

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

TUESDAY, APRIL 9, 2013

SESSION OF 2013 197TH OF THE GENERAL ASSEMBLY

No. 20

SENATE

TUESDAY, April 9, 2013

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

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

PRAYER

The Chaplain, Rabbi SOLOMON ISAACSON, of Congregation Beth Solomon, Philadelphia, offered the following prayer:

Initially, I would like to say a prayer, as I always do, for the soldiers who are stationed all over the world, on behalf of protecting others and, of course, the interests of the United States of America.

May He who blessed our forefathers, Abraham, Isaac, and Jacob, may He bless those of the United States Armed Forces who stand guard wherever they may be all over the world. May Hashem, the Almighty, cause the enemies who rise up against them to be struck down before them. May the Holy One, blessed is He, preserve and rescue our fighting men from every trouble and distress and from every plague and illness. May He send blessing and success in their every endeavor.

May He lead our enemies under their sway. May He adorn them with the crown of salvation and with the diadem of triumph. May there be fulfilled for them the verse, for it is the Almighty, who goes with you to battle your enemies for you to save you. And let us say amen.

May He who grants salvation to kings and dominion to rulers, whose kingdom is a kingdom spanning all eternities, who releases David, His servant, from the evil sword, who places a road in the sea and a path in the mighty waters, may He bless, safeguard, preserve, help, exalt, make great, extol and raise high our beloved President, Vice President, our beloved Governor, and all the officials of our great Commonwealth, and also those who serve them.

The King who reigns over kings in His mercy, may He sustain them and protect them from every trouble, woe, and injury. May He rescue them. May He gather peoples under their sway and cause their enemies to fall before them. Wherever they turn, may they succeed. The King who reigns over kings in His mercy, may He put into their hearts, and into the hearts of all of their counselors and officials, compassion to do good with us, with all the citizens of our great land, and those of our Commonwealth. In their days and ours, so may it be the Almighty's will. Let us say amen.

I would like to tell you a little story that will take 30 seconds. A man once walked over to a child in Jerusalem and he said to him, I will give you \$5 if you can show me where the Almighty is. The child answered him and said, I will give you \$10 if you can show me where the Almighty is not.

So, we have to always remember that the Almighty is all over and watching us. May He protect us and give us much good health and happiness. God bless.

The PRESIDENT. The Chair thanks Rabbi Isaacson, who is the guest today of Senator Stack.

PLEDGE OF ALLEGIANCE

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

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives returned to the Senate **SB 66**, with the information the House has passed the same without amendments.

RESOLUTION INTRODUCED AND REFERRED

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

April 9, 2013

Senators ROBBINS, SCARNATI, PILEGGI, COSTA, ALLOWAY, BREWSTER, ERICKSON, FERLO, FONTANA, HUTCHINSON, KASUNIC, RAFFERTY, SOLOBAY, TOMLINSON, VANCE, VULAKOVICH, WHITE and YAW presented to the Chair **SR 79**, entitled:

A Resolution opposing the International Olympic Committee's decision to eliminate wrestling from the Summer Olympic Games beginning in 2020.

Which was committed to the Committee on RULES AND EXECUTIVE NOMINATIONS, April 9, 2013.

COMMUNICATION FROM THE GOVERNOR

AUDITOR GENERAL'S CERTIFICATE

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

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

April 9, 2013

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

Dear Senator Scarnati:

In accordance with the provisions of Article VIII, Section 7(a)(4) of the Constitution of the Commonwealth of Pennsylvania and Section 304 of the Capital Facilities Debt Enabling Act (Act 1 of 1999, as amended), I am providing you with the accompanying certification in connection with the general obligation bond sale of April 2, 2013.

A duplicate original of the Auditor General's Certificate is enclosed.

Sincerely,

EUGENE A. DePASQUALE
Auditor General

AUDITOR GENERAL'S CERTIFICATE
Pursuant to
ARTICLE VIII, Section 7(a)(4)
of the
CONSTITUTION OF PENNSYLVANIA
and
Section 304 of the Capital Facilities Debt Enabling Act

To the Governor and The General Assembly:

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

The amount of outstanding net debt
as of April 11, 2013 \$8,850,472,232

The difference between the limitation
upon all net debt outstanding as provided
in Article VIII, Section 7(a)(4) of the
Constitution of the Commonwealth
of Pennsylvania and the amount of
outstanding net debt as of
April 11, 2013 \$50,198,741,570

IN TESTIMONY WHEREOF, I have hereto set my hand and affixed the seal of the Auditor General, this 9th day of April 2013.

