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TUESDAY, OCTOBER 24, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 61

SENATE

TUESDAY, October 24, 2017

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

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

PRAYER

The Chaplain, Chaplain Colonel GARY L. TAYLOR, of First Baptist Church, Morrisville, offered the following prayer:

Let us pray.

Dear Father, we think of the words of William Penn who said, "Men must be governed by God or they will be ruled by tyrants." Today as we stand here before the Senators, we ask that You might govern our Chamber here today and that they recognize Your sovereignty. We are grateful for Your power, Your wisdom, Your love, Your justice, and Your protection. We know that we do not always follow Your commands, but we do ask for Your forgiveness for that. Thank You for the many blessings You have given us personally as well as to our State.

As we think of the tragedies through fires in California, hurricanes in Houston, Florida, and Puerto Rico--I was driving this morning from Morrisville and thought of the beauty of our countryside, the wonderful farms, the many things that we see, the rolling hills, the dairy cows, the corn that is ready to be turned into silage, and for that we are grateful. For the Senate Session today, we ask for Your special guidance for them in all their dealings, may You help them to acknowledge Your eternal principles in whatever they do, and that You help them to join together for the benefit of our great Commonwealth. We ask all of these things in Your Son's name. Amen.

The PRESIDENT. The Chair thanks Chaplain Taylor, who is the guest today of Senator McIlhinney.

PLEDGE OF ALLEGIANCE

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

RESOLUTION REPORTED FROM COMMITTEE

Senator TOMLINSON, from the Committee on Consumer Protection and Professional Licensure, reported the following resolution:

SR 227 (Pr. No. 1278)

A Concurrent Resolution urging the Federal Energy Regulatory Commission to swiftly consider the United States Department of Energy's proposed Grid Resiliency Pricing Rule and implement policies

to ensure fuel-secure baseload electricity generation resources receive proper compensation for the positive attributes they provide our nation's and our Commonwealth's electric system.

The PRESIDENT. The resolution will be placed on the Calendar.

JOURNAL APPROVED

The PRESIDENT. The Journal of the Session of July 18, 2017, is now in print.

The Clerk proceeded to read the Journal of the Session of July 18, 2017.

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

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

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

YEA-50

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

NAY-0

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

The PRESIDENT. The Journal is approved.

**GUESTS OF SENATOR MICHAEL J. FOLMER
PRESENTED TO THE SENATE**

The PRESIDENT. The Chair recognizes the gentleman from Lebanon, Senator Folmer.

Senator FOLMER. Mr. President, I rise today to introduce a very, very special guest from the 48th Senatorial District, Katie Schreckengast of Palmyra, Lebanon County, our very own Miss Pennsylvania. Katie is visiting here at the Capitol with her

mother, Lori Schreckengast, who with her husband, Randy, adopted Katie from South Korea when she was 6 months old. Katie wants to share her positive and wonderful story of adoption, which is why she chose "Building Families Through Adoption" as her platform. Katie is a graduate of Palmyra Area High School and is a senior studying broadcast journalism at Penn State University main campus where she plays alto saxophone in the Penn State Blue Band and also serves as the public relations officer for the organization.

Katie began competing in the Miss America Organization due to Jim Deimler, or Uncle Jim, her hairdresser, for as long as she can remember. Jim is not a blood relative but has been an advocate and supporter of Katie throughout her life. Jim had been a volunteer with the organization for more than 50 years and Katie was 13 years old when he introduced her to Miss America's Outstanding Teen Program. Katie competed in several local pageants in the Miss America's teen system for 4 years before winning the title of 2013 Miss Pennsylvania's Outstanding Teen. Katie took a few years off from pageantry to attend Penn State for 3 years before winning the Miss Central Pennsylvania title before earning the title of Miss Pennsylvania. Katie made Pennsylvania very proud during the Miss America competition in September, where she made it into the top 10. Katie's favorite part of the competition was the talent portion, where she played her father's alto saxophone.

Katie has taken a year off from college to travel the State speaking about her story while also raising money for Miss America's national platform, the Children's Miracle Network Hospitals, where over the past 7 years she has raised more than \$15,000 for the organization. We will be hearing more from Katie about her story shortly, but please, Senators, join me in a very warm Senate welcome to Miss Pennsylvania, Katie Schreckengast.

The PRESIDENT. Would the guest of Senator Folmer, Miss Pennsylvania, please rise so that we may welcome you to the Senate floor. Congratulations. It is great to have your mother with us as well.

(Applause.)

The PRESIDENT. Katie, if you would honor us with a few words, please address the Senate.

Ladies and gentlemen, Miss Pennsylvania.

Ms. SCHRECKENGAST. Good afternoon, everyone. My name is Katie Schreckengast. I am a 21-year-old college student from Palmyra, and I have been living a dream life for the past 4 months. I was crowned Miss Pennsylvania 2017 on June 17 after completing my junior year at Pennsylvania State University. This was a huge surprise to both me and my family because I only started competing in the Miss America program in January of this year, and before I knew it, 9 months later, I would be competing in the top 10 at the historical Miss America competition. With all of these feelings of elation, shock, and excitement came a great deal of intention and purpose. I did not compete in swimsuit, evening gown, interview, talent, and onstage question just to win a shiny hat. I competed for the opportunity to share my adoption story with audiences across the State, audiences just like this one.

I was adopted from South Korea when I was 6 months old, and my incredible family raised me to see my adoption story as unique and wonderful. It was not until I left my hometown bubble for the first time to attend college that I realized adoption is

not talked about as openly or as often as it should be. Many of my classmates were asking me some fairly rude questions like, is your brother your real brother, or are you upset that your real mom and dad abandoned you? I started to realize that they were not trying to be rude when they were asking me these questions, they were asking out of ignorance and lack of education on adoption.

After I came to this realization, I began to write blog posts about my experiences as an adopted Asian American, and I received responses from people across the country. After sharing my story, I had a lightbulb moment, and I realized that this shiny hat could serve as a microphone to help me reach an even larger audience. As Miss Pennsylvania, I have been able to share my adoption story with a nationwide audience, but as much as I thought I would be sharing my story, I have learned so much more about the adoption stories of other people. November is National Adoption Month, and I will be spending it sharing the stories of adoptees across the country on my social media pages. So, shameless plug, if you wish to follow these stories and keep up with the rest of my year as Miss Pennsylvania, please feel free to follow me on Facebook, Twitter, and Instagram @missamericapa.

