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THURSDAY, JUNE 28, 2012

SESSION OF 2012 196TH OF THE GENERAL ASSEMBLY

No. 45

SENATE

THURSDAY, June 28, 2012

The Senate met at 11 a.m., Eastern Daylight Saving Time.

The PRESIDENT (Lieutenant Governor Jim Cawley) in the Chair.

PRAYER

The following prayer was offered by Senator MICHAEL J. FOLMER:

Let us pray.

Dear Father in heaven, giver of all good gifts, sovereign ruler of all that exists, we thank You for the Senate of Pennsylvania. Thank You for each Member who serves in this distinguished body, as well as our families who sacrifice for us to do our work. Thank You for all of the support staff who serve faithfully to help us make just laws for the blessings and benefits of this great Commonwealth. Dear Father, in Your mercy and for Your glory, please enable us in this great body to be faithful to our oath of office, being ever diligent to uphold the Constitution on behalf of the people we represent, especially in the midst of the many pressures, challenges, and temptations we face each day.

Strengthen us as Senators to work well with each other in a common unity of love, care, and concern for the whole of Pennsylvania. Please guide and direct us in all that we have to do and bless our labors so that all we accomplish is good and pleasing in Your sight and profitable for the people we represent. I ask You for all these things in the name of Jesus Christ, for He is my savior and in whom I rejoice each day. Amen.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bill for concurrence, which was referred to the committee indicated:

June 28, 2012

HB 1991 -- Committee on Public Health and Welfare.

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1301**, 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 XIII, section 6, this bill will be referred to the Committee on Rules and Executive Nominations.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE BILLS**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 75** and **HB 1343**.

**HOUSE CONCURS IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS TO SENATE
AMENDMENTS TO HOUSE BILL**

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to House amendments, as further amended by the Senate, to **HB 823**.

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:

June 28, 2012

Senators COSTA, HUGHES, FONTANA, BOSCOLA, KASUNIC, TARTAGLIONE, SCHWANK, YUDICHAK, WOZNAK, FARNESE, STACK, FERLO and BREWSTER presented to the Chair **SB 1574**, entitled:

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for private management agreements.

Which was committed to the Committee on FINANCE, June 28, 2012.

Senators PIPPY, ALLOWAY, FONTANA, TARTAGLIONE, VOGEL, RAFFERTY, COSTA, FERLO and WOZNAK presented to the Chair **SB 1575**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, further providing for programs of Statewide significance.

Which was committed to the Committee on TRANSPORTATION, June 28, 2012.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Jim Cawley) in the presence of the Senate signed the following bills:

HB 75, HB 823, HB 1269 and HB 1343.

**SPECIAL ORDER OF BUSINESS
ANNOUNCEMENT BY THE SECRETARY**

The SECRETARY. Consent has been given for the Committee on Appropriations to add House Bill No. 1026 to its agenda for today's off-the-floor meeting.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of June 4, 2012, is now in print.

The Clerk proceeded to read the Journal of the Session of June 4, 2012.

Senator PILEGGI. 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 PILEGGI and were as follows, viz:

YEA-49

Alloway	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald
Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earl	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

NAY-0

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

The PRESIDENT. The Journal is approved.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR TIMOTHY J. SOLOBAY
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Washington, Senator Solobay.

Senator SOLOBAY. Mr. President, I am happy today to have in the gallery Garrick Lackey, an intern here in my Harrisburg office. He attends California University of Pennsylvania, where he is working on three different bachelor's degrees. He has been on the Dean's List, and his bachelor's degrees are in political science, philosophy, and writing. Garrick is also an Eagle Scout, member of student government, and vice president of California University's ultimate frisbee club. He has been a welcomed addition to our staff this spring, and I ask

that the Senate give its usual warm welcome.

The PRESIDENT. Would the guest of Senator Solobay please rise so that the Senate may give you its usual warm welcome.

(Applause.)

**GUESTS OF SENATOR ROBERT TOMLINSON
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator Tomlinson.

Senator TOMLINSON. Mr. President, I would like to introduce Mark Dewajko and his son, Alexander. Mark is my nephew, and his son, Alexander, is a student at The Haverford School and has shown great interest in the political process, and certainly the legislative process. So he is up here with me today to see how we operate here in the Senate and the Capitol of Pennsylvania. I ask for a warm welcome for them.

The PRESIDENT. Would the guests of Senator Tomlinson please rise so that the Senate may give you its usual warm welcome.

(Applause.)

RECESS

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

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

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

Senator FONTANA. Mr. President, there will be a Democratic caucus.

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

AFTER RECESS

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

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 1466**, 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 XIII, section 6, this bill will be referred to the Committee on Rules and Executive Nominations.

CALENDAR

THIRD CONSIDERATION CALENDER

**NONPREFERRED APPROPRIATION BILLS
ON THIRD CONSIDERATION OVER IN ORDER**

SB 1467, 1468, 1469, 1470 and SB 1471 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS OVER IN ORDER

HB 3, HB 156 and HB 197 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 208 (Pr. No. 3491) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked, for duties of drivers in accidents involving death or personal injury and for subsequent convictions of certain offenses.

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

Table with 4 columns of names: Alloway, Argall, Baker, Blake, Boscola, Brewster, Browne, Brubaker, Corman, Costa, Dinniman, Earll, Eichelberger, Erickson, Farnese, Ferlo, Folmer, Fontana, Gordner, Greenleaf, Hughes, Kasunic, Kitchen, Leach, McIlhinney, Mensch, Piccola, Pileggi, Pippy, Rafferty, Robbins, Scarnati, Schwank, Smucker, Solobay, Stack, Tartaglione, Tomlinson, Vance, Vogel, Ward, Washington, Waugh, White Donald, White Mary Jo, Williams, Wozniak, Yaw, Yudichak

NAY-0

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

Ordered, That the Secretary of the Senate return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

BILL AMENDED

HB 254 (Pr. No. 3443) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for learners' permits.

On the question, Will the Senate agree to the bill on third consideration? Senator PILEGGI offered the following amendment No. A12779:

