

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

WEDNESDAY, NOVEMBER 15, 2017

SESSION OF 2017 201ST OF THE GENERAL ASSEMBLY

No. 66

SENATE

WEDNESDAY, November 15, 2017

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

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

PRAYER

The Chaplain, Reverend JOHNSON DODLA, Pastor of Olivet United Methodist Church, Coatesville, offered the following prayer:

Let us pray.

Dear God, we thank You for all the blessings that You bestow upon us, the blessings of this day, and for the blessings of all these elected officials in this Chamber. We thank You for their service and their commitment toward Your people in this State. We ask this day that they would remain convicted that they have been appointed to this place for such a time as this, that they continue to do Your work, fight for justice and for all who cannot speak for themselves. We ask all these things in Your name. Amen.

The PRESIDENT. The Chair thanks Pastor Dodla, who is the guest today of Senator Dinniman.

PLEDGE OF ALLEGIANCE

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

BILLS INTRODUCED AND REFERRED

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

November 15, 2017

Senators FONTANA, COSTA, BROOKS, WAGNER, HUGHES, BREWSTER, RAFFERTY, BROWNE, YUDICHAK, WARD and BARTOLOTTA presented to the Chair **SB 944**, entitled:

An Act amending the act of November 29, 2006 (P.L.1463, No.163), known as the Credit Reporting Agency Act, further providing for security freeze and for fees.

Which was committed to the Committee on BANKING AND INSURANCE, November 15, 2017.

Senators BROWNE, FOLMER, WHITE, MENSCH, KILLION, VOGEL, SCHWANK, RAFFERTY and STEFANO presented to the Chair **SB 946**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for registration of charitable organizations, financial reports, fees and failure to file.

Which was committed to the Committee on STATE GOVERNMENT, November 15, 2017.

Senators HUTCHINSON, EICHELBERGER, McGARRIGLE, BLAKE and SCHWANK presented to the Chair **SB 947**, entitled:

An Act amending Titles 8 (Boroughs and Incorporated Towns) and 11 (Cities) of the Pennsylvania Consolidated Statutes, in corporate powers, further providing for personal property; and, in corporate powers, further providing for city property and affairs.

Which was committed to the Committee on LOCAL GOVERNMENT, November 15, 2017.

Senators HUTCHINSON, EICHELBERGER, McGARRIGLE, BLAKE and SCHWANK presented to the Chair **SB 948**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for suits and property.

Which was committed to the Committee on LOCAL GOVERNMENT, November 15, 2017.

Senators HUTCHINSON, EICHELBERGER, McGARRIGLE, BLAKE and SCHWANK presented to the Chair **SB 949**, entitled:

An Act amending the act of May 27, 1953 (P.L.244, No.34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further providing for power to convey.

Which was committed to the Committee on LOCAL GOVERNMENT, November 15, 2017.

Senators MARTIN, VULAKOVICH, HUTCHINSON, RESCHENTHALER, BROOKS, FOLMER, GREENLEAF, BREWSTER, COSTA, AUMENT, WHITE, YUDICHAK, RAFFERTY, VOGEL, McILHINNEY, BARTOLOTTA, WARD and STEFANO presented to the Chair **SB 952**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in sales and use tax, further providing for exclusions from tax.

Which was committed to the Committee on FINANCE, November 15, 2017.

Senators REGAN, RESCHENTHALER, SCARNATI, WHITE, FOLMER, STEFANO and AUMENT presented to the Chair **SB 953**, entitled:

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

Which was committed to the Committee on FINANCE, November 15, 2017.

Senators LAUGHLIN, RESCHENTHALER, EICHELBERGER, MENSCH, KILLION, WHITE and HUTCHINSON presented to the Chair **SB 956**, entitled:

An Act amending the act of July 2, 2013 (P.L.255, No.46), known as the Insurance Regulation and Oversight Fund Act, providing for annual report to General Assembly.

Which was committed to the Committee on BANKING AND INSURANCE, November 15, 2017.

Senators HUGHES, FONTANA, BLAKE, TARTAGLIONE, COSTA, FARNESE, BROWNE and LEACH presented to the Chair **SB 958**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in health and accident insurance, prohibiting exclusions for preexisting conditions.

Which was committed to the Committee on BANKING AND INSURANCE, November 15, 2017.

Senators RAFFERTY, DINNIMAN, MARTIN, SABATINA, TARTAGLIONE, SCAVELLO and AUMENT presented to the Chair **SB 961**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in miscellaneous provisions relating to operation of vehicles, further providing for homicide by vehicle while driving under influence.

Which was committed to the Committee on TRANSPORTATION, November 15, 2017.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

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

November 15, 2017

HB 1646 -- Committee on Transportation.

BILL SIGNED

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

HB 165.

BILLS REPORTED FROM COMMITTEE

Senator RAFFERTY, from the Committee on Transportation, reported the following bills:

SB 266 (Pr. No. 1338) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, providing for special plates for recipients of Soldier's Medal.

SB 729 (Pr. No. 1339) (Amended)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration plates, providing for special plates for veterans of an ally foreign country.

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 Folmer, and a legislative leave for Senator Aument.

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

Senator COSTA. Mr. President, I request a legislative leave for Senator Leach.