Thank you so much, again, for your time and attention.

The PRESIDENT. Thank you so much, Katie Schreckengast, thank you.

(Applause.)

The PRESIDENT. We see how Pennsylvania is so well represented in our country with Katie as our Miss Pennsylvania. Thank you so much for your words.

GUESTS OF SENATOR MARIO M. SCAVELLO PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Monroe, Senator Scavello.

Senator SCAVELLO. Mr. President, I remind everyone to make sure you follow Miss Pennsylvania on her Facebook and Twitter accounts.

The PRESIDENT. We will do that, Senator

Senator SCAVELLO. I cannot believe I have to follow her. How can you beat that? That was just unbelievable, she is beautiful.

Mr. President, I am honored to welcome my constituents, Daniel Lessig and Victor Gaeta, who are seated here and are serving as guest Pages for the day. Daniel Lessig resides in Bushkill Township in Northampton County, Pennsylvania, and is a recent graduate of Davidson College. At Davidson College, he majored in political science and French and participated in Davidson's choir during his free time. He has diverse work experience ranging from studying voting rights laws in North Carolina to writing and publishing an article discussing the business implications of the Iran nuclear deal. He is interested in working with the legislature and would like to pursue a graduate degree in public policy in a few years.

Victor is a political science major at East Stroudsburg University. He is originally adopted from the Russian city of Yekaterinburg, and is a proud citizen of the United States of America. He was raised in Brooklyn by his adopted parents of Italian descent, Christine and Vincent. Victor's father works for a bank and his mother was an accountant for a long time. If there

is one thing above anything else that he is thankful for is that they instilled in him a strong work ethic accompanied by a strong sense of morality that he feels will be useful to him for years to come, especially as he pursues a career in politics.

Please join me in welcoming Danny and Victor to the Pennsylvania Senate.

The PRESIDENT. Would the guests of Senator Scavello, Daniel and Victor, please rise so that we may welcome you to the Pennsylvania Senate. Thank you for being with us.

(Applause.)

GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Montgomery, such a good guy so we call him Senator Mensch.

Senator MENSCH. Mr. President, mensch with a small M to you.

Mr. President, today it is my pleasure to introduce Agatha Ann Kriebel and her daughter, Agatha (A.J.) Kriebel. Agatha Ann currently lives in Schwenksville, Pennsylvania. She is the administrative assistant for Blue Tree Landscaping, Inc., and she is a private home health aide. In her spare time, she enjoys basket-weaving, cooking, gardening, sewing, and swimming.

Joining Agatha Ann is her daughter, Agatha Kriebel. Agatha currently works for Via Roma, a local pizza restaurant. She is currently enrolled at Montgomery County Community College, where she specializes in culinary arts, and she previously graduated from Perkiomen Valley High School in 2014. While attending Perkiomen Valley High School, she attended North Montco Technical Career Center, again studying cooking. Agatha previously studied abroad in Germany and Italy and was an honor roll student. In her spare time, she enjoys swimming, horseback riding, and playing basketball.

Mr. President, fellow Senators, please join me in welcoming my guests today, Agatha Ann Kriebel and Agatha Kriebel, to the Senate.

The PRESIDENT. Would the guests of Senator Mensch, Agatha and Aggie, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUEST OF SENATOR RYAN AUMENT PRESENTED TO THE SENATE

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

Senator AUMENT. Mr. President, it is my pleasure to introduce my guest for the day, Josh Wenger, a sophomore at Warwick High School. Josh enjoys participating in competitive activities such as running for his school's track and cross country teams, as well as competing on his school's Quiz Bowl team. Josh also serves as treasurer for the UNITE club, which organizes the school's mini-THON fundraiser event benefitting the Four Diamonds Fund for childhood cancer. Between school work and his extracurricular activities, Josh also finds time to work a part-time job at Penn Cinema, a local movie theater in Lititz. Josh's interest in the social sciences, specifically American Presidents and history, has led him to consider pursuing a degree in political science, law, or business and economics after he graduates from high school. Josh is excited to be in Harrisburg today

to learn about the legislative process and to see what a typical day in the State Capitol is like. Please join me in welcoming Josh to the Pennsylvania State Senate.

The PRESIDENT. Josh, the guest of Senator Aument, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR CHARLES McILHINNEY PRESENTED TO THE SENATE

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

Senator McILHINNEY. Mr. President, it is my pleasure to introduce students from Pennridge High School who are enrolled in the German language programs. They are joined by 17 students from the Peter-Vischer-Schule in Nuremberg, Germany, who are staying for 3 weeks with host families in the Perkasio area. Together, the exchange students and their host brothers and sisters are getting to know one another, practicing their German, and taking trips to Baltimore, Harrisburg, Hershey, Philadelphia, Washington, D.C., and Bethlehem. They are accompanied today by their teachers, Leanna Goodrich, Michael Garrison, Patrick Schevenius, and Patricia Bachmann. Please join me in giving the students and their teachers a warm Senate welcome.

The PRESIDENT. Would the guests of Senator McIlhinney from Pennridge High School and Peter-Vischer-Schule school as well as our other teachers in the German language program, please rise so that we may welcome you.

(Applause.)

The PRESIDENT. The Chair recognizes the gentleman from Bucks, Senator McIlhinney, for additional guests.

Senator McILHINNEY. Mr. President, I would like to recognize our Chaplain for the day, Colonel Gary Taylor, who is once again serving as our Chaplain in the Senate. Chaplain Taylor not only serves his congregation at the First Baptist Church in Morrisville, but has also served his country in the Pennsylvania Army National Guard and U.S. Army Reserves for 26 years with two overseas deployments. He has served as a pastor in Morrisville for 28 years, and he has his a doctor of ministry degree through the Dallas Theological Seminary. He and his wife, Lois, have been married for 39 years and have five children. Please join me in giving Chaplain Gary Taylor a warm Senate welcome.

The PRESIDENT. Would the guest of Senator McIlhinney, Chaplain Colonel Gary Taylor, please rise so that we may thank you for your prayers and welcome you once again to the Senate.