Amend Bill, page 1, line 2, by inserting after "for": display of registration plate and for Amend Bill, page 1, line 2, by inserting after "permits": ; providing for automated red light enforcement systems in certain municipalities; and further providing for specific powers of department and local authorities Amend Bill, page 1, lines 5 through 8, by striking out all of said lines and inserting: Section 1. Section 1332(b)(2) of Title 75 of the Pennsylvania Consolidated Statutes is amended to read: § 1332. Display of registration plate. * * * (b) Obscuring plate.--It is unlawful to display on any vehicle a registration plate which: * * * (2) is obscured in any manner which inhibits the proper operation of an automated red light enforcement system in place pursuant to section 3116 (relating to automated red light enforcement systems in first class cities) or 3117 (relating to automated red light enforcement systems in certain municipalities); or * * * Section 2. Section 1505(e) of Title 75, amended October 25, 2011 (P.L.334, No.81), is amended and the section is amended by adding a subsection to read: Amend Bill, page 3, line 6, by striking out all of said lines and inserting: Section 3. Section 3116 of Title 75, amended December 22, 2011 (P.L.596, No.129), is reenacted and amended to read: § 3116. Automated red light enforcement systems in first class cities. (a) General rule.-- (1) A city of the first class, upon passage of an ordinance, is authorized to enforce section 3112(a)(3) (relating to traffic-control signals) by recording violations using an automated red light enforcement system approved by the department. (2) This section shall only be applicable at intersections in the city of the first class agreed upon by the system administrator and the Secretary of Transportation who shall consider using the automated red light enforcement system at the following intersections: (i) U.S. Route 1 (Roosevelt Boulevard) at Grant Avenue, at Red Lion Road and at Cottman Street. (ii) Kensington Avenue at Clearfield Street. (iii) Richmond Street at Allegheny Avenue and at Castor Avenue. (iv) Aramingo Avenue at York Street. (v) Thompson Street at Lehigh Avenue. (vi) Broad Street at Washington Avenue. (b) Owner liability.--For each violation pursuant to this section, the owner of the vehicle shall be liable for the penalty imposed unless the owner is convicted of the same violation under another section of this title or has a defense under subsection (f). (c) Certificate as evidence.--A certificate, or a facsimile of a certificate, based upon inspection of recorded images produced by an automated red light enforcement system and sworn to or affirmed by a police officer employed by the city of the first class shall be prima facie evidence of the facts contained in it. The city must include written documentation that the automated red light enforcement system was operating correctly at the time of the alleged violation. A recorded image evidencing a violation of section 3112(a)(3) shall be admissible in any judicial or administrative proceeding to adjudicate the liability for the violation. (d) Penalty.-- (1) The penalty for a violation under subsection (a) shall be a fine of \$100 unless a lesser amount is set by ordinance. (2) A fine is not authorized for a violation of this section if any of the following apply: (i) The intersection is being manually controlled. (ii) The signal is in the mode described in section 3114 (relating to flashing signals). (3) A fine is not authorized during: (i) The first 120 days of operation of the automated system at the initial intersection. (ii) The first [60] 45 days for each additional intersec-

tion selected for the automated system.

(3.1) A warning may be sent to the violator under paragraph (3).

(4) A penalty imposed under this section shall not be deemed a criminal conviction and shall not be made part of the operating record under section 1535 (relating to schedule of convictions and points) of the individual upon whom the penalty is imposed, nor may the imposition of the penalty be subject to merit rating for insurance purposes.

(5) No surcharge points may be imposed in the provision of motor vehicle insurance coverage. Fines collected under this section shall not be subject to 42 Pa.C.S. § 3571 (relating to Commonwealth portion of fines, etc.) or 3573 (relating to municipal corporation portion of fines, etc.).

(e) Limitations.--

(1) No automated red light enforcement system shall be utilized in such a manner as to take a frontal view recorded image of the vehicle as evidence of having committed a violation.

(2) Notwithstanding any other provision of law, camera equipment deployed as part of an automated red light enforcement system as provided in this section must be incapable of automated or user-controlled remote intersection surveillance by means of recorded video images. Recorded images collected as part of the automated red light enforcement system must only record traffic violations and may not be used for any other surveillance purposes. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the city of the first class, its authorized agents or its employees, including recorded images, written records, reports or facsimiles, names, addresses and the number of violations under this section, shall be for the exclusive use of the city, its authorized agents, its employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the city. The information shall not be deemed a public record under the act of [June 21, 1957 (P.L.390, No.212), referred to] February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the city. The restrictions set forth in this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(4) Recorded images obtained through the use of automated red light enforcement systems deployed as a means of promoting traffic safety in a city of the first class shall be destroyed within one year of final disposition of any recorded event. The city shall file notice with the Department of State that the records have been destroyed in accordance with this section.

(5) Notwithstanding any other provision of law, registered vehicle owner information obtained as a result of the operation of an automated red light enforcement system under this section shall not be the property of the manufacturer or vendor of the automated red light enforcement system and may not be used for any purpose other than prescribed in this section.

(f) Defenses.--

(1) It shall be a defense to a violation under this section that the person named in the notice of the violation was not operating the vehicle at the time of the violation. The owner may be required to submit evidence that the owner was not the driver at the time of the alleged violation. The city of the first class may not require the owner of the vehicle to disclose the identity of the operator of the vehicle at the time of the violation.

(2) If an owner receives a notice of violation pursuant to this section of a time period during which the vehicle was reported to a police department of any state or municipality as having been stolen, it shall be a defense to a violation pursuant to this section that the

vehicle has been reported to a police department as stolen prior to the time the violation occurred and had not been recovered prior to that time.

(3) It shall be a defense to a violation under this section that the person receiving the notice of violation was not the owner of the vehicle at the time of the offense.

(g) Department approval.--No automated red light enforcement system may be used without the approval of the department, which shall have the authority to promulgate regulations for the certification and use of such systems.

(h) Duty of city.--If a city of the first class elects to implement this section, the following provisions shall apply:

(1) The city may not use an automated red light enforcement system unless there is posted an appropriate sign in a conspicuous place before the area in which the automated red light enforcement device is to be used notifying the public that an automated red light enforcement device is in use immediately ahead.

(2) The city shall designate or appoint the Philadelphia Parking Authority as the system administrator to supervise and coordinate the administration of notices of violation issued under this section.

(3) The system administrator shall prepare a notice of violation to the registered owner of a vehicle identified in a recorded image produced by an automated red light enforcement system as evidence of a violation of section 3112(a)(3). The issuance of the notice of violation must be done by a police officer employed by the police department with primary jurisdiction over the area where the violation occurred. The notice of violation shall have attached to it a copy of the recorded image showing the vehicle; the registration number and state of issuance of the vehicle registration; the date, time and place of the alleged violation; that the violation charged is under section 3112(a)(3); and instructions for return of the notice of violation. The text of the notice must be as follows:

This notice shall be returned personally, by mail or by an agent duly authorized in writing, within 30 days of issuance. A hearing may be obtained upon the written request of the registered owner.

(i) System administrator.--

(1) The system administrator may hire and designate personnel as necessary or contract for services to implement this section.

(2) The system administrator shall process fines issued pursuant to this section.

(3) The system administrator shall submit an annual report to the chairman and the minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. The report shall be considered a public record under the Right-to-Know Law and include for the prior year:

(i) The number of violations and fines issued.

(ii) A compilation of fines paid and outstanding.

(iii) The amount of money paid to a vendor or manufacturer under this section.

(j) Notice to owner.--In the case of a violation involving a motor vehicle registered under the laws of this Commonwealth, the notice of violation must be mailed within 30 days after the commission of the violation or within 30 days after the discovery of the identity of the registered owner, whichever is later, and not thereafter to the address of the registered owner as listed in the records of the department. In the case of motor vehicles registered in jurisdictions other than this Commonwealth, the notice of violation must be mailed within 30 days after the discovery of the identity of the registered owner, and not thereafter to the address of the registered owner as listed in the records of the official in the jurisdiction having charge of the registration of the vehicle. A notice of violation under this section must be provided to an owner within 90 days of the commission of the offense.

(k) Mailing of notice and records.--Notice of violation must be sent by first class mail. A manual or automatic record of mailing prepared by the system administrator in the ordinary course of business shall be prima facie evidence of mailing and shall be admissible in any judicial or administrative proceeding as to the facts contained in it.

(l) Payment of fine.--

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided

in the notice.

