

COMMONWEALTH OF PENNSYLVANIA
Legislative Journal

MONDAY, JUNE 11, 2018

SESSION OF 2018 202ND OF THE GENERAL ASSEMBLY

No. 28

SENATE

MONDAY, June 11, 2018

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

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

PRAYER

The Chaplain, Reverend DAVE KRATZ, Pastor of East Swamp Church, Quakertown, offered the following prayer:

Let us pray.

O God, we thank You for this wonderful day. We thank You for life, health, strength, and the ability to join the gift of today. Thank You for the opportunity to be here with these great leaders, for their willingness to serve and give their lives for others. Lord, I pray Your richest blessing on each one here and for each family represented here. I pray, God, that You would give them exactly what is needed for today, whether that is encouragement, those needing healing, or peace. We especially pray for wisdom in the work before them today. Give them strong minds and wise decisionmaking skills. May Your favor rest on them. May their work today be effective and enduring going forward.

Please protect the families of these in the room here. We protect the families throughout the State of Pennsylvania and throughout this nation. We especially think of students as they are finishing up their school year right now. God, please protect them as well. God, may we be a people who continue to believe the impossible. We are seeing that take place in our community, God, and I just pray that it might happen here today in this Chamber. Remove barriers that seem unmovable and provide solutions as only You can do. O God, we need Your help. Help us to believe, empower us to do the work You have called us to here today. In your name we pray. Amen.

The PRESIDENT. The Chair thanks Pastor Kratz, who is the guest today of Senator Mensch.

PLEDGE OF ALLEGIANCE

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

COMMUNICATION FROM THE GOVERNOR

NOMINATION REFERRED TO COMMITTEE

The PRESIDENT laid before the Senate the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Rules and Executive Nominations:

MEMBER OF THE PENNSYLVANIA
LIQUOR CONTROL BOARD

June 11, 2018

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Michael Negra, 271 Goodhart Road, Centre Hall 16828, Centre County, Thirty-fourth Senatorial District, for reappointment as a member of the Pennsylvania Liquor Control Board, to serve until May 17, 2022, and until his successor is appointed and qualified, but not longer than six months beyond that period.

TOM WOLF
Governor

HOUSE MESSAGES

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

The Clerk of the House of Representatives informed the Senate that the House has concurred in amendments made by the Senate to **HB 564**.

SENATE BILLS RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives returned to the Senate **SB 667** and **SB 851**, with the information the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. Pursuant to Senate Rule 13(c)(2)(i), the bills will be referred to the Committee on Rules and Executive Nominations.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives presented to the Senate the following bills for concurrence, which were referred to the committees indicated:

June 8, 2018

HB 129 and **2152** -- Committee on Health and Human Services.

HB 2131 -- Committee on Transportation.

HB 2154 -- Committee on Environmental Resources and Energy.

BILLS INTRODUCED AND REFERRED

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

June 8, 2018

Senators MENSCH, DINNIMAN, VULAKOVICH, BARTOLOTTA, REGAN, COSTA, BROWNE, YUDICHAK and STEFANO presented to the Chair **SB 1193**, 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 manufacturing innovation and reinvestment deduction.

Which was committed to the Committee on FINANCE, June 8, 2018.

Senators BROWNE, SCARNATI, GORDNER, ARGALL, MENSCH, BOSCOLA, AUMENT, YUDICHAK, KILLION, McGARRIGLE, WARD, VULAKOVICH and STEFANO presented to the Chair **SB 1197**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, in personal income tax, further providing for net gains or income, net losses and for dividends.

Which was committed to the Committee on FINANCE, June 8, 2018.

Senators EICHELBERGER, FOLMER, RAFFERTY, AUMENT, SCARNATI and BARTOLOTTA presented to the Chair **SB 1198**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school districts, providing for publicly accessible school performance indexes or reports and further providing for value-added assessment system.

Which was committed to the Committee on EDUCATION, June 8, 2018.

June 11, 2018

Senators BREWSTER, FONTANA, BLAKE, LEACH, SCHWANK, COSTA, FARNESE, RESCHENTHALER, YUDICHAK, STEFANO, BROWNE and HUGHES presented to the Chair **SB 1107**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in preliminary provisions, establishing and providing for the powers and duties of the Statewide School Safety Commission.