The PRESIDENT. Senator Corman requests a temporary Capitol leave for Senator Folmer, and a legislative leave for Senator Aument.

Senator Costa requests a legislative leave for Senator Leach. Without objection, the leaves will be granted.

JOURNALS APPROVED

The PRESIDENT. The Journals of the Sessions of September 18, 2017; September 19, 2017; and September 20, 2017, are now in print.

The Clerk proceeded to read the Journals of the Sessions of September 18, 2017; September 19, 2017; and September 20, 2017.

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

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

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

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

The PRESIDENT. The Journals are approved.

GUESTS OF SENATOR ANDREW E. DINNIMAN PRESENTED TO THE SENATE

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

Senator DINNIMAN. Mr. President, Pastor Johnson, as he likes to be called, which is actually his first name, grew up in India, got his theological degrees in India, went to England--first he worked in Hyderabad, and I might humbly say a great many of the Indian community in our area, a community that has grown by leaps and bounds, are from Hyderabad. Mr. President, within 25 miles of Exton there are now more than 35,000 Indians who have come to our fine area, and Hyderabad is in south India where most of our Indian population is from. Pastor Johnson then went to England, and then went to the fine city of Pittsburgh in what was called The Pittsburgh Project to work with at-risk youths, eventually had two churches in our county, and then came to the Olivet United Methodist Church.

What is happening is Olivet United Methodist Church this year is celebrating its 200th birthday of bringing the Methodist message to the greater Coatesville area. This is an incredibly beautiful church. It is a church which has the finest stained glass windows of any house of worship in our area, and when Coatesville began to lose population and became poor after the demise of the steel industry, the Olivet United Methodist Church did not leave the city. They stayed in the city to deliver the Methodist message of Christianity and lived that message by remaining an active part of that poor community and now it is going through a revitalization. Mr. President, the church is on the Third Avenue Streetscape to the new railroad station which is being developed in Coatesville. So, when we think of the Olivet United Methodist Church, we think of its commitment historically to faith and individual renewal, and now we know this church is also part of the spiritual and physical renewal of the Coatesville community itself.

Finally, Mr. President, I note that as we recognize our fine pastor, we should also recognize several members of his congregation who have come here to hear his message and prayer today and to represent the spirit of this church. Two-hundred years is a long time and, in fact, if my memory serves me right, goes back to 1815 and is an incredible religious structure and an incredible testimony to people who are committed to the Methodist tradition in that region of the county.

So I hope you give a warm welcome to Pastor Johnson and to the members of the Olivet United Methodist Church who have come to join us here today on their 200th anniversary.

The PRESIDENT. Would our guest Chaplain, Reverend Johnson Dodla, along with his friends and guests who I met in the elevator, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

The PRESIDENT. Senator Dinniman, maybe we could visit the church together, if the Pastor will have us.

Senator DINNIMAN. Mr. President, you have been throughout our county and you have been a wonderful traveler and friend to Chester County and Coatesville. We very much welcome you to come and join us.

The PRESIDENT. Speak to me that way, Senator Dinniman, and it is easy to work with you, my friend.

LEGISLATIVE LEAVE CANCELLED

The PRESIDENT. Senator Aument has returned, and his legislative leave is cancelled.

LEAVE OF ABSENCE

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

SPECIAL ORDER OF BUSINESS SENATE RESOLUTION ADOPTED

Senators GREENLEAF, ARGALL, EICHELBERGER, BROWNE, TARTAGLIONE, HUGHES, KILLION, HUTCHINSON, MENSCH, HAYWOOD, COSTA and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 244**, entitled:

A Resolution designating the month of November 2017 as "Ukrainian Genocide Remembrance Month" in Pennsylvania and urge all individuals, groups, organizations and institutions to remember the Holodomor with appropriate activities designed to honor its victims and educate the world about this tragic episode in the world's history.

On the question,
Will the Senate adopt the resolution?

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

Senator GREENLEAF. Mr. President, 85 years ago, Soviet leader Joseph Stalin and his totalitarian regime committed an act of genocide through the implementation of an engineered famine confiscating land, grain, and animals from the Ukrainian people, resulting in deaths of up to 10 million innocent men, women, and children. This genocide, pronounced Holodomor, meaning "murder by starvation," was specifically designed by the Soviet regime to punish independent-minded Ukrainians for their resistance to its economic, political, and social oppression. At the height of the Holodomor in 1933, Ukrainians died at the rate of 25,000 a day, with nearly a third of its victims being children less than 10 years old. Even as the Soviets continued to export the Ukraine's grain to the rest of the world, Ukrainian farmers, who attended to the farms in the breadbasket of the U.S.S.R., were tragically starved to a slow and painful death. Hundreds of archival KGB documents created during this genocide detailed and described the Soviet regime's actions and intention to destroy the Ukraine's national identity by deporting and executing the Ukraine's religious, intellectual, and cultural leaders, prosecuting or executing any others who dared to speak of the famine or to speak against the Soviet authorities publicly, further destabilizing the Ukraine's political structure.

