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WEDNESDAY, JANUARY 30, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 6

SENATE

WEDNESDAY, January 30, 2013

The Senate met at 11 a.m., Eastern Standard Time.

The PRESIDENT pro tempore (Senator Joseph B. Scarnati III) in the Chair.

PRAYER

The Chaplain, Reverend GENE REINEMAN, Pastor of Chambersburg First Church of God, Chambersburg, offered the following prayer:

Please join me in prayer.

God of all creation, we are thankful for this day that You have given us, for its blessings, its opportunities, and its challenges. May we appreciate and use each day that comes to us. We pray for strength and guidance for each day as it comes, for each day's duties, for each day's problems. May we be challenged to give our best always, and may we be assured of Your presence with us. Thank You for Your creation and its beauty that is new every day. Thank You for this great Commonwealth of Pennsylvania, the privilege of living here and serving our families, friends, and neighbors. Help us to see all that goes on in our communities from Your point of view, that we may respond not only in our hearts and minds but in our words and actions. We ask that You would guide and directed today's deliberations so that they be full of wisdom, productivity, and respect for one another. Thank You for helping us to accomplish our work and our goals this day. It is in His holy name that I ask it. Amen.

The PRESIDENT pro tempore. The Chair thanks the Pastor Reineman, who is the guest today of Senator Alloway.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

January 30, 2013

Senators SCHWANK, WASHINGTON, TARTAGLIONE, WILLIAMS, FARNESE, TEPLITZ, BREWSTER, STACK, YUDICHAK, KASUNIC, SMITH, KITCHEN, HUGHES, FERLO, FONTANA, SOLOBAY, WOZNIAC, WAUGH,

COSTA, BOSCOLA and BROWNE presented to the Chair **SB 219**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for employer dependent and child care.

Which was committed to the Committee on FINANCE, January 30, 2013.

Senators FERLO, FARNESE, BREWSTER, YUDICHAK, SCHWANK, WASHINGTON, TARTAGLIONE, ERICKSON, FONTANA, SOLOBAY, HUGHES and COSTA presented to the Chair **SB 226**, entitled:

An Act amending the act of July 9, 2008 (1st Sp.Sess., P.L.1873, No.1), known as the Alternative Energy Investment Act, providing for the definition of "residential building"; and further providing for the Commonwealth Financing Authority.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 30, 2013.

Senators WILLIAMS, WASHINGTON, TARTAGLIONE, FERLO, HUGHES and BOSCOLA presented to the Chair **SB 301**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in support matters generally, further providing for information to consumer reporting agency, for general administration of support matters; and for expedited procedure.

Which was committed to the Committee on JUDICIARY, January 30, 2013.

Senator KASUNIC presented to the Chair **SB 327**, entitled:

An Act designating a portion of State Route 43 in Fayette County as the Private Samuel Johnson Interchange; designating a portion of State Route 43 in Fayette County as the Private Francis Morrison Interchange; designating a portion of State Route 43 in Fayette County as the Corporal John S. Shellenberger Interchange; designating a portion of State Route 43 in Fayette County as the First Sergeant Francis Cunningham Interchange; designating the bridge MF 195 over the Dunlap Creek in Luzerne Township, Fayette County, as the Jim Marzullo Memorial Bridge; and designating the bridge MF 196 over the Dunlap Creek in Luzerne Township, Fayette County, as the FAYCO Memorial Bridge.

Which was committed to the Committee on TRANSPORTATION, January 30, 2013.

Senators KITCHEN, SOLOBAY, COSTA, WILLIAMS, GREENLEAF, FERLO, WASHINGTON, FARNESE, FONTANA, TARTAGLIONE and HUGHES presented to the Chair **SB 328**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for criminal history record information.

Which was committed to the Committee on JUDICIARY, January 30, 2013.

Senators ERICKSON, GREENLEAF, HUGHES, GORDNER, BROWNE, WHITE, RAFFERTY, FERLO, WOZNAK and COSTA presented to the Chair **SB 329**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, providing for Healthy Living Committee discount.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators ERICKSON, GREENLEAF, KITCHEN, MENSCH, VULAKOVICH, HUGHES, WASHINGTON, TARTAGLIONE, GORDNER, BROWNE, EICHELBERGER, RAFFERTY, FARNESE, PILEGGI, WOZNAK, BREWSTER, BRUBAKER, COSTA, LEACH and TOMLINSON presented to the Chair **SB 330**, entitled:

An Act authorizing establishment and maintenance of disability savings accounts; providing an exclusion from State income tax; and imposing restrictions.

Which was committed to the Committee on FINANCE, January 30, 2013.

Senators VOGEL, ALLOWAY, WOZNAK, BAKER, SCARNATI, HUTCHINSON, WHITE, EICHELBERGER, ROBBINS, YUDICHAK, COSTA, WAUGH, BRUBAKER and BREWSTER presented to the Chair **SB 332**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in inspection of vehicles, further providing for requirement for periodic inspection of vehicles.

Which was committed to the Committee on TRANSPORTATION, January 30, 2013.

Senators SCHWANK, FERLO, FONTANA, SOLOBAY, ARGALL, BOSCOLA, BREWSTER, YUDICHAK, WOZNAK, STACK, COSTA, LEACH, TARTAGLIONE and DINNIMAN presented to the Chair **SB 335**, 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 funding for charter schools.

Which was committed to the Committee on EDUCATION, January 30, 2013.

Senators SCHWANK, VOGEL, TEPLITZ, BREWSTER, YUDICHAK, KASUNIC, SMITH, ERICKSON, VULAKOVICH, FERLO, SOLOBAY, WAUGH, BRUBAKER, BAKER and BOSCOLA presented to the Chair **SB 336**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, reducing the size of the General Assembly.

Which was committed to the Committee on STATE GOVERNMENT, January 30, 2013.

Senators SCHWANK, WILLIAMS, GREENLEAF, TEPLITZ, FARNESE, WASHINGTON, TARTAGLIONE, BREWSTER, STACK, YUDICHAK, BROWNE, HUGHES,

FERLO, VULAKOVICH, FONTANA, SOLOBAY, WOZNAK, COSTA, BOSCOLA and BAKER presented to the Chair **SB 337**, entitled:

An Act amending the act of November 29, 2004 (P.L.1383, No.180), known as the Uniform Crime Reporting Act, further providing for crime statistics and security policies and procedures; and providing for Pennsylvania safe campuses.

