, Pottsville, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF MASSAGE THERAPY

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Massage Therapy, to serve until October 9, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Tammy Gillette, Blooming Grove, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

March 8, 2018

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, Ashley Fehr, 115 Molleystown Road,

Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve until February 25, 2019, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice William Tunke, Wescosville, removed.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Margaret Matisko, Wilkes-Barre, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS  
OF NURSING HOME ADMINISTRATORS

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners of Nursing Home Administrators, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice William McIlwaine, Millersville, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF OCCUPATIONAL  
THERAPY EDUCATION AND LICENSURE

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Occupational Therapy Education and Licensure, to serve for a term of three years, and until his successor is appointed and qualified, vice Richard Turner, Mercer, resigned.

TOM WOLF  
Governor

## MEMBER OF THE STATE BOARD OF OPTOMETRY

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Lisa Hegedus, Jeannette, resigned.

TOM WOLF  
Governor

## MEMBER OF THE STATE BOARD OF OPTOMETRY

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Optometry, to serve until June 23, 2018, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Brian Fill, Tarentum, resigned.

TOM WOLF  
Governor

## MEMBER OF THE STATE BOARD OF OPTOMETRY

March 8, 2018

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 a member of the State Board of Optometry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Denise Wilcox, Doylestown, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE

March 8, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas Stephenson, Milford, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF OSTEOPATHIC MEDICINE

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Osteopathic Medicine, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Joanne Coolen, Hershey, deceased.

TOM WOLF  
Governor

## MEMBER OF THE STATE BOARD OF PHARMACY

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Pharmacy, to serve until June 11, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Craig DeFranco, Roseto, resigned.

TOM WOLF  
Governor

## MEMBER OF THE STATE PLANNING BOARD

March 8, 2018

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 a member of the State Planning Board, to serve until September 23, 2018, and until his successor is appointed and qualified, vice Ronald Bailey, Lancaster, resigned.

TOM WOLF  
Governor

## MEMBER OF THE STATE BOARD OF PODIATRY

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Ralph Schmeltz, Pittsburgh, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF PODIATRY

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Thomas J. Yablonski, Jr. (Public Member), 1408 Rose Lane, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the State Board of Podiatry, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Barbara Wiggin, Mechanicsburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Advisory Committee on Probation, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Robert Thomas, Chambersburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 8, 2018

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 Advisory Committee on Probation, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than ninety days beyond that period, vice the Honorable Jill Rangos, Allison Park, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE ADVISORY  
COMMITTEE ON PROBATION

March 8, 2018

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 Advisory Committee on Probation, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than ninety days beyond that period, vice Sean Ryan, Perkasio, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE REGISTRATION BOARD  
FOR PROFESSIONAL ENGINEERS, LAND  
SURVEYORS AND GEOLOGISTS

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, to serve for a term of six years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Joseph Mackey, Mount Bethel, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF  
CERTIFIED REAL ESTATE APPRAISERS

March 8, 2018

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, Jeffrey Walters, 86 Greenwood Circle, Wormleysburg 17043, Cumberland County, Thirty-first Senatorial District, for reappointment as a member of the State Board of Certified Real Estate Appraisers, to serve for a term of four years, and until his successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF SOCIAL  
WORKERS, MARRIAGE AND FAMILY THERAPISTS  
AND PROFESSIONAL COUNSELORS

March 8, 2018

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, Ashley Fehr (Public Member), 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twentyninth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jane Riese, York, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF SOCIAL  
WORKERS, MARRIAGE AND FAMILY THERAPISTS  
AND PROFESSIONAL COUNSELORS

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Jennifer Easter, Lebanon, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF SOCIAL  
WORKERS, MARRIAGE AND FAMILY THERAPISTS  
AND PROFESSIONAL COUNSELORS

March 8, 2018

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 a member of the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Laura Hinds, Philadelphia, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF  
SOUTH MOUNTAIN RESTORATION CENTER

March 8, 2018

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 a member of the Board of Trustees of South Mountain Restoration Center, to serve until the third Tuesday of January 2019, and until his successor is appointed and qualified, vice William Shank, Chambersburg, resigned.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF EXAMINERS IN  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY

March 8, 2018

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 (Public Member), 1506 Penn Street, Harrisburg 17102, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Examiners in Speech-Language Pathology and Audiology, to serve for a term of three years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice James Creason, Harrisburg, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS

March 8, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Frank Snyder, Reynoldsville, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD OF VEHICLE  
MANUFACTURERS, DEALERS AND SALESPERSONS

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Vehicle Manufacturers, Dealers and Salespersons, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Brian Bentley, Newtown, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF VETERINARY MEDICINE

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen (Public Member), 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Veterinary Medicine, to serve until June 10, 2018, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Glenda Brion, West Chester, resigned.

TOM WOLF  
Governor

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

March 8, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Board of Trustees of Warren State Hospital, to serve until the third Tuesday of January 2023, and until her successor is appointed and qualified, vice Kathy Glarner, North Warren, resigned.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE WESTERN YOUTH DEVELOPMENT CENTERS

March 8, 2018

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, Ashley Fehr, 115 Molleystown Road, Pine Grove 17963, Schuylkill County, Twenty-ninth Senatorial District, for appointment as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2023, and until her successor is appointed and qualified, vice the Honorable Gerald LaValle, Harrisburg, resigned.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE WESTERN YOUTH DEVELOPMENT CENTERS

March 8, 2018

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

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Stephen A. Latanishen, 115 North Street, Harrisburg 17101, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2023, and until his successor is appointed and qualified, vice Thomas Fee, New Castle, resigned.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE WESTERN YOUTH DEVELOPMENT CENTERS

March 8, 2018

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 Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2021, and until her successor is appointed and qualified, vice Joseph Fragle, Sharon, resigned.

TOM WOLF Governor

MEMBER OF THE BOARD OF TRUSTEES OF THE WESTERN YOUTH DEVELOPMENT CENTERS

March 8, 2018

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 a member of the Board of Trustees of the Western Youth Development Centers, to serve until the third Tuesday of January 2021, and until his successor is appointed and qualified, vice Loretta Hogans, New Castle, resigned.

TOM WOLF Governor

MEMBER OF THE ANIMAL HEALTH AND DIAGNOSTIC COMMISSION

March 12, 2018

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, E. Scott Augsburg, 164 Strasburg Pike, Lancaster 17602, Lancaster County, Thirteenth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Thomas Sollenberger, St. Thomas, whose term expired.

TOM WOLF Governor

MEMBER OF THE ANIMAL HEALTH AND DIAGNOSTIC COMMISSION

March 12, 2018

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, Richard Shiffler, 600 Early's Mill Road, Hummelstown 17036, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Animal Health and Diagnostic Commission, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Jerry Slayton, Bedford, whose term expired.

TOM WOLF Governor

MEMBER OF THE STATE BOARD  
OF BARBER EXAMINERS

March 12, 2018

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, Ken Jaram, 114 Trailside Court, Coraopolis 15108, Allegheny County, Thirty-seventh Senatorial District, for appointment as a member of the State Board of Barber Examiners, to serve for a term of three years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Vavro, Pittsburgh, deceased.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HOUSING FINANCE AGENCY

March 12, 2018

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, Jennifer Koppel, 670 North Mount Joy Street, Elizabethtown 17022, Lancaster County, Thirty-sixth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2021, and until her successor is appointed and qualified, vice Noel Eisenstat, Philadelphia, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HOUSING FINANCE AGENCY

March 12, 2018

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, Gary Lenker, 2432 Aspen Way, Harrisburg 17110, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2020, and until his successor is appointed and qualified, vice K. Scott Baker, Pittsburgh, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HOUSING FINANCE AGENCY

March 12, 2018

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, John Paone, 8610 Thomas Mill Drive, Philadelphia 19128, Philadelphia County, Seventh Senatorial District,

for reappointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2023, and until his successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
HOUSING FINANCE AGENCY

March 12, 2018

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, Mark Schwartz, 1044 Claire Avenue, Huntingdon Valley 19006, Montgomery County, Fourth Senatorial District, for reappointment as a member of the Pennsylvania Housing Finance Agency, to serve until July 20, 2022, and until his successor is appointed and qualified.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF MEDICINE

March 12, 2018

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, Joseph Losee, 5021 Castleman Street, Pittsburgh 15232, Allegheny County, Forty-third Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Sukh Sharma, Erie, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF MEDICINE

March 12, 2018

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, Barbara Ostrov, 261 Dogwood Drive, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marilyn Heine, Dresher, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE STATE BOARD  
OF MEDICINE

March 12, 2018

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, Paul Joseph Valigorsky II, 902 Chestnut Avenue, DuBois 15801, Clearfield County, Twenty-fifth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Bruce Brod, Downingtown, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

March 12, 2018

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, Chenna Chakka, 955 Norland Street, Mechanicsburg 17055, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve for *[sic]* until June 2, 2021, and until his successor is appointed and qualified, vice James Moore, Philadelphia, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

March 12, 2018

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, Estelle Eberhardt, 1717 Fels Road, Pennsburg 18073, Montgomery County, Twenty-fourth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2022, and until her successor is appointed and qualified, vice Radu Gherghel, Orwigsburg, resigned.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA MINORITY  
BUSINESS DEVELOPMENT AUTHORITY

March 12, 2018

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, Jay Sessoms, 8528 Williams Avenue, Philadelphia 19150, Philadelphia County, Fourth Senatorial District, for appointment as a member of the Pennsylvania Minority Business Development Authority, to serve until June 2, 2019, and until his successor is appointed and qualified, vice Bomani Howze, Pittsburgh, whose term expired.

TOM WOLF  
Governor

MEMBER OF THE PENNSYLVANIA  
GAME COMMISSION

March 15, 2018

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, Nathanael R. Brague (District 2), 1465 Hillcrest Court, Camp Hill 17011, Cumberland County, Thirty-first Senatorial District, for appointment as a member of the Pennsylvania Game Commission, to serve for a term of four years, and until his successor is appointed and qualified, but not longer than six months beyond that period, vice Robert Schlemmer, Export, whose term expired.

TOM WOLF  
Governor

**CORRECTIONS TO NOMINATIONS  
REFERRED TO COMMITTEE**

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

MEMBER OF THE COMMONWEALTH OF  
PENNSYLVANIA COUNCIL ON THE ARTS

March 1, 2018

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

Please note that the letter dated February 6, 2018, for the nomination of Norman Earl Stull, P.O. Box 27, Spinnerstown 18968, Bucks County, Twenty-fourth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until his successor is appointed and qualified, vice Stephen Harmelin, Philadelphia, resigned, should be corrected to read:

Norman Earl Stull, P.O. Box 27, 2220 Steinsburg Road, Spinnerstown 18968, Bucks County, Twenty-fourth Senatorial District, for appointment as a member of the Commonwealth of Pennsylvania Council on the Arts, to serve until July 1, 2019, and until his successor is appointed and qualified, vice Stephen Harmelin, Philadelphia, resigned.

MEMBER OF THE STATE BOARD OF MEDICINE

March 15, 2018

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

Please note that the letter dated March 12, 2018, for the nomination of Barbara Ostrov, 261 Dogwood Drive, Hershey 17033, Dauphin County, Fifteenth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marilyn Heine, Dresher, whose term expired, should be corrected to read:

Barbara Ostrov, 261 Dogwood Drive, Hershey 17033, Dauphin County, Forty-eighth Senatorial District, for appointment as a member of the State Board of Medicine, to serve for a term of four years, and until her successor is appointed and qualified, but not longer than six months beyond that period, vice Marilyn Heine, Dresher, whose term expired.

## HOUSE MESSAGES

## HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 135**, with the information the House has passed the same without amendments.

## SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 449**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule 13(c)(2)(i), the bill 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:

March 16, 2018

**HB 153** -- Committee on State Government.

**HB 1409** -- Committee on Game and Fisheries.

**HB 1814** -- Committee on Urban Affairs and Housing.

**HB 1846** -- Committee on Communications and Technology.

**HB 1847** -- Committee on Banking and Insurance

**HB 1881, 1910, 1958, 1964 and 1986** -- Committee on Transportation.

**HB 1898** -- Committee on Consumer Protection and Professional Licensure.

**HB 2017** -- Committee on Finance.

## BILLS INTRODUCED AND REFERRED

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

February 22, 2018

Senator HUGHES presented to the Chair **SB 980**, entitled:

An Act to provide from the General Fund for the expenses of the Executive and Judicial Departments, the State Government Support Agencies and the General Assembly of the Commonwealth, the public debt and the public schools for the fiscal year July 1, 2018, to June 30, 2019, for certain institutions and organizations and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Account, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Tuition Account Guaranteed Savings Program Fund, the Banking Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account, the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund, the Insurance Regulation and Oversight Fund, the Pennsylvania Racehorse Development Restricted Receipt Account, the Justice Reinvestment Fund, the Multimodal Transportation Fund, the State Racing Fund and the

ABLE Savings Program Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 2018, to June 30, 2019; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2018, to June 30, 2019, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund money; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2018; and to provide for the additional appropriation of Federal and State funds from the General Fund, the State Lottery Fund and the Tobacco Settlement Fund for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 2017, to June 30, 2018, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2017.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 981**, entitled:

A Supplement to the act of April 1, 1863 (P.L.213, No.227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure; and making an appropriation from a restricted account within the Agricultural College Land Scrip Fund.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 982**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp.Sess., P.L.87, No.3), known as the University of Pittsburgh--Commonwealth Act, making appropriations for carrying the same into effect; and providing for a basis for payments of such appropriations, for a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 983**, entitled:

A Supplement to the act of November 30, 1965 (P.L.843, No.355), known as the Temple University--Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of such appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 984**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 985**, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; providing for change of name; providing for the composition of the

board of trustees; terms of trustees, and the power and duties of such trustees; providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 986**, entitled:

An Act making appropriations from the restricted revenue accounts within the State Gaming Fund and from the restricted revenue accounts within the Fantasy Contest Fund and Video Gaming Fund to the Attorney General, the Department of Revenue, the Pennsylvania State Police and the Pennsylvania Gaming Control Board for the fiscal year beginning July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 987**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission for the fiscal year July 1, 2018, to June 30, 2019.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 988**, entitled:

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 989**, entitled:

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 990**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 991**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 992**, entitled:

An Act making appropriations from the Philadelphia Taxicab and Limousine Regulatory Fund and the Philadelphia Taxicab Medallion Fund to the Philadelphia Parking Authority for fiscal year July 1, 2018, to June 30, 2019.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 993**, entitled:

An Act making appropriations from the State Employees' Retirement Fund and from the SERS Defined Contribution Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 994**, entitled:

An Act making appropriations from the Public School Employees' Retirement Fund and from the PSERS Defined Contribution Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 2018, to June 30, 2019, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2018.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 995**, entitled:

An Act providing for the capital budget for the fiscal year 2018-2019.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senator HUGHES presented to the Chair **SB 996**, entitled:

An Act providing for the capital budget for fiscal year 2018-2019; itemizing public improvement projects and furniture and equipment projects leased 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; and making appropriations.

Which was committed to the Committee on APPROPRIATIONS, February 22, 2018.

Senators WARD, GORDNER, MENSCH, FOLMER, VULAKOVICH, REGAN and RESCHENTHALER presented to the Chair **SB 1052**, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further defining "injury" and "personal injury"; providing for diseases with long latency periods between occupational exposure and manifestation of the disease; and further providing for liability.