Under the global theme, "Ukraine Remembers, the World Acknowledges," it is necessary that the Ukrainian genocide, Holodomor, 1932-1933, be officially recognized by the global community as a tragic and heinous crime against humanity in order to prevent similar tragedies from occurring in the future. The resolution urges all individuals, groups, organizations, and institutions to remember the Holodomor with appropriate activities designed to honor its victims and educate the world about this tragic episode in the world's history. In this 85th anniversary year, let us recommit ourselves to reflect upon historical truth of the heinous crimes of totalitarian regimes so that we may one day eliminate tyranny from our world.

GUESTS OF SENATOR STEWART J. GREENLEAF
PRESENTED TO THE SENATE

Senator GREENLEAF. Mr. President, in addition, seated in the gallery today are our guests, Ulana Mazurkevich, president of the Ukrainian Human Rights Committee; Gene Luciw, who is with the Ukrainian/American sports center in my district in Horsham; and Michael Sawkiw, chair of the United States committee for Holodomor genocide awareness, to witness the Senate's consideration of this resolution.

With that, I ask the Senate to give its usual warm welcome to my guests. In addition, I ask for support and adoption of this resolution which I offer presently. Thank you.

The PRESIDENT. Would the guests of Senator Greenleaf who are here on the issue of the condemnation of the Ukrainian extermination, Ulana, Gene, and Michael, please rise so that we may welcome you to the Pennsylvania Senate. Thanks for your great work.

(Applause.)

The PRESIDENT. Let us see if your presence helps the adoption of the resolution.

And the question recurring,
Will the Senate adopt the resolution?

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

The PRESIDENT. See, your presence has really helped.

RECESS

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

Senator CORMAN. Mr. President, I request a recess of the Senate for the purpose of an off-the-floor meeting of the Committee on Law and Justice to be held in the Rules room.

The PRESIDENT. For the purpose of an off-the-floor meeting of the Committee on Law and Justice, without objection, the Senate stands in recess.

AFTER RECESS

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

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

SENATE CONCURS IN HOUSE AMENDMENTS

SB 785 (Pr. No. 1239) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in registration of vehicles, further providing for vehicles exempt from registration; and providing for operation of golf carts.

On the question,

Will the Senate concur in the amendments made by the House to Senate Bill No. 785?

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

Senator CORMAN. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 785.

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

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

YEA-49

Alloway	DiSanto	Leach	Street
Argall	Eichelberger	Martin	Tartaglione
Aument	Farnese	McGarrigle	Tomlinson
Baker	Folmer	McIlhinney	Vogel
Bartolotta	Fontana	Mensch	Vulakovich
Blake	Gordner	Rafferty	Ward
Boscola	Greenleaf	Regan	White
Brewster	Haywood	Resenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
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 inform the House of Representatives accordingly.

THIRD CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 52 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 113 (Pr. No. 987) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, in incapacitated persons, providing for communication, visitation and interaction with other persons and for notice to immediate family of certain events.

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

On the question,
Shall the bill pass finally?

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

YEA-49

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

BILL OVER IN ORDER

HB 411 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 425 (Pr. No. 441) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, in pharmaceutical assistance for the elderly, further providing for determination of eligibility.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

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

YEA-49

Alloway	DiSanto	Leach	Street
Argall	Eichelberger	Martin	Tartaglione
Aument	Farnese	McGarrigle	Tomlinson
Baker	Folmer	McIlhinney	Vogel
Bartolotta	Fontana	Mensch	Vulakovich
Blake	Gordner	Rafferty	Ward
Boscola	Greenleaf	Regan	White
Brewster	Haywood	Resenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
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 without amendments.

SB 658 (Pr. No. 776) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating the Eastern hellbender (*Cryptobranchus alleganiensis alleganiensis*) as the official amphibian of the Commonwealth of Pennsylvania.

Considered the third time and agreed to,

On the question,
Shall the bill pass finally?

The PRESIDENT. The Chair recognizes the gentleman from Lycoming, Senator Yaw.

Senator YAW. Mr. President, I would like to make the following comments. The Chesapeake Bay Foundation's Student Leadership Council began, over a year ago, working with the Clean Water Institute at Lycoming College in Williamsport to study the Eastern Hellbender. A group of students came into my office with all their research and they proposed a draft of a bill, the net result of which is Senate Bill No. 658, which is an opportunity to send a clear message that clean water counts in Pennsylvania by designating the Eastern Hellbender as the Commonwealth's official amphibian.

Eastern Hellbenders are the largest salamanders in North America. They rely on the Commonwealth's cold, clear, swift-running waters for their survival. Their presence amplifies the value and importance of pristine rivers and streams in Pennsylvania. Hellbenders are an indicator species. They are natural barometers of the quality of our waterways. The positive impact of Senate Bill No. 658 extends to all species that rely on clean water, which essentially encompasses all wildlife in Pennsylvania, including us. The Eastern Hellbender, as Pennsylvania's official State amphibian, would symbolize the high value the Commonwealth has for pristine waters that run through it, and I ask for a positive vote from my colleagues.

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-47

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

NAY-2

Hutchinson Laughlin

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 775 and SB 792 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL LAID ON THE TABLE

SB 844 (Pr. No. 1133) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in child custody, further providing for standing for any form of physical custody or legal custody.