(Applause.)

GUESTS OF SENATOR ELISABETH J. BAKER PRESENTED TO THE SENATE

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

Senator BAKER. Mr. President, I am pleased to rise today to introduce Connor Maloney, who has been guest shadowing me and serving as a Page here on the Senate floor. Connor is a senior at Holy Redeemer High School in Wilkes-Barre, and he and his family reside in Dallas Township, Luzerne County. He is a member of the Holy Redeemer varsity golf team, which finished second in districts. He is an honor student and is involved with the youth scholar program. He is active in theater arts, he enjoys

skiing, and he will be heading to the NCYC, the National Catholic Youth Conference, in Indianapolis. He hopes to attend Auburn University and would like to major in political science. Joining him today are his parents, Susan and Dan Maloney, and his brother Ryan, who are seated in the Senate gallery. So please join me in offering a warm Senate welcome to our guest Page and the Maloneys. Thank you.

The PRESIDENT. Would the guests of Senator Baker, Connor Maloney, Susan, Dan, and Ryan, please rise so that we may welcome you to the Pennsylvania Senate. Good to have you. (Applause.)

GUESTS OF SENATOR DAVID G. ARGALL PRESENTED TO THE SENATE

The PRESIDENT. The Chair recognizes the gentleman from Schuylkill, Senator Argall.

Senator ARGALL. Mr. President, I would like to recognize some students from the Blue Mountain Academy in Hamburg who are now seated in the gallery. They are representing the ASSIST team from Blue Mountain Academy, which is made up of students between grades 10 and 12. On a daily basis, these students visit three nursing homes in Berks and Schuylkill Counties. They are a community service organization that has aided first responders, the homeless, and the Children's Home in Reading. At my meeting this morning, Mr. President, I was very impressed. I have to say that young people like that should give us all hope for the future, and I welcome them here today.

The PRESIDENT. Would the folks from Blue Mountain Academy, guests of Senator Argall, please rise so that we may welcome you to the Pennsylvania Senate. Thanks for being here. (Applause.)

CALENDAR

SECOND CONSIDERATION CALENDAR

SB 935 CALLED UP OUT OF ORDER

SB 935 (Pr. No. 1280) -- Without objection, the bill was called up out of order, from page 7 of the Second Consideration Calendar, by Senator GORDNER, as a Special Order of Business.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 935 (Pr. No. 1280) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, further providing for executive director.

Considered the second time and agreed to,

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

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

RECESS

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

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

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

Senator WILLIAMS. Mr. President, I ask all Democrats to meet in our caucus room in the rear of the Chamber.

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 LEAVES

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

Senator CORMAN. Mr. President, I request a legislative leave for Senator Greenleaf.

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

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

The PRESIDENT. Senator Corman requests a legislative leave for Senator Greenleaf.

Senator Fontana requests a temporary Capitol leave for Senator Tartaglione.

Without objection, the leaves will be granted.

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for purposes of off-the-floor meetings of the following committees: the Committee on Rules and Executive Nominations, the Committee on Appropriations, the Committee on Banking and Insurance, and the Committee on Community, Economic and Recreational Development.

The PRESIDENT. For purposes of off-the-floor meetings of the Committee on Rules and Executive Nominations, the Committee on Appropriations, the Committee on Banking and Insurance, and the Committee on Community, Economic and Recreational Development, 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 Tartaglione has returned, and her temporary Capitol leave is cancelled.

LEGISLATIVE LEAVES

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

Senator CORMAN. Mr. President, I request a temporary Capitol leave for Senator White and a legislative leave for Senator Martin.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator White and a legislative leave for Senator Martin. Without objection, the leaves will be granted.

CONSIDERATION OF CALENDAR RESUMED

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

HB 46, SB 113, HB 165 and SB 168 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 203 (Pr. No. 2519) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in dispositions independent of letters, family exemption, probate of wills and grant of letters, further providing for payments to family and funeral directors; and, in powers of appointment, further providing for exercise of powers of appointment.

Considered the third time and agreed to, And the amendments made thereto having been printed as required by the Constitution,

On the question, Shall the bill pass finally?

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

YEA-50

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

NAY-0

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

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

BILLS OVER IN ORDER

SB 251, HB 285, SB 503 and SB 504 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS AMENDED

SB 625 (Pr. No. 702) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of March 4, 1970 (P.L.128, No.49), entitled "An act granting to the Governor of the Commonwealth the sole authority for regulating the display of the flag of the United States from any public ground or building and from any ground or building of certain other institutions," further providing for display of flag.

On the question, Will the Senate agree to the bill on third consideration? Senator BROOKS offered the following amendment No. A4530:

Amend Bill, page 2, line 17, by inserting after "for.": If the roadside rest or welcome center has an existing flag pole, the POW/MIA flag may be flown from such flag pole. When the POW/MIA flag is to be displayed with a flag flown at half mast, the POW/MIA flag may be removed.

On the question, Will the Senate agree to the amendment? It was agreed to.

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

SB 676 (Pr. No. 1022) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for injuries outside this Commonwealth; in procedure, further providing for the Workmen's Compensation Administration Fund; and, in the Uninsured Employers Guaranty Fund, further providing for definitions, for fund, for claims, for claim petition, for department and for assessments and transfers and providing for uninsured employer obligations and for administrative penalties and stop-work orders.

On the question, Will the Senate agree to the bill on third consideration? Senator GORDNER offered the following amendment No. A4351:

Amend Bill, page 9, line 18, by striking out "benefits" and inserting: payments Amend Bill, page 10, lines 3 and 4, by striking out ", which is provided in addition to one or more of the items listed in paragraphs (1), (2), (3), (4), (5) and (6)"

Amend Bill, page 10, by inserting between lines 4 and 5: (c) Limitation on wage loss payments.--If a judge accepts testimony and finds it to be credible under subsection (b)(7) as the sole basis for determining wage loss payments, without supporting evidence established in subsection (b)(1), (2), (3), (4), (5) or (6), the wage loss payment rate shall be sixty-six and two-thirds per centum of the average weekly wage for the claimant's occupation. The judge may reduce the average weekly wage loss payment upon the submission of evidence

indicating a lesser wage amount or based on the claimant's length of employment with the employer. For the purposes of this subsection, the term "average weekly wage" is the average weekly wage for the claimant's occupation by metropolitan statistical area, as determined by the United States Department of Labor for the calendar year prior to the year in which the claimant's injury occurred, and shall be based on the metropolitan statistical area in which the claimant's injury occurred.