EUGENE A. DePASQUALE
Auditor General
Commonwealth of Pennsylvania

BILL SIGNED

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

SB 66.

BILLS REPORTED FROM COMMITTEES

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

SB 689 (Pr. No. 677)

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for prevention of abduction of children.

SB 731 (Pr. No. 763)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of retail theft.

SB 777 (Pr. No. 794)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for interagency information sharing.

HB 492 (Pr. No. 1424) (Amended)

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for petitions to deny parole upon expiration of minimum sentence.

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

SB 744 (Pr. No. 774)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for how offices to be held.

SB 808 (Pr. No. 837)

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for applicability and for the abolishment of the office of jury commissioner.

Senator McILHINNEY, from the Committee on Law and Justice, reported the following bills:

SB 59 (Pr. No. 28)

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in municipal police education and training, further defining "police department" and "police officer"; and further providing for reimbursement of expenses and for payment of certain county costs.

SB 579 (Pr. No. 883) (Amended)

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the Pennsylvania State Police; and repealing an act relating to limitation on complement of the Pennsylvania State Police.

LEGISLATIVE LEAVES

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

Senator COSTA. Mr. President, I request a temporary Capitol leave for Senator Wiley, and a legislative leave for Senator Williams.

The PRESIDENT. Senator Costa requests a temporary Capitol leave for Senator Wiley, and a legislative leave for Senator Williams. Without objection, the leaves will be granted.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of February 11, 2013, is now in print.

The Clerk proceeded to read the Journal of the Session of February 11, 2013.

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

The PRESIDENT. The Journal is approved.

**GUEST OF SENATOR MICHAEL J. STACK
PRESENTED TO THE SENATE**

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

Senator STACK. Mr. President, I rise to recognize one of our guests today. He was gone for about a year but he was a regular in saying our opening prayer. Rabbi Solomon Isaacson is a good friend to many of us, to all of us, in fact. He started his congregation, Temple Beth Solomon, many years ago in the basement of his house. He had the dream of building a beautiful synagogue and community center, and over the years it transpired. It was even in a shopping mall at one time. Because he worked hard, he was invested, he asked for help, and he was so diligent, he now has a beautiful community center and synagogue in northeast Philadelphia, Congregation Beth

Solomon. It is called the CBS Community Center, and it is on Tomlinson Road. It is a vibrant home to many and offers everything from a Hebrew school, women's programming, kosher catering, and afterschool programs. He does a wonderful job. I told him time and again, the longer his prayers are, although we appreciate them, the more I get blamed for it. So we want to give him our usual warm welcome.

Thank you, Mr. President.

The PRESIDENT. Would the Senate join me in welcoming the Rabbi back to the hall of the Senate.

(Applause.)

**GUESTS OF SENATOR KIM L. WARD
PRESENTED TO THE SENATE**

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

Senator WARD. Mr. President, I rise today to welcome the Greensburg Central Catholic High School women's soccer team. They were the State champs in 2012. I am so proud to represent these young women. Their hard work, their commitment, their desire to reach a goal, and to achieve that goal, makes them very special, special to our communities and special to, someday, be in our workplace. They are just the kind of young women employers will want to employ, and that we all want helping and being leaders in our community. I am so happy they are here today, and I would also like to thank their coaches for bringing them, Ashley Shasko, Rob Fabean, and Alex Shasko. Thank you.

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

(Applause.)

**GUESTS OF SENATOR LLOYD K. SMUCKER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lancaster, Senator Smucker.

Senator SMUCKER. Mr. President, today, I have the honor of introducing a constituent of mine, Curtis Houck, who is at the Capitol with other members of the Penn State University student government. Curtis earned his Eagle Scout badge in 2009 and is now a junior at Penn State, where he is pursuing dual bachelor's degrees in political science and history. Despite that ambitious workload, Curtis has made the Dean's List every year since enrolling in Penn State, and is a member of Pi Sigma Alpha, the National Political Science Honor Society.

Curtis recently finished a term as an elected member of Penn State student government. In his position as an off-campus representative, Curtis championed the interests of Penn State students who either commuted to University Park or otherwise lived off campus. After he completes his degrees and graduates next year, Curtis hopes to pursue a public policy position in Federal or State government. Please join me in welcoming Curtis Houck and his fellow students.