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

SB 844 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that Senate Bill No. 844, Printer's No. 1133, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

BILLS ON THIRD CONSIDERATION AND FINAL PASSAGE

HB 1009 (Pr. No. 2697) -- The Senate proceeded to consideration of the bill, entitled:

An Act authorizing the release of Project 70 restrictions on certain land owned by the Borough of West Newton, Westmoreland County, in return for the development of park and open space lands within the Borough of West Newton, Westmoreland County; and authorizing the release of Project 70 restrictions on certain lands owned by Upper Uwchlan Township, Chester County, in exchange for the provision of money for the purchase and installation of recreational equipment and the implementation of a multiuse trail.

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

On the question, Shall the bill pass finally?

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

YEA-49

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

NAY-0

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

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

HB 1019 (Pr. No. 2209) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, in general provisions relating to burial grounds, further providing for definitions; and providing for transfer of ownership of cemeteries and for reasonable access to burial grounds.

Considered the third time and agreed to,

On the question, Shall the bill pass finally?

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

Senator SCHWANK. Mr. President, this legislation arose out of a situation in a municipality that both Representative Gillen and I represent, Caernarvon Township, where there was a private property where there was a burial ground, an active burial ground actually, and the landowners refused to allow the family of the individuals who were interred in that particular cemetery to visit, saying that this was not part of their deed and this was private property. It was really a heartbreaking situation for the families. Some of the individuals were even concerned because they perhaps would not be able to be buried next to their spouse as a result of this particular situation.

So, credit goes to Representative Gillen for devising legislation that will address this issue, that will allow these individuals, at the very least, to visit burial grounds, and will make sure that when deeds are transferred and there is a burial ground on that particular property, there is an indication on the deed that that is in fact so. I am really happy that we are moving this forward because this is the last stop before this bill gets to the Governor's desk, and I would like to thank Senator Corman for moving this forward and not allowing it to languish too long. It is certainly a situation that we care about back in Berks County. I ask my colleagues to join me in an affirmative vote.

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-49

Table with 4 columns of names: Alloway, Argall, Aument, Baker, Bartolotta, Blake, Boscola, Brewster, DiSanto, Eichelberger, Farnese, Folmer, Fontana, Gordner, Greenleaf, Haywood, Leach, Martin, McGarrigle, McIlhinney, Mensch, Rafferty, Regan, Resenthaler, Street, Tartaglione, Tomlinson, Vogel, Vulakovich, Ward, White, Williams

Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
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 without amendments.

BILL LAID ON THE TABLE

HB 1139 (Pr. No. 2520) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in offenses against the family, further providing for newborn protection; in child protective services, further providing for taking child into protective custody; and, in newborn protection, further providing for definitions and for health care providers accepting newborns, providing for emergency services providers accepting newborns and for incubators for newborns and further providing for reporting acceptance of newborns, for immunity and for duties of department.

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

HB 1139 TAKEN FROM THE TABLE

Senator CORMAN. Mr. President, I move that House Bill No. 1139, Printer's No. 2520, be taken from the table and placed on the Calendar.

The motion was agreed to by voice vote.

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

SECOND CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 21 and **SB 99** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 196 (Pr. No. 185) -- The Senate proceeded to consideration of the bill, entitled:

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

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

SB 234, SB 263 and **SB 313** -- 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

HB 352 (Pr. No. 364) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in limitation of time, providing for ten year limitation, for mesne profits and for reimbursement and further providing for twenty-one year limitation.

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

SB 373, SB 384, SB 439, HB 478, SB 500 and **SB 521** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION AND REREFERRED

HB 644 (Pr. No. 681) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of May 21, 2013 (P.L.32, No.10), known as the Community-Based Health Care Act, in health care assistance, further providing for Community-Based Health Care Program.

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

SB 674 and **SB 764** -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

SB 798 (Pr. No. 1078) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, in Pennsylvania Military Community Enhancement Commission, further providing for establishment and membership.

Considered the second time and agreed to,

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

BILLS OVER IN ORDER

SB 817, SB 851 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

HB 1234 (Pr. No. 1461) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act, in licensing of health care facilities, further providing for definitions; and abrogating regulations.

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 1294 -- Without objection, the bill was passed over in its order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 1597 (Pr. No. 2106) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, in determination of compensation, appeals, reviews and procedure, further providing for determination of compensation appeals and for decision of referee and further appeals and reviews.

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

BILLS OVER IN ORDER

HB 1602 and HB 1608 -- Without objection, the bills were passed over in their order at the request of Senator CORMAN.

BILL ON SECOND CONSIDERATION

HB 1778 (Pr. No. 2405) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of State Route 1005, also known as Castor Avenue, over the Frankford Creek in the City of Philadelphia, Philadelphia County, as the Officer Gary Frank Skerski Memorial Bridge.

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

UNFINISHED BUSINESS
BILL REPORTED FROM COMMITTEE

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

SB 959 (Pr. No. 1320)

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in minors, further providing for purchase, consumption, possession or transportation of liquor or malt or brewed beverages and for inducement of minors to buy liquor or malt or brewed beverages; and making a related repeal.

SENATE RESOLUTIONS ADOPTED

Senators BROOKS, DINNIMAN, BAKER, MARTIN, FONTANA, GREENLEAF, SABATINA, FARNESE, BARTOLOTTA, BROWNE, TARTAGLIONE, HUGHES, RESCHENTHALER, YUDICHAK, SCAVELLO, VOGEL, KILLION, AUMENT, MENSCH, RAFFERTY and COSTA, by unanimous consent, offered **Senate Resolution No. 245**, entitled:

A Resolution designating the month of November 2017 as "Home Care and Hospice Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

The PRESIDENT. The Chair recognizes the gentlewoman from Mercer, Senator Brooks.