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

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

YEA-48

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

NAY-2

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

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

BILLS OVER IN ORDER

SB 775, SB 781, SB 822 and SB 844 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

SB 900 (Pr. No. 1201) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the transfer of title for certain Project 70 lands owned by Lehigh County to Whitehall Township, Lehigh County.

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	DiSanto	Leach	Street
Argall	Eichelberger	Martin	Tartaglione
Aument	Farnese	McGarrigle	Tomlinson
Baker	Folmer	McIlhinney	Vogel
Bartolotta	Fontana	Mensch	Vulakovich

Blake	Gordner	Rafferty	Wagner
Boscola	Greenleaf	Regan	Ward
Brewster	Haywood	Reschenthaler	White
Brooks	Hughes	Sabatina	Williams
Browne	Hutchinson	Scarnati	Yaw
Corman	Killion	Scavello	Yudichak
Costa	Langerholc	Schwank	
Dinniman	Laughlin	Stefano	

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 921 (Pr. No. 1250) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to TCA Properties, L.P., certain lands and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County.

Considered the third time and agreed to,
And the amendments made thereto having been printed as required by the Constitution,

On the question,
Shall the bill pass finally?

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

YEA-50

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

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

HB 1139 and HB 1490 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SECOND CONSIDERATION CALENDAR RESUMED

BILLS OVER IN ORDER

SB 99 and SB 179 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 297 (Pr. No. 299) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act, further providing for definitions, for registration of contractors, for home improvement fraud and for prohibited acts.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILLS OVER IN ORDER

HB 352 and **SB 384** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 435 (Pr. No. 612) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions, further providing for snow and ice dislodged or falling from moving vehicle.

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

Pursuant to Senate Rule 9, the bill was laid on the table.

BILL OVER IN ORDER

SB 439 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION AND REREFERRED

SB 537 (Pr. No. 651) -- 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 intermediate units, further providing for staff; in professional employees, providing for athletic leaves of absence; and, in vocational education, further providing for organization and operation of schools and institutes.

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

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

SB 538 (Pr. No. 652) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, in retirement for school

employees, further providing for definitions; in retirement for State employees and officers, further providing for credited State service; and providing for benefits and rights for State employees.

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

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

BILLS OVER IN ORDER

HB 561, SB 674, SB 798, SB 817 and **SB 826** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED AND REREFERRED

SB 827 (Pr. No. 1050) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, enacting the Revised Uniform Fiduciary Access to Digital Assets Act (2015); providing for user direction and agreements, for disclosure of digital assets and electronic communications, for functions of fiduciaries and for compliance and immunity for custodians of digital assets and electronic communications; making conforming amendments; and providing for functions of the Administrative Office of Pennsylvania Courts.

On the question,
Will the Senate agree to the bill on second consideration?
Senator KILLION offered the following amendment No. A3583:

Amend Bill, page 20, lines 14 through 17, by striking out "The Administrative Office of Pennsylvania Courts" in line 14, all of lines 15 and 16 and "Section 5." in line 17

Amend Bill, page 20, line 20, by striking out "60" and inserting: 180

On the question,
Will the Senate agree to the amendment?
It was agreed to.

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

It was agreed to.
Ordered, to be printed on the Calendar for third consideration.
Upon motion of Senator CORMAN, and agreed to by voice vote, the bill, as amended, was referred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 837, SB 851 and **SB 854** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILLS ON SECOND CONSIDERATION

SB 877 (Pr. No. 1135) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, in insurance producers, further providing for rebates prohibited and for inducements prohibited.

Considered the second time and agreed to,

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

SB 878 (Pr. No. 1136) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in general provisions relating to insurance companies, associations and exchanges, further providing for rebates and inducements prohibited.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 883 and **SB 919** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION
AND REREFERRED

SB 936 (Pr. No. 1281) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, in liability and compensation, further providing for prescription drugs and the treatment of work-related injuries; and, in procedure, further providing for peer review.

Considered the second time and agreed to,

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

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

BILL OVER IN ORDER

HB 1019 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION, AMENDED

HB 1388 (Pr. No. 2599) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in comprehensive health care for uninsured children, further providing for children's health care and for expiration.

On the question,

Will the Senate agree to the bill on second consideration?

MOTION TO REVERT TO PRIOR PRINTER'S No.

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

Senator COSTA. Mr. President, earlier in this process, with respect to House Bill No. 1388, in the meeting of the Committee on Banking and Insurance, an amendment was added that we believe is not appropriately attached to this CHIP reauthorization bill. House Bill No. 1388, as it came to us in the Senate from the House, was a measure that was going to extend our CHIP program here in Pennsylvania. As my colleague, Senator Hughes, talked about, the CHIP program is an important program and has a long history with this Commonwealth, one of the first in the nation, and this Senate approved it a number of years ago. It led to and was a model for other States around this country to be able to enact their own State CHIP programs and the later federal program, as well.

The amendment that was added dealt specifically with the issue of transgender surgeries, services, and the elimination of those types of programs and surgical performances that would take place for young adults. Mr. President, I believe that is an inappropriate amendment. Our goal should be to revert back to the prior printer's number and allow the Governor to sign this bill without the language that was added. My colleagues have additional comments, but my motion today, Mr. President, is that we revert to prior Printer's No. 1749 on House Bill No. 1388, and I defer to my colleagues who want to add additional comments as well.

Thank you, Mr. President.

On the question,

Will the Senate agree to the motion?

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

Senator CORMAN. Mr. President, House Bill No. 1388 passed both the Committee on Banking and Insurance as well as the Committee on Appropriations by overwhelming margins as is. Obviously, there is always debate along the way, but the fact that both committees passed it with a very strong vote, we would oppose changing it back to its original form. The amendments were added for the purpose to improve the bill, and we still have plenty of Session days left until the end of the year to get the authorization of CHIP completed, so there is no time constraint on us that we need to worry about.

So, Mr. President, I oppose the Senator's motion.