Which was committed to the Committee on LABOR AND INDUSTRY, February 22, 2018.

Senators VULAKOVICH, RAFFERTY, SCARNATI, AUMENT, BAKER, BREWSTER, COSTA, DINNIMAN, EICHELBERGER, GORDNER, GREENLEAF, MARTIN, McILHINNEY, RESCHENTHALER, SABATINA, TARTAGLIONE, WARD, YUDICHAK and VOGEL presented to the Chair **SB 1055**, entitled:

An Act amending the act of November 24, 2004 (P.L.1270, No.153), referred to as the Pennsylvania Amber Alert System Law, establishing the Pennsylvania Blue Alert System for the protection of the public and the apprehension of a person of immediate threat.

Which was committed to the Committee on LAW AND JUSTICE, February 22, 2018.

Senators BROOKS, GORDNER, MENSCH, RESCHENTHALER, FOLMER, AUMENT, HUTCHINSON, VULAKOVICH, DISANTO, KILLION, MARTIN, VOGEL, WAGNER, YAW, BARTOLOTTA, BAKER, EICHELBERGER, BROWNE, REGAN, WARD, LANGERHOLC and McILHINNEY presented to the Chair **SB 1056**, entitled:

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

Which was committed to the Committee on FINANCE, February 22, 2018.

February 26, 2018

Senators BROOKS, RESCHENTHALER, DINNIMAN, COSTA and VULAKOVICH presented to the Chair **SB 1057**, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in miscellaneous provisions, establishing the Pennsylvania Lost and Found Dog Registry.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, February 26, 2018.

February 27, 2018

Senators BOSCOLA, COSTA, BROWNE, MENSCH, LANGERHOLC, RESCHENTHALER, VULAKOVICH, WAGNER, WARD, HUGHES and BREWSTER presented to the Chair **SB 1025**, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, February 27, 2018.

Senators BOSCOLA, BAKER, COSTA, FONTANA, SCHWANK, BROWNE, ARGALL, BARTOLOTTA, McGARRIGLE, RAFFERTY, RESCHENTHALER, STEFANO, VULAKOVICH, WAGNER, WARD, BREWSTER, YUDICHAK and HUGHES presented to the Chair **SB 1026**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for mandatory reporting of children under one year of age.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, February 27, 2018.

Senators MENSCH, DINNIMAN, GORDNER, HUTCHINSON, VULAKOVICH, COSTA, BREWSTER and YUDICHAK presented to the Chair **SB 1058**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, in disposition of abandoned and unclaimed property, further providing for property held by business associations.

Which was committed to the Committee on FINANCE, February 27, 2018.

March 2, 2018

Senators BOSCOLA and McILHINNEY presented to the Chair **SB 1059**, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, in registration district administration, further providing for local registrars' compensation.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, March 2, 2018.

Senators FONTANA, SABATINA, EICHELBERGER, LEACH, GREENLEAF, COSTA, RESCHENTHALER, WHITE, BREWSTER, BLAKE, RAFFERTY, HUGHES, STEFANO, WARD and YUDICHAK presented to the Chair **SB 1062**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, providing for the Pennsylvania Amber Alert System, the Missing Endangered Person Advisory System (MEPAS) and the Pennsylvania Green Alert System and for duties of the Pennsylvania State Police; assessing costs; providing for immunity and penalties; and making a related repeal.

Which was committed to the Committee on LAW AND JUSTICE, March 2, 2018.

Senator WHITE presented to the Chair **SB 1063**, entitled:

An Act designating a bridge on that portion of Pennsylvania Route 286 over the Two Lick Creek, Borough of Clymer, Indiana County, as the Corporal Louis R. Tate Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, March 2, 2018.

Senators McGARRIGLE, KILLION, ARGALL, RESCHENTHALER, RAFFERTY, BROOKS, AUMENT, MENSCH, TOMLINSON, FOLMER, STEFANO, VOGEL, YUDICHAK, BARTOLOTTA, DINNIMAN and WAGNER presented to the Chair **SB 1065**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in safe schools, establishing the School Safety and Security Augmentation Account and providing for court costs and filing fees.

Which was committed to the Committee on EDUCATION, March 2, 2018.

March 5, 2018

Senators BOSCOLA, MENSCH, BREWSTER, TARTAGLIONE, YUDICHAK, RAFFERTY, VULAKOVICH and WARD presented to the Chair **SB 1064**, 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.

Which was committed to the Committee on FINANCE, March 5, 2018.

March 7, 2018

Senators MARTIN, SCARNATI, AUMENT, WARD, WAGNER, DiSANTO, EICHELBERGER, FOLMER, MENSCH, WHITE, HUTCHINSON, ALLOWAY, VULAKOVICH, SCAVELLO, STEFANO, REGAN and YAW presented to the Chair **SB 1050**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in abortion, further providing for definitions and for medical consultation and judgment.

Which was committed to the Committee on JUDICIARY, March 7, 2018.

Senators WILLIAMS, STREET, HUGHES and WAGNER presented to the Chair **SB 1067**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, providing for adoption of guidelines for administrative probation violations; and, in sentencing, further providing for sentencing generally, for order of probation, for modification or revocation of order of probation, for court-imposed sanctions for offenders violating probation and providing for resentencing of certain offenders incarcerated due to revocation of probation.

Which was committed to the Committee on JUDICIARY, March 7, 2018.

March 9, 2018

Senators WAGNER, ARGALL, MARTIN, RESCHENTHALER, HUTCHINSON, MENSCH, VULAKOVICH, AUMENT, FOLMER, RAFFERTY, STEFANO, WARD, BROWNE and REGAN presented to the Chair **SB 1010**, entitled:

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

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 9, 2018.

Senators FONTANA, VULAKOVICH, STEFANO and REGAN presented to the Chair **SB 1061**, entitled:

An Act amending the act of December 19, 1988 (P.L.1262, No.156), known as the Local Option Small Games of Chance Act, in tavern gaming, further providing for definitions, for licenses, for application, for distribution of net revenue, for tavern games tax, for host municipality tavern games tax and for enforcement.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, March 9, 2018.

March 12, 2018

Senators COSTA, TARTAGLIONE, FONTANA, LEACH, BREWSTER, BROWNE, RAFFERTY, SABATINA, SCHWANK and BLAKE presented to the Chair **SB 1068**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for definitions, for contributions or expenditures by national banks, corporations or unincorporated associations and for advertising.

Which was committed to the Committee on STATE GOVERNMENT, March 12, 2018.

Senators GREENLEAF, LEACH, VULAKOVICH, HUGHES, SCHWANK, YUDICHAK, BROWNE, MENSCH and STREET presented to the Chair **SB 1070**, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, providing for County Adult Probation and Parole Advisory Committee, for justice reinvestment grants, phase 2 and for continuing county probation and parole grants; making an appropriation; and making a related repeal.

Which was committed to the Committee on JUDICIARY, March 12, 2018.

Senators GREENLEAF, LEACH, HUGHES, SCHWANK, YUDICHAK, BROWNE and STREET presented to the Chair **SB 1071**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for powers and duties, for adoption of guidelines for sentencing, for adoption of guidelines for county intermediate punishment, for adoption of guidelines for State intermediate punishment and for adoption of risk assessment instrument; in sentencing, further providing for sentencing generally, for order of probation, for sentence of partial confinement, for sentence of total confinement, for sentence of county intermediate punishment, for information required upon commitment and subsequent disposition, for modification or revocation of order of probation, for court-imposed sanctions for offenders violating probation, for modification or revocation of county intermediate punishment sentence and for revocation of State intermediate punishment sentence; in county intermediate punishment, further providing for county intermediate punishment programs and for continued eligibility; in motivational boot camp, further providing for definitions, for selection of inmate participants and for motivational boot camp program; in State intermediate punishment, further providing scope of chapter, for definitions, for referral to State intermediate punishment program, for drug offender treatment program and for reports; in recidivism risk reduction incentive, further providing for definitions, for evaluation and for reports; in Pennsylvania Board of Probation and Parole, further providing for definitions, for advisory committee, for general powers of board, for probation services, for

parole power, providing for short sentence parole, further providing for violation of terms of parole and for parole procedure; and making conforming amendments.

Which was committed to the Committee on JUDICIARY, March 12, 2018.

Senators GREENLEAF, LEACH, HUGHES, SCHWANK, YUDICHAK, BROWNE and STREET presented to the Chair **SB 1072**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; in crime victims, further providing for rights, for responsibilities of victims of crime under basic bill of rights, for responsibilities of State and local law enforcement agencies and for responsibilities of prosecutor's office; in administration, further providing for office, for powers and duties of victim advocate and for powers and duties of Office of Victims' Services; in compensation, further providing for persons eligible for compensation, for filing of claims for compensation, for minimum allowable claim, for determination of claims, for emergency awards, for awards and for confidentiality of records; in services, further providing for eligibility of victims; in financial matters, further providing for costs and for costs for offender supervision programs; and, in enforcement, further providing for subrogation.

Which was committed to the Committee on JUDICIARY, March 12, 2018.

March 15, 2018

Senators GREENLEAF, LEACH, RESCHENTHALER, HAYWOOD, HUGHES, STREET, WHITE, BROWNE, COSTA, FONTANA and BLAKE presented to the Chair **SB 915**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for victim and witness outreach; and, in post-trial matters, further providing for eligibility for relief and for jurisdiction and proceedings.

Which was committed to the Committee on JUDICIARY, March 15, 2018.

Senators GREENLEAF, BARTOLOTTA, RESCHENTHALER, YUDICHAK, FARNESE, HAYWOOD, VOGEL, BREWSTER, SCARNATI, WHITE, BROWNE, FONTANA, WARD, BOSCOLA and LEACH presented to the Chair **SB 916**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, further providing for postconviction DNA testing.

Which was committed to the Committee on JUDICIARY, March 15, 2018.

Senators COSTA, BREWSTER, FONTANA, RESCHENTHALER, VULAKOVICH, MENSCH, TARTAGLIONE, HUGHES and WARD presented to the Chair **SB 1069**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for the voluntary dissolution of the existing form of governance of a municipal corporation located in a county of the second class and the creation of unincorporated districts of counties of the second class; authorizing the county to assume responsibility for the governance of the municipal corporation and delivery of public services to the citizens residing in the munic-

ipal corporation through the administration of an unincorporated district; and authorizing unincorporated district advisory committees.

Which was committed to the Committee on LOCAL GOVERNMENT, March 15, 2018.

Senators KILLION, McGARRIGLE, RAFFERTY, SCHWANK and STEFANO presented to the Chair **SB 1074**, entitled:

An Act amending the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, further providing for genetic counselor.

Which was committed to the Committee on CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, March 15, 2018.

Senators BROOKS, VULAKOVICH, BROWNE, MENSCH, ARGALL, WHITE, SCHWANK, KILLION, AUMENT, COSTA, RESCHENTHALER, McGARRIGLE, DINNIMAN, BREWSTER, MARTIN, YAW, WARD, FOLMER and SCARNATI presented to the Chair **SB 1079**, entitled:

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, in Commonwealth services, providing for online training for firefighters.

Which was committed to the Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 15, 2018.

Senators DINNIMAN, RAFFERTY and WARD presented to the Chair **SB 1080**, entitled:

An Act designating the intersection of Pennsylvania Route 41 (Gap Newport Pike) and Pennsylvania Route 926 (Street Road) over U.S. Route 1 located in London Grove Township, Chester County, as the Trooper Kenton Iwaniec Memorial Highway.

Which was committed to the Committee on TRANSPORTATION, March 15, 2018.

Senators HUGHES, RAFFERTY, COSTA, BREWSTER, VULAKOVICH and BROWNE presented to the Chair **SB 1082**, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; in crime victims, further providing for rights, for responsibilities of victims of crime under basic bill of rights, for responsibilities of State and local law enforcement agencies and for responsibilities of prosecutor's office; in administration, further providing for office, for powers and duties of victim advocate and for powers and duties of Office of Victims' Services; in compensation, further providing for persons eligible for compensation, for filing of claims for compensation, for minimum allowable claim, for determination of claims, for emergency awards, for awards and for confidentiality of records; in services, further providing for eligibility of victims; in financial matters, further providing for costs; and, in enforcement, further providing for subrogation.

Which was committed to the Committee on JUDICIARY, March 15, 2018.

Senators GREENLEAF, LEACH, SCHWANK, HUGHES, McGARRIGLE, MENSCH, BROWNE, SCARNATI and VULAKOVICH presented to the Chair **SB 1083**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sentencing, further providing for modification or revocation of order of probation and for court-imposed sanctions for offenders violating probation.

Which was committed to the Committee on JUDICIARY, March 15, 2018.

Senators STEFANO, BROWNE, BARTOLOTTA, DINNIMAN, FOLMER, McGARRIGLE, RAFFERTY, SABATINA, VULAKOVICH, WARD, YAW, YUDICHAK and BREWSTER presented to the Chair **SB 1084**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in fees, providing for reduced fee for veterans.

Which was committed to the Committee on TRANSPORTATION, March 15, 2018.

Senators STEFANO, BROWNE, AUMENT, BARTOLOTTA, COSTA, FOLMER and WARD presented to the Chair **SB 1085**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in primary and election expenses, further providing for place of filing.

Which was committed to the Committee on STATE GOVERNMENT, March 15, 2018.

Senators BAKER and SCHWANK presented to the Chair **SB 1087**, entitled:

An Act establishing a joint legislative, executive and judicial commission on the child-welfare system.

Which was committed to the Committee on HEALTH AND HUMAN SERVICES, March 15, 2018.

#### March 16, 2018

Senators MENSCH, FONTANA, SCARNATI, GORDNER, COSTA, SCHWANK, TARTAGLIONE, RAFFERTY, RESCHENTHALER, MARTIN, ARGALL, YUDICHAK, VULAKOVICH, SCAVELLO, BOSCOLA, BLAKE, HUGHES, STEFANO, WARD, BROOKS, BARTOLOTTA, BREWSTER, LEACH and McGARRIGLE presented to the Chair **SB 1066**, entitled:

An Act providing for the establishment of first-time home buyer savings accounts for first-time home buyers in this Commonwealth.

Which was committed to the Committee on URBAN AFFAIRS AND HOUSING, March 16, 2018.

#### March 19, 2018

Senators HUTCHINSON, BARTOLOTTA, SCARNATI, YAW, RESCHENTHALER, ALLOWAY, WHITE, STEFANO, VULAKOVICH, WARD, MENSCH, LAUGHLIN, BREWSTER, ARGALL, VOGEL, BROOKS, LANGERHOLC, WAGNER, AUMENT, FOLMER, EICHELBERGER, DiSANTO, REGAN and SCAVELLO presented to the Chair **SB 1088**, entitled:

An Act relating to conventional wells and the development of oil, gas and coal; imposing powers and duties on the Department of Envi-

ronmental Protection; and providing for preliminary provisions, for general requirements, for underground gas storage, for enforcement and remedies, for related funds, parties and activities and for miscellaneous provisions.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 19, 2018.

### **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:

March 7, 2018

Senator BROWNE presented to the Chair **SR 278**, entitled:

A Resolution adopting a temporary rule of the Senate relating solely to amendments to the General Appropriation Bill and other appropriation bills for the fiscal year beginning July 1, 2018, including any amendments offered to or for supplemental appropriations for prior fiscal years.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, March 7, 2018.