Which was committed to the Committee on JUDICIARY, January 30, 2013.

Senators SCHWANK, WILLIAMS, TEPLITZ, FARNESE, WASHINGTON, TARTAGLIONE, YUDICHAK, BROWNE, HUGHES, FERLO, FONTANA, SOLOBAY, WOZNAK, WAUGH, COSTA, BOSCOLA and BREWSTER presented to the Chair **SB 338**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for release of information in confidential reports.

Which was committed to the Committee on AGING AND YOUTH, January 30, 2013.

Senators SCHWANK, TARTAGLIONE, FARNESE, BREWSTER, YUDICHAK, SMITH, WARD, ERICKSON, HUGHES, RAFFERTY, VULAKOVICH, FONTANA, SOLOBAY, WOZNAK, WAUGH, COSTA, BAKER, BOSCOLA and PILEGGI presented to the Chair **SB 339**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for excluded transactions.

Which was committed to the Committee on FINANCE, January 30, 2013.

Senators ALLOWAY, LEACH, FARNESE, ERICKSON, BREWSTER, TARTAGLIONE, SCHWANK, FERLO, RAFFERTY, WOZNAK, BOSCOLA, COSTA and BRUBAKER presented to the Chair **SB 340**, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, prohibiting the sale of shark fins; and imposing a penalty.

Which was committed to the Committee on JUDICIARY, January 30, 2013.

Senators KITCHEN, WASHINGTON, STACK, TARTAGLIONE and FARNESE presented to the Chair **SB 341**, 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 distress in school districts of the first class.

Which was committed to the Committee on EDUCATION, January 30, 2013.

Senators FOLMER, MENSCH, VULAKOVICH, BROWNE, ERICKSON, RAFFERTY, WHITE, PILEGGI, WAUGH, ALLOWAY, BAKER and McILHINNEY presented to the Chair **SB 342**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a small business health savings account tax credit.

Which was committed to the Committee on FINANCE, January 30, 2013.

Senators FOLMER, MENSCH, HUTCHINSON, BROWNE, ERICKSON, RAFFERTY, WHITE, PILEGGI, WAUGH, ALLOWAY, BAKER and McLHINNEY presented to the Chair **SB 343**, entitled:

An Act authorizing employees of the Commonwealth and political subdivisions to establish health savings accounts; and providing for the requirements of health savings accounts and for tax exemption under certain circumstances.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, ERICKSON, WHITE, PILEGGI, ALLOWAY and BAKER presented to the Chair **SB 344**, entitled:

An Act providing for the expiration of certain State-mandated health care insurance benefits and the provisions of certain acts that impose mandatory covered providers and covered persons; and requiring the Health Care Cost Containment Council to submit a periodic report to the General Assembly.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, HUTCHINSON, WHITE, PILEGGI, WAUGH, ALLOWAY, BAKER and BROWNE presented to the Chair **SB 345**, entitled:

An Act providing for the expiration of certain State-mandated health care insurance benefits and the provisions of certain acts that impose mandatory covered providers and covered persons on qualified high deductible health plans; and requiring the Health Care Cost Containment Council to submit a periodic report to the General Assembly.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, BROWNE, RAFFERTY, WHITE, WAUGH, ALLOWAY and BAKER presented to the Chair **SB 346**, entitled:

An Act authorizing the purchase of health insurance from out-of-State insurers.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, VULAKOVICH, HUTCHINSON, BROWNE, ERICKSON, RAFFERTY, WHITE, WAUGH, ALLOWAY and BAKER presented to the Chair **SB 347**, 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 taxation, providing for a credit against unreimbursed qualified health insurance premium payments.

Which was committed to the Committee on FINANCE, January 30, 2013.

Senators FOLMER, MENSCH, GREENLEAF, VULAKOVICH, BROWNE, ERICKSON, ALLOWAY and BAKER presented to the Chair **SB 348**, entitled:

An Act establishing the Pennsylvania High-Risk Health Insurance Pool, the Pennsylvania High-Risk Health Insurance Pool Fund and the State Comprehensive Health Insurance Pool Board; providing for the powers and duties of the pool and the board, for selection of administering insurer and for payment of plan costs; and prescribing plan benefits.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, WHITE, ALLOWAY, BAKER and BROWNE presented to the Chair **SB 349**, entitled:

An Act amending the act of March 20, 2002 (P.L.154, No.13), known as the Medical Care Availability and Reduction of Error (Mcare) Act, further providing for medical professional liability insurance, for the Medical Care Availability and Reduction of Error Fund; and establishing the Health Care Provider Rate Stabilization Fund.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators FOLMER, MENSCH, VULAKOVICH, HUTCHINSON, ERICKSON, RAFFERTY, ROBBINS, WHITE, WAUGH, SCARNATI, ALLOWAY, BAKER and McLHINNEY presented to the Chair **SB 350**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for health insurance coverage not required.

Which was committed to the Committee on BANKING AND INSURANCE, January 30, 2013.

Senators ERICKSON, YUDICHAK, RAFFERTY, FONTANA, ARGALL, SOLOBAY, HUGHES, PILEGGI, FERLO, VANCE, BRUBAKER, SCHWANK, STACK, BLAKE and LEACH presented to the Chair **SB 351**, entitled:

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

Which was committed to the Committee on LOCAL GOVERNMENT, January 30, 2013.

Senators VANCE, FONTANA, BROWNE, FERLO, WARD, PILEGGI, RAFFERTY, BREWSTER, SOLOBAY, ERICKSON, FOLMER, BAKER, SCHWANK and BOSCOLA presented to the Chair **SB 352**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further defining "dependent child."

Which was committed to the Committee on JUDICIARY, January 30, 2013.

Senators VANCE, FONTANA, BROWNE, FERLO, WARD, PILEGGI, RAFFERTY, BREWSTER, SOLOBAY, ERICKSON, FOLMER, BAKER, SCHWANK and BOSCOLA presented to the Chair **SB 353**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the definition of "child abuse."

Which was committed to the Committee on AGING AND YOUTH, January 30, 2013.