(2) Payment must be made personally, through an authorized agent, electronically or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check made payable to the system administrator. The system administrator shall remit the fine, less the system administrator's operation and maintenance costs necessitated by this section, to the department for deposit into a restricted receipts account in the Motor License Fund. Fines deposited in the fund under this paragraph shall be used by the department to develop, by regulation, a Transportation Enhancements Grant Program. The department shall award transportation enhancement grants on a competitive basis. The department may pay any actual administrative costs arising from its administration of this section. The department may not reserve, designate or set aside any specific level of funds or percentage of funds to an applicant prior to the completion of the application process, nor may the department designate a set percentage of funds to an applicant. Grants shall be awarded by the department based on the majority vote of a selection committee consisting of four representatives, with the secretary or his designee serving as chairman, of the department appointed by the secretary and four members appointed by the mayor of the city of the first class. Priority shall be given to applications seeking grant funds for transportation enhancements in the municipality where the automated red light camera system is operated.

(3) Payment of the established fine and applicable penalties shall operate as a final disposition of the case.

(m) Hearing.--

(1) An owner to whom a notice of violation has been issued may, within 30 days of the mailing of the notice, request a hearing to contest the liability alleged in the notice. A hearing request must be made by appearing before the system administrator during regular office hours either personally or by an authorized agent or by mailing a request in writing.

(2) Upon receipt of a hearing request, the system administrator shall in a timely manner schedule the matter before a hearing officer. The hearing officer shall be designated by the city of the first class. Written notice of the date, time and place of hearing must be sent by first class mail to the owner.

(3) The hearing shall be informal; the rules of evidence shall not apply; and the decision of the hearing officer shall be final, subject to the right of the owner to appeal the decision to the traffic court.

(4) If the owner requests in writing that the decision of the hearing officer be appealed to the traffic court, the system administrator shall file the notice of violation and supporting documents with the traffic court, which shall hear and decide the matter de novo.

(n) Compensation to manufacturer or vendor.--If a city of the first class has established an automated red light enforcement system deployed as a means of promoting traffic safety and the enforcement of the traffic laws of this Commonwealth or the city, the compensation paid to the manufacturer or vendor of the automated red light enforcement system may not be based upon the number of traffic citations issued or a portion or percentage of the fine generated by the citations. The compensation paid to the manufacturer or vendor of the equipment shall be based upon the value of the equipment and the services provided or rendered in support of the automated red light enforcement system.

(o) Duration of yellow light change interval.--The duration of the yellow light change interval at intersections where automated red light enforcement systems are in use shall conform to the yellow light change interval duration specified on the traffic signal permit issued by the department or the first class city.

(p) Revenue limitation.--A city of the first class may not collect an amount equal to or greater than 5% of its annual budget from the collection of revenue from the issuance and payment of violations under this section.

(q) Expiration.--This section shall expire [June 30, 2012] July 15, 2017.

Section 4. Title 75 is amended by adding a section to read:
§ 3117. Automated red light enforcement systems in certain municipalities.

(a) General rule.--A municipality, upon passage of an ordinance, is authorized to enforce section 3112(a)(3) (relating to traffic-control

signals) by recording violations using an automated red light enforcement system approved by the department.

(b) Applicability.--

(1) This section shall only be applicable at intersections in a municipality designated by the municipality with the approval of the secretary under the requirements of paragraph (2).

(2) No automated red light system shall be installed until the municipality provides notice to the department of the location of each intersection. After receiving notice and before the system may be installed, the department shall have 60 days to review each proposed intersection and to issue a recommendation to the municipality which shall include all of the following:

(i) A statement on whether the proposed intersection is an appropriate location for an automated red light enforcement system.

(ii) The data on which the department based the recommendation.

(3) No system shall be installed if the department does not issue a recommendation approving the location to the municipality.

(4) The department may identify the location of an alternate intersection in the municipality that it determines is appropriate for an automated red light enforcement system.

(c) Owner liability.--For each violation under this section, the owner of the vehicle shall be liable for the penalty imposed unless the owner is convicted of the same violation under another section of this title or has a defense under subsection (g).

(d) Certificate as evidence.--A certificate, or a facsimile of a certificate, based upon inspection of recorded images produced by an automated red light enforcement system and sworn to or affirmed by a police officer employed by the municipality shall be prima facie evidence of the facts contained in it. The municipality must include a written statement that the automated red light enforcement system was operating correctly at the time of the alleged violation. A recorded image evidencing a violation of section 3112(a)(3) shall be admissible in any judicial or administrative proceeding to adjudicate the liability for the violation.

(e) Penalty.--

(1) The penalty for a violation under subsection (a) shall be a fine of \$100 unless a lesser amount is set by ordinance.

(2) A fine is not authorized for a violation of this section if any of the following apply:

(i) The intersection is being manually controlled.

(ii) The signal is in the mode described in section 3114 (relating to flashing signals).

(3) A fine is not authorized during any of the following:

(i) The first 60 days of operation of the automated system at the initial intersection.

(ii) The first 30 days for each additional intersection selected for the automated system.

(4) A warning may be sent to the violator under paragraph (3).

(5) A penalty imposed under this section shall not be deemed a criminal conviction and shall not be made part of the operating record under section 1535 (relating to schedule of convictions and points) of the individual upon whom the penalty is imposed, nor may the imposition of the penalty be subject to merit rating for insurance purposes.

(6) No surcharge points may be imposed in the provision of motor vehicle insurance coverage. Fines collected under this section shall not be subject to 42 Pa.C.S. § 3571 (relating to Commonwealth portion of fines, etc.) or 3573 (relating to municipal corporation portion of fines, etc.).

(f) Limitations.--

(1) No automated red light enforcement system shall be utilized in such a manner as to take a frontal view recorded image of the vehicle as evidence of having committed a violation.

(2) Notwithstanding any other provision of law, camera equipment deployed as part of an automated red light enforcement system as provided under this section must be incapable of automated or user-controlled remote intersection surveillance by means of recorded video images. Recorded images collected as part of the automated red light enforcement system may only record traffic violations and may not be used for any other surveillance purposes. The restrictions set forth under this paragraph shall not be deemed to pre-

clude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(3) Notwithstanding any other provision of law, information prepared under this section and information relating to violations under this section which is kept by the municipality, its authorized agents or employees, including recorded images, written records, reports or facsimiles, names and addresses, shall be for the exclusive use of the municipality, its authorized agents, its employees and law enforcement officials for the purpose of discharging their duties under this section and under any ordinances and resolutions of the municipality. The information shall not be deemed a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law. The information shall not be discoverable by court order or otherwise, nor shall it be offered in evidence in any action or proceeding which is not directly related to a violation of this section or any ordinance or resolution of the municipality. The restrictions set forth under this paragraph shall not be deemed to preclude a court of competent jurisdiction from issuing an order directing that the information be provided to law enforcement officials if the information is reasonably described and is requested solely in connection with a criminal law enforcement action.

(4) Recorded images obtained through the use of automated red light enforcement systems deployed as a means of promoting traffic safety in a municipality shall be destroyed within 30 days following the final disposition of any recorded event. The municipality shall file notice with the Department of State that the records have been destroyed in accordance with this section.

(5) Notwithstanding any other provision of law, registered vehicle owner information obtained as a result of the operation of an automated red light enforcement system under this section shall not be the property of the manufacturer or vendor of the automated red light enforcement system and may not be used for any purpose other than prescribed in this section.

(g) Defenses.--

(1) It shall be a defense to a violation under this section that the person named in the notice of the violation was not operating the vehicle at the time of the violation. The owner may be required to submit evidence that the owner was not the driver at the time of the alleged violation. The municipality may not require the owner of the vehicle to disclose the identity of the operator of the vehicle at the time of the violation.