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

Senator STREET. Mr. President, I rise to point out some of the problems with the bill as amended. The bill as amended puts our CHIP program in jeopardy of violating the Federal guidelines with respect to nondiscrimination. In the Code of Federal Regulations, Section 45 CFR 92.207(b)(4) specifically interprets the Affordable Care Act, and I will quote from it. Section (4) states that it is a violation of the nondiscrimination sex provisions to "Have or implement a categorical coverage exclusion or limitation for all health services related to gender transition." We

would be in direct violation of Federal law. So, if we have any version of discrimination on the basis of gender, sexual orientation, or gender-related services or we discriminate against the transgender community, that would be a violation of Federal law and, moreover, we should not be singling out a single group of children, low-income children, who need services. Therefore, it is most fitting that we revert to the prior printer's number, do not have Pennsylvania distinguish itself with regard to discrimination, and pass a clean CHIP bill, which the Governor can sign, protect all the low-income children, and not discriminate against transgender individuals or anyone in Pennsylvania.

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

Senator LEACH. Mr. President, I, too, rise in support of the motion to revert to the prior printer's number. I do so because I would like to vote for the underlying bill. CHIP funding is extremely important, but I cannot be complicit in anything that feels to me like it is discrimination or singling out people for a stigmatization or making people feel that there is somehow something wrong with them. The fact is that in every other context in CHIP funding, we allow the doctors to make a decision with their patient as to what is medically necessary. We are not doctors. We should not be passing specific amendments saying what medical procedures are necessary and what medical procedures are not. That is up to the doctor and the patient. Why do we do it with this specific issue? I would say that when we were discussing this previously, someone said, well, this does not even happen. We do not even have surgery for people who are underage. That makes it even more troubling that we had the original amendment put in to prohibit it. I mean, if it does not happen, why do we feel the need to prohibit it? Unless we feel we need to make a statement, that there is somehow something wrong with these children. I cannot be a party to that.

All this does is make people who are already facing discrimination and who are already facing difficulties feel worse and feel that the State Senate of Pennsylvania is gratuitously going after them and expressing some sort of disapproval of them. That seems heartless and cruel, particularly in the context of children. So, I urge a reversion to the prior printer's number, Mr. President, because we should, again, not be complicit in discrimination, demonization, and stigmatization. Thank you.

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

Senator HUGHES. Mr. President, I, too, rise in support of this motion to revert to the previous printer's number that our Leader, Senator Costa, has outlined. Both Senator Leach and Senator Street have spoken specifically to the discriminatory aspects of this legislation as it is written right now. It singles out a very specific community and denies them services. Once again, it singles out a very specific community and denies them services. It is discriminatory on its face. In addition to that, Mr. President, I also rise in support of a reversion because we are operating now as a State and as a nation, given the recent events occurring and the executive orders occurring in Washington, D.C., where our entire healthcare marketplace, health insurance marketplace, and our healthcare services are in tremendous disruption. Tremendous disruption.

We reported here a week ago, Mr. President, that because of some really outlandish actions taken by the President, that insurance rates in Pennsylvania would have to rise. Originally pro-

jected to rise 7 percent, now they will have to rise by 30 percent. Doctors and medical providers are making determinations of how they can function in the marketplace. Clearly, there is huge disruption. One thing that we know, Mr. President, is that since 1992 when the CHIP program was passed into law by this body, on the Senate floor driving the process, that we have had a CHIP program that has been a model for other States around the nation, we have had a CHIP program that has been a model for the Federal government, we have had a CHIP program that has provided services to millions of Pennsylvania children who have grown into healthy and productive adulthood.

Now we put in jeopardy what was once an outstanding program, we put it in jeopardy in terms of getting it home to the Governor for his signature. What we know, Mr. President, is that if the bill passes in its reversion form, if it passes without this discriminatory language in it, what we know, Mr. President, the bill would go directly to the Governor and be signed into law and thereby assuring several hundred thousand children in Pennsylvania no interruption in their healthcare services because they would be covered. Now, Mr. President, with the insertion of this discriminatory language, that, again, goes directly to a specific constituency and denies them services, now this program, which once was the model of the nation, now it is fearful whether it will ever become the law of the Commonwealth of Pennsylvania again.

So, Mr. President, we need to be in the business of not discriminating against people, number one, and we also need to be in the business, Mr. President, of providing some level of stability for the healthcare services and health insurance especially for children and working families who are struggling trying to make ends meet and put things together. Reverting to the prior printer's number, removing the discriminatory language, creates a path for this particular bill to go directly to the Governor and get something done, which is important to the people and especially the young people of the Commonwealth of Pennsylvania. Again, Mr. President, I urge full support by this body that created the CHIP program in the first place in 1992, full support of Senator Costa's motion to revert to the prior printer's number.

Thank you, Mr. President.

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

Senator FARNESE. Mr. President, very briefly, just a couple of points, and we will wrap it up. Many times in this Chamber we have admonished, and I believe rightfully so, tying of certain benefits or funding to something else. We saw it over budget cycles a couple of years ago when we tied, for instance, education funding to liquor. People said you really cannot tie two things together. Wherever you are on those issues, the fact remains that when we do that, we really do force basically winners and losers. When you look at this bill, that is exactly what we have done. We have tied the reauthorization of funding for a program that has probably become, if not the most well known, successful legislative initiative in the history of the Commonwealth, reauthorization of that program to discrimination. Think about that. In order to reauthorize the CHIP program, you have to now look at a vote that is going to take a certain section of kids and put them aside. That is not hyperbole, that is a fact. In order to reauthorize this program, which has been supported year after year, reauthorized term after term, Republican, Democrat, majority, either side, we make a choice right now to either

reauthorize it or discriminate against children. I mean, I do not know how else to clearly put that.