Senators HUTCHINSON, ARGALL, VULAKOVICH, VOGEL, KASUNIC, MENSCH, RAFFERTY, WHITE, YAW, FERLO, GORDNER, PILEGGI, ALLOWAY, SCARNATI, BAKER and WAUGH presented to the Chair **SB 354**, entitled:

An Act amending the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, further providing for definitions and for regulations and standards.

Which was committed to the Committee on ENVIRONMENTAL RESOURCES AND ENERGY, January 30, 2013.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

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

Senator Richard L. Alloway II as a member of Committee on Ethics and Official Conduct.

Senator Jay Costa, Jr., as a Commonwealth Trustee of the University of Pittsburgh and as a member of the Committee on Ethics and Official Conduct.

Senator Michael J. Folmer as a member of the Education Commission of the States, as a member of the Adult and Family Literacy Education Interagency Coordinating Council, to serve in his stead as a member of the Pennsylvania Higher Educational Facilities Authority, and to serve in his stead as a member of the State Public School Building Authority.

Senator Wayne Fontana as a member of the Committee on Ethics and Official Conduct.

Senator Charles T. McIlhinney as chairman of the Committee on Ethics and Official Conduct.

Senator Don White as a member of the Committee on Ethics and Official Conduct.

Senator Anthony Williams as a member of the Committee on Ethics and Official Conduct.

Mr. Peter Varischetti as a Commonwealth Trustee of the University of Pittsburgh.

LEGISLATIVE LEAVES

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

Senator PILEGGI. Mr. President, I request a temporary Capitol leave for Senator McIlhinney, and legislative leaves for Senator Brubaker and Senator Greenleaf.

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

Senator COSTA. Mr. President, I request legislative leaves for Senator Leach, Senator Tartaglione, Senator Washington, Senator Williams, and Senator Yudichak.

The PRESIDENT pro tempore. Senator Pileggi requests a temporary Capitol leave for Senator McIlhinney, and legislative leaves for Senator Brubaker and Senator Greenleaf.

Senator Costa requests legislative leaves for Senator Leach, Senator Tartaglione, Senator Washington, Senator Williams, and Senator Yudichak.

Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Senator PILEGGI, by unanimous consent, offered the following resolution, which was read as follows:

In the Senate, January 30, 2013

RESOLVED, (the House of Representatives concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 5, 2013, at 11:30 a.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, Governor Tom Corbett; and be it further

RESOLVED, That a committee of three on the part of the Senate, be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth of Pennsylvania, to the Hall of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

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

YEA-50

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

NAY-0

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

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

**SPECIAL ORDER OF BUSINESS
GUESTS OF SENATOR ROBERT TOMLINSON
AND SENATOR ANDREW E. DINNIMAN
PRESENTED TO THE SENATE**

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

Senator TOMLINSON. Mr. President, I would like to welcome Don and Cathy Stout, who live in Phoenixville. They are constituents of Senator Dinniman, and we would like to welcome them today for their day in Harrisburg. They won a day in Harrisburg to benefit the Brandywine Singers, a Chester County chorus that recently celebrated its 20th anniversary. Don and Cathy are both members of that group, and I ask that the Senate give a warm welcome to Senator Dinniman's and my guests.

The PRESIDENT pro tempore. Would the guests of Senator Tomlinson and Senator Dinniman please rise and be welcomed by the Senate.

(Applause.)

RECESS

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

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

The PRESIDENT pro tempore. For the purpose of a meeting of the Committee on Transportation to be held in the Rules room, without objection, the Senate stands in recess.

AFTER RECESS

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

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT pro tempore. Senator McIlhinney has returned, and his temporary Capitol leave is cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 187 (Pr. No. 238) -- The Senate proceeded to consideration of the bill, entitled:

An Act requiring certain institutions of higher education that enter into agreements with governing bodies which impose monetary penalties to pay the monetary penalties into endowments under certain circumstances; and providing for duties of the Pennsylvania Commission on Crime and Delinquency.

Considered the third time and agreed to,

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

On the question,

Shall the bill pass finally?

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

Senator CORMAN. Mr. President, I ask for the Members' support on Senate Bill No. 187. I think it is a bill of good public policy and one that has strong support throughout the Commonwealth. Senate Bill No. 187 requires any higher education institution here in the Commonwealth that has been required by a governing association to pay a penalty in installments of \$10 million or more to deposit those fines in an endowment set up through the State Treasurer's office. Under the measure, the funds will be used for child sexual abuse prevention efforts, training of mandated reporters, and other victim-assistance efforts based here in Pennsylvania. The fine money would be held in a trust by the State Treasurer and distributed by the

Pennsylvania Commission on Crime and Delinquency. This fine money, Mr. President, is coming from Pennsylvania residents, so it makes sense that it should stay here to benefit organizations and the children of the Commonwealth.

The Pennsylvania Task Force on Child Protection recently issued a comprehensive report which points to many worthwhile programs in our State that could benefit greatly from the fine money. The task force received testimony from more than 60 experts on protecting children and investigating child abuse, and its recommendations could amount to a virtual re-writing of the Child Protective Services Law. It is clear, Mr. President, that whatever changes are implemented, the fine money could do an extraordinary amount of good right here in Pennsylvania. Mr. President, again, this is money that is being raised here in Pennsylvania, it should go for the betterment of Pennsylvania. I think that this legislation sets up a public policy to deal with such a unique situation, for this particular case and cases in the future.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, would the maker of the bill consent to brief interrogation on the bill?

The PRESIDENT pro tempore. Would the maker of the bill stand for interrogation? The gentleman indicates he will.

Senator SCHWANK. Mr. President, thank you. Simple questions. I heard the gentleman refer to the fact that this will serve children. Will this also serve adult victims of sexual abuse as well? I think we know fairly well that oftentimes people do not come forward at the time that the abuse occurs. I would like some clarification on that.

Senator CORMAN. Mr. President, I believe that the intent, my intent is to provide funding for programs preventing child sexual abuse and for assisting victims of child sexual abuse. Adult survivors are victims of child sexual abuse, and my belief is that they would be covered under this statute.

Senator SCHWANK. Mr. President, thank you. Second question, will the funding for services be limited to legal residents? Sometimes individuals will move out of State while they maintain residency here, people go into foster homes or shelters. Can the gentleman clarify that for me, please?