### **GENERAL COMMUNICATIONS**

#### **AUDITOR GENERAL'S CERTIFICATE**

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

COMMONWEALTH OF PENNSYLVANIA  
Office of the Auditor General  
Harrisburg, PA 17120-0018

February 28, 2018

The Honorable Joseph Scarnati  
President Pro Tempore  
Senate of Pennsylvania  
292 Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Senator Scarnati:

In accordance with the provisions of Article VIII of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), the Auditor General is required on or before each March 1 and September 1 to make certifications to the Governor and the General Assembly of:

- The average annual tax revenues deposited in all funds in the five preceding fiscal years;
- The amount of outstanding net debt as of the end of the preceding fiscal year;
- The amount of net debt as of the certification date;
- The difference between the limitation upon all net debt outstanding as provided in Section 7(a)(4) of Article VIII of the Constitution of Pennsylvania and the amount of net debt as of the certification date;
- The amount of such debt scheduled to be repaid during the remainder of the fiscal year in which the certificates are being issued;
- The amount of debt authorized by law to be issued, but not yet incurred; and
- The amount of outstanding obligations excluded from outstanding debt as self-sustaining pursuant to Section 7(c)(1), (2) and (3) of Article VIII of the Constitution of Pennsylvania.

A duplicate original of my certificate is enclosed.

Sincerely,

EUGENE A. DePASQUALE  
Auditor General

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AUDITOR GENERAL'S CERTIFICATE

Pursuant to  
ARTICLE VIII, Section 7(a)(4)  
of the  
CONSTITUTION OF PENNSYLVANIA  
and

Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

I, Eugene A. DePasquale, Auditor General of the Commonwealth of Pennsylvania, pursuant to Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended) certify as follows:

The average annual tax revenues deposited in all funds in the five fiscal years ended preceding the date of February 28, 2018 . . . . . \$38,281,016,071

- (i) The amount of outstanding net debt as of the end of the preceding fiscal year . . . . . \$12,009,008,758
- (ii) The amount of such net debt as of February 28, 2018 . . . . . \$11,435,898,336
- (iii) The difference between the limitation upon all net debt outstanding as provided in Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and the amount of such net debt as of the date of February 28, 2018 \$55,555,879,788
- (iv) The amount of such debt scheduled to be repaid during the remainder of the current fiscal year. . . . . \$ 182,480,000
- (v) The amount of debt authorized by law to be issued, but not yet incurred . . . . . \$135,598,717,968
- (vi) The amount of outstanding obligations excluded from outstanding debt as self sustaining pursuant to Article VIII, Section 7(c)(1), (2) and (3) of the Constitution of the Commonwealth of Pennsylvania . . . . . \$8,749,066,156

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 28th day of February 2018.

EUGENE A. DePASQUALE  
Auditor General

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

**ALTERNATIVE FUELS INCENTIVE GRANT 2016-17 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

March 8, 2018

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 the Alternative Fuels Incentive Grant (AFIG) Program 2016-2017 Annual Report. This report summarizes the accomplishments of the program, which seeks to improve the commonwealth's air quality and reduce the consumption of imported oil through the use of homegrown alternative fuels that help the economy and environment.

The AFIG Program was established via the Alternative Fuels Incentive Act of 2004, P.L. 1376, No. 178. Section 4 of this act requires the distribution of an annual report to the Environmental Resources and Energy Committee of the Senate and to the Environmental Resources and Energy Committee of the House of Representatives.

You will note Pennsylvania is continuing its progress in growing a market for alternative fuels such as natural gas, propane, electricity and biofuels through the development of alternative fuel fleet vehicles, and alternative fuel storage and refueling systems. This report summarizes the activities involved in the administration of the alternative fuels incentive grant and alternative fuel vehicle programs; including the number of grants awarded, rebates given, as well as other expenditures and activities undertaken pursuant to the Alternative Fuels Incentive Act.

DEP selected 24 alternative fuel vehicle purchase or retrofit projects for grant rewards during the program year. The projects selected resulted in a total award amount of \$2,172,964. DEP also selected 9 refueling infrastructure projects for grant awards. The projects selected resulted in a grant award of \$1,787,459 of AFIG funds.

The Alternative Fuel Vehicle (AFV) rebate program continued in this program year and supported Pennsylvania residents who purchased a new, qualified AFV which is registered in Pennsylvania. These vehicles, powered by compressed natural gas, electricity, fuel cells or liquid propane gas were eligible for rebates during the entire program year. The rebate program provided 792 rebates which totaled \$1,354,000 in rebates to PA residents.

If you have questions, please contact Sarah Clark, Director of Legislative Affairs, by e-mail [saraclark@pa.gov](mailto:saraclark@pa.gov) or by telephone at 717.783.8303.

Respectfully,

PATRICK McDONNELL  
Secretary

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

**APPOINTMENTS BY THE PRESIDENT PRO TEMPORE**

The PRESIDENT. The Chair wishes to announce the President pro tempore has made the following appointments:

Senator Wayne Fontana as a member of the Pennsylvania Higher Education Assistance Agency.

Senator Vincent Hughes as a member of the Pennsylvania Higher Education Assistance Agency.



**BILL SIGNED**

The PRESIDENT (Lieutenant Governor Mike Stack) in the presence of the Senate signed the following bill:

**SB 135.**

**LEGISLATIVE LEAVES**

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

Senator CORMAN. Mr. President, I request temporary Capitol leaves for Senator Baker, Senator Brooks, Senator Martin, Senator Stefano, and Senator Ward, and legislative leaves for Senator McIlhinney and Senator Tomlinson.

The PRESIDENT. Senator Corman requests temporary Capitol leaves for Senator Baker, Senator Brooks, Senator Martin, Senator Stefano, and Senator Ward, and legislative leaves for Senator McIlhinney and Senator Tomlinson. Without objection, the leaves will be granted.

**LEAVE OF ABSENCE**

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

**JOURNAL APPROVED**

The PRESIDENT. The Journal of the Session of January 2, 2018, of the 201st Session is now in print.

The Clerk proceeded to read the Journal of the Session of January 2, 2018, of the 201st Session.

Senator CORMAN. 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 CORMAN and were as follows, viz:

**YEA-49**

Alloway	DiSanto	Martin	Tartaglione
Argall	Eichelberger	McGarrigle	Tomlinson
Aument	Farnese	McIlhinney	Vogel
Baker	Folmer	Mensch	Vulakovich
Bartolotta	Fontana	Rafferty	Wagner
Blake	Gordner	Regan	Ward
Boscola	Greenleaf	Resenthaler	White
Brewster	Haywood	Sabatina	Williams
Brooks	Hutchinson	Scarnati	Yaw
Browne	Killion	Scavello	Yudichak
Corman	Langerholc	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 Martin has returned, and his temporary Capitol leave is cancelled.

**GUEST 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 take this opportunity to welcome our guest Chaplain here today, Pastor David Jones. Pastor Jones is the pastor of New Vision Church in Allentown. He has been their pastor for the last 3 years but has been ordained as a pastor for 23 years. Pastor Jones is also a former Lehigh County commissioner. Please give him a warm Senate welcome.

The PRESIDENT. Would the guest of Senator Browne, Pastor Jones, please rise so that we may welcome you to the Pennsylvania Senate. Councilman Jones as well. Thank you for your prayer.

(Applause.)

**GUEST OF SENATOR RICHARD L. ALLOWAY  
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, I rise to introduce a young lady from my district who was an intern in the Lieutenant Governor's Office this year, Julie Welde, originally from Manasquan, New Jersey. Julie is a current health science and public policy double major at Gettysburg College. Over the past 4 years, Julie has been involved in a multitude of different programs at her college, including the Eisenhower Institute, Chi Omega, and the judiciary board.

Her most memorable experience at college included studying abroad in Tromso, Norway, located in the Arctic Circle, and also interning in the Lieutenant Governor's office. But I want to tell you more about Julie, because she is an awesome young lady. She also interned in rural Panama. These experiences have led her to question the current state of healthcare in the United States and have led her to pursue further education.

In the fall of 2018, she will be attending graduate school at the George Washington University, where she will be studying public health. She has plans of attending law school afterward and eventually would like to work in healthcare reform in Washington, D.C.

Thank you, Lieutenant Governor, for having my constituent in your office.

The PRESIDENT. Senator Alloway, thank you for giving us such a fantastic intern. Will Senators and anyone in the gallery please welcome one of my star interns, Julie Welde, who serves in the Lieutenant Governor's Office. Julie is with us on the Senate floor. We are delighted to have her.

(Applause.)

### GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

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

Senator MENSCH. Mr. President, today it is my pleasure to introduce two young folks who are shadowing me here today. First is Mr. Zack Whitehair, and he is accompanied by Ms. Alyssa Choing. Zack is currently a junior at Dock Mennonite Academy in Lansdale. He interned for over 200 hours with a company called PDC Machines, a local engineering firm that recently won a million-dollar prize from the United States Department of Energy for its work on hydrogen fuel. PDC is working on the delivery of a fuel system that converts water to fuel. Zack worked full-time last summer and will be going back this summer working directly with his mentor, Mateen Afzal, the general manager of the company.

In addition to his interest in engineering, his internship also led to his nomination and acceptance into the National High School Leadership Program, where he will be studying with Yale University in Singapore this June. Zack's high school has nominated Zack for this prestigious program. The program is for high school students from around the world, and the program Zack will be attending focuses on international business. It also fits with Zack's internship at PDC, as their customer base is global. Zack has also volunteered at the International Spring Festival for the last 4 years, the largest multicultural organization in the Commonwealth of Pennsylvania. I know you, Lieutenant Governor, have been there with me in previous years. He has also volunteered with the Upward Football League for his school, Dock Mennonite Academy, at its annual event.

We also have with us today Ms. Alyssa Choing. Alyssa Choing is a national honor student at Perkiomen Valley High School, and she is in her sophomore year. She is a second generation Asian American with a Chinese and Cambodian background. Alyssa has been volunteering at the International Spring Festival for the last 5 years helping to promote multicultural awareness. In addition to volunteering for the spring festival, Alyssa also volunteers at the Pearl S. Buck home during their festival of trees. She plays field hockey and lacrosse for the Perkiomen High School team. During the off-season from sports, she volunteers as assistant coach for the Perkiomen Valley youth lacrosse and field hockey, and she has also helped referee home games. Alyssa is a member of the Key Club and Interactive Club at Perkiomen Valley. Alyssa has also held several part-time jobs all the while maintaining her honor roll status. After completing her education, Alyssa plans to pursue the field of medicine and continue her efforts to help society.

So, Mr. President, please join me in welcoming Zack and Alyssa to the Senate today.

The PRESIDENT. Would the guests of Senator Mensch, Zack and Alyssa, please rise so that we may welcome you and thank you for all you are doing. We love the spring festival as well. Keep up the good work.

(Applause.)

### RECESS

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

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

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

Senator COSTA. Mr. President, I request that Senate Democrats join me in the rear of the Chamber for a caucus.

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

### AFTER RECESS

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

### LEGISLATIVE LEAVES CANCELLED

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

### REQUEST FOR 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 off-the-floor meetings of the Committee on Appropriations and the Committee on Judiciary, both to be held in the Rules room in the rear of the Chamber immediately.

### LEGISLATIVE LEAVE CANCELLED

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

### RECESS

The PRESIDENT. For purposes of meetings of the Committee on Appropriations and the Committee on Judiciary, both to be held in the Rules room, 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 Brooks has returned, and her 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 Folmer, and a legislative leave for Senator Aument.

The PRESIDENT. Senator Gordner requests a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Aument. Without objection, the leaves will be granted.

## CALENDAR

## THIRD CONSIDERATION CALENDAR

## BILLS OVER IN ORDER

**SB 653** and **HB 653** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

## BILL AMENDED

**SB 792 (Pr. No. 1004)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, repealing provisions relating to fertilizer; providing for fertilizer; in soil and plant amendment, further providing for disposition of funds; and, in seed, further providing for disposition of funds.

On the question,

Will the Senate agree to the bill on third consideration?

Senator ALLOWAY offered the following amendment No. A6158:

Amend Bill, page 1, line 4, by striking out "and,"

Amend Bill, page 1, line 5, by inserting after "funds":

; and imposing duties on the Department of Agriculture

Amend Bill, page 18, lines 17 through 30; pages 19 through 67, lines 1 through 30; page 68, lines 1 through 15; by striking out all of said lines on said pages and inserting:

CHAPTER 68  
FERTILIZER

Subchapter

- A. General Provisions
- B. Fertilizer Manufacturers and Guarantors
- C. Applicator Licensing and Certification
- D. Recordkeeping for Applicators
- E. Application Rates, Requirements and Prohibitions
- F. Agricultural and Homeowner Education Program
- G. Administration and Penalties

SUBCHAPTER A  
GENERAL PROVISIONS

Sec.

6801. Short title of chapter.

6802. Legislative intent.

6803. Definitions.

§ 6801. Short title of chapter.

This chapter shall be known and may be cited as the Fertilizer Act.

§ 6802. Legislative intent.

This chapter is intended to:

(1) Provide for the labeling, application, recordkeeping, packaging, use, sale and distribution of agricultural fertilizer as well as turf or other specialty fertilizer.

(2) Provide consumer protection through licensing, labeling and sampling.

(3) Establish professional fertilizer applicator certification.

(4) Provide a means of consumer education and outreach.

(5) Ensure that applicators follow best practices when applying fertilizer.

§ 6803. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Brand." A term, design or trademark used in connection with one or several grades of fertilizer.

"Bulk fertilizer." A fertilizer distributed in a nonpackaged form.

"By-product." Municipal waste or residual waste as defined in the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, or its successor statute, that contains a plant nutrient and

meets all applicable regulations of the Department of Environmental Protection.

"Certified applicator." A person who is certified under section 6832 (relating to certification of applicators) as competent to use or supervise the use of fertilizer or train fertilizer technicians on the proper application of fertilizer.

"Commercial applicator." A person who applies or supervises the application of fertilizer to the property or premises of another or who applies or supervises application of fertilizer to any of the following:

(1) A golf course.

(2) The property or premises of a public or private park.

(3) The property or premises of a public, nonpublic or licensed private elementary or secondary school wherein a resident of this Commonwealth may fulfill the compulsory school attendance requirements and which meets the applicable requirements of Title IV of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000c) (Public Law 88-352, 78 Stat. 241), or its successor statute. This term does not include the residence of a home schooled student.

(4) A public or private college or university that applies fertilizer to the campus grounds. A person conducting research at a public or private college or university or a State-related university that applies fertilizer to test plots shall not be deemed a commercial applicator.

(5) A public playground or an athletic field.

"Consumer." A person who purchases fertilizer for the end use of the product.

"Deficiency." The amount of nutrient found by analysis to be less than that guaranteed, which may result from a lack of nutrient ingredients or uniformity.

"Department." The Department of Agriculture of the Commonwealth.

"Distribute." To import, consign, offer for sale, sell, barter or otherwise supply fertilizer in this Commonwealth.

"Distributor." A person who distributes fertilizer or fertilizer material.