Senator BROOKS. Mr. President, this resolution declares the month of November as "Home Care and Hospice Month" in the Commonwealth. As we all know, especially for those of us who travel frequently, there is no place like home, but, Mr. President, when you are ill or approaching the twilight of your life, being home takes on a whole new meaning. Today's resolution recognizes and gives praise to the workers and the agencies who help patients and their families receive care and peace in their own homes. It certainly takes a very special kind of person to be a home care, home health, or hospice professional. These angels of mercy truly provide so much more than medical care. They give patients the ability, if possible, to stay in their own home, surrounded by loved ones, neighbors, and friends. Our hospice and home care workers provide patients and families with the support network filled with love, strength, and an accepting and empathetic heart that listens and consoles.

These gentle spirits truly have a special calling and a strength of character that is beyond description. I recently saw a plaque that defines what each letter of HOSPICE stands for: Helping Others Simply Pass Into Calm Eternity. Mr. President, in this month of November when we go home to celebrate all that we are grateful for, seated around a table plentiful with food and family, let us remember and honor the home care and hospice professionals who labor with love in the shadows, guiding their patients to an even greater home.

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 SABATINA, by unanimous consent, offered **Senate Resolution No. 246**, entitled:

A Resolution recognizing the month of November 2017 as "American Made Month" in Pennsylvania and encouraging the purchase of American-made products.

On the question,
Will the Senate adopt the resolution?

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

Senator SABATINA. Mr. President, my resolution recognizes the month of November 2017 as "American Made Month" in Pennsylvania. The goal of American Made Month is to highlight efforts to expand jobs for Americans and unite national, State, and local businesses that manufacture, assemble, promote, distribute, and sell American-made products. Pennsylvania has a rich and diverse manufacturing history that has shaped and strengthened our economy. Our workforce has made, and continues to make, significant contributions to our local economy on a State, national, and global level.

According to the U.S. Bureau of Economic Analysis, each dollar spent on American-made goods equates to an investment of an additional \$1.35 in our nation's economy. According to the National Advanced Manufacturing Portal, one new manufacturing job creates 1.6 additional jobs in local service businesses and jobs in high-tech manufacturing industries, such as technology, supply chain management, and logistics. When we buy American, we support local businesses and quality family-sustaining jobs in our workforce. An investment in American-made products is an investment in our State's prosperity.

As we recognize American Made Month, we can all take this opportunity to encourage the purchase of American-made products in support of American businesses and workers. So, Mr. President, I ask that my colleagues join me in recognizing the month of November 2017 as American Made Month in Pennsylvania.

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.

LEGISLATIVE LEAVE CANCELLED

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

SENATE RESOLUTION ADOPTED

Senators BOSCOLA, ALLOWAY, FONTANA, BREWSTER, DINNIMAN, LEACH, SABATINA, AUMENT, BAKER, GREENLEAF, KILLION, MARTIN, BROWNE, RESCHENTHALER, COSTA and RAFFERTY, by unanimous consent, offered **Senate Resolution No. 247**, entitled:

A Resolution designating the month of November 2017 as "Food Pantry Donation Month" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator BOSCOLA. Mr. President, this resolution urges stronger food donation practices by restaurants and businesses in Pennsylvania. Senator Alloway and I wanted to come up with a way to maximize food donations going to charities and to build on a little known Good Samaritan law that is already in place in Pennsylvania within the Judicial Code. This law protects restaurants, grocery stores, caterers, and other entities from potential lawsuits when trying to do the right thing by making good faith donations of their excess or unsold food. These items could provide nutrition or ease hunger of individuals in need. Our resolution simply raises awareness and encourages some additional training and education within the business community.

While any donations and the efforts are of course appreciated throughout the year, Thanksgiving week is now upon us. We are at the end of November, colder weather is setting in, and places such as soup kitchens and food pantries are hitting their peak season. In a few short months, the hustle and bustle of the holiday season will have come and gone, but donations will continue to be needed. So, for businesses and individuals alike, this one policy effort could make a dramatic impact for many individuals, especially our children and our elderly. Again, I want to thank Senator Alloway, my good friend, for offering this resolution with me, and our Senate colleagues here today who join in with their support.

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 SCHWANK. 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 266, SB 729 and SB 959.

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, NOVEMBER 21, 2017

1:00 P.M.

EDUCATION (public hearing on the innovative partnership between several school districts in Pennsylvania with the Beating the Odds Foundation and the Live Like Lou Center for ALS Research at the University of Pittsburgh)

Assembly Rm.
William Pitt
Union Bldg.
Univ. of Pitt

C A N C E L L E D

PETITIONS AND REMONSTRANCES

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

Senator DINNIMAN. Mr. President, I want to talk on two subjects, both hopefully briefly. The first is on the Keystone Exams. Mr. President, this is getting ridiculous at this point. The State has put in an ESSA plan, which keeps the Keystones going for 13 more years. Almost every school district in my county has passed resolutions against the Keystones, not wanting them to be used for the purpose of graduation, nor for the purpose of accountability. The Department of Education itself has said that they are not a reliable test of college and career readiness, Mr. President.