Now you might say, well, we already are in a State that allows legalized discrimination based upon who you love, and that is true. Is it the right thing to do, Mr. President, to take the next step and discriminate against children based upon who they are? I do not agree with that. But do the policy arguments not, at least, make you think about what we are doing here? Talk about the legality of it, because it is clear, when you sort of get into the legal arguments, that Section 1557 of the ACA, the Affordable Care Act, specifically prohibits discrimination based upon race, color, national origin, sex, age, or disability. That is a fact. It is not hyperbole, it is not exaggeration, it is a fact. After the enactment of ACA, Health and Human Services issued a final rule. A final rule is a term of art so that when a body is looking at what we are doing here today, they will see that a final rule was issued in a quasi-judicial administrative proceeding, a final rule had been issued that expressly prohibited discrimination. That is important in health services based on gender identity. Now, at the hearing a couple of weeks ago, we talked about a couple of Federal court decisions. Sure, there is a Texas case. I understand that. That Texas case enjoined that rule. However, that is not currently being enforced. That case from a Federal district court is not being enforced and has not been formally rescinded.

So, as of today, the rule that was issued by HHS is still on the books. It is still valid, a valid rulemaking procedure, the byproduct of a valid rulemaking procedure. If you do not buy that, a few weeks ago in another Federal district court case out of a district court in southern California, the Catherine Prescott case, right on point, it specifically said that Section 1557 of the Affordable Care Act prohibits discrimination on the basis of gender identity and healthcare. That is a fact. It is not exaggeration, it is not hyperbole, it is fact. So at the very least here, we have two Federal court decisions, but one specifically interpreting the language of the act that says what we are doing here today is discriminatory. And the problem is that if we do this, we place our reauthorization program in direct contradiction with the ACA, which puts 90 percent of our funding for this program at risk if it is struck down. Ninety percent of our funding. That is a problem.

Any type of discrimination based on what we are doing here runs the real risk of invalidating that program and we lose the funding. So, where are we? If we do not revert, if we do not run a clean reauthorization bill like we have done every other year, and you have to ask yourself why? Why are we doing this? At the hearing people said, well, there has never been a surgery for a child under 19 years old. Then why are we doing it? Because we can. Because we can discriminate against folks and we can get away with it. Do not run away from that because that is what we are doing. If we do not revert to the original clean authorization, we are risking being found in violation of the ACA. I will leave it with this. What kind of message does that send?

Mr. President, I urge support of the Costa motion to revert.

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

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

YEA-19

Bartolotta	Dinniman	Killion	Street
Blake	Farnese	Leach	Tartaglione
Boscola	Fontana	Sabatina	Williams
Brewster	Haywood	Schwank	Yudichak
Costa	Hughes	Stefano	

NAY-31

Alloway	Eichelberger	McGarrigle	Tomlinson
Argall	Folmer	McIlhinney	Vogel
Aument	Gordner	Mensch	Vulakovich
Baker	Greenleaf	Rafferty	Wagner
Brooks	Hutchinson	Regan	Ward
Browne	Langerhole	Resenthaler	White
Corman	Laughlin	Scarnati	Yaw
DiSanto	Martin	Scavello	

Less than a majority of the Senators having voted "aye," the question was determined in the negative.

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

Senator CORMAN, on behalf of Senator WHITE, offered the following amendment No. A4543:

Amend Bill, page 2, lines 7 through 10, by striking out "OR GENDER OR SEX TRANSITION SERVICES," in line 7, all of lines 8 and 9 and "SERVICES RELATED TO SUCH SURGERY OR SERVICES" in line 10

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

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

Senator STREET. Mr. President, as many know, I have spoken on the fact that this amendment would put back many of the services that were originally taken out, wrongfully so, and it is good to put back the services. However, there was a court case that sought to partially deal with segregation at the turn of the century, a little over 100 years ago, *Plessy v. Ferguson*, which prior to that, services to African Americans had not been put in place. So, the case sought to create a separate but equal regime where some people were treated differently than others. In *Brown v. Board of Education*, there was a study done with dolls that showed that black kids who played with dolls, even if they would choose the white dolls, had an inferiority complex, and it was harming their ability to succeed in school and harming their ability to succeed in life.

The problem with this amendment is that we send the message to transgender people that they are less than. Substantively, this bill, after amended, would put us back in a place where people can receive services, but we send a message that we believe you are less than other people, and that is wrong. Therefore, for that purpose, we should do a clean CHIP bill. As I noted, we should not put at risk the 176,000 children in the State who receive CHIP. We should not put ourselves in jeopardy of Federal law. We should not move forward thinking that we have solved the problem when we have only solved a portion of the problem. So, although this amendment does make the situation better than it currently is with the bill as recently amended, we should revert to the prior printer's number, and, therefore, we should not take

this half-hearted measure, but what we should do is clean up this bill and send the Governor a clean CHIP bill. So, therefore, I will not be supporting the amendment.

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

Senator COSTA. Mr. President, I concur with the comments made by the gentleman from Philadelphia County because I think he hits it right on the mark, particularly as it relates to the latter part of the discussion, and that is we need to send this bill to the Governor's desk. Mr. President, we have experienced a number of measures we sent out of this Chamber thinking that we would be able to get approval to get something done. As this bill has now been amended and likely maybe amended a second time, I hope not, but at the end of the day it will end up going over to the House. Mr. President, there is no guarantee in any way, shape, or form that the House is even going to consider this bill. As I mentioned, we have sent them several bills, we sent some yesterday, and we are having a difficult time getting those through the process.

My concern is that we will not be able to get to a point in time where we pass CHIP reauthorization language, and I think that is extremely important. My colleagues have talked about the reasons why CHIP is important, but let us also go back and talk about the reasons why the language that has been inserted in the Committee on Banking and Insurance, and the language that may be inserted now, while this particular amendment may make the bill a little better, at the end of the day when we are doing something inappropriate or we are doing it wrong, it does not make a bit of difference to the degree of wrongness that we are participating in. So, at the end of the day, my goal is to make certain we do not do those types of things in this Chamber. That is not who we are. We do not politicize issues along those lines like we are doing here today with respect to these amendments that we talked about and also final passage on this bill. So, for all of those reasons I ask my colleagues to join me in a negative vote for this particular amendment at this time.

Thank you, Mr. President.

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

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

YEA-32

Alloway	Corman	McGarrigle	Tomlinson
Argall	Eichelberger	McIlhinney	Vogel
Baker	Folmer	Rafferty	Vulakovich
Bartolotta	Gordner	Regan	Wagner
Blake	Greenleaf	Resenthaler	Ward
Boscola	Killion	Scarnati	White
Brooks	Langerholc	Scavello	Yaw
Browne	Laughlin	Stefano	Yudichak

NAY-18

Aument	Farnese	Leach	Street
Brewster	Fontana	Martin	Tartaglione
Costa	Haywood	Mensch	Williams
Dinniman	Hughes	Sabatina	
DiSanto	Hutchinson	Schwank	

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

On the question,

Will the Senate agree to the bill on second consideration, as amended?