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

(Applause.)

GUESTS OF SENATOR LISA M. BOSCOLA PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentlewoman from Northampton, Senator Boscola.

Senator BOSCOLA. Mr. President, I have the extreme pleasure of introducing some guests in the gallery today. As many of you know, we have a number of college students here working the halls of Harrisburg as citizen lobbyists. They are here to advocate and communicate the importance of supporting our universities and community colleges. I have met with a number of students today and I am pleased to introduce them to the Senate. They are truly our leaders of tomorrow, and they are smart.

Our first group is from Northampton Community College. While there are too many names to list individually, I will provide the list to the Senate Reporter for inclusion into the Journal. They are: Kyle Apgar, Kristina Arvelo, Walter Bartholomew, John Bednar, Deb Bohr, Alex Camaerei, Kasheena Collins, Tom Dexter-Rice, Evelyn Galarza, Carla Garis, Khloud Hassan-Assran, Adam Mikuchonis, Amy Nykun, Martina Rivers, Colin Schwager, Tim Semonich, Cameron Smith, Melissa Starace, and Shanna Wade.

However, we have some members of Northampton Community College administration and trustees that I will name. Mr. President, we have with us Dr. Mark Erickson. He is the President of Northampton Community College, and happens to be my neighbor as well, and a very good neighbor at that; as well as Vice President of Administrative Affairs, Helene Whitaker; also visiting us today are Northampton Board of Trustees Chairman, Karl Stackhouse; and board members, Charlene Koch and Loretta Leeson.

I would like the Senate to welcome them today. I have a mug which they presented to me, and they are such an awesome group.

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

(Applause.)

Senator BOSCOLA. Mr. President, our second group of visitors with us today are students from the Penn State system. They are students attending the Main Campus, the Lehigh Valley Campus, and Berks Campus, Penn State. Again, Mr. President, there are too many names to list individually, so I will provide the names for the Senate Journal. They are: Katherine DeCrescenzo, Devin Heckman, Johnathan Savant, Maureen Omeara, Kevin Hemphill, Treigh Willman, Ryan Stephen, David Harrington, Steffen Blanco, and Raquel Marciano.

We had a lively discussion in my office today for about a half-hour to talk about everything from privatization of State Stores--I knew that would perk you up--and also about college funding, and what we are going to do about our road system and infrastructure here in the Commonwealth.

So, Mr. President, I wish all of these students well in their future endeavors, and thank them for spending some time with me. I actually got a couple of tidbits from them that I will introduce as legislation. I ask the Senate to extend its usual warm welcome.

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

(Applause.)

GUESTS OF SENATOR ROBERT D. ROBBINS PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Mercer, Senator Robbins.

Senator ROBBINS. Mr. President, today, I have the pleasure of introducing John Cianci and Matthew Mathias, who are serving as guest Pages today. Both John and Matthew are eighth graders at St. Michael School in Greenville. John, an honor student, is a member of the boys' varsity basketball team and the school band, in which he plays the trumpet. Additionally, he has participated in the Academic Games, National History Day, Youngstown University English Festival, and was a State level participant in the Pennsylvania Junior Academy of Science. He is also an altar server for St. Michael Catholic Church.

Matthew is also an honor student, serves as class president, and is a member of the boys' varsity basketball team, school chess team, and golf team. He is also a member of the school band, where he plays both the trombone and piano. He also plays the piano for St. Michael Catholic Church. Matthew has participated in the Academic Games, where he has been a national qualifier. Additionally, he participates in the Youngstown University English Festival, and at the State level of the Pennsylvania Junior Academy of Science.

Mr. President, and fellow Members, please join me in welcoming my guests to the Senate of Pennsylvania.

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

(Applause.)

GUESTS OF SENATOR JUDY SCHWANK PRESENTED TO THE SENATE

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

Senator SCHWANK. Mr. President, each of us often have student shadows who come to visit us either in the district or here in Harrisburg. Today, I have one who I think is a particularly good shadow. I have the pleasure of introducing Daniel Concorida. Daniel is a sophomore from Governor Mifflin High School and is interested in history and politics. His interest in these subjects has brought him here to the Capitol for a better look at State government, as well as this beautiful building which is so rich in history.