"Enhanced efficiency." Relating to a fertilizer product with characteristics that allow increased plant nutrient uptake and reduced potential of nutrient losses to the environment, such as gaseous losses, leaching or runoff, when compared to an appropriate reference product as determined by the department by publishing a notice in the Pennsylvania Bulletin.

"Facility." Each separate mill or plant that manufactures fertilizer.

"Fertilizer." A substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use or claimed to have value in promoting plant growth, except unmanipulated animal manure and plant remains, agricultural liming materials, wood ashes and other materials exempted by the department's regulations. The term shall not apply to animal manure which is regulated under:

(1) 25 Pa. Code § 91.36(b) (relating to pollution control and prevention at agricultural operations);

(2) Chapter 5 (relating to nutrient management and odor management); or

(3) the act of June 28, 2004 (P.L.454, No.49), known as the Commercial Manure Hauler and Broker Certification Act.

"Fertilizer application business." A governmental or public entity, commercial applicator or business for profit or not for profit that applies fertilizer:

(1) on the property or premises of another;

(2) to the property or premises of a golf course, park, school, college or university or public playground; or

(3) to an athletic field.

"Fertilizer application business license." A license obtained under section 6831 (relating to licensing of fertilizer application businesses).

"Fertilizer license." A license obtained under section 6811 (relating to licensing).

"Fertilizer material." A fertilizer which:

(1) contains only one of the following primary plant nutrients:

(i) nitrogen;

(ii) phosphate; or

(iii) potash;

(2) has 85% or more of its plant nutrient content present in the form of a single chemical compound; or

(3) is derived from a plant or animal residue, by-product, coproduct as defined in 25 Pa. Code § 287.1 (relating to definitions) or

natural material deposit which has been processed in a way that its content of plant nutrients has not been materially changed except by purification and concentration.

"Fertilizer technician." A person who:

- (1) is not certified under this chapter;
- (2) works for a fertilizer application business; and
- (3) works under the direction of a certified applicator.

"Governmental or public entity." An executive or independent agency or governmental unit of the Commonwealth or local agency, including a county, city, borough, town, township, school district, municipal authority or political subdivision of the Commonwealth.

"Grade." The percentage of total nitrogen, available phosphate and soluble potash stated in whole numbers in the same terms, order and percentages as in the guaranteed analysis. Specialty fertilizers may be guaranteed in fractional units of less than 1% of total nitrogen, available phosphate and soluble potash, provided that fertilizer materials, bone meal, manures and similar materials may be guaranteed in fractional units.

"Growing media." Material in which plants are grown, such as garden soil, potting soil or commercial soil-less mixes.

"Guaranteed analysis." The minimum percentage of plant nutrients claimed in the following order and form:

Total Nitrogen (N)	%
Available Phosphate (P2O5)	%
Soluble Potash (K2O)	%

For other organic phosphatic materials, the total phosphate or degree of fineness may also be guaranteed. Guarantees for plant nutrients other than nitrogen, phosphorus and potassium may be established by regulation.

"Guarantor." A person, including a manufacturer or distributor, whose name and address appears on the label of fertilizer.

"Impervious surface." A structure, surface or improvement, including, but not limited to, a roadway, sidewalk, parking lot, driveway or patio constructed out of plastic, concrete, asphalt or other material that reduces or prevents infiltration of water into the soil.

"Label." The display of all written, printed or graphic matter upon the immediate container or a statement accompanying a fertilizer.

"Labeling." All written, printed or graphic matter, upon or accompanying any fertilizer or advertisements, brochures, posters or electronic media used in promoting the distribution of the fertilizer.

"Manipulation." Processed or treated in any manner, including drying to a moisture content of less than 30%.

"Manufacture." To produce, mix, blend, repackage or further process fertilizer or fertilizer material for distribution.

"Manure." Animal excrement, with or without the bedding, litter, straw, washwater and other refuse materials, dirt and waste ordinarily mixed or commingled with that excrement, which is produced at an agricultural operation.

"Micronutrient." Any of the following:

- (1) Boron.
- (2) Chlorine.
- (3) Cobalt.
- (4) Copper.
- (5) Iron.
- (6) Manganese.
- (7) Molybdenum.
- (8) Nickel.
- (9) Sodium.
- (10) Zinc.

"Natural organic fertilizer." Materials derived from either plant or animal products containing one or more elements, other than carbon, hydrogen and oxygen, which are essential for plant growth. These materials may be subjected to biological degradation processes under normal conditions of aging, rainfall, sun curing, air drying, composting, rotting, enzymatic or anaerobic or aerobic bacterial action or any combination of these processes. These materials shall not be mixed with synthetic materials or changed in any physical or chemical manner from their initial state except by manipulations such as drying, cooking, chopping, grinding, shredding, hydrolysis or pelleting.

"Net weight." The total weight of fertilizer as offered for sale, excluding the weight of the container.

"Official sample." A sample of fertilizer collected or obtained by the department or its agent to effectuate the provisions of this chapter and designated as official.

"Organic based fertilizer." A mixed fertilizer where:

- (1) More than half of the fertilizer materials are organic.
- (2) More than half of the sum of the guaranteed primary nutrient percentages are derived from organic materials.

"Overall index value." The value obtained from the calculation: (commercial value found) x 100 / (commercial value guaranteed).

"Park." Privately or publicly owned outdoor real estate which includes a public recreational area, including an area with restricted access.

"Percent" or "percentage." A percentage by weight.

"Person." An individual, a partnership, an association, a firm, a corporation or another legal entity.

"Plant nutrient." Any of the following:

- (1) A primary nutrient.
- (2) A secondary nutrient.
- (3) A micronutrient.

"Primary nutrient." Any of the following:

- (1) Nitrogen.
- (2) Phosphorus.
- (3) Potassium.

"Public applicator." A person employed by a governmental or public entity who applies or supervises the application of fertilizer as part of the applicator's employment duties.

"Registrant." A person who registers fertilizer under this chapter.

"Repackage." The placement of fertilizer into a container or bulk bin other than what is supplied by the guarantor.

"Secondary nutrient." Any of the following:

- (1) Calcium.
- (2) Magnesium.
- (3) Sulfur.

"Specialty fertilizer." A fertilizer distributed for nonfarm use or a fertilizer primarily intended to supply plant nutrients other than nitrogen, phosphate or potash.

"Stream buffer zone." A permanent strip of dense perennial vegetation established parallel and immediately adjacent to the bank of a pond, wetland or flowing body of water, such as a stream, river or creek, that is used to slow water runoff, enhancing water infiltration and minimizing the risk of potential nutrients reaching the waters.

"Tolerance." A permitted variation from the guarantee of an official sample of fertilizer.

"Ton." A net weight of 2,000 pounds.

"Turf." Land, including, but not limited to, residential property, golf courses and privately or publicly owned land, that is planted in closely mowed, managed grass, except for land used for agricultural production.

#### SUBCHAPTER B FERTILIZER MANUFACTURERS AND GUARANTORS

Sec.

- 6811. Licensing.
- 6812. Registration of specialty fertilizers.
- 6813. Turf fertilizer components.
- 6814. Labels and labeling.
- 6815. Inspection fees.
- 6816. Tonnage reports.
- 6817. Inspection, sampling and analysis.
- 6818. Plant food deficiency.
- 6819. Commercial value.
- 6820. Misbranding.
- 6821. Adulteration.
- § 6811. Licensing.

(a) Requirements.--Each person engaged in the manufacture of fertilizer to be distributed in this Commonwealth and each guarantor of the fertilizer shall, on or before July 1 of each year or prior to manufacture or distribution of the fertilizer, obtain a fertilizer license for each manufacturing facility located in this Commonwealth and for each guarantor by completing a form furnished by the department and paying a \$50 application fee or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties). All licenses shall expire on June 30 of each year.

(b) Labeling and typical analysis.--The department may require an applicant for a fertilizer license or a current fertilizer licensee to submit the labeling that the person is using or intends to use for the fertilizer. The department may also require an applicant or fertilizer licensee to provide a typical analysis of selected components that may be in the

fertilizer.

§ 6812. Registration of specialty fertilizers.

(a) Application.--Each brand and grade of specialty fertilizer shall be registered by the guarantor with the department before being offered for sale, sold or distributed in this Commonwealth. An application for each brand and grade of specialty fertilizer shall be made on a form furnished by the department and shall be accompanied by a fee of \$100 or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties), per each grade of each brand. Labels for each brand and grade shall accompany the application. All registrations shall expire on June 30 of each year.

(b) Contents of specialty fertilizer registration application.--An application for registration shall include:

- (1) The brand and grade.
- (2) The guaranteed analysis.
- (3) The name and address of the guarantor.
- (4) Net weight.

(c) Exemption.--

(1) A distributor shall not be required to register a specialty fertilizer which is already registered under this chapter by another person, if the label does not differ in a material respect.

(2) Registration is not required when a fertilizer is formulated according to the specifications which are furnished by the end user and is not further distributed or offered for sale to the general public.

(d) Late fee.--If the application for renewal of the specialty fertilizer registration required under this section is not filed prior to June 30 of each year, a penalty of \$25 or 10% of the total registration fee for all products sought to be registered, whichever is greater, or a fee later established in the manner under section 6885, may be assessed and added to the original fee and shall be paid by the applicant before the renewal of the specialty fertilizer registration is issued. The penalty shall not apply if the applicant furnished an affidavit that the applicant has not distributed the specialty fertilizer subsequent to the expiration of the applicant's prior registration.

§ 6813. Turf fertilizer components.

(a) General rule.--Except as provided in subsection (b), fertilizer labeled for turf that is distributed to end users in this Commonwealth shall:

(1) Contain no more than 0.9 pounds of total nitrogen per 1,000 square feet when applied pursuant to the instructions on the container.

(2) Consist of at least 20% enhanced efficiency nitrogen of the total nitrogen or as determined by the department by publishing a notice in the Pennsylvania Bulletin.

(3) Contain no phosphorus, unless the fertilizer is a natural organic or organic based fertilizer.

(b) Exemptions.--

(1) Subsection (a) shall not apply when turf fertilizer is labeled for repairing a turf area or establishing a turf area for the first time.

(2) Subsection (a)(1) shall not apply to liquid turf fertilizers or readily available nitrogen fertilizers labeled for turf, if the directions for use are in accordance with the requirements of section 6852 (relating to application of fertilizer to turf).

(c) Additional requirements.--The department, through regulation, may establish additional requirements for turf fertilizer.

§ 6814. Labels and labeling.

(a) Contents of label.--The guarantor of a fertilizer distributed in a container in this Commonwealth shall have placed on or affixed to the container a label setting forth in legible and conspicuous form the following:

(1) The brand and grade of the fertilizer, but the grade shall not be required when no primary nutrients are claimed.

- (2) The guaranteed analysis.
- (3) A derived from statement.

- (4) Directions for use for fertilizer distributed to the end user.
- (5) The name and address of the guarantor.
- (6) The net weight.

(b) Bulk fertilizer.--In the case of bulk fertilizer distribution, the information required under subsection (a) shall accompany delivery and shall be provided in writing to the purchaser at time of delivery.

(c) Other guarantees.--Guarantees for nutrients other than primary nutrients, shall be expressed in the form of the element. The department may require by regulation that other beneficial substances or compounds be guaranteed. When plant nutrients or other substances or

compounds are guaranteed, they shall be subject to inspection and analysis in accordance with the methods and regulation prescribed by the department.

(d) Proof of labeling claims.--The department may require proof of labeling claims made for fertilizer. Research in support of the claims shall be performed by an institution approved by the department utilizing acceptable scientific methodology.

(e) Consumer-specified fertilizer formulations.--In lieu of the requirements under subsection (a), a fertilizer formulated according to specifications which are furnished by the end user prior to mixing shall be labeled in a clearly legible and conspicuous form to show the grade, net weight, guaranteed analysis and name and address of the guarantor.

(f) Bulk storage.--Fertilizer in bulk storage that is intended for distribution shall be identified with a label attached to the storage bin or container giving the name and grade of the product.

(g) Turf fertilizer.--Subject to subsection (i), fertilizer intended for use on turf that is distributed to end users in this Commonwealth, in bulk or packages that are one pound or greater, shall include a statement in legible and conspicuous form that at a minimum sets forth the following requirements:

(1) This product shall not be applied near water, storm drains or drainage ditches.

(2) This product shall not be applied if heavy rain is expected.

(3) This product shall only be applied to the intended application site.

(4) Material that lands on an impervious surface shall be swept back onto the turf. This statement shall not be required if the product is applied in a liquid form.

(h) Nonturf fertilizer.--Subject to subsections (i) and (k), fertilizer that is not labeled for turf, in bulk or packages that are 40 pounds or greater, that is distributed to end users in this Commonwealth shall include a statement, in legible and conspicuous form that at a minimum sets forth the following requirements:

(1) This product shall not be applied near water, storm drains or drainage ditches or to any impervious surface.

(2) This product shall not be applied if heavy rain is expected.

(3) This product shall only be applied to the intended application site.

(i) Fertilizers containing pesticides.--In lieu of the statements required under subsections (g) and (h), the label for fertilizer products containing pesticides shall contain the environmental hazard statement recommended by the United States Environmental Protection Agency for that product.

(j) Minimum font size.--Statements required under subsections (g) and (h) shall be printed in a legible and conspicuous manner and not be smaller than the height of the font used for the directions for use on the product labeling.

(k) Exemption.--The requirements of subsection (h) and of this section shall not apply to fertilizer labeled for aquatic settings, growing media, indoor use or potted plants.

(l) Prohibition.--The label for fertilizer or nitrogen-based material shall not be labeled for the purposes of melting snow or ice, unless the product is distributed to an airport to be used on aircraft or areas an aircraft accesses.

(m) Other label information.--The department may, by regulation, require additional information to be present on the label or labeling of fertilizers.

§ 6815. Inspection fees.

(a) Amounts.--The guarantor whose name appears on the label of a fertilizer distributed in this Commonwealth shall pay semiannually and not later than January 31 and July 31 of each year an inspection fee at the rate of 17¢ per ton of fertilizer distributed in this Commonwealth or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties). In no case shall the inspection fee paid semiannually amount to less than \$25 or a fee later established in the manner under section 6885.

(b) Adjustment of fees by department.--

(1) Notwithstanding subsection (a), following notice to the registrants and licensees, if the department determines that the money derived from the registration and inspection fees are either greater or less than that required to administer this chapter, the department may reduce or increase the registration or inspection fee, or both, so as to maintain revenues sufficient to administer this chapter.

(2) An inspection fee established under this subsection may

not be changed by more than 5¢ in one year.

(3) The department shall announce the adjustment of fees by publishing a notice in the Pennsylvania Bulletin. The adjusted fees shall take effect 60 days after publication of the notice in the Pennsylvania Bulletin.

#### § 6816. Tonnage reports.

(a) Requirements.--The guarantor whose name appears on the label shall submit, along with the requisite inspection fee, a report in a manner prescribed by the department listing by county the intended use and net tons of each brand and grade of fertilizer distributed in this Commonwealth for the period covered by the inspection fee. The department may promulgate regulations to establish additional tonnage reporting requirements.

(b) Multiple guarantors.--When more than one guarantor is involved in the distribution of fertilizer, the guarantor who distributed the fertilizer last shall report the tonnage and pay the inspection fee, unless the report and payment have been made by a prior distributor.