Senator CORMAN. Mr. President, again, the intent of the language is to direct any monetary penalties that have been placed on Commonwealth-supported institutions of higher education to remain here in the Commonwealth, where the funds are being raised. I believe the language is broad and even-based, allowing all entities that cover child sexual abuse to be covered as possible destinations. I do not believe that the intent is to stop anyone in the Commonwealth who is in need of programs to protect against child sexual abuse or to assist victims of child sexual abuse from accessing the help.

Senator SCHWANK. Mr. President, so, the individual does not have to be a legal resident in order to obtain services?

Senator CORMAN. Mr. President, unless those programs that get the money would somehow require that, which I cannot imagine that they would. It is not the intent of this legislation.

Senator SCHWANK. Mr. President, very good, thank you. I thank the maker of the bill, and I would like to be recognized to make some comments as well.

The PRESIDENT pro tempore. The gentlewoman is in order.

Senator SCHWANK. Mr. President, notwithstanding the Governor's recent change of heart and present questioning of the NCAA's authority to impose fines and other penalties on Penn State in response to the Jerry Sandusky scandal, we are where we are today. The situation, as it stands, is that Penn State has agreed to a \$60-million fine over 5 years to address child sexual abuse, and in fact has already paid its first \$12 million installment. As we all know, the legislature was not consulted on this, despite directly underwriting the university to the extent of more than \$227 million from State taxpayers annually. It is obvious that if the legislature hopes to insure an appropriate outcome to these events, the time for us to do that is right now. This bill requires all of the fine to be used in Pennsylvania. Mr. President, I cannot think of a more appropriate direction for it than that. The victims were from Pennsylvania, the abuse was perpetrated in Pennsylvania, and the crimes were investigated and prosecuted by Pennsylvania authorities, not by authorities from other States, the Federal government, or the NCAA. Pennsylvania is the State of both the injury and the injured, and it is the only State that is paying for the healing. And for that reason, it should be the only State where the funds are spent. There is plenty of need, and I think all of my colleagues here recognize that, with only \$7 million a year in State funding now for serving all victims of sexual assault in Pennsylvania.

Mr. President, I want to congratulate the sponsor, Senator Corman, for taking the lead on this issue, and I appreciate his willingness to work to address my concerns to make this bill as effective as possible. His answers to my questions today make it clear that the bill covers services to the victims of child sexual abuse regardless of when that abuse occurred and without being limited to legal residents of Pennsylvania. The first is important because victims of child sexual abuse often suffer throughout their lives with emotional challenges, chemical dependency, and even physical afflictions. The second is important because of the reality that children, whose legal residence might be in other States, do and will continue to find refuge in shelters or with relatives or a foster family. They should be served too. I had hoped that the bill could have included a requirement that directs that victims' services would be given priority for funding. It is on that level where victims are in the most urgent and serious need. But understanding the legal concerns that such a requirement in the bill might infringe on the terms of the consent decree, I am pleased to support this proposal with the hope and the expectation that the PCCD will give serious consideration to how it might do so in establishing its funding methodology. My request there is simple: I want to see most of the funding going directly to victims. They are truly the ones I believe all of us want to be served.

I am pleased to support this bill. I think it represents great promise for victims in Pennsylvania, and I hope the House will act swiftly on it and send it to the Governor so that it will become law as soon as possible.

Thank you, Mr. President.

And the question recurring,
Shall the bill pass finally?

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

YEA-50

Alloway	Farnese	Pileggi	Vogel
Argall	Ferlo	Rafferty	Vulakovich
Baker	Folmer	Robbins	Ward
Blake	Fontana	Scarnati	Washington
Boscola	Gordner	Schwank	Waugh
Brewster	Greenleaf	Smith	White
Browne	Hughes	Smucker	Wiley
Brubaker	Hutchinson	Solobay	Williams
Corman	Kasunic	Stack	Wozniak
Costa	Kitchen	Tartaglione	Yaw
Dinniman	Leach	Teplitz	Yudichak
Eichelberger	Mcllhinney	Tomlinson	
Erickson	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 present said bill to the House of Representatives for concurrence.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 75 -- Without objection, the bill was passed over in its order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 150 (Pr. No. 240) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 44 (Law and Justice) of the Pennsylvania Consolidated Statutes, in DNA data and testing, further providing for policy, for definitions, for powers and duties of State Police, for State DNA Data Base, for State DNA Data Bank, for State Police recommendation of additional offenses, for procedural compatibility with FBI and for DNA sample required upon conviction, delinquency adjudication and certain ARD cases; providing for collection from persons accepted from other jurisdictions; further providing for procedures for withdrawal, collection and transmission of DNA samples, for procedures for conduct, disposition and use of DNA analysis; providing for request for modified DNA search; and further providing for DNA data base exchange, for expungement and for mandatory cost.

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 164 and **SB 196** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 259 (Pr. No. 181) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 20, 1979 (P.L.183, No.60), entitled "An act regulating the terms and conditions of certain leases regarding natural gas and oil," adding definitions; providing for payment information to interest owners for accumulation of proceeds from production; and making editorial changes.

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

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 304 (Pr. No. 212) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 15 (Corporations and Unincorporated Associations) and 54 (Names) of the Pennsylvania Consolidated Statutes, in Title 15, making extensive revisions, additions and deletions to preliminary material on general provisions; to corporation material on general provisions, on incorporation, on corporate powers, duties and safeguards, on officers, directors and shareholders, on fundamental changes, on registered corporations, on insurance corporations, on benefit corporations, on foreign business corporations, on incorporation and on foreign nonprofit corporations; to material on limited liability companies; to material on unincorporated associations; and to material on business trusts; in Title 54, further providing for general provisions and for corporate and other association names; 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.

UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE

Senate RAFFERTY, from the Committee on Transportation, reported the following bill:

SB 83 (Pr. No. 48)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in preliminary provisions, further providing for definitions; in special vehicles and pedestrians, providing for regulation and operation of neighborhood electric vehicles; and, in inspection of vehicles, further providing for operation of vehicle without official certificate of inspection.