(2) If an owner receives a notice of violation under this section of a time period during which the vehicle was reported to a police department of any state or municipality as having been stolen, it shall be a defense to a violation under this section that the vehicle has been reported to a police department as stolen prior to the time the violation occurred and had not been recovered prior to that time.

(3) It shall be a defense to a violation under this section that the person receiving the notice of violation was not the owner or lessor of the vehicle at the time of the offense.

(h) Department approval.--No automated red light enforcement system may be used without the approval of the department, which shall have the authority to promulgate regulations for the certification and use of such systems.

(i) Duty of municipality.--If a municipality elects to implement this section, the following provisions shall apply:

(1) The municipality may not use an automated red light enforcement system unless an appropriate sign is posted in a conspicuous place before the area in which the automated red light enforcement device is to be used notifying the public that an automated red light enforcement device is in use immediately ahead.

(2) The municipality or its designee shall serve as the system administrator to supervise and coordinate the administration of notices of violations issued under this section.

(3) The following apply:

(i) The system administrator shall prepare a notice of violation to the registered owner of a vehicle identified in a recorded image produced by an automated red light enforcement system as evidence of a violation of section 3112(a)(3). The issuance of the notice of violation must be done by a police officer employed by the police department with primary jurisdiction over the area where the violation occurred. The notice of violation must have attached to it

all of the following:

- (A) A copy of the recorded image showing the vehicle.
- (B) The registration number and state of issuance of the

vehicle registration.

- (C) The date, time and place of the alleged violation.
- (D) Notice that the violation charged is under section

3112(a)(3).

(E) Instructions for return of the notice of violation.

(ii) The text of the notice must be as follows:

This notice shall be returned personally, by mail or by an agent duly authorized in writing, within 30 days of issuance. A hearing may be obtained upon the written request of the registered owner.

(j) System administrator.--

(1) The system administrator may hire and designate personnel as necessary or contract for services to implement this section.

(2) The system administrator shall process fines issued under this section.

(3) The system administrator shall submit an annual report to the chairman and minority chairman of the Transportation Committee of the Senate and the chairman and minority chairman of the Transportation Committee of the House of Representatives. The report shall be considered a public record under the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law, and include for the prior year:

(i) The number of violations and fines issued.

(ii) A compilation of fines paid and outstanding.

(iii) The amount of money paid to a vendor or manufacturer under this section.

(k) Notice to owner.--In the case of a violation involving a motor vehicle registered under the laws of this Commonwealth, the notice of violation must be mailed within 30 days after the commission of the violation or within 30 days after the discovery of the identity of the registered owner, whichever is later, to the address of the registered owner as listed in the records of the department. In the case of motor vehicles registered in jurisdictions other than this Commonwealth, the notice of violation must be mailed within 30 days after the discovery of the identity of the registered owner to the address of the registered owner as listed in the records of the official in the jurisdiction having charge of the registration of the vehicle. A notice of violation under this section must be provided to an owner within 90 days of the commission of the offense.

(l) Mailing of notice and records.--Notice of violation must be sent by first class mail. A manual or automatic record of mailing prepared by the system administrator in the ordinary course of business shall be prima facie evidence of mailing and shall be admissible in any judicial or administrative proceeding as to the facts contained in it.

(m) Payment of fine.--

(1) An owner to whom a notice of violation has been issued may admit responsibility for the violation and pay the fine provided in the notice.

(2) Except as provided in paragraph (2.1), payment must be made personally, through an authorized agent, electronically or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check made payable to the system administrator. The system administrator shall remit the fine, less the system administrator's operation and maintenance costs necessitated under this section, to the department for deposit into a restricted receipts account in the Motor License Fund. Fines deposited in the fund under this paragraph shall be used by the department for a Transportation Enhancements Grant Program. The department shall award transportation enhancement grants on a competitive basis subject to a selection committee established by the secretary. The department may pay any actual administrative costs arising from its administration of this section. The department may not reserve, designate or set aside any specific level of funds or percentage of funds to an applicant prior to the completion of the application process, nor may the department designate a set percentage of funds to an applicant. Priority shall be given to applications seeking grant funds for transportation enhancements in the municipality where the automated red light camera system is operated.

(2.1) In a city of the second class, payment must be made

personally, through an authorized agent, electronically or by mailing both payment and the notice of violation to the system administrator. Payment by mail must be made only by money order, credit card or check payable to the system administrator. The system administrator shall remit the fine, less the system's operation and maintenance costs necessitated under this section, to the department for deposit into a restricted receipts account in the Motor License Fund. Fines deposited in the fund under this paragraph shall be used by the department for a Transportation Enhancement Grants Program. The department shall award transportation enhancement grants on a competitive basis. The department may pay any actual administrative costs arising from its administration of this section. The department may not reserve, designate or set aside any specific level of funds or percentage of funds to an applicant prior to the completion of the application process, nor may the department designate a set percentage of funds to an applicant. Grants shall be awarded by the department based on the majority vote of a selection committee consisting of four representatives of the department appointed by the secretary and four members appointed by the mayor of the city of the second class, with the secretary or his designee serving as chairman. Priority shall be given to applications seeking grant funds for transportation enhancements in the municipality where the automated red light camera system is operated.

(3) Payment of the established fine and applicable penalties shall operate as a final disposition of the case.

(n) Hearing.--

(1) An owner to whom a notice of violation has been issued may, within 30 days of the mailing of the notice, request a hearing to contest the liability alleged in the notice. A hearing request must be made by appearing before the system administrator during regular office hours either personally or by an authorized agent or by mailing a request in writing.

(2) Upon receipt of a hearing request, the system administrator shall in a timely manner schedule the matter before a hearing officer. The hearing officer shall be designated by the municipality. Written notice of the date, time and place of hearing must be sent by first class mail to the owner.

(3) The hearing shall be informal; the rules of evidence shall not apply; and the decision of the hearing officer shall be final, subject to the right of the owner to appeal the decision to the magisterial district judge.

(4) If the owner requests in writing that the decision of the hearing officer be appealed to the magisterial district judge, the system administrator shall file the notice of violation and supporting documents with the magisterial district judge, who shall hear and decide the matter de novo.

(o) Compensation to manufacturer or vendor.--If a municipality has established an automated red light enforcement system deployed as a means of promoting traffic safety and the enforcement of the traffic laws of this Commonwealth or the municipality, the compensation paid to the manufacturer or vendor of the automated red light enforcement system may not be based upon the number of traffic citations issued or a portion or percentage of the fine generated by the citations. The compensation paid to the manufacturer or vendor of the equipment shall be based upon the value of the equipment and the services provided or rendered in support of the automated red light enforcement system.

(p) Duration of yellow light change interval.--The duration of the yellow light change interval at intersections where automated red light enforcement systems are in use shall conform to the yellow light change interval duration specified on the traffic signal permit issued by the department or municipality.

(q) Revenue limit.--A municipality may not collect an amount equal to or greater than 5% of its annual budget from the collection of revenue from the issuance and payment of violations under this section.

(r) Expiration.--This section shall expire July 15, 2017.

(s) Definitions.--As used in this section:

(1) The term "designee" shall include a person, business entity or governmental entity, including the department.

(2) The term "municipality" means:

(i) A city, borough or township with a population under the 2010 Federal Decennial Census exceeding 20,000 with a police agency accredited by the Pennsylvania Chiefs of Police Association

in a county of the second class A.

(ii) A city, borough or township with a population under the 2010 Federal Decennial Census exceeding 20,000 with a police agency accredited by the Pennsylvania Chiefs of Police Association in a county of the third class with a population between 490,000 and 510,000.