It was agreed to.

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

BILLS OVER IN ORDER

HB 1420 and **HB 1421** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

SENATE RESOLUTION No. 168, ADOPTED

Senator CORMAN, without objection, called up from page 8 of the Calendar, **Senate Resolution No. 168**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to conduct a thorough and comprehensive analysis of the potential impact of removing certain counties from the emissions testing program and report findings and recommendations to the Senate.

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

On the question,

Will the Senate adopt the resolution?

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

Senator LANGERHOLC. Mr. President, I ask for support of Senate Resolution No. 168. It is time to give counties credit for the progress they have made and end these outdated requirements. Emissions testing was born out of the Clean Air Act of 1970, which authorized requirements for control of vehicle emissions. Twenty-five counties across our Commonwealth were targeted based on most heavily polluted, mostly urbanized areas, and areas with heavy counts of industrial activity. My home county of Cambria County was one of those counties. The designations for air quality were set forth in 42 U.S. Code, Section 7407. The designations were nonattainment, attainment, and unclassifiable. Nonattainment means that they do not meet primary or secondary air quality and further clarifies as marginal, moderate, serious, severe, and extreme.

In 1991, Cambria County was designated as a marginal nonattainment area. In 1997, Cambria County was redesignated as a maintenance area, meaning that they were successfully working toward attainment, which it ultimately achieved in 2008. Then in 2008, it was redesignated as an attainment area, meaning that it meets the primary and/or secondary ambient air quality standards. However, my constituents are still required to spend their hard-earned dollars on this needless emissions testing. It is time we re-examined this requirement to determine its intent and impact on our great Commonwealth.

I thank my colleague, Senator Vogel, for his diligent work on behalf of this resolution, and I ask my colleagues for an affirmative vote on Senate Resolution No. 168. Thank you.

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

Senator DINNIMAN. Mr. President, I want to emphasize that originally this motion was for simply Cambria County, but as a result of changes, now we have all counties of the third to eighth class, and that is very good because the same question that Cambria County has, I know Chester County has and so many other counties have as well. So I support this but wanted to note, since it is not in the wording on our list of bills, that this is for all of those counties.

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.

UNFINISHED BUSINESS BILLS REPORTED FROM COMMITTEES

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

HB 178 (Pr. No. 2609) (Rereported) (*Concurrence*)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, further providing for Keystone Exams and providing for Every Student Succeeds Act State Plan Review; in school directors, providing for school director training programs; in school district financial recovery, further providing for additional criteria and providing for financial administrator in financial watch school district; in grounds and buildings, further providing for limitation on new applications for Department of Education approval of public school building projects; in district superintendents and assistant district superintendents, further providing for reports, for manner of election or approval and for term and salary of assistants; in professional employees, further providing for causes for suspension, for persons to be suspended and for appeals to superintendent of public instruction; in certification of teachers, further providing for granting provisional college certificates and for evaluation of applications for certification; in pupils and attendance, further providing for nonprofit school food program; in drug and alcohol recovery high school pilot program, further providing for establishment of drug and alcohol recovery high school pilot program, for scope of program and selection of students, for establishment and payment of tuition, for term of drug and alcohol recovery high school pilot program and for reporting; in terms and courses of study, further providing for fire and emergency evacuation drills, for alcohol, chemical and tobacco abuse program and for agriculture education and providing for Commission for Agricultural Education Excellence; in charter schools, providing for multiple charter school organizations; in community colleges, further providing for financial program and reimbursement of payments and repealing provisions relating to annual report; in rural regional college for underserved counties, further providing for establishment; in educational tax credits, further providing for limitations; in transfers of credits between institutions of higher education, further providing for definitions, for duties of public institutions of higher education and for Transfer and Articulation Oversight Committee; in funding for public libraries, providing for State aid for fiscal year 2017-2018; in reimbursements by Commonwealth and between school districts, further providing for definitions, for student-weighted basic education funding, for payments to intermediate units, for assistance to school districts declared to be in financial recovery status or identified for financial watch status and for Ready-to-Learn Block Grant; in State Board of Education, further providing for powers and duties of the board; further providing for the applicability of Act 2016-138; and making editorial changes.

Senator WHITE, from the Committee on Banking and Insurance, reported the following bill:

SB 373 (Pr. No. 1287) (Amended)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in uniform health insurance claim form, further providing for forms for health insurance claims.

Senator SCAVELLO, from the Committee on Community, Economic and Recreational Development, reported the following bill:

SB 234 (Pr. No. 1286) (Amended)

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, authorizing assessments for energy improvements in districts designated by municipalities.

Senator EICHELBERGER, from the Committee on Education, reported the following bills:

SB 521 (Pr. No. 1040)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in terms and courses of study, providing for cardiopulmonary resuscitation and for cardiopulmonary resuscitation in schools.

SB 540 (Pr. No. 579)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in pupils and attendance, further providing for excuses from attending school.

HB 1448 (Pr. No. 2109)

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for higher education accountability and transparency.

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

SB 52 (Pr. No. 33) (Rereported)

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the National Guard Youth Challenge Program.

SB 935 (Pr. No. 1280) (Rereported)

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, in Pennsylvania Fish and Boat Commission, further providing for executive director.

RESOLUTION REPORTED FROM COMMITTEE

Senator EICHELBERGER, from the Committee on Education, reported the following resolution:

SR 228 (Pr. No. 1285) (Amended)

A Concurrent Resolution establishing a Global Education Task Force.

The PRESIDENT. The resolution will be placed on the Calendar.