The worst thing that is happening now is a conspiracy of silence. This is a little unbelievable. So, the Department of Education submits their plan, and they have a press conference on their plan. They will not say a word about the Keystones, rather they keep telling everyone, we are going to lessen the test to 1 1/2 hours for kids in elementary school, but those children will still have to take 6 1/2 days of testing, and that is not going to solve the problem for the parents or for the children of the Commonwealth. Less testing is better, but it is not the answer, and they will not say anything about the Keystones.

The School Superintendents Association and some of the other good friends of the Department of Education will not say anything either. They say they support the administration putting it in, but when I talk to the superintendents in my area, they are all opposed to keeping the Keystones as a means of graduation and accountability, Mr. President. In fact, the Delaware County superintendents, all 12 of them, sent a letter to the Secretary of Education earlier in the fall saying, this is not a test we should have for graduation. We all know that the struggle should be to not—we have easier ways of doing this. We can use the SATs, for example, which is 1 day of testing, not 10 days of testing. We can get these tests back within a month, not the next year. We can do it for remediation, and we can save tremendous amounts of money for the Commonwealth.

So, my remonstrance is to make an appeal publicly, that the public and those who opposed to the Keystones need to write to the Governor, need to write to the Secretary of Education, need to write to their legislators making it clear that this is not a good test, this is not what we should be putting our students through. By the way, Mr. President, standardized tests, like the Keystones, are exactly the opposite of what we need in our educational system. The educational system today is not based on standardization, it is based on the ability to identify and solve problems, which requires creativity, critical-thinking skills, and that is not what a standardized test, such as the Keystone, is all about. So, it is not only costing us tons of money, it is not only unfair to our students, it is not only preventing us from having remediation because they do not come back until the following year, but it is also not the right test, and there are alternate tests.

What really concerns me, Mr. President, is that the answer—rather than face the questions, rather than have a full debate that the Governor's office and the Department of Education would encourage and would be part of, they are ignoring the issues and pretending that it does not exist, and they do not talk about in their public comments, but it is in the plan for at least 13 more years. I want to make sure that a public discussion takes

place, and I want to end this conspiracy of silence on one of the most important issues in this Commonwealth, and that is the testing of the tens of thousands of high school students. We should have a good test, a reliable test, and a test which costs us less money, and a test which reflects the curriculum far more than this.

Finally, Mr. President, realize that on these tests, when you give them, the teachers teach to the three subjects of the test, and we are destroying other parts of the curriculum needlessly, and we need a total holistic curriculum if we are going to have an educated population in this Commonwealth that is going to be able to deal with the 21st-century economy, which is vital to us.

Having said that, Mr. President, allow me to get to my second topic. For me, I was relatively brief on that one, was I not, Mr. President? The second topic is equally serious. We in the southeast, and I know my colleague, Senator Rafferty, will be doing a remonstrance on this too. Sunoco has gone too far in the mistakes they have made on this pipeline and in their arrogance to the people whom we represent. This is not a Democratic or a Republican issue, we are united together, those of us in the southeast, to defend our constituents as you will see, as Senator Rafferty and I are both going to address this.

The problem, Mr. President, is this. First of all, when the PUC granted them eminent domain, they are going next to schools, they are going next to health centers, and these are lines that do not have natural gas, Mr. President. This Mariner 2 project has butane and propane, the byproducts of natural gas. We know if there should be an explosion, there is no escape. We do not even have the benefit we have in nuclear power, where we can ring the siren, we can evacuate, and we still give out iodine pills to people who live within 25 miles of Limerick, Peach Bottom, and our other nuclear power plants. We have nothing here to give out. If it goes up, and the least bit of spark, if you turn on your cell phone, it explodes and becomes a wall of fire. There is no way to evacuate these students and the elderly. You have to get at least 300 feet from the site, and preferably a half mile from it.

We have some of the best emergency service personnel in this Commonwealth in the southeast, but they only can come after the fact. Our parents are beside themselves. Our citizens are beside themselves. Just like you and I, Mr. President, they care deeply about their children and what happens to them. They care about their parents who are in healthcare centers.

Now, let me just explain some of the stuff that is going on. Just the other day, a huge sinkhole developed in the back of someone's home, and they are worried if their house will be saved. We are up to over 100 of what are called frack-outs, that might not be the right term, but this is when they are drilling and the material they put in comes out of the drill, and gallon after gallon comes on people's property. They have hit areas under the ground with HDD drilling, which has caused wells to go dry. They have created flooding in other people's properties. This is not just residential, but it is commercial.

In order to protect my constituents, Mr. President, because when DEP issued the initial permit in our county, they told them to use a list that was in DCNR. That list is a phony list. It is put in by the well drillers voluntarily. Do you know that in 350 miles of this pipeline, in terms of the easement, and 150 feet on either side, they only identify 22 private wells and only 3 in my county, but already many, many more wells have dried up that were not identified. Even Sunoco realized that. So, Sunoco presented their

own list. We discovered that people were not notified who should have been notified. So, I asked DEP for the list so that I could then make sure that my constituents were being protected, and I was going to share that list with Senator Rafferty, since we both share townships along this continuum. They would not give me the list and I had to do a Right-to-Know on them. I sit on the Committee on Environmental Resources and Energy, I am a Member of the Senate, and when a government agency that is not protecting my constituents will not even send me the information that I need, then I think we are in a sad state of affairs. The truth of the matter is that DEP is not protecting my constituents against a real and present danger that exists.