(iii) A city of the second class.

Section 5. Section 6109(a)(1), (f) and (h) of Title 75 are amended and the section is amended by adding a subsection to read: § 6109. Specific powers of department and local authorities.

(a) Enumeration of police powers.--The provisions of this title shall not be deemed to prevent the department on State-designated highways and local authorities on streets or highways within their physical boundaries from the reasonable exercise of their police powers. The following are presumed to be reasonable exercises of police power:

(1) Except as limited by [subsection] subsections (g) and (h), regulating or prohibiting stopping, standing or parking.

(f) Delegation of powers authorized.--Except as set forth in [subsection] subsections (g) and (h), nothing contained in this section shall be deemed to prevent local authorities by ordinance or resolution of the local governing body from delegating their powers under subsection (a)(1) or (22) to a parking authority established pursuant to 53 Pa.C.S. Ch. 55 (relating to parking authorities).

(g) Delegation of powers in cities of the first class.--

(1) Notwithstanding any contrary provision of 53 Pa.C.S. Ch. 55 or this title, beginning on March 31, 2014, the parking authority of a city of the first class shall enforce and administer the system of on-street parking regulation in a city of the first class on behalf of the city. The system of on-street parking regulation shall include all ordinances and resolutions enacted or adopted by the city of the first class pursuant to the powers specified under subsection (a)(1) and those certain stopping, standing and parking provisions provided in sections 3351 (relating to stopping, standing and parking outside business and residence districts), 3353 (relating to prohibitions in specified places) and 3354 (relating to additional parking regulations).

(2) Any revenues generated pursuant to the system of on-street parking regulation authorized by this subsection shall be collected by the authority on behalf of the city of the first class and disbursed as provided in this paragraph, subject to adjustment under paragraph (3). Beginning with its fiscal year ending in 2015, upon the conclusion of each of its fiscal years, the authority shall transfer the revenues of the system of on-street parking regulation net of the operating and administrative expenses of the system of on-street parking regulation as follows:

(i) Up to \$35,000,000 in the aggregate after taking into account any monthly remittances to the city in which it is located.

(ii) In the event the net annual revenue of the system of on-street parking regulation exceeds \$35,000,000, the authority shall transfer all of the excess to the general fund of a school district of the first class coterminous with the city.

(3) The amount set forth in paragraph (2)(i) shall be adjusted each fiscal year beginning with the fiscal year ending in 2014 by increasing the \$35,000,000 aggregate amount by an amount equal to \$35,000,000 multiplied by the percentage increase, if any, in the gross revenue generated by the system of on-street parking regulation. No adjustment shall be made if the gross revenue generated by the system of on-street parking regulation did not increase over the prior fiscal year.

(4) The provisions of section 696(h)(1) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, shall not apply to amounts transferred to a school district of the first class under this subsection. Any portion of the excess net revenue of the system of on-street parking regulation not transferred to a school district of the first class must be transferred to the city of the first class in which the authority is located.

(5) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph:

"Administer." To provide any services or materials necessary to enforce any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class or those certain stopping, standing and parking

provisions provided in sections 3351, 3353 and 3354, including, but not limited to:

(i) The installation and maintenance of all equipment, including parking meters, on and along highways, streets and roadways.

(ii) The installation and maintenance of all signage, including signage for handicapped parking, residential permit parking and loading areas, on and along highways, streets and roadways.

(iii) The operation and management of any handicapped parking, residential parking and loading area permit programs.

"Enforce." The issuance of parking violation notices or citations, the immobilization, towing and impoundment of motor vehicles and the collection of fines, penalties, costs and fees, including independent collection agency fees, for violations of any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the first class and those certain stopping, standing and parking provisions provided in this section and sections 3351, 3353 and 3354.

(h) Delegation of powers in cities of the second class.--

(1) Notwithstanding any contrary provision of 53 Pa.C.S. Ch. 55 or this title, beginning on January 1, 2005, the parking authority of a city of the second class shall enforce and administer all ordinances and resolutions enacted or adopted by the city of the second class pursuant to the powers specified under subsection (a)(1) and those certain stopping, standing and parking provisions provided in sections 3351 (relating to stopping, standing and parking outside [of] business and residence districts), 3353 (relating to prohibitions in specified places) and 3354 (relating to additional parking regulations).

(2) Beginning on March 1, 2005, the parking authority of a city of the second class shall enter into an agreement with the city of the second class for the transfer of a portion of the fines, penalties and costs collected pursuant to this subsection, which the parking authority board deems reasonable, to the city of the second class.

(3) As used in this subsection, the following words and phrases shall have the meanings given to them in this paragraph:

"Administer." To provide any services or materials necessary to enforce any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the second class or those certain stopping, standing and parking provisions provided in sections 3351, 3353 and 3354, including, but not limited to:

(i) The installation and maintenance of all equipment, including parking meters, on and along highways, streets and roadways.

(ii) The installation and maintenance of all signage, including signage for handicapped parking, residential permit parking and loading areas, on and along highways, streets and roadways.

(iii) The operation and management of any handicapped parking, residential parking and loading area permit programs.

(iv) The adjudication of all disputed parking violation notices or citations issued through enforcement by the parking authority in a city of the second class.

"Enforce." The issuance of parking violation notices or citations, the immobilization, towing and impoundment of motor vehicles and the collection of fines, penalties and costs, including independent collection agency fees, for violations of any ordinance or resolution enacted in order to regulate or prohibit the stopping, standing or parking of motor vehicles in a city of the second class and those certain stopping, standing and parking provisions provided in sections 3351, 3353 and 3354.

Section 6. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 1505(e) shall take effect in 60 days.

(2) The reenactment and amendment of 75 Pa.C.S. § 3116 shall take effect immediately.

(3) The amendment of 75 Pa.C.S. § 6109(a)(1), (f) and (h) shall take effect July 1, 2012, or immediately, whichever is later.

(4) This section shall take effect immediately.

(5) The remainder of this act shall take effect in 90 days.

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

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

YEA-35

Alloway	Erickson	Mensch	Tartaglione
Argall	Farnese	Piccola	Tomlinson
Blake	Ferlo	Pileggi	Washington
Brewster	Fontana	Pippy	White Donald
Browne	Greenleaf	Rafferty	Williams
Brubaker	Hughes	Scarnati	Wozniak
Corman	Kitchen	Smucker	Yaw
Costa	Leach	Solobay	Yudichak
Earll	McIlhinney	Stack	

NAY-14

Baker	Folmer	Schwank	Waugh
Boscola	Gordner	Vance	White Mary Jo
Dinniman	Kasunic	Vogel	
Eichelberger	Robbins	Ward	

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

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

BILLS OVER IN ORDER

HB 532, HB 869 and SB 932 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

HB 973 (Pr. No. 3835) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for definitions, for registration districts, local registrars and appointment and removal of and for death and fetal death registration, certificates to be filed; providing for disposition of cremated remains of veterans; and further providing for records and disclosure by local registrars.

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	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald

Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

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 with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

SB 1090, SB 1091, SB 1135, SB 1184, SB 1303 and HB 1478 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1539 (Pr. No. 3790) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 18, 2001 (P.L.949, No.114), known as the Workforce Development Act, amending the title of the act; and establishing the Keystone Works Program.

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	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald
Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

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 with amendments in which concurrence of the House is requested.