SENATE RESOLUTIONS ADOPTED

Senators SMITH, SOLOBAY, DINNIMAN, ERICKSON, STACK, TEPLITZ, BREWSTER, KASUNIC, FOLMER, FONTANA, HUTCHINSON, BROWNE, KITCHEN, FARNESE, FERLO, WASHINGTON, HUGHES, GREENLEAF, WHITE, ALLOWAY, RAFFERTY, WAUGH, ARGALL, BAKER, BLAKE, BOSCOLA, BRUBAKER, CORMAN, COSTA, EICHELBERGER, GORDNER,

LEACH, McILHINNEY, MENSCH, PILEGGI, ROBBINS, SCARNATI, SCHWANK, SMUCKER, TOMLINSON, VANCE, VOGEL, VULAKOVICH, WARD, WILEY, WILLIAMS, WOZNIAK, YAW, YUDICHAK and BRUBAKER, by unanimous consent, offered **Senate Resolution No. 21**, entitled:

A Resolution honoring the life of former Senator Michael P. Schaefer and extending deepest condolences to his family.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT pro tempore. The Chair recognizes the gentleman from Allegheny, Senator Smith.

Senator SMITH. Mr. President, I rise today to recognize the life and legacy of former Senator Michael P. Schaefer, who passed away too early, on Monday, January 21, 2013, at the age of 66. Senator Schaefer represented the 37th Senatorial District in this body from 1976 through 1980. During his tenure in the Senate, he served on many prominent committees, as the chairman of the Senate Committee on Professional Licensure, vice chairman of the Committee on Judiciary, and a Member of the Committees on Banking and Insurance, Public Health and Welfare, State Government, and Local Government. In 1980, he notably and ably chaired a special Senate committee tasked with investigating the Pennsylvania Lottery in the wake of the daily number game-rigging scandal.

Elected to the Senate at the young age of 30, Senator Schaefer received several accolades and recognition for his leadership and advocacy on issues such as combating pornography, and working with law enforcement to help them fight organized crime. He is best known by some of us in the Chamber and made his biggest impact in this Chamber as a reformer focusing on divorce law reform, foster system and adoption reform, and campaign finance reform. He was a recipient of the 1979 "Outstanding Legislator Award" from the Pennsylvania Personnel and Guidance Association, a branch of what is now known as the American Counseling Association. He also received a special commendation from Duquesne University for legislative accomplishments and leadership.

As a lifelong resident of the South Hills of western Pennsylvania, Senator Schaefer was also involved in several community groups, such as the American Legion, Bethel Park Athletic Club, and Bethel Park Kiwanis. He served on the board of directors for the Greater Pittsburgh Guild for the Blind, now known as Blind and Vision Rehabilitation Services of Pittsburgh, and participated as secretary of the Bethel Park Government Study Commission.

Upon his departure from the Senate, Senator Schaefer practiced law with distinction. His distinguished legal career spanned nearly 40 years of experience in general practice, which included real estate law, land use planning, and commercial litigation. As a graduate of Notre Dame and Georgetown University Law Center, he became a skilled trial lawyer and worked tirelessly to tackle complex legal problems in new areas presented in the area of law. He was a trusted legal advisor and blazed a trail representing property owners navigating the new landscape of Marcellus Shale activity in western Pennsylvania.

Whether representing the 37th Senatorial District, practicing as an attorney in Bethel Park, or serving with distinction for the U.S. Army in Vietnam, where he was awarded the Bronze Star, Mr. Schaefer was steadfastly committed to serving his community, Commonwealth, and his country. His commitment to service earned him the respect of supporters, residents of this Commonwealth from Allegheny to Bucks County, and his one-time adversaries.

Senator Schaefer's opponent in the 1980 race, Judge Michael Fisher, noted recently in a communication with me on Senator Schaefer's legacy. I quote, "Mike Schaefer and I grew up in the same community and received Catholic educations from South Hills Catholic High School and Georgetown Law. Our political careers began in the same era, and as fate had it, we competed in 1980 in a race for the State Senate. Mike Schaefer's 4 years of honorable and distinguished service to the people of the 37th District were part of a tradition of service that have marked the 37th District for many decades."

Mike Schaefer was a beloved father to Michael, Daniel, Jeffrey, and Stephanie; a cherished grandfather to Miles; son of the late Michael M. and Irene; brother of Paul, Robert, and Mark; and trusted friend and confidante to countless others. Thank you for joining me in extending our deepest sympathies to his family and expressing our great sorrow over the loss of this dedicated public servant. I respectfully ask that my colleagues join me, Mr. President, in supporting this resolution.

Thank you, Mr. President.

(Whereupon, the Senate en bloc stood in a moment of silence in solemn respect to the memory of former Senator MICHAEL P. SCHAEFER)

The PRESIDENT pro tempore. Let the record reflect that the resolution was adopted unanimously.

Senators SOLOBAY, STACK, DINNIMAN, SCARNATI, BREWSTER, FARNESE, BAKER, FERLO, YAW, TEPLITZ, ROBBINS, KASUNIC, SMITH, TOMLINSON, WHITE, FONTANA, GREENLEAF, ALLOWAY, BROWNE, RAFFERTY, WAUGH, WILEY, TARTAGLIONE, HUGHES, PILEGGI, WASHINGTON and COSTA, by unanimous consent, offered **Senate Resolution No. 22**, entitled:

A Resolution honoring the life and memory of Stanley Frank "Stan" Musial, a Baseball Hall of Fame player born in Donora, Pennsylvania, and extending condolences to his family and friends.

On the question,
Will the Senate adopt the resolution?

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

Senator SOLOBAY. Mr. President, last Session we passed a bill that was signed into law as Act 102. That act named a bridge in the 46th Senatorial District after "Stan the Man" Musial, which is the Donora-Monessen Bridge that straddles the Monogahela River from Washington to Westmoreland Counties. I was glad that we were able to do that while he was still with us. Sadly, we lost Mr. Musial earlier this month on January 22.

"Stan the Man" Musial was an athlete from the greatest generation. He was a true sports hero in every sense of the word. A 24-time All-Star selection, he accumulated over 3,600 hits and 475 home runs during his career. He was named the National League's Most Valuable Player three different times, and was a member of three World Series championship teams. He played all 22 seasons for the St. Louis Cardinals from 1941 to 1963. He was elected to the Baseball Hall of Fame in 1969.