SENATE RESOLUTIONS ADOPTED

Senator DINNIMAN, by unanimous consent, offered **Senate Resolution No. 230**, entitled:

A Resolution designating November 16, 2017, as "Parent Involvement Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, this calls for "Parent Involvement Day" to be noted on November 16. Sometimes we say education of students is left to the schools and the teachers, but the truth of the matter is that the first teacher of any young person is their parents or parent, their grandparents, and their uncles, their aunts, siblings, and the entire family. Therefore, we do this day as a reminder that parents play an important role, as does the family, in the education of young people. They educate them not only in fact, but they teach them to think critically, they teach them the skills that are necessary in terms of human relationships, and they also teach them the fundamental moral values that are essential for that person individually and for our society in general.

But, we also want to say that the schools need parental involvement. Once that child goes to preschool and goes to elementary school, junior high, high school, and even up to the universities, parents have a role. We are trying to simply, and I am trying as Minority chair of the Committee on Education, to emphasize the important role that parents will play and do play in the education of their youngsters. So when there is a meeting with teachers, go, if you will. Ask your kid how they are doing in school. Offer them some help, and not just in academics, also ask the kid to make sure they are not getting into any addictions, not getting into a bad group of friends who are going to get them in trouble. Ask the children those types of questions that will provide guidance in terms of who they are, their values, and their actions but also guidance and help in terms of getting good grades and doing well. The bottom line is if you want your child to be a success, you, as parents, have to do your role.

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.

Senator DINNIMAN, by unanimous consent, offered **Senate Resolution No. 231**, entitled:

A Resolution recognizing the month of November 2017 as "Carbon Monoxide Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator DINNIMAN. Mr. President, this resolution came about because of a very tragic event in my district several years ago in which a young man and woman were in a car, they did not know they had backed that car into a snowbank, and they both died from carbon monoxide poisoning at a very young age. What we have to do is make sure that we educate people, whether they be young, middle-aged, or old, about the dangers of what is called the silent killer, because carbon monoxide, you cannot smell it, you cannot taste it, and you cannot see it. It can exist in so many different ways in houses by faulty furnaces or by trying to grill food inside when you are not supposed to with an outside grill. It can happen in cars.

What we have done in terms of trying to educate younger citizens and children is we have worked hard to get the Department of Education to change the Web site version of its driving manual, where people have to pass it to get their junior license, by putting in a section about carbon monoxide. We figure everyone wants their license, and if they read it, it might stick in their mind to be real careful. Do not stay in that garage with the car on, make sure your tailpipe is not blocked in some way. In the newer versions of the driver manuals, there will be a statement as well to the danger of carbon monoxide. We also are working with the schools so that they share with their students this danger. Everyone wants to have a license, and we need to help people understand that there are dangers not only in speeding, not only using the cell phone, not only in messaging, texting, but also a very serious danger that can come from carbon monoxide poisoning. Each life we save is of vast importance.

So, Mr. President, I present this resolution so that we can spend this month reminding young citizens, school students, middle-aged, and senior citizens that carbon monoxide exists in your house, if you are not careful, and it makes you tired. You do not feel the pain, but you do not wake up. That is not a good thing in life, whether you are young or old, not to wake up, as you can understand. So, in honor of those two students and the work of their parents who have asked me and who are working very hard to educate every single person in this Commonwealth about the danger of carbon monoxide so that we can remember this, save other lives, and out of respect for those two young people who died not realizing that their car was blocked in terms of its tailpipe, we hope that every single citizen will be safe and remember the silent killer, carbon monoxide.

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 VULAKOVICH, ARGALL, AUMENT, BAKER, BARTOLOTTA, BLAKE, BREWSTER, BROOKS, BROWNE, COSTA, DINNIMAN, FARNESE, FOLMER, FONTANA, GREENLEAF, HUGHES, HUTCHINSON, KILLION, MARTIN, MENSCH, RAFFERTY, RESCHENTHALER, SABATINA, SCAVELLO, STREET, TARTAGLIONE, WAGNER, WARD, WHITE and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 232**, entitled:

A Resolution designating the month of November 2017 as "Pancreatic Cancer Awareness Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator VULAKOVICH. Mr. President, this resolution designates November 2017 as "Pancreatic Cancer Awareness Month" in Pennsylvania. Pancreatic cancer is one of the deadliest cancers in the United States, with a near 90-percent mortality rate. Unfortunately, Pennsylvania has the fifth-highest rate of pancreatic cancer in the nation, although the reason for this is unknown. While rare, this awful disease has most recently affected our General Assembly when Representative Fabrizio was diagnosed with pancreatic cancer earlier this year. I worked with Flo over in the House, as probably many other Senators have who have made that transition, and he is a good friend and a good man. We send him our thoughts and prayers as he battles this disease and hope our efforts here will increase awareness of this disease.

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.

BILLS ON FIRST CONSIDERATION

Senator HUGHES. 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 234, SB 373, SB 521, SB 540 and HB 1448.

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, OCTOBER 25, 2017

9:00 A.M.	COMMUNICATIONS AND TECHNOLOGY (public hearing on Pennsylvania Executive Order E0 2016-6 and Senate Bill No. 914)	Hrg. Rm. 1 North Off.
10:00 A.M.	FINANCE (to consider the nomination of Peter Barsz and Daniel Guydish to the State Tax Equalization Board)	Room 8E-B East Wing
10:00 A.M.	TRANSPORTATION (to consider Senate Bill No. 894; Senate Resolution No. 209; and House Bills No. 1294, 1602, 1608 and 1778)	Room 8E-A East Wing

1:30 P.M.	AGRICULTURE AND RURAL AFFAIRS, APPROPRIATIONS and EDUCATION (joint public hearing on the impact and failure to fund the state-related institutions of higher education, the agricultural research and extension programs and the veterinary medicine school)	Hrg. Rm. 1 North Off.
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Off the Floor	AGING AND YOUTH (to consider House Bill No. 425)	Rules Cmte. Conf. Rm.
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Off the Floor	APPROPRIATIONS (to consider Senate Bills No. 792 and 936)	Rules Cmte. Conf. Rm.
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Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bill No. 651; House Bills No. 271, 542 and 785; and certain Executive Nominations)	Rules Cmte. Conf. Rm.
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MONDAY, OCTOBER 30, 2017

11:00 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (public hearing on lead exposure and mitigation)	John P. Cosgrove Center Pittston
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RECESS

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

Senator CORMAN. Mr. President, I move the Senate do now recess until Wednesday, October 25, 2017, at 11:30 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 10:59 p.m., Eastern Daylight Saving Time.