BILLS OVER IN ORDER

HB 1588, HB 1617, HB 1682 and HB 1749 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

HB 1803 (Pr. No. 3715) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for automated red light enforcement systems in first class cities and for specific powers of department and local authorities.

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

BILL OVER IN ORDER TEMPORARILY

HB 1893 -- Without objection, the bill was passed over in its order temporarily at the request of Senator PILEGGI.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1908 (Pr. No. 3842) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for standards for towing and for violations.

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	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald
Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

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 with amendments in which concurrence of the House is requested.

HB 2345 (Pr. No. 3473) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the bridge carrying Burnside Avenue in West Norriton Township in Montgomery County over Stony Creek as the "Albert Earl Momme 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	Erickson	Piccola	Vogel
Argall	Farnese	Pileggi	Ward
Baker	Ferlo	Pippy	Washington
Blake	Folmer	Rafferty	Waugh
Boscola	Fontana	Robbins	White Donald
Brewster	Gordner	Scarnati	White Mary Jo
Browne	Greenleaf	Schwank	Williams
Brubaker	Hughes	Smucker	Wozniak
Corman	Kasunic	Solobay	Yaw
Costa	Kitchen	Stack	Yudichak
Dinniman	Leach	Tartaglione	
Earll	McIlhinney	Tomlinson	
Eichelberger	Mensch	Vance	

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 2349 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDER

BILL ON SECOND CONSIDERATION

HB 48 (Pr. No. 3846) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, adding definitions; and providing for licensure of prosthetists, orthotists, pedorthists and orthotic fitters.

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

BILLS OVER IN ORDER

SB 327, SB 338 and HB 728 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILLS REREFERRED

SB 1134 (Pr. No. 2309) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, providing for the regulation of religious child-care facilities and religious child development facilities; and imposing penalties.

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

SB 1192 (Pr. No. 1488) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 62 (Procurement) of the Pennsylvania Consolidated Statutes, further providing for application of part; and providing for local government unit roofing projects.

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

SB 1193 (Pr. No. 2311) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing for the licensure of persons providing debt settlement services, for powers and duties of the Department of Banking and for enforcement; imposing civil penalties; and repealing in part the Debt Management Services Act.

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

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 1363 (Pr. No. 3837) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for certain circumstances in which strikes are prohibited, for continuing professional development and for program of continuing professional development.

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

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

BILLS OVER IN ORDER

SB 1484, SB 1508, SB 1513, SB 1532, SB 1544, SB 1552, SB 1572, HB 1767, HB 1847, HB 1857, HB 2022, HB 2043 and HB 2060 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND RECOMMITTED

HB 2175 (Pr. No. 3196) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of February 9, 1999 (P.L.1, No.1), known as the Capital Facilities Debt Enabling Act, in capital facilities, further providing for definitions, for legislative procedures, for reports related to redevelopment assistance capital projects and for appropriations and limitations on projects; providing for review of proposals; and further providing for funding and administration of projects.

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

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

BILLS OVER IN ORDER

HB 2199, HB 2224 and HB 2343 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND REREFERRED

HB 2438 (Pr. No. 3659) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 15, 1933 (P.L.565, No.111), known as the Department of Banking Code, amending the title of the act; further providing for conflicts of interest and penalty; reorganizing the Department of Banking and the Pennsylvania Securities Commission; and making related repeals.

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

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

RECESS

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

Senator PILEGGI. Mr. President, I request a recess of the Senate for purposes of a meeting of the Committee on Appropriations to be held in the Rules room immediately, to be followed by a meeting of the Committee on Rules and Executive Nominations also to be held in the Rules room.

The PRESIDENT. For purposes of a meeting of the Committee on Appropriations, to be followed by a meeting of the Committee on Rules and Executive Nominations, without objection, the Senate stands in recess.

AFTER RECESS

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

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR RESUMED

HB 1893 CALLED UP

HB 1893 (Pr. No. 3788) -- Without objection, the bill, which previously went over in its order temporarily, was called up, from page 5 of the Third Consideration Calendar, by Senator PILEGGI.

BILL AMENDED

HB 1893 (Pr. No. 3788) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for gambling devices, gambling, etc.

On the question,

Will the Senate agree to the bill on third consideration?

Senator TOMLINSON offered the following amendment no. A12070:

Amend Bill, page 6, line 7, by striking out "OF THE FOLLOWING THAT IS" and inserting:

method

Amend Bill, page 6, lines 8 and 9, by striking out "PLAYING OR PARTICIPATING IN THE" in line 8 and "PROGRAM" in line 9 and inserting:

interacting with an electronic video monitor in a business establishment

Amend Bill, page 6, lines 12 through 16, by striking out the colon after "PRIZE" in line 12, all of lines 13 through 15 and "OR OPERATES ON A DEVICE UNDER PARAGRAPH (1)" in line 16

On the question,

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 PILEGGI.

UNFINISHED BUSINESS

BILLS REPORTED FROM COMMITTEES

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

SB 1466 (Pr. No. 2335) (Rereported) (Concurrence)

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, 2012, to

June 30, 2013, 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, 2012; to provide appropriations from the State Lottery Fund, the Tobacco Settlement Fund, the Aviation Restricted Revenue 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 Payment Fund, the Banking Department Fund, the Firearm Records Check Fund, the Ben Franklin Technology Development Authority Fund, the Oil and Gas Lease Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement 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, 2012, to June 30, 2013; to provide appropriations from the Motor License Fund for the fiscal year July 1, 2012, to June 30, 2013, for the proper operation of several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive Department of the Commonwealth and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 2012; and to provide for the additional appropriation of Federal and State funds from the General Fund for the Executive Department of the Commonwealth for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012, and to provide appropriations from the Motor License Fund, the Home Improvement Account and the Cigarette Fire Safety and Firefighter Protection Act Enforcement Fund for the fiscal year July 1, 2011, to June 30, 2012, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 2012.

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

HB 864 (Pr. No. 3875) (Amended) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the Pedalcycle and Pedestrian Advisory Committee.

HB 1026 (Pr. No. 3876) (Amended) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for oaths and acknowledgments, for senior judge operational support grants and for expiration of provisions relating to access to justice.

HB 1310 (Pr. No. 3833) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions; and limiting number of retail licenses to be issued in each county.

HB 2135 (Pr. No. 3603) (Rereported)

An Act providing for licensure of vendors, for requirements for sale of portable electronics insurance, for authority of vendors of portable electronics, for termination of portable electronics insurance, for licensing, for renewal of license, for injunctions and for appeals.

HB 2267 (Pr. No. 3786) (Rereported)

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for definitions, for sales by Pennsylvania Liquor Stores, for sales by liquor licensees and restrictions, for sales by manufacturers of malt or brewed beverages and minimum quantities, for retail dispensers' restrictions on purchases and sales, for breweries, for local option, for unlawful acts

relative to liquor, alcohol and liquor licensees, for unlawful acts relative to liquor, malt and brewed beverages and licensees and for rights of municipalities preserved.

HB 2390 (Pr. No. 3604) (Rereported)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in taxicabs and limousines in cities of the first class, further providing for definitions, for contested complaints, for driver certification program, for power of authority to issue certificates of public convenience, for certificate and medallion required, for additional certificates and medallions, for wages and for civil penalties.