Prior to his career, Mr. Musial was born in Donora, Pennsylvania, a small steel city in my district. He enjoyed playing sports at an early age and played baseball for Donora High School. What made him a hero was not just his incredible baseball career, but after winning his second World Series in 1944, he missed an entire year of baseball while he served in the United States Navy. He served as chairman of the President's Council of Physical Fitness and Sports between 1964 and 1967. He was also awarded the Presidential Medal of Freedom, the nation's highest civilian honor, from President Obama in 2011.

Mr. President, I ask that we all unanimously adopt this resolution.

The PRESIDING OFFICER (Senator John C. Rafferty, Jr.) in the Chair.

The PRESIDING OFFICER. The Chair, as well as many Members here, remembers "Stan the Man," and is pleased to support the resolution today.

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 Master Sergeant Daniel C. Carber by Senator Alloway.

Congratulations of the Senate were extended to Mary Murray and to Kevin Michael Wascavage by Senator Baker.

Congratulations of the Senate were extended to the Reverend Thomas O'Hara and to Rabbi Larry Kaplan by Senators Baker and Yudichak.

Congratulations of the Senate were extended to Phyllis L. Palm, Daniel F. Fisher and to Bryan Parker Hough by Senator Corman.

Congratulations of the Senate were extended to the Reverend Lauren Meiswinkel and to Carol Meiswinkel by Senator Dinniman.

Congratulations of the Senate were extended to Connor Dautrich by Senator Folmer.

Congratulations of the Senate were extended to Lillie A. Claitt by Senator Hughes.

Congratulations of the Senate were extended to Caleb Kiefer by Senator Hutchinson.

Congratulations of the Senate were extended to Nicholas Edward Jacobyansky by Senator Kasunic.

Congratulations of the Senate were extended to the citizens of Upper Merion Township by Senator Leach.

Congratulations of the Senate were extended to Mr. and Mrs. H. Richard Hillegass by Senator Mensch.

Congratulations of the Senate were extended to George Heigel by Senator Scarnati.

Congratulations of the Senate were extended to Megan Schafer by Senator Tomlinson.

Congratulations of the Senate were extended to Safe Kids Erie by Senator Wiley.

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 Nora Ella Singer by Senator Corman.

Condolences of the Senate were extended to the family of the late William T. DeLaney and to the family of the late Olga Kiljanski by Senator McIlhinney.

Condolences of the Senate were extended to the family of the late Franklin L. Gilyard, Sr., by Senator Schwank.

BILL ON FIRST CONSIDERATION

Senator EICHELBERGER. Mr. President, I move that the Senate do now proceed to consideration of the bill reported from committee for the first time at today's Session.

The motion was agreed to by voice vote.

The bill was as follows:

SB 83.

And said bill having been considered for the first time,

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

PETITIONS AND REMONSTRANCES

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Ferlo.

Senator FERLO. Mr. President, good afternoon, good morning, and thanks for the opportunity to address our colleagues and, more importantly, the public on the issue of the so-called privatization of our State liquor store system. Mr. President, you may be aware that later today, starting out in Pittsburgh at 2 p.m., our illustrious Governor Corbett is anticipated to divulge his widely-reported Wine & Spirits privatization plan. Once again, he is conducting this press conference, and it seems to be it is becoming part of his standard operating procedure to have a very non-public public event. He insists on credentialed reporters, I am not exactly sure what that means. I do not know if it excludes reporters that utilize the Internet, reporters of community-based public newspapers, or if it is just big editorial newspapers like the Post-Gazette, who basically endorsed him and have a self-interest in trying to privatize liquor because they are so hard-up for revenue that they want to see advertising. I am not sure who is invited, but he has developed this pattern of excluding the general public from his grand pronouncements and formal press statements, which is very disappointing.

So again, he is initiating this roadshow, and I guess he is starting at 2 p.m., and then he is going to travel around the State with his pronouncements. It is very disappointing that he continues to conduct his public press conferences, and in most cases, I do not think public officials are extended an invitation. Good or bad, with previous governors, including Rendell, Ridge, Casey, both Democrat and Republican alike, we always would receive at least a courtesy notice when the Governor was in town and having these events. Again, I make the point that no one is more credentialed to sit in and observe a public press conference than the taxpayers from our great Commonwealth.

But let me focus more specifically and deal with the information that has leaked out a little bit about what the administration is up to so far. In a nutshell, the Governor will announce a plan to close the Wine & Spirits stores. He wants to permit every type of retail storefront in the State to sell beer and wine, and he will create somewhere between 1,000 and 2,000 private licenses for the sale of liquor and forsake a well-balanced system of alcohol sales.

Here is a step-by-step of the impacts of the Governor's plan. Step 1: eliminate at this time of high unemployment in our Commonwealth, step 1 would be to eliminate middle class jobs, well-paying jobs that not only have decent wages, but pension and vital healthcare benefits to these working people and their families and children. So the first step of his plan is to close all of the more than 600 retail Wine & Spirits shops and the wholesale operations run by the Pennsylvania Liquor Control Board for decades. So from day one, our Governor plans to eliminate 5,000 union, family-sustaining, middle-class jobs with benefits. This does not factor in the 20,000 jobs that are being threatened at beer distributors because of step 2 of his plan.

Step 2: alcohol proliferation. Governor Corbett will announce that instead of limiting the availability of alcohol in order to protect public health and to keep it out of the hands of minors, he envisions Pennsylvania as the Wild West of booze sales. Quick estimates based on the leaked proposals are that 20,000 new retail outlets will be permitted to sell beer and wine, not only grocery stores, but Targets and Walmarts, Rite-Aids, Cogo's, CVSes, 7-11s, Sunoco gas stations, and even your neighborhood convenience stores. In my area, I represent a very diverse three-county area including the inner core of the city, in struggling parts of town that will now be permitted to sell malt liquor and cheap wine. At least one Republican in the State, Mr. President, at least one Republican in our State government has gone from social conservative to an outright bootlegger.