Daniel still has a lot of time to decide what his goals are after high school, so in the meantime, he is doing what most 15-year-old students are doing. He enjoys hanging out with friends, playing video games, and fishing. Daniel is joined today by his father, my good friend, Paul Concorida, a business agent with Teamsters Local 429. Mr. President, I ask my colleagues to join me in welcoming my student shadow and his father. Thank you.

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

(Applause.)

RECESS

The PRESIDENT. 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 Republican Caucus to be held in the Majority Caucus Room immediately.

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

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

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.

LEGISLATIVE LEAVE CANCELLED

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

LEGISLATIVE LEAVE

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

Senator BROWNE. Mr. President, I request a temporary Capitol leave for Senator Smucker.

The PRESIDENT. Senator Browne requests a temporary Capitol leave for Senator Smucker. Without objection, the leave will be granted.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 2 (Pr. No. 537) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, establishing the Special Education Funding Commission; in reimbursements by the Commonwealth and between school districts, further providing for definitions; and providing for the distribution of special education funding for student achievement and instruction of eligible students and for special education accountability.

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-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 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 REREFERRED

SB 177 (Pr. No. 134) -- The Senate proceeded to consideration of the bill, entitled:

An Act establishing a task force on Lyme disease and related maladies; and providing for powers and duties of the task force, the Department of Health, the Department of Conservation and Natural Resources and the Pennsylvania Game Commission to execute prevention and education strategies.

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

BILL OVER IN ORDER

SB 196 -- Without objection, the bill was passed over in its order at the request of Senator BROWNE.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 492 (Pr. No. 456) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for allocated money.

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-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 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.

SB 508 (Pr. No. 718) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, further providing for petitions to deny parole upon expiration of minimum sentence.

Considered the third time and agreed to,

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

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentlewoman from Luzerne, Senator Baker.

Senator BAKER. Mr. President, over the years, more attention has been paid to the rights of crime victims. Victim services and victim advocacy have become an integral part of the criminal justice system. Despite this progress, we still became aware of gaps in the process. Senate Bill No. 508 addresses one of those gaps. We afford families the chance to make victim impact statements during sentencing, but we do not afford them an equal opportunity when the minimum sentence has been served and the perpetrator is seeking to return to the community. There are crimes where the minimum sentences are not felt to be justice in the judgment of the victim, the family, or even the community. Putting words on paper cannot match the emotional impact of face-to-face input from survivors.

The purpose of this bill is quite simple, to give a victim or their representative the chance to meet with or provide electronic testimony to the board members charged with making the decision, or a hearing examiner, should that be the preference. Many of the improvements in our criminal justice system come as the result of relentless efforts by individuals to right wrongs and procedures and practices, such is the case with this bill. A determined woman from Luzerne County, Susan Hooper, served on the Victim Advocate Task Force and has pushed this modification for years. By turning this bill into law, we justify Susan's efforts and honor the memory of her brother, the late Robert Curley. Other situations have come to light, underscoring the need for an appropriateness of input by victims, their representatives, in the parole decisionmaking process.

Thanks are due in part to Pennsylvania's Victim Advocate, Carol Lavery, and her staff for helping to strike a practical balance between the interests of victims and their families and the demands we put on the Board of Probation and Parole. The board has been very helpful in crafting an effective approach that is considerate of victims and their representatives. I would also like to thank Senator Greenleaf and the Committee on Judiciary. The decision to grant parole is serious and should be made with the fullest understanding of the implications. This bill helps to accomplish this goal, and I ask for an affirmative vote on Senate Bill No. 508.

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	McIlhinney	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.

BILLS OVER IN ORDER

SB 583 and **SB 591** -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

SECOND CONSIDERATION CALENDAR

NONPREFERRED APPROPRIATION BILLS
ON SECOND CONSIDERATION AND RECOMMITTED

SB 725 (Pr. No. 746) -- The Senate proceeded to consideration of the bill, entitled:

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

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.

SB 726 (Pr. No. 747) -- The Senate proceeded to consideration of the bill, entitled:

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

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.

SB 727 (Pr. No. 748) -- The Senate proceeded to consideration of the bill, entitled:

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

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.

SB 728 (Pr. No. 749) -- The Senate proceeded to consideration of the bill, entitled:

A Supplement to the act of July 7, 1972 (P.L.743, No.176), known as the Lincoln University-Commonwealth Act, making an appropriation for carrying the same into effect; providing for a basis for payments of the appropriation; and providing a method of accounting for the funds appropriated and for certain fiscal information disclosure.

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.