SENATE RESOLUTIONS ADOPTED

Senator ARGALL, by unanimous consent, offered **Senate Resolution No. 337**, entitled:

A Resolution recognizing the week of July 1 through 7, 2012, as "National Independent Business Week" in Pennsylvania, and saluting the citizens and independent businesses who are integral to the unique flavor of this Commonwealth and honoring their efforts to make their communities places where Pennsylvanians want to live and work.

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

Senators VOGEL, SCHWANK, FOLMER, SCARNATI, PILEGGI, ALLOWAY, BAKER, BROWNE, BRUBAKER, DINNIMAN, EARLL, ERICKSON, FARNESE, FERLO, FONTANA, GREENLEAF, HUGHES, KASUNIC, MENSCH, PIPPY, RAFFERTY, ROBBINS, SOLOBAY, STACK, TARTAGLIONE, WARD, WAUGH, D. WHITE and YAW, by unanimous consent, offered **Senate Resolution No. 338**, entitled:

A Resolution designating the month of August 2012 as "Produce Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VOGEL. Mr. President, today I offer a resolution designating the month of August as "Produce Month" in Pennsylvania. There are approximately 4,300 farms in our Commonwealth that produce more than 200,000 tons of PA Preferred vegetables, contributing \$155 million to the State's economy. This fresh produce is most abundant at community farmers' markets, roadside farmers' markets, and supermarkets throughout our State during the month of August.

Pennsylvania continuously ranks nationally in produce production, taking fifth in the production of pumpkins, sixth in processing snap beans, eighth in cantaloupe and fresh market sweet corn, and twelfth in fresh market tomatoes and cabbage. Pennsylvania produce meets high quality and safety standards and helps to improve overall nutrition by providing the necessary vitamins, fiber, and other dietary components to support a healthy, balanced diet. Here at the Capitol, we take part in the production of produce through our hunger garden, which distributes fresh vegetables to those most in need throughout our State.

Agriculture is the number-one industry in our great Commonwealth, thanks in large part to Pennsylvania's strong produce industry, which provides residents with a bountiful supply of fresh vegetables that contribute to improving their health and boosting our economy. For this reason, I would like to recognize August as Produce Month in Pennsylvania, and I ask for unanimous support. Thank you.

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

Senator SCHWANK. Mr. President, I stand to support Senator Vogel's resolution. Pennsylvania is indeed a national leader in vegetable growing. In fact, in the size of farms, what we are finding is considerable growth of small farms, most of those which are produce farms growing vegetables. In Berks County, we have many good farmers' markets where our local farmers provide the public with access to the freshest local fruits and produce. Amidst today's headlines surrounding the ill effects of fast foods, and the increasing rate of childhood obesity, providing access to more nutritious foods and vegetables is critical. So, let us pay tribute to the contributions of our vegetable growers.

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 DINNIMAN, COSTA, TARTAGLIONE, BAKER, GREENLEAF, SCHWANK, STACK, ALLOWAY, FONTANA, FARNESE, ERICKSON, YUDICHAK, PIPPY, EARLL, RAFFERTY, D. WHITE, PILEGGI, BROWNE, HUGHES and WILLIAMS, by unanimous consent, offered **Senate Resolution No. 339**, entitled:

A Resolution recognizing the holiday beginning with Rosh Hashanah and concluding with Yom Kippur.

On the question,

Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, I offer this resolution now because we are usually not in Session during the Jewish holidays. So subsequently, we have a resolution prepared and ready for that occasion. Thank you.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators DINNIMAN, ERICKSON, TARTAGLIONE, RAFFERTY, BROWNE, KASUNIC, STACK, EICHELBERGER, D. WHITE, GREENLEAF, FONTANA, COSTA, WARD, M. WHITE, SCHWANK, HUGHES, ALLOWAY and PILEGGI, by unanimous consent, offered **Senate Resolution No. 340**, entitled:

A Resolution recognizing the week of July 15 through 21, 2012, as "Probation, Parole and Community Supervision Week" in Pennsylvania.

On the question,

Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, just very simply, we need to thank those who are probation officers and who work in the various programs associated with people who are on probation. This resolution recognizes their fine work.

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.

CONGRATULATORY RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Congratulations of the Senate were extended to Helen M. Curry, Brian Gen-Wei Tom and to the citizens of the Borough of Bath by Senator Browne.

Congratulations of the Senate were extended to Mr. and Mrs. Ronald A. Smith by Senator Corman.

Congratulations of the Senate were extended to 4-H of Delaware County by Senator Erickson.

Congratulations of the Senate were extended to Jessica L. Swager by Senator Ferlo.

Congratulations of the Senate were extended to Reading Pride Celebration and to the Healing Hearts Foundation of Berks County by Senator Schwank.

CONDOLENCE RESOLUTIONS

The PRESIDENT laid before the Senate the following resolutions, which were read, considered, and adopted by voice vote:

Condolences of the Senate were extended to the family of the late Mark Alan Cebrick by Senator Baker.

Condolences of the Senate were extended to the family of the late Bruce R. Tilley by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Boyd B. Winegardner, Jr., by Senator Schwank.

Condolences of the Senate were extended to the family of the late Lorraine Patrene by Senator Solobay.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

FRIDAY, JUNE 29, 2012

Off the Floor	APPROPRIATIONS (to consider House Bills No. 761, 1261, 1330, 1363, 1901 and 2438)	Rules Cmte. Conf. Rm.
Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate	Rules Cmte. Conf. Rm.

Bills No. 9, 351, 367, 1174, 1301, 1386
and 1551)

THURSDAY, JULY 12, 2012

10:00 A.M. JUDICIARY (public hearing to receive Hrg. Rm. 1
testimony relating to juvenile lifers) North Off.

THURSDAY, JULY 26, 2012

10:00 A.M. FINANCE (public hearing on Senate Hrg. Rm. 1
Bill No. 1400) North Off.

**SPECIAL ORDER OF BUSINESS
GUEST OF SENATOR JOHN N. WOZNIAK
PRESENTED TO THE SENATE**

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

Senator WOZNIAK. Mr. President, it is my pleasure to have a very special guest, someone of whom I am very fond. She is a student at Penn State, and came to visit the State Capitol today. Tomorrow, she is going to see the Dave Matthews concert and spend the day in Hershey. But, the real reason why she is here today is because she is my daughter, Rachel. I am very proud of her, and I want the Senate to give her a very warm welcome.

Thank you, Mr. President.

The PRESIDENT. Would the guest of Senator Wozniak please rise so that the Senate may give you its usual warm welcome.

(Applause.)

PETITIONS AND REMONSTRANCES

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

Senator COSTA. Mr. President, I rise to provide a few comments on some of the activities over the last couple of days related to the two very important court decisions, one, of course, that happened today with the U.S. Supreme Court, related to the Patient Protection and Affordable Care Act, but also a decision yesterday that came down along the lines of dealing with the issue of adultBasic here in Pennsylvania, and also, the manner in which we conduct business here as it relates to the Fiscal Code.

Mr. President, these are both two very, very important decisions. Most importantly, I am very excited and pleased with the decision by the U.S. Supreme Court as it relates to the upholding of the Obamacare legislation, more specifically, the parts that are important in terms of maintaining the programs that exist regarding the issue of providing coverage for those individuals who have preexisting conditions, the numbers that relate to individuals who have children of a young age who are able to maintain coverage, and finally, those individuals, our senior population, who benefited by this decision. I am very, very pleased with the outcome. It now rests with the General Assemblies across this country to begin to implement the exchange programs and the like that are a very, very important part of driving out and implementing this very important piece of legislation. So, as we go forward, I am excited about the opportunity to be able to do that, working with our colleagues along those lines.