Step 3: undermining all existing licenses. Say what you want about the confusing system of alcohol laws in Pennsylvania, and part of the problem is we micromanage too much in the legislature, we should let the State Liquor Control system run in the appropriate manner, let it be the capitalist for-profit business it needs to be instead of trying to micromanage so much with it. But again, he would continue to undermine the existing licenses. They still have permitted many local businesses to thrive. Distributors, restaurants, and taverns have all found a way to make a great living, a good living, within the constructs of the Liquor Code.

Governor Corbett's plan seems to threaten the existence of each of these in favor of large retail establishments. He seems to be throwing them a bone in the plan, but we all know what will become of our distributors, our restaurants, and our taverns that, quite honestly, rely heavily on beer sales and are designed to compete in a closed system. They will fail. Those local businesses that are well known historically at the neighborhood level for supporting our Little League teams and volunteer firefighters will, in fact, be lost and will be closed and replaced by very indifferent big box retail stores.

And I do want to point out, active in many years on community economic development along Main Street principles, the success of vital restaurants and taverns have been the mainstay of revitalizing a lot of great community business districts, whether it is in the city of Pittsburgh, a corridor like Butler Street, or whether it is in small towns throughout the Commonwealth. We have had a well-established program of Main Streets, and if you analyze the Main Street redevelopment, you will find that oftentimes it is the niche of quality restaurants and taverns that have changed the whole character and upgraded those community business districts. So I am very concerned about the viability and profitability for those small business folks that work day in and day out to run taverns and run their quality taverns and restaurants.

Step 4 of the Governor's plan: undercut the State budget. Governor Corbett has proven over and over again that he does not care about the revenue side of the State budget, unless it is to give big money back to big business contributors. But the fact of the matter is that we have a State to run that relies on taking money and taking revenue in. The Wine & Spirits stores generate up to \$500 million per year for the General Fund in tax revenue and profit. Surely, Governor Corbett will raise some amount, I can see this, by selling or auctioning liquor licenses, but he will just as certainly squander that money away on various pet projects to boost his sagging polling numbers--something that I think he is becoming sensitive about, or at least the palace guards around him, or maybe the administration's spokesperson from the Commonwealth Foundation, who seems to be running the show up there on whatever floor he is on in this building. I do not get to visit him that much up there, and I know folks who are disabled have a hard time getting into his office.

Where does all this leave our State? We will have eliminated tens of thousands of jobs, great jobs. We will have opened up a system of alcohol sales that will be rife and rife with abuse by people with drinking problems, and children. We will have killed many small businesses that currently thrive in all of our respected neighborhoods and communities. We will have sold off, we will have sold off an unrecoverable revenue-generating asset for a price well below its value.

I have the same worries about what will happen to the State Lottery system. It is just reprehensible that we are allowing this Governor to sell this asset, de facto selling this asset of the Lottery to a British company. The gentleman, with all due respect, the administration needs its head examined.

So what is the alternative? The alternative is to follow the path of my esteemed colleague, who unfortunately just left the Chamber, the President pro tempore on the other side of the aisle. He has publicly embraced a more reasonable approach. Let us use the assets in the system that we have today, which

has provided good jobs, protected the public health, and helped us fund State programs for decades and continue to make it better.

When I was very young, of legal age, I can remember the Soviet-style liquor stores. I remember the one on East Liberty, it was dark, foreboding. I would not exactly call it a retail customer-friendly outlet, and you would walk over to the counter and the board would flip over and the clerk would say, okay, what do you want? And I would say whatever I wanted, which at that time was probably Southern Comfort. The point is, if anyone has visited liquor stores at least in my three-county area, they are great retail outlets. In fact, I am proud of my district, both the East Side store, which really has an unbelievable wine selection, as well as the store in Waterworks, a mall in Fox Chapel, an unbelievable wine collection. I think the fifth and seventh best-selling retail stores of the 600-plus across the State. But we have seen enormous improvements obviously in the Wine & Spirits stores that are customer-friendly, great personal staff that spends time with you, and that has certainly been true for the last 15 years. And I believe we have many options on the table to offer an even better product to consumers while allowing the LCB to continue its core mission.

I have proposed legislation that will free the Pennsylvania Liquor Control Board to make more improved operations and act more efficiently. These include the system to price its products more competitively, fill specialty positions with expert recruits, and buy products and sign leases that enhance the agency's bottom line. I will also be proposing legislation that encourages the Liquor Control Board to choose retail locations in or near grocery stores in high-traffic areas, improve the hours of operation on days of the week, and allow better product promotions. I think if the advertising percentage of the LCB's revenue would extend to appropriate and prudent advertising, especially in the Post-Gazette and the daily newspapers, maybe they would get off of everybody's back and stop propagandizing and distorting the relevance and importance of the State store system, because this is about money for the editorial boards. That was clearly the reason why the Post-Gazette endorsed Governor Corbett. They did not have anything in common with him on any other issue, but I know from the inside, I have a few high-profile, wealthy friends of mine, believe it or not, Mr. President, who know firsthand that one of the owners of the Post-Gazette said, I do not care about any other issue, we are going with Corbett because he needs to privatize the State Store system. I do not think they will report that, but they are happy to quote me on that, Mr. President. My good friends, those pin-headed political pundits at the Post-Gazette.

Estimates are that modernization will generate up to an additional \$100 million per year for the General Fund. This would be a total of \$200 million per year in profits for the Pennsylvania Liquor Control Board. Assuming an income of \$1 billion from the privatization effort, an amount I think to be high, quite frankly, especially due to the number of licenses that are going to be given out for beer and wine in the Governor's plan, it would only take a few years, maybe 5 years, but I think less, it would only take a few years to begin losing revenue under privatization. And nobody here likes to take a tax vote.

So again, we do not need to tear down a system that works, Mr. President. We do not need to tear down a system that provides good paying, middle-class jobs with great benefits. We do not need to generate essential revenue for the State government as the Governor is proposing. We need to improve the system that benefits consumers, that has a great track record of benefitting consumers, and we need to continue to benefit from the important resources and public health protection that the current system provides. And I will add, just in closing, that this is a continuation of an agenda driven by ideology not practicality, not by reality, and not by feasibility.