SB 729 (Pr. No. 750) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 10, SB 37 and SB 60 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 114 (Pr. No. 367) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 22, 2005 (P.L.474, No.94), known as the Breach of Personal Information Notification Act, further providing for notification of breach.

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

BILLS OVER IN ORDER

SB 120, SB 372 and SB 381 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL REREFERRED

SB 391 (Pr. No. 433) -- 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 expungement of criminal history record.

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

BILLS OVER IN ORDER

SB 406, SB 429, SB 437, SB 442 and SB 547 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

BILL ON SECOND CONSIDERATION

SB 607 (Pr. No. 577) -- The Senate proceeded to consideration of the bill, entitled:

An Act providing standards for carbon monoxide alarms; and imposing penalties.

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

BILLS OVER IN ORDER

SB 614, SB 679 and SB 681 -- Without objection, the bills were passed over in their order at the request of Senator PILEGGI.

**UNFINISHED BUSINESS
SENATE RESOLUTIONS ADOPTED**

Senators RAFFERTY, STACK, WOZNIAK, GREENLEAF, ERICKSON, FERLO, TOMLINSON, TEPLITZ, SCHWANK, FARNESE, PILEGGI, COSTA, TARTAGLIONE, ALLOWAY, WHITE, WASHINGTON, BREWSTER, KASUNIC, BRUBAKER, SOLOBAY and BROWNE, by unanimous consent, offered **Senate Resolution No. 80**, entitled:

A Resolution recognizing Tuesday, April 9, 2013, as "Architects Day" in Pennsylvania.

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

Senators KASUNIC, WARD, COSTA, FONTANA, FERLO, TARTAGLIONE, ERICKSON, PILEGGI, WASHINGTON, TEPLITZ, FARNESE, DINNIMAN, VULAKOVICH, RAFFERTY, WOZNIAK, YAW, SMITH, HUGHES, BRUBAKER, BREWSTER, SCHWANK, WHITE, YUDICHAK, SOLOBAY, BLAKE, BOSCOLA, KITCHEN, LEACH, STACK, WILEY, WILLIAMS and BROWNE, by unanimous consent, offered **Senate Resolution No. 81**, entitled:

A Resolution commemorating the 100th anniversary of the founding of the Order Sons of Italy in America, Grand Lodge Pennsylvania, and congratulating it on its dedication to the preservation of the Italian culture, tradition, history and heritage.

On the question,
Will the Senate adopt the resolution?

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

Senator KASUNIC. Mr. President, I am honored to stand and recognize the 100th anniversary of the Pennsylvania Grand Lodge of the Sons of Italy in America. Nationwide, the Sons of Italy is 600,000 members strong. It has distinguished itself over the years by what it has done for Italians, as well as what it has done for all Americans. America has often been referred to as a melting pot. We have always been strengthened by our diversity and enriched by many peoples and cultures that have made our country what it is today. For a century, the Sons of Italy and its lodges across our State have helped preserve Italian history, heritage, culture, and tradition. During the dawning days of the 20th century, the Sons of Italy served as an important social and educational tool aimed at helping the Italians learn the language of our country and to integrate into American society. Over the years, the organization had sponsored orphanages, senior homes, and built a \$117 million foundation that funds everything from charitable efforts to scholarships. Most Sons of Italy throughout Pennsylvania offer friendship, camaraderie, and certainly, as we all know, a bounty of homemade Italian food, which we all enjoy.

Mr. President, along with being a great social and charitable organization, the Sons of Italy has gone a long way toward winning acceptance for Italians and integrating their Italian culture into the mainstream of America.

Today, Mr. President, I am honored to announce that the Grand Lodge of Pennsylvania chose the Frank Ricco Lodge, No. 731, in Brownsville, Pennsylvania, which is located in my senatorial district, to serve as the host location for the western Pennsylvania celebration of the 100th anniversary. The gala and dinner will be held this Sunday, April 14, and I am certain it will be a joyous and festive occasion for all those attending that day. To close, Mr. President, I, again, want to reiterate that it is my privilege to support this resolution that marks the 100th anniversary of this great organization.