(c) Late fee.--A penalty of \$25 or 10% of the total inspection fee, whichever is greater, or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties), shall be imposed for a fee or report not submitted at the required time.

(d) Examination permitted.--The department or its authorized representative may examine the records of the guarantor to verify the information contained in the reports filed with the department. Reports containing fraudulent or incorrect information shall be considered a violation of this chapter for which the department may assess a penalty as provided for in this chapter.

(e) Confidentiality of information.--

(1) Notwithstanding the act of February 14, 2008 (P.L. 6, No.3), known as the Right-to-Know Law, or its successor statute, no proprietary information furnished to the department under this section shall be disclosed in a way as to knowingly or intentionally divulge a trade secret of any person subject to the provisions of this chapter.

(2) This subsection shall not apply to information furnished to a court or administrative tribunal in accordance with law.

#### § 6817. Inspection, sampling and analysis.

(a) Authorization.--The department shall inspect, sample, make analyses of and test fertilizers distributed within this Commonwealth and shall inspect the storage of bulk fertilizer at any time and place and to an extent that the department may deem necessary to determine whether the fertilizers are in compliance with the provisions of this chapter. The department or its agent may enter upon public or private premises or carriers during regular business hours to have access to fertilizer subject to and the records relating to the provisions of this chapter or the regulations promulgated under this chapter.

(b) Methodology.--The methods of fertilizer sampling and analysis by the department shall include those methods adopted by the Association of Official Analytical Chemists International. In cases not covered by those methods or in cases where improved methods are available, the department may issue a temporary order defining the method to be utilized. The method defined in the temporary order shall be effective upon publication in the Pennsylvania Bulletin. The temporary order shall remain in effect for a period not to exceed one year, unless reissued, or until the notice is promulgated as a regulation.

(c) Deficiency determination.--In determining whether a fertilizer is deficient in nutrients, the department shall be guided solely by the official sample obtained and analyzed as provided for in subsections (a) and (b).

(d) Maintenance of official samples.--Official samples maintained by the department and that require imposition of a penalty for nutrient deficiency shall be retained for a minimum of 90 days from issuance of a fertilizer deficiency report or an official report of analysis. Upon request, the department shall furnish to the guarantor a portion of the official sample. Requests must be made within 30 days of receipt of a fertilizer deficiency report or an official report of analysis.

#### § 6818. Plant food deficiency.

(a) Penalties.--The following penalties shall be assessed for deficiencies from the guaranteed analysis:

(1) A penalty payment of five times the commercial value of each deficiency shall be assessed when the analysis shows that a fertilizer is deficient:

- (i) in one or more of its guaranteed primary plant nutrients beyond a tolerance of 10% (two unit maximum); or
- (ii) when the overall index value of the primary nutrients

in the fertilizer is below 97.

(2) When a fertilizer is subject to a penalty payment under paragraph (1)(i) and (ii), the larger penalty payment shall apply. Any penalties assessed shall not exceed the retail price of the lot of fertilizer represented by the official sample.

(3) Deficiencies beyond the tolerance as established by regulation in a component other than a primary nutrient shall be evaluated by the department and shall be subject to a penalty under this chapter.

(b) Payment of penalties.--Within 90 days following receipt of the official report of analysis, the guarantor shall pay to the consumer a deficiency penalty in the amount prescribed on the report of analysis. Receipts of payment shall be promptly forwarded by the guarantor to the department. If the consumer cannot be found, the penalties shall be paid to the department.

(c) Deficiencies in fertilizers.--A deficiency in an official sample of fertilizer resulting from nonuniformity shall not be deemed distinguishable from a deficiency due to actual plant nutrient shortage and shall be deemed a violation of this chapter for which the department may assess a penalty as provided for in this chapter.

#### § 6819. Commercial value.

For the purpose of determining the commercial value to be applied under section 6818 (relating to plant food deficiency), the department shall determine and publish in the Pennsylvania Bulletin annually the values per pound of total nitrogen, available phosphate and soluble potash in fertilizers in this Commonwealth. The values so determined and published in the Pennsylvania Bulletin shall go into effect July 1 of each year and be used in determining and assessing penalty payments.

#### § 6820. Misbranding.

No person shall distribute a misbranded fertilizer. A fertilizer shall be deemed to be misbranded if any of the following apply:

- (1) Its labeling is false or misleading in any particular.
- (2) It is distributed under the name of another fertilizer product.

(3) It is not labeled as required in section 6814 (relating to labels and labeling) and in accordance with regulations prescribed under this chapter.

(4) It purports to be or is represented as a fertilizer or is represented as containing a plant nutrient or fertilizer unless such plant nutrient or fertilizer conforms to the definition of identity, if any, prescribed by regulation.

#### § 6821. Adulteration.

No person shall distribute an adulterated fertilizer product. A fertilizer shall be deemed to be adulterated if any of the following apply:

(1) It contains any deleterious or harmful substance in sufficient amount to render it injurious to beneficial plant life, animals, humans, aquatic life, soil or water when applied in accordance with its intended use or directions for use on the label.

(2) Adequate warning statements or directions for use which may be necessary to protect plant life, animals, humans, aquatic life, soil or water are not shown upon the label.

(3) Its composition falls below or differs from that which it is purported to possess by its labeling.

(4) It contains viable weed seed or unwanted crop seed in amounts exceeding the limit which the department establishes by regulation.

### SUBCHAPTER C

#### APPLICATOR LICENSING AND CERTIFICATION

##### Sec.

6831. Licensing of fertilizer application businesses.

6832. Certification of applicators.

6833. Recertification of applicators.

6834. Reciprocal agreement.

6835. Training of fertilizer technicians.

#### § 6831. Licensing of fertilizer application businesses.

(a) Requirements.--A fertilizer application business must be licensed prior to applying fertilizer and shall comply with the provisions of this chapter and any regulation or order of the department. A fertilizer application business with more than one location or place of business or operating under more than one name in this Commonwealth shall license each location, place of business and business entity. For a governmental or public entity, each district or region shall be considered a separate business and shall require a separate license.

(b) Operation, application and expiration.--A fertilizer application business may not be operated without first obtaining a fertilizer applica-

tion business license. The application for licensure shall be on a form furnished by the department and shall be accompanied by a \$100 application fee or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties). All business licenses shall expire on December 31 each year, except that the department may issue a license for the following year when an initial license application is filed during the last two months of a licensing year.

(c) Employer requirement.--A fertilizer application business shall employ at all times and at each licensed business at least one person who holds a current valid commercial or public applicator certification. This person shall be responsible for training fertilizer technicians on the proper handling and application of fertilizer.

(d) Fertilizer technicians.--A fertilizer application business shall ensure fertilizer technicians do not apply fertilizer unless the persons have gone through a training program as described by section 6835 (relating to training of fertilizer technicians).

(e) Record.--A fertilizer application business shall maintain a record and provide to the department, upon request, the following:

(1) A list of all certified applicators employed by the business.

(2) A list of all fertilizer technicians employed by the business and an attestation that each has completed a training program meeting the requirements of section 6835. The attestation shall be subject to the penalties for a violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) or its successor statute.

(f) Notification.--A licensed fertilizer application business shall notify the department in writing within 15 days of a change in its license information, including the employment status of its certified applicators and fertilizer technicians.

(g) License number display.--A fertilizer application business shall prominently display on every vehicle involved in the fertilizer application phase of its business the license number assigned by the department. The number shall be in figures at least three inches high and be located on both sides of the vehicle at a readily visible location in a contrasting color.

(h) Aerial application.--If a fertilizer application business or an applicator of fertilizer engages in aerial applications, the applicant shall, upon request by the department, provide proof of compliance with the Federal Aviation Administration regulations as described in 14 CFR Pt. 137 (relating to agricultural aircraft operations) or its successor regulations.

#### § 6832. Certification of applicators.

(a) Condition.--A commercial applicator or public applicator for a fertilizer application business must be certified under the requirements established in this chapter and the department's regulations prior to:

(1) applying fertilizer or conducting training of fertilizer technicians; and

(2) the fertilizer application business applying fertilizer.

(b) Training.--Only a fully certified applicator may train fertilizer technicians.

(c) Certification examination.--

(1) A person wishing to obtain full certification under this chapter shall take and pass a written examination prepared or approved by the department and shall demonstrate minimum standard proficiency on the basis of a written examination conducted at an approved test site under the direction of the department or its designated agents. All fees associated with the certification examination shall be paid in full prior to the issuance of a certification certificate by the department.

(2) Each applicant for certification shall demonstrate knowledge and competence as to:

(i) Safety and health.

(ii) Labeling and label comprehension.

(iii) Environmental protection.

(iv) Equipment use, calibration and dosage calculations.

(v) Personal protective equipment.

(vi) Cleaning and maintaining equipment.

(vii) Transportation, storage, security and disposal.

(viii) Applicable Federal and State laws.

(ix) Any subject matter deemed appropriate by the department's regulations.

(3) The department shall require a minimum examination fee of \$10 or a fee later established in the manner under section 6885 (relating to fees, fines and civil penalties).

(d) Commercial and public applicators.--

(1) A commercial or public applicator's certification shall not be valid until the applicator is associated with a fertilizer application business that is licensed according to the requirements of section 6831 (relating to licensing of fertilizer application businesses).

(2) If a commercial or public applicator separates employment from a fertilizer application business, the eligibility for certification shall remain with the applicator and may be transferred to another fertilizer application business.

(e) Issuance of certification.--Certification shall be issued to a person upon successful completion of all classroom, examination, testing and certification requirements established by this chapter, an order of the department and regulations of the department and the payment of all fees, unless revoked or suspended by the department.

(f) Activation.--Upon receiving notice of passing all certification requirements, the applicant shall, within 12 months of becoming eligible to be certified as a commercial or public applicator, file with the department a request to activate certification. A person who fails to request activation within this 12-month period shall lose certification eligibility and shall again establish eligibility in accordance with this section.

(g) Expiration.--Certification shall expire as follows:

(1) Commercial applicator certification shall expire on September 30 of each year following the date of certification.

(2) Public applicator certification shall expire on September 30 every three years following the date of certification.

(3) With regard to an initial application for certification, the department may issue a certificate for an additional year when a person becomes fully certified within the last two months of the certification year.

(h) Grandfathering.--

(1) A person holding a valid pesticide applicator certification in the following categories under 7 Pa. Code § 128.42 (relating to categories of commercial and public applicators) upon the effective date of this subsection shall be granted certification as a certified fertilizer applicator under this chapter but shall still comply with all other requirements of this chapter:

(i) Category 1, Agronomic crops.

(ii) Category 2, Fruits and nuts.

(iii) Category 3, Vegetable crops.

(iv) Category 5, Forest pest control.

(v) Category 6, Ornamental and shade trees.

(vi) Category 7, Lawn and turf.

(vii) Category 18, Demonstration and research pest control.

(viii) Category 22, Interior plantscape.

(ix) Category 23, Park or school pest control.

(x) Category 25, Aerial applicator.

(2) The certification under this subsection shall be valid until each person's pesticide core recertification is due, at which time that person shall be required to meet all the recertification requirements as required by section 6833 (relating to recertification of applicators).

#### § 6833. Recertification of applicators.

(a) Continuing education.--At intervals of three years, a certified applicator shall provide evidence of having received continuing education credits in practices relating to fertilizer applications. Recertification training shall be in the following content areas:

(1) Safety and health.

(2) Labeling and label comprehension.

(3) Environmental protection.

(4) Equipment use, calibration and dosage calculations.

(5) Personal protective equipment.

(6) Cleaning and maintaining equipment.

(7) Transportation, storage, security and disposal.

(8) Applicable Federal and State laws.

(9) Any subject matter deemed appropriate by the department's regulations.

(b) Credits.--Continuing education credits shall be given on the basis of attendance at courses or other appropriate training approved by the department. Training shall be evaluated by the department and assigned credits. At a minimum, certified applicators shall obtain four credits every three years or the total amount of credits later established by publication in the Pennsylvania Bulletin.

(c) Training.--Training shall be approved based on the following:

(1) Training shall be conducted or sponsored by the depart-

ment or a department-approved institution, association, business entity or governmental agency. The department-approved trainer shall submit course materials for approval by the department and shall establish that courses will be conducted by a person or persons that are certified applicators in good standing under this chapter and with at least three years' experience as a certified fertilizer applicator or by an approved entity with other documented qualifications to serve as a trainer, such as an appropriate educational background.

(2) Training shall be approved for continuing education credits at the rate of one credit per 30 minutes, or as later established by regulation, of applicable instruction, exclusive of coffee breaks, lunches, visits to exhibits and other similar activities.

(3) An approved entity wishing to conduct or sponsor continuing education training shall submit a written request for course and trainer approval to the department's regional office for the region in which the meeting will be held. A request to approve out-of-State training must be submitted to the department's headquarters. The request shall include evidence of compliance with the standards established by paragraph (1).

(d) Information request.--A request for training approval shall include the following information:

(1) The name, address and telephone number of the contact person who is coordinating the training.

(2) The specific location where the training course will be offered.

(3) The date and time of the training course.

(4) A listing of the trainers, trainer qualifications, subject matter and time allotted to each subject.

(5) A statement of whether the training is open to the public and where applicable the charge to attend.

(6) A detailed course syllabus setting forth the subject matter to be covered and a description of the content, the time period allotted for each subject matter and trainer name and certification.

(e) Oath or affirmation.--A statement made in a request to approve training shall be supported by oath or affirmation and is subject to the penalties for a violation of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) or its successor statute.

(f) Assignment of credits.--Credits shall be assigned to each training course based upon the subjects covered and the amount of time expended on each subject.

(g) Monitoring of training.--All training shall be monitored by an employee of the department. If an employee of the department is unable to monitor the training, the training course coordinator shall be responsible for authenticating attendance and shall compile an approved list of Pennsylvania certified applicators in attendance. This list shall be returned to the department within 10 working days following the meeting date and shall include the name of each individual attending and the individual's applicator certification number.

(h) Modification of credits.--Credits assigned may be modified if the content, approved trainer or time of the actual training course differs from the original training course approved by the department.

(i) Violation.--Falsification by a department-approved course trainer or sponsor of information required under this section shall be considered a violation of this chapter for which the department may assess a penalty as provided for under this chapter and withdraw approval of the course as specified under this section.

(j) Attendance falsification.--A person may not falsify attendance or that of another person's attendance at a continuing education meeting. Falsification of attendance at a continuing education course by a person shall be considered a violation of this chapter for which the department may assess a penalty as provided for under this chapter and revoke the applicator's certification and require full renewal of certification as required under section 6832 (relating to certification of applicators).

(k) Failure to obtain required credits.--If a person does not obtain the required number of recertification credits in the triennial year in which continuing education credits are due, the person's certification shall be invalid and that person shall cease and desist from all fertilizer application, and recertification shall require completion of delinquent continuing education credits as established under this section prior to certification being renewed.

(l) Failure to complete delinquent credits.--If a person fails to complete delinquent continuing education credits within one year from the triennial expiration date or fails to renew the certification for any reason during that time period, the person shall cease and desist from

all fertilizer application and shall be required to reestablish eligibility by meeting the requirements in section 6832.

§ 6834. Reciprocal agreement.

The department may issue a license or certification on a reciprocal basis with other states without examination to a nonresident who is licensed or certified in another state that administers a fertilizer licensing or certification course substantially in accordance with the provisions of this chapter.