The Governor continues to pursue policies centered on disinvestment rather than the strategic investment in human and social capital. His targets have included basic education funding and healthcare for cutbacks, and he has not really contributed to the growth that we started under the Rendell administration for economic development, both big and small across our Commonwealth. But the general disdain that Governor Corbett has for the important role of government and the role that government plays in supporting the everyday lives of citizens is leading, in my opinion, to disastrous policies across our Commonwealth. Quite honestly, I am really looking forward to 2014, Mr. President. Thank you very much.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Allegheny, Senator Costa.

Senator COSTA. Mr. President, I rise first and foremost to thank the gentleman from Allegheny County for his detailed remarks about an issue that has circulated here for a couple of years, and, quite frankly, one that I think is very troublesome to myself, and I think as we heard from Senator Ferlo as well, but a number of Members on this side of the aisle. Mr. President, what is probably more troublesome is, as I mentioned earlier last week, this conversation that is brewing in parts of this building where the conversation about the Wine & Spirits privatization matter would be linked to some other issues as it relates to what needs to be done here in Harrisburg, whether it be independent of the budget or part and parcel to the budget as we go forward.

Mr. President, over the course of the past 2 years, more importantly the past year, we heard a lot from our Commonwealth residents. What we heard, very clearly, is that they are concerned about how we are going to grow and create jobs. They are concerned about our education system and what investments we are going to make in education, whether it be early learning education, basic education, or higher education, and the concerns that they have there. Mr. President, we heard about health insurance and health issues, and insurance that individuals will have going forward, which brings to mind a number of things that have taken place here over the past couple of years, particularly as it relates to how we deliver healthcare services to our female population in this Commonwealth. When we talked about Medicaid expansion, a program that would allow for working families, working individuals--and let us be very, very clear, these are working individuals who would have the opportunity to enjoy modest benefits, healthcare benefits through the Affordable Care Act.

Mr. President, last, but not least, I think we heard quite a bit about transportation. In fact, this administration has undertaken a commission that looked at this issue and made a determination about what was necessary to just modestly address

the roads, bridges, and mass transit in this Commonwealth and came out with a number that they thought was appropriate, but more importantly, recommendations about how we get there. Now, Mr. President, there has been some discussion about linking some of these issues, particularly as it relates to the Wine & Spirits privatization and transportation. We strongly believe that those issues need to stand on their own. I want to commend my colleague, our leader of this Senate, Senator President pro tempore Scarnati, for his comments yesterday, I believe, that were reported in a number of news outlets that indicated that he too believes that we should not link these matters, that these matters are independent of one another and should rise and fall on their own merits.

My hope is that we have a conversation about transportation funding in this Commonwealth that addresses the conditions of our roads and our bridges, but also it must be comprehensive and there must be a comprehensive discussion about roads and bridges, of course, and maintenance formulas and maintenance that needs to be done in our Commonwealth, addressing issues of how we deal with the funding situation from the Turnpike, but it also must include mass transit. Mr. President, I want to commend you for your efforts as leader of the Committee on Transportation, along with Senator Wozniak, the work that you all are doing to make certain that we have an honest, deliberate debate about how we get to that end, but, again, uncoupled with anything else. Transportation should rise and fall on its own merits. We believe that it is worthy of a conversation that needs to take place without making certain or being held hostage to try to get something else done which, quite frankly, has been on the radar for a number of years and has been unsuccessful.

Mr. President, we believe that we have significant bipartisan and bicameral support to address the issue of transportation funding, and I think that we need to look at that. What we do not need to be doing, Mr. President, and if you look at the last several months of what this administration has done, and I mentioned to you what I think the people of Pennsylvania are concerned about - jobs, education, health insurance, healthcare, and transportation. This administration is talking about privatizing our Lottery system, a very successful Lottery system, and taking that program and sending it overseas, and allowing the benefits to accrue to folks overseas and not to our seniors. We do not think that is appropriate. We do not think it should be a front-burner issue, and we will continue to challenge that issue.

He talked a little bit about rewriting history as it relates to the Jerry Sandusky matter. I want to applaud the Members who supported the effort today about how we keep those resources in Pennsylvania. But at the end of the day, we are trying to rewrite history and an issue that has been politicized, in my opinion, along those lines, and we need to not allow that to happen. But that should not be one of our highest priorities at this time.

When we talk about real pension reform, there is a conversation along those lines. But again, we have to make certain as we go forward that we are not going to do that on the backs of working Pennsylvanians, individuals who have worked in our Commonwealth for that period of time. We need to let Act 120 work, and if we need to take a look at some responsible adjustments along those lines, we need to do that. But to sug-

gest--again, another issue that has been politicized, in my opinion, to make it sound as if the crisis that has developed has been caused by our workers in this Commonwealth. It has not. We are the problem. We have not invested. Our investments have not made the returns that we anticipated. As a result, we have issues we need to look at. But clearly, what we do need is an informed conversation about how we make changes. And I know that on the other side of the aisle, Senator Browne and Senator Brubaker have been strong leaders in that area, and we look forward to that conversation if in fact it needs to take place, but I think we need to take a look at Act 120.

At the end of the day, Mr. President, we have misplaced priorities in this Commonwealth. We believe they need to be about jobs, education funding, transportation funding, and they need to be about healthcare. That is what Senate Democrats are going to talk about as we go forward, and that is what we are looking for. We are looking for a conversation where these things are not tied together. We should not tie pension reform to education. We should not be creating false expectations or false choices, because we do not have false choices. We have legitimate choices that can be worked out in an independent way from one another, and that is the direction we should be going. We should not be linking Wine & Spirits privatization and an explosion of the number of spots that people can access alcohol, the explosion that will take place under this proposal, as articulated by Senator Ferlo, and tie that to transportation funding. We have a transportation crisis in this Commonwealth that needs to be addressed. We do not have a Wine & Spirits crisis, and they should not be linked, and this Caucus is not going stand to do that. We stand with our colleagues, particularly Senator Scarnati, and I thank him for his comments because that is exactly where we are. These things need to be separate and distinct from one another. We look forward to the bipartisan relationship that we will have addressing those issues in a very informed way as we go forward.

Thank you, Mr. President.

RECESS

The PRESIDING OFFICER. The Chair recognizes the gentleman from Blair, Senator Eichelberger.

Senator EICHELBERGER. Mr. President, I move that the Senate do now recess until Monday, February 4, 2013, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:14 p.m., Eastern Standard Time.