We have had other pipelines that have been built through my county. People might not like them, but they have been done correctly and safely. We have had conversations, and we have created situations where people understand. We have not had this mass amount of pipelines that are in high-impact areas, that are a danger to many of our citizens, Mr. President. I know that Senator Rafferty and I have put in a series of bills to deal with this, going from the land agents, who do not necessarily--Sunoco does not approach these people, but you have land agents, we are one of only two States in the United States that does not license the land agent under the Real Estate Commission, so you do not know who comes to your house. They come at 10 o'clock at night telling you that they are going to take your property in eminent domain sometimes. You do not know if that person has a criminal record, no check has been done. That is wrong.

In dealing with the high-impact areas--and by the way, Mr. President, it is about time that we in the southeast get some money from some type of tax or impact fee on these wells, and I am not talking about the Marcellus Shale tax here. I am talking about a bill I put in to do a real estate tax on these wells that is done in 20 other States, and when that pipeline leaves Pennsylvania and goes into New Jersey, it has a real estate tax that the company pays. That kind of money will enable us to protect our citizens and will enable us to deal with the environmental difficulties.

Two last things, Mr. President. Because we do not have laws to prevent it, they are doing drilling that HDD and others under the surface across what is called the Route 30 valley. This is a unique geologic formation that has been studied, thanks to money provided way back, even when I was a county commissioner. It consists of limestone. The danger is that limestone breaks and we, in fact, have recently had to repave sections of Route 29 through the Great Valley Corporate Center, sections of the Route 30 bypass, because the road sinks as a result of what is there. You are putting pipelines in there. You do not know in an area that is not geologically suited for these pipelines. The company keeps changing its mind. Now it says we should not do HDD drilling, we are going to do trench drilling.

Listen, my citizens are good and decent people and they are bright people. I am not coming from a county where people are not supportive of business. We probably have a county where we have more executives and leaders in business than any other county in this Commonwealth. My citizens are saying to me when we are not protected and when a company is not doing this the right way, when they are arrogant to us, and do not treat us with any respect and dignity, then enough is enough. Mr. President, my citizens and I understand and we do not oppose fracking. We do not oppose the creation of new jobs that will

come at Marcus Hook. All we ask is that this be done in a way that protects the fundamental safety of our children in our schools, and of those who are in our nursing homes and other centers.

Most other States have laws that will not allow these type of lines, especially those that have such volatile material in high-impact areas. We have no such law. We have no regulation of intrastate pipelines. I am grateful for Senator Rafferty's bill. I have several bills and so does Senator Rafferty. We have to if we want to profit from the natural gas. It will not get to market but it has to go through some of our counties and, unfortunately, the gas is not getting to us in Pennsylvania. This is foreign markets. We cannot get to market if our citizens will put up every bit of resistance they can. You will have court cases, which you already do.

If we are serious in this legislature about getting funds from the Marcellus Shale gas, then just as we protected those areas around the wells, protect the southeast. Mr. President, the election day that just occurred, that election day some people would say, oh, it is because of the Trump factor. Maybe that did play a role, but in my county, I can tell you that every single township along those pipelines in my district, and in most of Senator Rafferty's district, changed their party. It went from Republican to Democratic, and that was because they feel that no one is protecting them. By the way, these citizens are sophisticated. They do not just blame the legislature. They blame the Governor of this Commonwealth because the Governor can use his power to stop the construction until we have the proper safety provisions, and despite letters that they sent, the Governor will not meet with these individuals. So it is both parties.

We have to respond when it deals with this. I have great confidence. I see my colleague, Senator Yaw, coming in. I know that Senator Yaw will work with us because he wants this product to get to market as well, but we cannot tolerate what is currently occurring. I hope when we come back in December that some of the bills will be heard. I also hope and pray that we will at long last do something about the Keystone Exams, because I am going to tell you what, Mr. President, when those students go in to take these exams in March and April, and when they find out, even on the PSSAs that nothing has really changed because of 6 1/2 days instead of 8 days, you are going to have a revolt on your hands and it will have political implications.

Let us stand up for our citizens on the issue of Keystones, let us end the conspiracy of silence that the Governor and PDE have, and let us finally get some of these bills passed that protect the southeast part of our region, get the Governor to reach out, and we as a legislature, let us get our act together and pass some of these bills. Let us protect the southeast as we protected western Pennsylvania.

Thank you, Mr. President. I am now privileged to hear my colleague who will give a similar message, although he has the ability to do it with less words than I as a professor.

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

Senator RAFFERTY. Mr. President, I admire and deeply respect my colleague and his passion on this issue, and the two of us have worked very closely together on the pipeline issue in the southeast. It is a major problem, it is a serious problem, and it is a hazardous problem in the southeast. Mr. President, I do not blame the individuals installing the pipes. They are all heavily

trained, highly skilled individuals who are installing the pipes. The problem is the company, the faceless company whose arrogance has permeated throughout this situation. It does not deal with us, does not deal with the local officials, and when we have problems in the State, we do not even know to whom to go. PUC has a part of it, DEP has a part of it, and this agency has a part of it. We need to consolidate the management of these pipelines in the Commonwealth of Pennsylvania, because this is continuing.