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 STACK, WOZNIAK, BAKER, TEPLITZ, ERICKSON, KASUNIC, FERLO, RAFFERTY, DINNIMAN, GREENLEAF, TARTAGLIONE, WILLIAMS, SCHWANK, FARNESE, MENSCH, BREWSTER, FONTANA, FOLMER, HUGHES, YUDICHAK, SOLOBAY, PILEGGI, WASHINGTON, HUTCHINSON, SMITH, BROWNE, ALLOWAY, BRUBAKER, VULAKOVICH, VOGEL, COSTA and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 82**, entitled:

A Resolution recognizing the month of April 2013 as "Autism Awareness Month" and April 2, 2013, as "World Autism Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STACK. Mr. President, as you know, autism spectrum disorder is a developmental disability which impairs a person's ability to learn, develop healthy interactive behaviors, and understand verbal, nonverbal, and reciprocal communication. One in 88 children in this country are on that spectrum. The number of adults living with autism is expected to increase dramatically over the next few years as autistic adolescents age into adulthood. I am sure we all know someone who has been impacted by autism. Although a cure has not been found, individuals living with autism spectrum disorder can be assisted in reaching their greatest potential through accurate early diagnosis, early intervention, and appropriate education.

Here in Pennsylvania, the Department of Public Welfare created the Office of Developmental Programs, which includes the Bureau of Autism Services to provide expertise and support for all agencies serving Pennsylvanians who are on the autism spectrum. We as a society can also do our part to help these individuals live a full quality of life by gaining a better understanding of how autism can impact children and adults to varying degrees. Raising awareness about autism helps pave

the way for improved diagnosis, better and earlier therapies, and more century-friendly environments.

In order to raise awareness, here at the Capitol, I have asked you, Mr. President, and the Department of General Services if we could light the Capitol dome blue throughout April in honor of "Autism Awareness Month," and you, sir, have been very gracious to agree to do that. I thank my friend, Senator Solobay, who made me aware that this is something that has been done in the House of Representatives and we can do it here. I want to thank you, once again, Mr. President, for your willingness to raise autism awareness because I know it is a big issue in your area and you hear about it throughout the State. So, Mr. President, I ask my colleagues to join me in recognizing the month of April 2013, as Autism Awareness Month, and April 2, 2013, as "World Autism Day" in Pennsylvania.

Thank you, Mr. President.

The PRESIDENT. The Chair thanks the gentleman for his generous comments.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators VANCE, BAKER, MENSCH, ERICKSON, PILEGGI, SCHWANK, COSTA, ALLOWAY, BRUBAKER, GREENLEAF, RAFFERTY, TOMLINSON, VOGEL, WHITE, YAW, BREWSTER, DINNIMAN, FERLO, FONTANA, HUGHES, KASUNIC, SOLOBAY, STACK, TARTAGLIONE, WASHINGTON, YUDICHAK and BOSCOLA, by unanimous consent, offered **Senate Resolution No. 83**, entitled:

A Resolution honoring BAYADA Home Health Care on 38 years of providing in-home care.

On the question,

Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Cumberland, Senator Vance.

Senator VANCE. Mr. President, this resolution honors BAYADA Home Health Care for their 38 years of service. It was founded in January 1975 by Mark Baiada. It provides nursing, rehabilitation, therapeutic, hospice, and assisted care services so that people can live in their home with comfort, independence, and dignity. More than 20,560 people in 59 counties were served by more than 10,000 employees in 2012. I think, most importantly, BAYADA is the largest provider of pediatric home health care so that medically-fragile children can be cared for in their homes. Please join me in supporting this resolution.

And the question recurring,

Will the Senate adopt the resolution?

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

Senators BAKER, TOMLINSON, STACK, ERICKSON, GREENLEAF, FERLO, KASUNIC, WOZNIAK, DINNIMAN, BROWNE, SMITH, BRUBAKER, BREWSTER, TARTAGLIONE, RAFFERTY, PILEGGI, COSTA and ALLOWAY, by unanimous consent, offered **Senate Resolution No. 84**, entitled:

A Resolution recognizing April 9, 2013, as "Summer Camps Day" in Pennsylvania.

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

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 Michael R. Novak by Senator Alloway.

Congratulations of the Senate were extended to Lawrence Stark and to Bruce G. Mackle by Senator Baker.

Congratulations of the Senate were extended to the Honorable Peter M. Janicelli by Senators Baker and Yaw.

Congratulations of the Senate were extended to Kyle Christopher Bond, Seth Charles Workman, Michael A. Smerker, Joshua Gregory Light, Stephen Patrick Harrington, Andrew Robert Kaiser and to Justin Thomas McTish by Senator Browne.