§ 6835. Training of fertilizer technicians.

(a) Prohibition.--Fertilizer technicians working for a fertilizer application business may not apply fertilizer without first going through a training program, as required by the provisions of this chapter, an order of the department or the department's regulations.

(b) Requirements.--Fertilizer technicians shall be an employee of the business and trained by a certified applicator who is an employee of the same business.

(c) Transferability.--Training of fertilizer technicians shall not be transferable between businesses.

(d) Program administration.--The training program for fertilizer technicians shall be administered by a certified applicator, employed by the fertilizer application business employing the fertilizer technician, in subject matter involving the assigned tasks of the fertilizer technician. The training program shall include, but not be limited to:

(1) Proper use of fertilizers and use of application equipment, including calibration and maintenance equipment used on the job.

(2) Protective clothing required during the application and handling of fertilizers.

(3) Transportation and disposal of fertilizers used in and around the workplace.

(4) Applicable Federal and State regulations as they affect the work assignments.

(5) Competence in reading and following label and application requirements.

(e) Noncertified employees.--When there are noncertified employees engaged in the application of fertilizer, they shall be trained in accordance with subsection (d) or work under the supervision of a certified applicator who is physically present on the job site.

(f) Training and supervision prohibition.--A fertilizer technician may not train applicators or supervise the use or application of fertilizers by other fertilizer technicians or noncertified employees.

(g) Record.--At the completion of training, the certified applicator conducting the training shall complete a record of training. Training records shall be maintained by the firm for one year following separation of the fertilizer technician's employment and at a minimum, shall include:

(1) The name and certification number of the trainer.

(2) The name of fertilizer technician trained.

(3) The date of training.

(4) The areas of training.

(5) The business name and address of the fertilizer application business employing the fertilizer technician.

(6) Any other requirements as established by the department through order or regulation.

#### SUBCHAPTER D

#### RECORDKEEPING FOR APPLICATORS

Sec.

6841. Records.

§ 6841. Records.

(a) Required information.--Applicators required to be certified under section 6832 (relating to certification of applicators) and fertilizer technicians trained under section 6835 (relating to training of fertilizer technicians) shall keep for every application of fertilizer a record containing the following information:

(1) The name and address of the customer and the address and location of the application site, if different from the address of the customer.

(2) A record of the date of each fertilizer application. For continuous applications, such as hydroponics or drip lines, the record shall include start and finish dates and the total amount of fertilizer products used during that time period. For each addition of a fertilizer to the system, an entry to the record is required.

(3) The weather conditions, including approximate temperature.

(4) The brand name and grade of the fertilizer used.



(5) The dosage or rate of application of every fertilizer used.

(6) The total amount of fertilizer used in pounds, ounces, gallons or liters applied to a treated area.

(7) The identification of the application site, including the specific field or land area and the crop and size of the area treated with fertilizer.

(8) The name and certification number of each person involved with the application and the name of each fertilizer technician and noncertified employee involved in the application.

(9) Additional information as the department may require through order or regulation.

(b) Fertilizer application record.--A fertilizer application record shall be completed in written or printable form no later than 24 hours after the application date and made immediately available to the department upon request.

(c) Maintenance requirements.--A record required under this section shall be maintained for at least three years.

(d) Additional requirements.--In addition to the requirements established under this section, the department may promulgate regulations to require additional record keeping and application reporting requirements.

#### SUBCHAPTER E

#### APPLICATION RATES, REQUIREMENTS AND PROHIBITIONS Sec.

6851. Application of fertilizer.

6852. Application of fertilizer to turf.

6853. Prohibited acts.

§ 6851. Application of fertilizer.

(a) Restrictions.--No person may apply nonaquatic fertilizer within 15 feet of the top of a bank of a lake, pond, wetlands or flowing body of water, such as a stream, river or creek, except that fertilizer may be applied to the top of the bank of the waterways if applied using a drop spreader, rotary spreader with deflector, targeted spray liquid or other available targeted application technology when establishing and maintaining a stream buffer zone. The establishment of setbacks for fertilizer application under this subsection shall not preclude the establishment or applicability of or required compliance with any other environmental standard established under other Federal or State law, rule or regulation.

(b) Regulation.--The department may establish additional restrictions through regulation.

§ 6852. Application of fertilizer to turf.

(a) Application rates.--Except as provided in subsection (d), fertilizer application rates to turf shall:

(1) Not exceed 0.7 pounds of readily available nitrogen per 1,000 square feet per application.

(2) Not exceed 0.9 pounds of total nitrogen per 1,000 square feet per application.

(3) Contain zero phosphorus, except when specifically labeled for the following purposes:

(i) establishing vegetation for the first time;

(ii) reestablishing or repairing a turf area; or

(iii) as an enhanced-efficiency phosphorus fertilizer, natural organic fertilizer or organic-based fertilizer, if the application rate does not exceed 0.25 pounds of phosphorus per 1,000 square feet per application, with a maximum total annual application of 0.5 pounds of phosphorus per 1,000 square feet.

(b) Restrictions.--No person may:

(1) Apply turf fertilizer to an impervious surface. Turf fertilizer which is inadvertently applied to an impervious surface shall be removed from the impervious surface immediately following the application.

(2) Apply fertilizer containing nitrogen or phosphorus to turf at any time when the ground is frozen to a depth of at least two inches or snow covered.

(3) Apply fertilizer containing nitrogen or phosphorus to turf before March 1 or after December 15 in a calendar year or dates as are later established by the department's regulation. Fertilizer containing no more than 0.5 pounds of total nitrogen per 1,000 square feet or a rate as is later established by the department's regulation may be applied by a certified applicator or fertilizer technician to turf after December 15 but before March 1 in a calendar year.

(c) Fertilizer use and application rates for turf.--The department may establish use and application rates for fertilizer that is applied to

turf. Fertilizer use and application rates established shall be based on scientific research representing conditions of this Commonwealth and recommended by the Pennsylvania State University or other Pennsylvania institution of higher education. The rates or source of established fertilizer use and application rates shall be published at least once every two years by the department in the Pennsylvania Bulletin. Use and application rates published shall go into effect 90 days after publication in the Pennsylvania Bulletin.

(d) Application based on soil test and site-specific plan.--An applicator shall not be required to follow application rates established under subsection (a) or (c) if a site-specific plan is used based on all the following:

(1) A soil test that was conducted within the previous three years. Soil testing procedures shall be those recommended by the Pennsylvania State University or published in Recommended Soil Testing Procedures for the Northeastern United States, Bulletin #493 or its successor publication, published by the University of Delaware.

(2) Current soil, plant species, climate, use, topography or other appropriate management factors.

(3) Rates recommended by the Pennsylvania State University or other Pennsylvania university or college recognized by the department.

(e) Certified applicators or fertilizer technicians.--In addition to the requirements of section 6841 (relating to records), when a certified applicator or fertilizer technician applies fertilizer in accordance with subsection (d), the certified applicator or fertilizer technician shall retain a copy of the soil test and recommendations received for the site-specific plan as part of the record-keeping requirements.

(f) Additional requirements.--The department may establish additional requirements through regulation.

(g) Exemption.--The requirements of this section shall not apply to fertilizer applied for agricultural production or by a public or private college or university for research purposes.

§ 6853. Prohibited acts.

(a) Prohibited acts by business, certified applicator or fertilizer technician.--A fertilizer application business, certified applicator or fertilizer technician may not:

(1) Apply fertilizer without a license, certification or the training as required by this chapter.

(2) Apply fertilizer that is misbranded or adulterated.

(3) Make false or fraudulent records, invoices or reports concerning the application, storage or disposal of fertilizer.

(4) Make a false statement or misrepresentation of material fact on an application for issuance or renewal of a license or certification required under this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(5) Refuse or neglect to comply with a condition or limitation imposed upon a license or certification issued under this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(6) Refuse to present evidence of proper licensure or certification to an employee or agent of the department upon request.

(7) Refuse to display the fertilizer application business's, certified applicator's or fertilizer technician's license or certification number in a manner required by this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(8) Refuse or neglect to keep and maintain the records, or make reports when and as required, by this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(9) Fail to comply with a provision of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(b) Prohibited acts by person.--A person may not:

(1) Apply fertilizer with a device that is not intended for the application of fertilizer or that has not been properly calibrated.

(2) Operate fertilizer application equipment or devices in a faulty, careless or negligent manner.

(3) Dispose of, discard or store a fertilizer product in a manner that would be inconsistent with its label, would cause over-application of fertilizer, would result in direct discharge to a storm drain or waters of this Commonwealth or would be inconsistent with this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(4) Aid or abet another to evade the provisions of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter, conspire with another person for that purpose or allow the person's certification to be used by another person.

(5) Hinder, mislead, make false statements to or refuse to cooperate with an employee or agent of the department in any investigation or inspection undertaken by the authority delegated to the department under the provisions of this chapter.

(6) Apply fertilizer or a nitrogen-based material for the purposes of melting snow or ice, unless the material is applied to aircraft or areas an aircraft accesses at an airport.

(7) Fail to comply with a provision of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

(c) Effect of section.--Nothing in this section shall prohibit the lawful use of fertilizer in blasting, as regulated by the Department of Environmental Protection.

#### SUBCHAPTER F

#### AGRICULTURAL AND HOMEOWNER EDUCATION PROGRAM

6861. Agricultural and homeowner education.

§ 6861. Agricultural and homeowner education.

The department, through guidelines established in consultation with the Pennsylvania State University and representatives of the agricultural and turf grass industries, shall undertake a program of public outreach to educate the public on proper use, application, handling and storage of fertilizers.

#### SUBCHAPTER G

#### ADMINISTRATION AND PENALTIES

Sec.

6871. Publications.

6872. Rules and regulations.

6873. Short weight.

6874. Refusal, suspension or revocation of registration, license or certification.

6875. Stop-sale orders.

6876. Seizure and condemnation.

6877. Unlawful conduct.

6878. Interference with officer or employee of department.

6879. Enforcement and penalties.

6880. Appeal process.

6881. Civil remedy.

6882. Cooperation with other entities.

6883. Exchanges between manufacturers.

6884. Confidentiality.

6885. Fees, fines and civil penalties.

6886. Disposition of funds.

6887. Exclusion of local laws and regulations.

§ 6871. Publications.

The department may publish on an annual basis, and in a form as it deems proper, information concerning the distribution of fertilizers for both agricultural and nonagricultural uses and results of analyses based on official samples of fertilizer distributed within this Commonwealth as compared with analyses guaranteed under sections 6812 (relating to registration of specialty fertilizers) and 6814 (relating to labels and labeling).

§ 6872. Rules and regulations.

The department may, where necessary, promulgate and enforce rules and regulations necessary for administration and implementation of this chapter.

§ 6873. Short weight.

If a fertilizer in the possession of a consumer is found by the department to be short in weight, the guarantor of that fertilizer shall, within 30 days after official notice from the department, submit to the consumer a penalty payment of two times the value of the actual shortage.

§ 6874. Refusal, suspension or revocation of registration, license or certification.

(a) Authority of department.--The department may refuse, suspend or revoke:

(1) the registration of a fertilizer;

(2) the license or certification of a person if the person is a registrant, licensee or certificate holder and has not complied with the provisions of this chapter, a regulation promulgated under this chapter

or an order issued under the authority of this chapter; or

(3) the license or certification of a person if the person has used fraudulent or deceptive practices in the evasion or attempted evasion of the provisions of this chapter.

(b) Hearing.--The department shall provide an opportunity for a hearing, as specified in section 6880 (relating to appeal process), to a person appealing an action of the department under this section.

§ 6875. Stop-sale orders.

(a) General rule.--The department may issue and enforce a written or printed stop-sale, use or removal order to the owner or custodian of a lot of fertilizer being offered or exposed for sale in violation of a provision of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter. Fertilizer placed under the order shall be held at a designated place approved by the department and not moved in any way without written approval by the department. The order shall remain in effect until the law has been complied with and the fertilizer is released in writing by the department or the fertilizer in violation has been disposed of in a manner authorized by the department. The authorization shall be specified in writing.

(b) Release by department.--The department shall release the fertilizer held under a stop-sale order when the requirements of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter have been complied with and all costs and expenses incurred in connection with the order have been paid by the person responsible for the violation.

§ 6876. Seizure and condemnation.

Fertilizer not in compliance with the provisions of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter shall be subject to seizure and condemnation by the department, provided that in no instance shall the disposition of the fertilizer be ordered by the department without first giving the claimant an opportunity for a hearing as provided for in section 6880 (relating to appeal process) or for opportunity to apply for permission to process or relabel the fertilizer to bring it into compliance with this chapter.

§ 6877. Unlawful conduct.

It shall be unlawful for any person to fail to comply with or cause to assist in the violation of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter.

§ 6878. Interference with officer or employee of department.

A person who willfully or intentionally interferes with an employee or officer of the department in the performance of that employee's or officer's duties or activities authorized under this chapter commits a misdemeanor of the third degree and shall, upon conviction, be subject to a term of imprisonment for not more than one year or a fine of not more than \$2,500, or both.

§ 6879. Enforcement and penalties.

(a) Criminal penalties.--Unless otherwise specified, any person who violates any of the provisions of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter:

(1) For the first offense, commits a summary offense and may, upon conviction, be sentenced for each offense to pay a fine of not less than \$50 nor more than \$100 and costs of prosecution or to imprisonment for a term which shall be fixed at not more than 90 days, or both.

(2) For a subsequent offense committed within three years of a prior conviction for a violation of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter commits a misdemeanor of the second degree and shall, upon conviction, be sentenced to pay a fine of not less than \$500 nor more than \$1,000 and costs of prosecution or to imprisonment for not more than two years, or both.

(b) Civil penalties.--

(1) In addition to another remedy available at law or in equity for a violation of this chapter, the department may assess a civil penalty of not more than \$2,500 upon any person for each violation of this chapter. The civil penalty assessed shall be payable to the department and shall be collectible in any manner provided by law for the collection of debt.

(2) No civil penalty shall be assessed unless the person assessed the penalty has been given notice and an opportunity for a hearing on the assessment in accordance with the provisions of 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth

agency action).

(c) Trade secrets.--

(1) A person who uses to the person's own advantage or reveals to anyone other than the department, administrative tribunal or the courts when relevant in a judicial proceeding information acquired under the authority of this chapter concerning any method, records, formulations or processes which as a trade secret is entitled to protection under the law commits a misdemeanor of the third degree and shall, upon conviction, be sentenced to pay a fine of not less than \$500.

(2) This subsection shall not be construed to prohibit the department from exchanging information of a regulatory nature with governmental agencies of the Federal Government, agencies of this Commonwealth or any other state.

(d) Certified copy of official analysis.--In a prosecution under this chapter involving the composition of a lot of fertilizer, a certified copy of the official analysis signed by the department shall be accepted as prima facie evidence of the composition.

(e) De minimis violations.--Nothing in this chapter shall be construed as requiring the department to report a violation and to institute seizure proceedings as a result of de minimis violations of this chapter when the department concludes that the public interest will be best served by a suitable notice of warning in writing.

(f) District attorney.--It is the duty of each district attorney to whom a criminal violation of this chapter is reported to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay.

§ 6880. Appeal process.