This particular pipeline that Senator Dinniman and I are talking about today on the floor has more municipalities to traverse in order to get to their destination. There are people who are very concerned, highly educated on the issue, who want to know more and want the company to come forth with the information. I sat in an emergency services meeting the other night where they talked about how deep the pipeline is going to be, and if there is a leak in the pipeline, they were told the butane, the liquid would begin to freeze, but they cannot find out anything more. How long will it freeze? How will it be shut off? Because either DEP, who has the study, or Sunoco, who has the study, are not sharing that information. This is critical to the people in Chester County and in Senator Dinniman's area and my area that we have this information available for our first responders. Prior to that even, there has to be a better working relationship between this company and Chester County officials, the local officials, the county officials, and the legislators.

We have bills in. Both of us have been lobbying to get the bills passed. I am hoping to be able to do so. We will consolidate, we will be able to get funds available to property owners, to municipalities, to public service agencies, and to first responders that will help in that situation. This is not a hit-and-run operation. It may be for the company, but it is not for the residents of Chester County. This is a priority issue that Senator Dinniman and I are going to continue to work on along with our colleagues in the Senate of Pennsylvania. I appreciate the efforts on Senator Corman's behalf as well that we will be able to start making a turn here to be able to better regulate these pipelines that go through these heavily populated and dense areas of the southeast.

Mr. President, it is critical and it is necessary. All parties involved, the company, the State agencies, the local government, the legislators, and the executive have to become involved and face the situation to make sure that we right the ship before it goes any further. Again, the men and women who are working the pipelines live in our communities. They are very concerned and caring as well, but it is that company and the State agencies that are dropping the ball on the people in Chester County and the Commonwealth of Pennsylvania.

Thank you, Mr. President.

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

Senator SCHWANK. Mr. President, I thank my colleagues, Senator Dinniman, as well as Senator Rafferty, for discussing the issue of the pipeline, and I appreciate their efforts on this. It goes through more than Chester County, it also goes through Berks County, Lancaster, and others as well, but I am going to take this conversation in a totally different direction.

This morning before we came into Session, Mr. President, I was able to introduce some legislation. The legislation is about some of the issues of sexual harassment, sexual violence, that have become so much in the news in the past few days. I have a long career, Mr. President. I have worked for many years, since

I was 15, and I never thought that I would see the day, and I am so encouraged that I see it now, where people talk openly about working conditions, about the problems that both men and women sometimes face in terms of exposure to bad behavior, actually dehumanizing behavior by individuals who are sexually harassing or conducting themselves in an inappropriate way.

This morning we introduced legislation, that while it will not necessarily change that culture, the openness that we are seeing now is key to this because the more transparent we come about this situation, the more we stop predators from continuing what they do. Senate Bill No. 999, Mr. President, will protect victims of sexual harassment or sexual misconduct from being silenced by banning contracts, settlements, and similar agreements that penalize them for telling what happened and who did it. We have heard the term NDA, or nondisclosure agreements. What that is, is that a victim or aggrieved party agrees not to sue or discuss terms of a deal in exchange for a monetary settlement. If the NDA is violated, the other party can sue and actually seek damages from the victim, which is even more egregious, in my opinion. That is why we introduced this legislation, Mr. President, to end those practices.

The NDAs only refer to issues of sexual harassment or sexual misconduct, and the legislation clearly defines what that means. It is not nebulous. It is very clear under the legislation. What this will do, the key thing that I think is so important, is it will no longer protect people of power or prestige who have the money to be able to buy themselves out of their bad behavior. This does not only happen in Hollywood, Mr. President, it happens everywhere in our society. In the Commonwealth of Pennsylvania, we have the unique opportunity, it is not a Federal issue, this is an issue that we can do to absolutely ban these nondisclosure agreements. Will it necessarily change the culture? Maybe in a slight way. One, by making perpetrators think twice that what they do will be out in open. That they are not going to be able to escape a victim in terms of wanting to be public about the situation and that they cannot buy themselves silence, the silence that allows them to continue this kind of behavior.

The legislation was just introduced today, Mr. President. I am really hopeful that we will get more cosponsors throughout the Senate and that we can move this quickly. There is no financial risk to this. There is nothing that costs the Commonwealth whatsoever. There are no penalties actually involved either. All it does is make those types of agreements illegal in Pennsylvania. It is a very positive step forward, and I hope Pennsylvania will be on the cutting edge of helping to address this issue. To our constituents, Mr. President, throughout the Commonwealth, this sends a message that we care. We care and we want these things to be out in the open and to end. I really appreciate the opportunity to talk about it to you and to whoever else happens to be viewing our Session today. Thank you very much.

The PRESIDENT. The Chair thanks the gentlewoman, congratulations and thank you for your legislation.

BILL SIGNED

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

SB 785.

RECESS

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

Senator CORMAN. Mr. President, I move that the Senate do now recess until Monday, December 11, 2017, at 1 p.m., Eastern Standard Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 12:24 p.m., Eastern Standard Time.