The second piece, Mr. President, deals with a Commonwealth Court ruling yesterday that I think is important, and continues keeping hope alive for those individuals who were part, members in, or participants of our adultBasic program. Mr. President, we know that one of the first things that this administration did when it came here to Harrisburg was to cut the adultBasic program and throw 40,000 individuals out of this program who were paying low premiums for basic healthcare. Mr. President, that particular decision was one that was appealed by a number of the beneficiaries. Preliminary objections by the administration, the Governor, and the General Assembly were filed. The Commonwealth Court heard those preliminary objections, and essentially refused to block the petitioners from moving forward to state and assert their claim with respect to trying to prevent this Commonwealth and this administration from terminating a very, very important program. So, Mr. President, I am very pleased with that.

Mr. President, the balance of my remarks I will offer for the record, and will basically summarize my thoughts on this matter. I just wanted to take this opportunity to put those important points on the record, in addition to the remarks I am going to provide to you right now.

Thank you, Mr. President.

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

(The following prepared remarks were made part of the record at the request of the gentleman from Allegheny, Senator COSTA:)

Mr. President, court rulings yesterday and today, from those here in Harrisburg, to the landmark healthcare decision by the United States Supreme Court, change the legal landscape in Pennsylvania. First, the United States Supreme Court earlier today upheld vast portions of the Patient Protection and Affordable Care Act. I believe this was the correct decision.

Millions of our citizens across the nation have already benefitted from this act, and it has the potential to reduce healthcare costs well into the future. The reform provides access to healthcare for millions of Pennsylvanians, from college students, to those with pre-existing conditions, seniors who have high prescription costs, and others. The law protects those who have exhausted coverage limits, and will bring some sanity to the healthcare market once the law is fully implemented. The reforms provide lifesaving access to affordable healthcare for all Americans. While there may be many who still question the law, and attempts will be made to repeal it, the law represents the turning of a new page in healthcare.

Another court case closer to home will likely impact us as well. Yesterday, the Commonwealth Court made a decision that has the potential to significantly restructure how we operate. It was welcome and refreshing. The ruling potentially gives new life to the adultBasic insurance program that was heartlessly discontinued by the Corbett administration.

The court's ruling on the preliminary objections pave the way for the court to hear arguments on the merits of the legislature's ability to jam, and I quote, "multiple diverse subjects" into the Fiscal Code. The court ruled that it would determine, after argument, if this activity is constitutional or an overreach.

What this ruling represents is a very loud warning shot across our bow. The court is raising a large red flag and saying that we had better be careful about how we proceed in using the Fiscal Code as the legislative catch-all for substantive matters. The court is saying that it is concerned over our recent practice of putting many unrelated items into the Fiscal Code that have no logical place in that piece of legislation. The court is saying that perhaps we are overstepping our constitutional bounds and should be more careful going forward.

What this means for the past is even more interesting. While I recognize that the ruling was preliminary, it suggests the court is open and receptive to hearing more about whether the Corbett administration can arbitrarily end the very valuable adultBasic insurance program. That is very tantalizing and important.

While the court did not order the resurrection of the program, it also did not say that the program could not be properly funded through Tobacco Settlement dollars. That is for a future ruling and for future fodder.

As we all recall, the Corbett administration slammed the door shut on this program and ended the access to low-cost healthcare for 40,000 low-income workers. The governor said we could no longer afford to fund the program and refused to work with the Blues and other insurance companies to try and resurrect the program. The key is that the court left open the question of whether the legislature can squelch an important program like adultBasic, and whether moving funding away is constitutional. The ruling is important for us all.

As leaders, we must be accountable and unambiguous in our actions. We need to vote on questions on their merits. We need to put questions before this Chamber that are uncluttered. That is what transparency is all about.

We now have a chance, through the court, to save the adultBasic program, which never should have been discontinued in the first place. We now have a chance to get direction from the court on whether it is legitimate to stuff the Fiscal Code full of substantive legislation. We now have a chance to alter our behavior, and while I do not believe this ruling will impact our budget deliberations this year, it should send us a signal to be careful going forward.

I look forward to hearing more about the court's views on this issue and how the Supreme Court will examine the matter. Thank you.

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

Senator STACK. Mr. President, healthy Pennsylvanians are productive, successful Pennsylvanians. The Federal Patient Protection and Affordable Care Act seeks to help uninsured Americans obtain vital health insurance. The law provides health protections, as well as peace of mind. Today's Supreme Court ruling, Mr. President, is good news for uninsured Pennsylvanians, but it is just the beginning of a long road ahead to insure that the healthcare law works here. I look forward to being a part of this process that helps implement the laws in this Commonwealth.

One of the things the Affordable Care Act will do is to provide better access to preventative care so that Americans can stay healthy and avoid more costly care down the line. There are many stories about people who are going to be helped by this healthcare law. I think about a woman like Danielle Gatto, a Philadelphia restaurant manager living with Crohn's disease. I got a chance to spend time with Danielle over the last several months. Danielle was denied private health insurance because of her preexisting condition, so she relied on the adultBasic program that we had here in Pennsylvania from roughly 1995 until the program ended last year. She then enrolled in the Special Care Program, which is far more costly and offers a fraction of the benefits of the adultBasic program. Well, thanks to the Affordable Care Act, Danielle will have options through the health exchange. She is just one of many stories of people who have been denied coverage, kicked off their health plan, or are unable to afford health insurance.

Today's Supreme Court decision will have a major impact on Pennsylvanians. I think this is good news for many who struggle to obtain affordable healthcare. Fortunately, Pennsylvania has already taken steps prior to the enactment of the Affordable Care Act to provide coverage to those who need it.

Under Pennsylvania law presently, children up to the age of 29 are covered under their parents' insurance, compared to the Affordable Care Act's provision that covers kids up to—I say kids—up to the age of 26. The State's CHIP Cover All Kids program insures that all children qualify for the Children's Health Insurance Program no matter what their family's income level.

We had the adultBasic program here in this State of Pennsylvania, and it was working great, Mr. President. My friend and colleague, Senator Costa, referred to it. Hopefully, we can restore that program once again. State law also requires the State's Blue Cross/Blue Shield plans act as insurers of last resort for individuals regardless of preexisting conditions. The Affordable Care Act will do even more to help people gain access to health insurance. But, this still may not make it affordable for some. So, we need to put aside partisan politics here in Pennsylvania and in this Chamber. We need to sort of get rid of the heated debates and the inflammatory innuendo, and start working together on a health insurance exchange that will be consumer-friendly and help people gain insurance coverage.

Regardless of your position on Obamacare, this is something we should work to do. I urge movement on my legislation, Senate Bill No. 940, which would create the Commonwealth's health insurance exchange and put Pennsylvania consumers in a position to purchase health insurance through the exchange starting on January 1, 2014. The exchange will be good for our insurance industry and it will be good for customers.

Representative DeLuca has a similar bill in the House. We should work with the health insurance community and others to find ways to help control costs. Ask the insurance community if they like the idea of a health exchange, and I think you will find that they do. I encourage all of my colleagues once again to work together to insure that the healthcare law is implemented properly in Pennsylvania, and that we provide affordable healthcare to all Pennsylvanians.

Thank you, Mr. President.

RECESS

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

Senator BROWNE. Mr. President, I move that the Senate do now recess until Friday, June 29, 2012, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 9:03 p.m., Eastern Daylight Saving Time.