All appeals shall be taken and hearings conducted in accordance with the provisions of 2 Pa.C.S. Chs. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and 7 Subch. A (relating to judicial review of Commonwealth agency action). A person shall have 15 days to appeal an enforcement action of the department.

§ 6881. Civil remedy.

(a) Office of Attorney General.--In addition to other remedies provided for in this chapter, the Office of Attorney General, at the request of the department, may initiate in Commonwealth Court or the court of common pleas of the county in which the defendant resides or has a place of business an action in equity for an injunction to restrain a violation of this chapter, a regulation promulgated under this chapter or an order issued under the authority of this chapter from which no timely appeal has been taken or which has been sustained on appeal.

(b) Preliminary injunctions.--In a proceeding under subsection (a), the court shall, upon motion of the Commonwealth, issue a preliminary injunction if the court finds that the defendant is engaging in conduct that causes immediate or irreparable harm to the public or has engaged in other conduct which the court has developed through case law.

(c) Bonds not required.--The Commonwealth may not be required to furnish bond or other security in connection with proceedings under this section.

(d) Civil penalties.--In addition to an injunction, the court may levy civil penalties as provided by this chapter.

§ 6882. Cooperation with other entities.

The department may cooperate with and enter into agreement with governmental agencies of the Federal Government, agencies of this Commonwealth or another state to carry out the purpose and provisions of this chapter.

§ 6883. Exchanges between manufacturers.

Nothing in this chapter shall be construed as restricting or avoiding sales or exchanges of fertilizers to each other by importers, manufacturers or manipulators who mix fertilizer materials for sale or as preventing the free and unrestricted shipments of fertilizer to manufacturers or manipulators who are in compliance with the provisions of this chapter.

§ 6884. Confidentiality.

All proprietary business information contained in records, data, formulations and other information filed with or collected by the department relating to inspections, tonnage reports and trade secrets, such as product formulation, customer lists or production methods, shall be exempt from act of February 14, 2008 (P.L.6, No.3), known as the Right-To-Know Law, or its successor statute, and subject to inspection only upon the order of a court of competent jurisdiction.

§ 6885. Fees, fines and civil penalties.

(a) Insufficient revenues.--If the revenues raised by fees, fines and civil penalties imposed under this chapter are not sufficient to meet expenditures for the administration and enforcement of this chapter over

a two-year period, the department may increase those fees so that the project revenues will meet or exceed projected expenditures.

(b) Notice and effective date.--The department shall announce the adjustment of fees, fines and penalties by publishing a notice in the Pennsylvania Bulletin. Prior to the adjusted fees, fines and penalties becoming effective, the department shall hold a public meeting to receive input from the regulated community. Subsequent to the public meeting, the department shall republish the adjusted fees, fines and penalties in the Pennsylvania Bulletin. The adjusted fees shall take effect 60 days after publication of the subsequent notice in the Pennsylvania Bulletin.

§ 6886. Disposition of funds.

Money received from license fees, registration fees, applicator certification, inspection fees, fines and penalties shall be paid into a special restricted account in the General Fund known as the Agronomic Regulatory Account. All money in the Agronomic Regulatory Account is appropriated to the department for the purposes of this chapter and Chapters 69 (relating to soil and plant amendment) and 71 (relating to seed).

§ 6887. Exclusion of local laws and regulations.

(a) Effect of chapter.--The provisions of this chapter are of State-wide concern and occupy the whole field of regulation regarding the registration, packaging, labeling, sale, transportation, distribution, use and application of fertilizers and certification of fertilizer applicators to the exclusion of all local regulations.

(b) Enforcement.--No ordinance or regulation of a local agency, political subdivision or home rule municipality may prohibit or in any way attempt to regulate a matter relating to the registration, packaging, labeling, sale, transportation, distribution, use or application of fertilizers, if the ordinance or regulation is in conflict with this chapter.

(c) Stricter requirements.--Nothing in this chapter shall prevent a political subdivision or home rule municipality from adopting and enforcing an ordinance or a regulation which is consistent with and no more stringent than the requirements of this chapter and the regulations or guidelines promulgated under this chapter. No penalty shall be assessed under the local ordinance or regulation under this subsection for a violation for which a penalty has been assessed under this chapter.

Section 4. Sections 6921 and 7122 of Title 3 are amended to read:

§ 6921. Disposition of funds.

Moneys received from license fees, registration fees, inspection fees, fines and penalties shall be paid into the Agronomic Regulatory Account established in section [6725] 6886 (relating to disposition of funds). All moneys in the Agronomic Regulatory Account are hereby appropriated to the department for the purposes of this chapter and Chapter [67] 68 (relating to fertilizer).

§ 7122. Disposition of funds.

Moneys received from license fees, seed testing fees, certification fees, fines and penalties shall be paid into the Agronomic Regulatory Account established in section [6725] 6886 (relating to disposition of funds). All moneys in the Agronomic Regulatory Account are hereby appropriated to the department for the purposes of Chapters [67] 68 (relating to fertilizer) and 69 (relating to soil and plant amendment) and this chapter.

Section 5. The sum of \$100,000 is hereby appropriated to the department to be deposited in the Agronomic Regulatory Account, for use by the Department of Agriculture to develop the certification and recertification courses required under 3 Pa.C.S. §§ 6832 and 6833 and any computer programming or software necessary for administration and enforcement of 3 Pa.C.S. Ch. 68.

Section 6. This act shall take effect as follows:

(1) The addition of 3 Pa.C.S. § 6814 shall take effect in 18 months.

(2) The addition of 3 Pa.C.S. § 6832(a), (b), (d), (e), (f), (g) and (h) shall take effect upon the development of the certification courses specified under 3 Pa.C.S. § 6832(c).

(3) The addition of 3 Pa.C.S. § 6833(b), (c), (d), (e), (f), (g), (h), (i), (j), (k) and (l) shall take effect upon the development of the recertification courses specified under 3 Pa.C.S. § 6833(a).

(4) This section and the remainder of this act shall take effect immediately.

On the question,

Will the Senate agree to the amendment?

The PRESIDENT. The Chair recognizes the gentleman from Franklin, Senator Alloway.

Senator ALLOWAY. Mr. President, as those of you know, rarely do I rise to speak on bills, but I think this is an important piece of legislation that has been in the works for 7 years now. This was legislation that was handed off to me by former Senator Mike Brubaker from Lancaster County. He worked on this bill for a couple of years and got it down to the goal line, first and goal, and then he retired. So, he handed it off to me as a member of the Chesapeake Bay Commission, the delegate from Pennsylvania.

This is the turf fertilizer bill. This bill is important for a lot of reasons. I am not going to go through everything, but I want this body to know that this bill is consistent with the Chesapeake Bay Program approved standards, and the EPA has confirmed that Pennsylvania will get full credit for this legislation in the TMDL, and that is extremely important. Maryland, Virginia, and New Jersey have enacted similar legislation, and regional companies such as Scotts and Lebanon Seaboard are already selling this formula in Pennsylvania without complaint from consumers. This bill basically sets application standards for fertilizers across Pennsylvania, and the language does meet the Chesapeake Bay Commission standards. They are on board, so is the Pennsylvania Department of Agriculture and the Department of Environmental Protection. I am really excited about this bill. This is a nice step forward for environment protection and for clean water for Pennsylvania, which also benefits the Chesapeake Bay.

So, I ask for an affirmative vote. Thank you.

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.

BILLS ON THIRD CONSIDERATION  
AND FINAL PASSAGE

**SB 1002 (Pr. No. 1430)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of State Route 1041 over the Mahoning Creek in Grant Township and Canoe Township, Indiana County, as the Army SPC Christine L. Mayes Memorial Bridge; and designating a bridge on that portion of State Route 286 over the South Branch Cush Creek River, Montgomery Township, Indiana County, as the Sgt. Edward John Parada Memorial Bridge.

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

YEA-49

Alloway	DiSanto	Martin	Tartaglione
Argall	Eichelberger	McGarrigle	Tomlinson
Aument	Farnese	McIlhinney	Vogel
Baker	Folmer	Mensch	Vulakovich
Bartolotta	Fontana	Rafferty	Wagner

Blake	Gordner	Regan	Ward
Boscola	Greenleaf	Resenthaler	White
Brewster	Haywood	Sabatina	Williams
Brooks	Hutchinson	Scarnati	Yaw
Browne	Killion	Scavello	Yudichak
Corman	Langerhole	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 present said bill to the House of Representatives for concurrence.

**HB 1845 (Pr. No. 2584)** -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of State Route 2026 over the North Branch Blacklick Creek, Buffington Township, Indiana County, as First Lieutenant Theodore P. Pytash Bridge.

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

BILL OVER IN ORDER

**HB 1854** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

**HB 26, SB 55, HB 99, HB 104 and SB 114** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 263 (Pr. No. 245) -- The Senate proceeded to consideration of the bill, entitled:

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

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

HB 291 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION

SB 313 (Pr. No. 1321) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILLS OVER IN ORDER

SB 384 and SB 435 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

HB 444 (Pr. No. 2818) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for manner of signing nomination petitions and time of circulating, for number of signers required for nomination petitions of candidates at primaries and for nominations by political bodies.

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

HB 444 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 444, Printer's No. 2818, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote. The PRESIDENT. The bill will be placed on the Calendar.

BILL ON SECOND CONSIDERATION

SB 500 (Pr. No. 603) -- The Senate proceeded to consideration of the bill, entitled:

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

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

BILL OVER IN ORDER

HB 566 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 597 (Pr. No. 674) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal authorities, further providing for money of authority.

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.

BILL OVER IN ORDER

SB 637 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

SB 762 (Pr. No. 1384) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 25 (Elections) of the Pennsylvania Consolidated Statutes, in registration system, providing for audit of SURE system.

On the question, Will the Senate agree to the bill on second consideration? Senator WARD offered the following amendment No. A6157:

Amend Bill, page 1, lines 10 through 15, by striking out "and" in line 10, all of lines 11 through 14 and "2018" in line 15

Amend Bill, page 1, line 15, by striking out "report" and inserting: audit

Amend Bill, page 2, line 20, by striking out "REPORT" and inserting: Audit

Amend Bill, page 2, line 21, by striking out "REPORT" and inserting: audit

Amend Bill, page 3, line 3, by inserting after "REPORT": of audit

Amend Bill, page 3, line 4, by striking out "AUDIT" and inserting: report

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.

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

#### BILLS OVER IN ORDER

**SB 780, HB 783, SB 816, HB 913, HB 914, HB 915 and HB 916** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

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

**SB 919 (Pr. No. 1270)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 28, 1937 (P.L.955, No.265), referred to as the Housing Authorities Law, further providing for powers of an authority; and providing for relocation.

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

Senator BARTOLOTTA offered the following amendment No. A5352:

Amend Bill, page 3, line 10, by striking out "the" and inserting:  
a completed

Amend Bill, page 3, line 15, by striking out "Relocate" and inserting:

relocate

Amend Bill, page 3, line 17, by striking out the period after "authority" and inserting a semicolon.

Amend Bill, page 3, line 18, by striking out "Provide" and inserting:

provide

Amend Bill, page 3, lines 18 and 19, by striking out "within thirty (30) days of the submission of the request." and inserting a semicolon.

Amend Bill, page 3, line 20, by striking out "Assist" and inserting:

assist

Amend Bill, page 3, line 21, by striking out the period after "units" and inserting:

; or

Amend Bill, page 3, line 22, by striking out "Assist" and inserting:

assist

Amend Bill, page 7, by inserting between lines 1 and 2:

"Completed request." A request including or supplemented with information which the authority requires to determine the tenant's eligibility for relocation assistance under this section.

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

The PRESIDENT. The Chair recognizes the gentlewoman from Washington, Senator Bartolotta.

Senator BARTOLOTTA. Mr. President, first of all, I would like to sincerely thank my colleagues, Senator Haywood and Senator Schwank, for their work on this bill and addressing the issue of domestic violence. The amendment is necessary to address some of the concerns raised by the Pennsylvania Association of Housing and Redevelopment Agencies when the bill was in the Committee on Urban Affairs and Housing, and then a technical amendment to the bill.

Thank you, Mr. President.

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 second consideration, as amended?

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

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

**SB 938 (Pr. No. 1380)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child protective services, further providing for disposition and expunction of unfounded reports and general protective services reports.

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.

#### BILL ON SECOND CONSIDERATION AND REREFERRED

**SB 950 (Pr. No. 1348)** -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a voluntary real estate sales verification form pilot 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.

#### BILL OVER IN ORDER

**SB 952** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

## BILL LAID ON THE TABLE

**SB 961 (Pr. No. 1390)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in culpability, further providing for causal relationship between conduct and result; in criminal homicide, further providing for the offense of murder; in miscellaneous provisions, further providing for the offenses of homicide by vehicle, aggravated assault by vehicle, homicide by vehicle while driving under influence and aggravated assault by vehicle while driving under the influence; and, in driving after imbibing alcohol or utilizing drugs, further providing for grading.

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

**SB 961 TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that Senate Bill No. 961, Printer's No. 1390, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILL OVER IN ORDER

**SB 963** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

## BILL OVER IN ORDER AND LAID ON THE TABLE

**SB 979 (Pr. No. 1368)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal pensions, providing for pension service credit for prior service with police department.

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.

## BILL OVER IN ORDER

**HB 1001** -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

## BILL LAID ON THE TABLE

**SB 1003 (Pr. No. 1389)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in quality health care accountability and protection, further providing for emergency services.

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

**SB 1003 TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that Senate Bill No. 1003, Printer's No. 1389, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

## BILLS OVER IN ORDER

**SB 1024** and **HB 1034** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION  
AND REREFERRED

**HB 1239 (Pr. No. 1466)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in licensing of drivers, further providing for classes of licenses.

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 ON SECOND CONSIDERATION

**HB 1341 (Pr. No. 2065)** -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 7, 2008 (P.L.654, No.55), known as the Bituminous Coal Mine Safety Act, in emergency medical personnel, further providing for definitions, for emergency medical personnel, for regulations, for continuing training, for certification and for liability.

Considered the second time and agreed to,

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

## BILLS OVER IN ORDER

**HB 1364, HB 1486, HB 1550** and **HB 1926** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

## RESOLUTION LAID ON THE TABLE

**SR 248 (Pr. No. 1381)**

A Resolution opposing the use of the Keystone Exams as a sole requirement for graduation and calling on the Department of Education of the Commonwealth to authorize alternative requirements for graduation.

Pursuant to Senate Rule 9, the requisite time for action having expired, the resolution was laid on the table.

**HB 126, HB 478 AND HB 866  
TAKEN FROM THE TABLE**

Senator GORDNER. Mr. President, I move that House Bill No. 126, Printer's No. 2004; House Bill No. 478, Printer's No. 2699; and House Bill No. 866, Printer's No. 972, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

**UNFINISHED BUSINESS  
BILLS REPORTED FROM COMMITTEES**

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

**SB 748 (Pr. No. 1009) (Rereported)**

An Act providing for public safety facilities.

**SB 761 (Pr. No. 1383) (Rereported)**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, in the Executive, further providing for Lieutenant Governor.

**SB 1011 (Pr. No. 1402) (Rereported)**

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for rights of victims of crime.