Congratulations of the Senate were extended to Lehigh Valley Building Trades, Martin Guitar's Distribution Center, Saint Luke's West End Medical Center, Northampton County Courthouse and to Bennett Toyota/Scion and Body Shop by Senator Browne and others.

Congratulations of the Senate were extended to Travis A. Mauk, Matthew Noel and to Josiah Weaver by Senator Eichelberger.

Congratulations of the Senate were extended to Benjamin C. Gramley and to Aaron M. Lentini by Senator Folmer.

Congratulations of the Senate were extended to Justin Cammarota and to Harry Leenhouts by Senator Greenleaf.

Congratulations of the Senate were extended to Melrose B'nai Israel Emanu-El by Senators Greenleaf and Washington.

Congratulations of the Senate were extended to Holly Lange by Senator Hughes.

Congratulations of the Senate were extended to the Honorable David Wonderling, WRC Services of Brookville, American Legion Rodgers-Dougherty Post 102, Inc., and to McKean County Association of Township Officials by Senator Scarnati.

Congratulations of the Senate were extended to the Reading Police Beneficial Association and to the 1983 Reading High School Baseball Team by Senator Schwank.

Congratulations of the Senate were extended to Nan Simon, Maria Swanson and to the members of the Boards and Commissions of the Borough of Whitehall by Senator Smith.

Congratulations of the Senate were extended to Jonathan Earp-Pitkins by Senator Tomlinson.

Congratulations of the Senate were extended to Madeline B. Balsbaugh and to the Historic Peace Church of Camp Hill by Senator Vance.

Congratulations of the Senate were extended to Aulbert Thompson, Dolores G. Smith, Pepper Hamilton LLP and to the SeniorLAW Center by Senator Washington.

Congratulations of the Senate were extended to the Reverend Dr. Richard A. Dent, Chief Leonard McDevitt, Jr., Amiyana Crew, Inez Burroughs Price, Joan Jones, Michael Collins, Sony Rae Schell, Theresa Butts and to Betty C. Alves by Senator Williams.

Congratulations of the Senate were extended to Alfreda David by Senator White.

Congratulations of the Senate were extended to Earl Cunningham and to Mary Frances Grabowski by Senator Yudichak.

BILLS ON FIRST CONSIDERATION

Senator RAFFERTY. Mr. President, I move that the Senate do now proceed to consideration of all bills reported from committees for the first time at today's Session.

The motion was agreed to by voice vote.
The bills were as follows:

SB 59, SB 579, SB 689, SB 731, SB 744, SB 777, SB 808 and HB 492.

And said bills having been considered for the first time,
Ordered, To be printed on the Calendar for second consideration.

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

WEDNESDAY, APRIL 10, 2013

- 9:30 A.M. BANKING AND INSURANCE (to consider Senate Bill No. 3) Room 461 MainCapitol
- 10:00 A.M. FINANCE (to consider Senate Bills No. 160, 634 and 638) Room 8E-A East Wing

THURSDAY, APRIL 11, 2013

- 9:30 A.M. AGRICULTURE AND RURAL AFFAIRS (joint informational meeting with the House Agriculture and Rural Affairs Committee to discuss the impact of the Federal Food Safety Modernization Act, FSMA) Rms. 8E-A & B East Wing

WEDNESDAY, APRIL 17, 2013

- 10:00 A.M. GAME AND FISHERIES (to consider Senate Bills No. 597, 647 and 648; and House Bill No. 353) Room 8E-B East Wing

THURSDAY, APRIL 25, 2013

- 10:00 A.M. JUDICIARY (public hearing to receive testimony on the concept of determinate sentencing) Phila. Bar Assn., 11th Floor, Conf. Ctr., 1101 Market St. Phila., PA

TUESDAY, APRIL 30, 2013

- 9:30 A.M. LAW AND JUSTICE (public hearing to consider the Governor's plan on liquor privatization) Hrg. Rm. 1 North Off.

TUESDAY, MAY 7, 2013

- 9:30 A.M. CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (public hearing on storm response) Hrg. Rm. 1 North Off.
- 9:30 A.M. JUDICIARY (public hearing to discuss civil legal representation of the indigent: Have we achieved equal access to justice?) Room 8E-B East Wing

RECESS

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

Senator PILEGGI. Mr. President, I move that the Senate do now recess until Wednesday, April 10, 2013, 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 3:56 p.m., Eastern Daylight Saving Time.