**HB 595 (Pr. No. 627) (Rereported)**

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, as follows: in general provisions, further providing for definitions; in management of the condominium, providing for alternative dispute resolution in condominiums and for complaints filed with Bureau of Consumer Protection; in protection of purchasers, further providing for effect of violations on rights of action; in general provisions, further providing for definitions; in management of cooperatives, providing for alternative dispute resolution in cooperatives and for complaints filed with Bureau of Consumer Protection; in general provisions, further providing for definitions; in management of planned community, providing for alternative dispute resolution in planned communities and for complaints filed with Bureau of Consumer Protection; and, in protection of purchasers, further providing for effect of violations on rights of action.

**HB 1952 (Pr. No. 2820) (Rereported)**

An Act amending Titles 18 (Crimes and Offenses), 23 (Domestic Relations) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in sexual offenses, further providing for conduct relating to sex offenders and for general rule; in falsification and intimidation, further providing for the offense of failure to comply with registration requirements, defining the offense of failure to comply with 42 Pa.C.S. Ch. 97 Subch. I registration requirements and imposing penalties; in proceedings prior to petition to adopt, further providing for grounds for involuntary termination and for definitions; in domestic and sexual violence victim address confidentiality, further providing for agency use of designated address; in sentencing, extensively revising registration of sexual offenders provisions; and making editorial changes.

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

**SB 357 (Pr. No. 351)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of aggravated assault by person in custody.

**SB 480 (Pr. No. 1550) (Amended)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in offenses against public order and decency, providing for the offense of attack on animal belonging to certain protected persons.

**SB 501 (Pr. No. 1551) (Amended)**

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and providing for relinquishment of firearms and firearm licenses by convicted persons and for abandonment of firearms, weapons or ammunition; in criminal history record information, further providing for order for limited access; and, in protection from abuse, further providing for definitions, for commencement of proceedings, for hearings, for relief, for return of relinquished firearms, other weapons and ammunition and additional relief, for relinquishment for consignment sale, lawful transfer or safekeeping and for relinquishment to third party for safekeeping.

**SB 502 (Pr. No. 1552) (Amended)**

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

**SB 652 (Pr. No. 1553) (Amended)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, further providing for the offense of criminal trespass.

**SB 915 (Pr. No. 1534)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for victim and witness outreach; and, in post-trial matters, further providing for eligibility for relief and for jurisdiction and proceedings.

**SB 916 (Pr. No. 1535)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in post-trial matters, further providing for postconviction DNA testing.

**SB 1070 (Pr. No. 1554) (Amended)**

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, providing for County Adult Probation and Parole Advisory Committee, for justice reinvestment grants, phase 2 and for continuing county probation and parole grants; making an appropriation; and making a related repeal.

**SB 1071 (Pr. No. 1555) (Amended)**

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 61 (Prisons and Parole) of the Pennsylvania Consolidated Statutes, in judicial boards and commissions, further providing for powers and



duties, for adoption of guidelines for sentencing, for adoption of guidelines for county intermediate punishment, for adoption of guidelines for State intermediate punishment and for adoption of risk assessment instrument; in sentencing, further providing for sentencing generally, for order of probation, for sentence of partial confinement, for sentence of total confinement, for sentence of county intermediate punishment, for information required upon commitment and subsequent disposition, for modification or revocation of order of probation, for court-imposed sanctions for offenders violating probation, for modification or revocation of county intermediate punishment sentence and for revocation of State intermediate punishment sentence; in county intermediate punishment, further providing for county intermediate punishment programs and for continued eligibility; in motivational boot camp, further providing for definitions, for selection of inmate participants and for motivational boot camp program; in State intermediate punishment, further providing scope of chapter, for definitions, for referral to State intermediate punishment program, for drug offender treatment program and for reports; in recidivism risk reduction incentive, further providing for definitions, for evaluation and for reports; in Pennsylvania Board of Probation and Parole, further providing for definitions, for advisory committee, for general powers of board, for probation services, for parole power, providing for short sentence parole, further providing for violation of terms of parole and for parole procedure; and making conforming amendments.

#### **SB 1072 (Pr. No. 1527)**

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, in preliminary provisions, further providing for definitions; in crime victims, further providing for rights, for responsibilities of victims of crime under basic bill of rights, for responsibilities of State and local law enforcement agencies and for responsibilities of prosecutor's office; in administration, further providing for office, for powers and duties of victim advocate and for powers and duties of Office of Victims' Services; in compensation, further providing for persons eligible for compensation, for filing of claims for compensation, for minimum allowable claim, for determination of claims, for emergency awards, for awards and for confidentiality of records; in services, further providing for eligibility of victims; in financial matters, further providing for costs and for costs for offender supervision programs; and, in enforcement, further providing for subrogation.

#### **HB 149 (Pr. No. 113)**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in obstructing governmental operations, providing for unlawful use of an audio or video device in court.

#### **HB 324 (Pr. No. 321)**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in judgments and other liens, further providing for exemption of particular property.

### **SENATE RESOLUTIONS ADOPTED**

Senators MARTIN, DINNIMAN, FONTANA, ARGALL, WILLIAMS, BROWNE, FARNESE, FOLMER, SABATINA, BREWSTER, YUDICHAK, GORDNER, AUMENT, HUTCHINSON, BAKER, RAFFERTY, VULAKOVICH, MENSCH, HUGHES and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 280**, entitled:

A Resolution recognizing 2018 as the bicentennial anniversary of the birth of Frederick Douglass and honoring the life and legacy of Frederick Douglass and his contributions to the United States of America.

On the question,  
Will the Senate adopt the resolution?

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

Senator MARTIN. Mr. President, Frederick Douglass, born Frederick Augustus Washington Bailey in 1818, escaped slavery in Maryland and settled in Massachusetts in 1838. From there, Douglass would go on to a lifetime of accomplishments despite the countless obstacles that faced him in a world and time that did not recognize African Americans as equal citizens. A husband and father, Frederick Douglass cofounded the *North Star* newspaper, published three books, advised President Lincoln, and was appointed as U.S. Minister to Haiti, a U.S. Marshal, and president of the Freedman's Saving and Trust Company. His reputation as a great orator and writer, along with his barrier-breaking achievements, secure Frederick Douglass as one of the most important figures to the African American community and its path to equality in America.

This past November, the Frederick Douglass Bicentennial Commission Act was signed into Federal law, and across the United States groups are working to carry out programs celebrating Frederick Douglass. I am honored to offer this resolution on behalf of a coalition of organizations from across the Commonwealth: The Frederick Douglass Foundation of Pittsburgh, the Frederick Douglass Christian Academy of Philadelphia, the Frederick Douglass Institute of West Chester, and the Douglass Leadership Institute of Harrisburg.

I ask my colleagues today to join me in honoring the life and legacy of a great man and recognize 2018 as the bicentennial of the birth of Frederick Douglass in Pennsylvania.

Thank you, Mr. President.

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

Senator DINNIMAN. Mr. President, I thank the Senator for this. Frederick Douglass is one of my heroes, and I am glad he mentioned our program at West Chester University where we have the Douglass Institute, and a big statue of Frederick Douglass sits on our campus. The Frederick Douglass Institute, which is throughout the State System of Higher Education, is to teach people about the ideas and thoughts of this great man of America. I am so happy to hear my friend from Lancaster County offer this resolution.

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 BOSCOLA, COSTA, HUGHES, FONTANA, FARNESE, BLAKE, SCHWANK, BROWNE, MENSCH, BREWSTER, DINNIMAN, SABATINA, AUMENT, GREENLEAF, RAFFERTY, RESCHENTHALER and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 281**, entitled:

A Resolution recognizing March 8, 2018, as "International Women's Day" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

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

Senator BOSCOLA. Mr. President, my resolution recognizes this year's "International Women's Day" in our Commonwealth. Women in 2018 are truly a true force. I am proud that not only in the United States, but across continents, women are motivating their families, friends, colleagues, and communities with calls to act. 2018 is the year of demanding real change, holding leaders accountable, and setting the tone of the national conversation rather than just hoping that their views are heard and that government is working for them. Participation is surging, they are fighting against violence, and demanding the health of our communities, families, and environment.

Within this Chamber, I commend the work of women Senators and our male colleagues day after day for upholding the work and responsibilities of office. Mr. President, gender balance is needed here in leadership as well as respect and value for each other's differences as we continue to be inclusive and root out biases.

I ask the Senate to join me and echo the observations of the United Nations in recognizing International Women's Day 2018.

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, COSTA, ARGALL, BARTOLOTTA, BREWSTER, BROOKS, BROWNE, EICHELBERGER, FARNESE, FONTANA, GORDNER, GREENLEAF, MARTIN, RAFFERTY, RESCHENTHALER, SABATINA, SCAVELLO, SCHWANK, WARD, YAW, FOLMER, STREET, KILLION, YUDICHAK, AUMENT and HUGHES, by unanimous consent, offered **Senate Resolution No. 282**, entitled:

A Resolution designating the month of March 2018 as "American Red Cross Month" 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 ask my colleagues to support this resolution designating March 2018 as "American Red Cross Month" in Pennsylvania. This resolution recognizes the important role this great organization plays in communities across Pennsylvania. In fact, the Red Cross responded to 2,116 disasters and provided direct assistance to 4,369 families across the Commonwealth in 2017. As every Member in this Chamber is well aware, this represents a year-round effort since disasters do not take a holiday or vacation. If we need a reminder, we need only to look at the record snowfalls in Erie this year or the series of nor'easters that have pounded Philadelphia, Allentown, Scranton, and the rest of our eastern counties. It is not just the cold and snowy weather, as winter is always a time of year marked by tragic and devastating fires that leave families homeless. When that happens, the Red Cross is there providing hot coffee to first responders and shelter

to the homeless. In my area of Allegheny County, the ravages of winter all too often result in flooding issues when spring rains add to the melting snow and feed into the streams, creeks, and rivers that are choked with chunks of falling ice. Again, the Red Cross will be there. Then the arrival of warmer weather is accompanied by dangerous thunderstorms and the occasional tornado that damages or destroys homes and property. Thankfully, the Red Cross is always there to provide assistance.

While the disaster response efforts are in some ways the most visible part of the Red Cross mission, we should not forget the important role the organization plays in providing a number of training courses in our communities. More than 261,000 Pennsylvanians have received training through first aid, CPR, water safety, or other programs. The American Red Cross has been at the forefront of helping Americans prevent, prepare for, and respond to large and small disasters. Just as families and communities depend on the Red Cross in times of need, the Red Cross depends on the support of the American people to help sustain the foundation. As we mark and commemorate American Red Cross Month in Pennsylvania, it is important that we recognize all of the people who give their time and resources to aid their friends and neighbors.

Finally, I want to thank the 6,265 Pennsylvanians who served as volunteers for the American Red Cross in 2017. Their efforts are truly appreciated, and it is with them in mind that I offer this resolution. Mr. President, I conclude by asking my colleagues to join me in saluting the 137 years of exemplary service provided by the American Red Cross and its Pennsylvania chapters with an affirmative vote on this resolution. Thank you.

The PRESIDENT. The Chair thanks Senator Vulakovich, and we all support the great work that the Red Cross does.

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

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

Senators HUTCHINSON, BROOKS, STEFANO, BAKER, BREWSTER, BARTOLOTTA, DINNIMAN, BROWNE, SCHWANK, FARNESE, RAFFERTY, BLAKE, MENSCH, SABATINA, HUGHES, YAW, AUMENT, COSTA, SCAVELLO, VOGEL and VULAKOVICH, by unanimous consent, offered **Senate Resolution No. 283**, entitled:

A Resolution designating the week of March 18 through 24, 2018, as "Maple Producers Week" in Pennsylvania.

On the question,  
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentleman from Venango, Senator Hutchinson.

Senator HUTCHINSON. Mr. President, I rise today to ask my colleagues for an affirmative vote on this resolution recognizing the week of March 18 as "Maple Producers Week" here in Pennsylvania. Mr. President, the maple syrup industry has a rich and long history in Pennsylvania. Native American tribes in North America were the first to have produced maple syrup and maple sugar. When the Europeans came to America, they learned from the Native Americans how to farm the syrup from trees and they

began to harvest it themselves. Over the next 250 years, this harvesting grew into the important industry that we have today. Today, the northeastern region of the United States is one of the top maple syrup-producing regions in the world, and Pennsylvania contributes significantly to this production. As a Commonwealth, we have produced more than 139,000 gallons of maple syrup from over 660,000 taps in 2017. The sap that comes from the trees in Pennsylvania is used to make numerous different food products and, most importantly, maple syrup itself.

Mr. President, I believe it is very important that we give recognition to the maple producers, and I ask the adoption of this resolution to raise awareness and knowledge of this crucial industry here in Pennsylvania, which, in turn, helps to grow and strengthen the industry's presence in our State. I ask my colleagues for their support.

Thank you, Mr. President.

The PRESIDENT. I will go on the record by saying I love Pennsylvania maple syrup and cannot get enough of it. Thank you, Senator Hutchinson.

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

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

**BILLS ON FIRST CONSIDERATION**

Senator COSTA. 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 357, SB 480, SB 501, SB 502, SB 652, SB 915, SB 916, SB 1070, SB 1071, SB 1072, HB 149 and HB 324.**

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

TUESDAY, MARCH 20, 2018

10:00 A.M.	BANKING AND INSURANCE (public hearing to consider the nomination of Jessica Altman for Commissioner of the Insurance Department)	Room 461 Main Capitol
10:30 A.M.	HEALTH AND HUMAN SERVICES (to consider Senate Bills No. 576 and 1087; and House Bills No. 1233 and 1869)	Room 461 Main Capitol
11:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE and ENVIRONMENTAL RESOURCES AND ENERGY (joint public hearing on pipeline safety)	Hrg. Rm. 1 North Off.

11:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bills No. 239, 1021 and 1041; and Senate Resolution No. 260)	Room 8E-A East Wing
Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 501 and 919)	Rules Cmte. Conf. Rm.
Off the Floor	LOCAL GOVERNMENT (to consider Senate Bill No. 1005)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 449; and certain Executive Nominations)	Rules Cmte. Conf. Rm.

WEDNESDAY, MARCH 21, 2018

9:30 A.M.	GAME AND FISHERIES (annual public hearing on the yearly reports of the Game Commission and the Fish & Boat Commission)	Room 8E-B East Wing
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10:00 A.M.	FINANCE (to consider Senate Bills No. 390 and 765; and House Bill No. 2017)	Room 8E-A East Wing
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MONDAY, MARCH 26, 2018

9:30 A.M.	APPROPRIATIONS Subcommittee on Public Safety and Criminal Justice and JUDICIARY (joint public hearing to discuss criminal justice issues)	Hrg. Rm. 1 North Off.
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TUESDAY, MARCH 27, 2018

9:00 A.M.	STATE GOVERNMENT (public hearing on redistricting legislation, including Senate Bills No. 22, 243, 464 and 767)	Hrg. Rm. 1 North Off.
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WEDNESDAY, MARCH 28, 2018

1:00 P.M.	APPROPRIATIONS (Budget Hearing - Department of Health & Human Services)	Hrg. Rm. 1 North Off.
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**BILL SIGNED**

The PRESIDENT (Lieutenant Governor Mike Stack) in the presence of the Senate signed the following bill:

**HB 1845.**

**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, March 20, 2018, 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 5:10 p.m., Eastern Daylight Saving Time.