Which was committed to the Committee on EDUCATION, June 11, 2018.

Senators BREWSTER, YUDICHAK and MENSCH presented to the Chair **SB 1109**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in grounds and buildings, providing for prohibition on reimbursement.

Which was committed to the Committee on EDUCATION, June 11, 2018.

Senators HUGHES, BLAKE and BREWSTER presented to the Chair **SB 1111**, entitled:

An Act providing for the Pennsylvania Promise Program and the Pennsylvania Promise Fund.

Which was committed to the Committee on EDUCATION, June 11, 2018.

Senator DINNIMAN presented to the Chair **SB 1191**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in school directors, further providing for board of directors and election or appointment and for school board in first class A school districts and appointment of seats, and numbers, terms, and methods for election of school directors in first class A school districts.

Which was committed to the Committee on EDUCATION, June 11, 2018.

Senators BLAKE, HUGHES, FONTANA, COSTA, TARTAGLIONE, SCHWANK, BROWNE, STEFANO and YUDICHAK presented to the Chair **SB 1196**, entitled:

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

Which was committed to the Committee on FINANCE, June 11, 2018.

Senators RAFFERTY, DINNIMAN, SCHWANK, VULAKOVICH, MENSCH, FOLMER and WARD presented to the Chair **SB 1199**, entitled:

An Act amending Title 26 (Eminent Domain) of the Pennsylvania Consolidated Statutes, in general provisions, providing for property owner's bill of rights statement.

Which was committed to the Committee on JUDICIARY, June 11, 2018.

Senators LAUGHLIN, BREWSTER and STREET presented to the Chair **SB 1202**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, in hunting and furtaking, further providing for hunting on Sunday prohibited, providing for hunting on Sunday, and further providing for trespass on private property while hunting.

Which was committed to the Committee on GAME AND FISHERIES, June 11, 2018.

Senators REGAN, WARD, ARGALL, FOLMER, RAFFERTY, MARTIN, RESCHENTHALER, EICHELBERGER, AUMENT, YUDICHAK, BROWNE, BARTOLOTTA and VULAKOVICH presented to the Chair **SB 1203**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, further providing for weapons of mass destruction; and, in theft and related offenses, further providing for grading of theft offenses.

Which was committed to the Committee on JUDICIARY, June 11, 2018.

Senators LAUGHLIN and WHITE presented to the Chair **SB 1205**, entitled:

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, in regulation of insurers and related persons generally, providing for corporate governance annual disclosure; and, in reserve liabilities, further providing for small company exemption.

Which was committed to the Committee on BANKING AND INSURANCE, June 11, 2018.

RESOLUTIONS INTRODUCED AND REFERRED

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

June 11, 2011

Senators HAYWOOD, DINNIMAN, STREET, FONTANA, FARNESE, HUGHES and COSTA presented to the Chair **SR 376**, entitled:

A Resolution designating June 2, 2018, as "Gun Violence Awareness Day" in Pennsylvania in recognition of this public safety and public health issue and in commemoration of the lives lost to gun violence in this Commonwealth.

Which was committed to the Committee on JUDICIARY, June 11, 2018.

Senators AUMENT, GORDNER, LANGERHOLC, ARGALL, MARTIN, BROOKS, BROWNE, SCHWANK, SCAVELLO, VULAKOVICH, FOLMER and WHITE presented to the Chair **SR 382**, entitled:

A Resolution urging the Federal Food and Drug Administration to enforce existing guidelines establishing a clear standard of identity for milk.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 11, 2018.

Senators COSTA and BROWNE presented to the Chair **SR 383**, entitled:

A Resolution directing the Joint State Government Commission to establish an advisory committee to conduct a study relating to cultural and creative districts and to report its findings and recommendations to the Senate.

Which was committed to the Committee on COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT, June 11, 2018.

Senators SCHWANK, ARGALL, BROWNE, GORDNER, HUGHES, WARD, STREET, FOLMER, KILLION, SABATINA, WHITE, AUMENT, BLAKE, YUDICHAK, VULAKOVICH and COSTA presented to the Chair **SR 384**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study and issue a report making recommendations for initiatives to assist dairy producers in this Commonwealth.

Which was committed to the Committee on AGRICULTURE AND RURAL AFFAIRS, June 11, 2018.

GENERAL COMMUNICATION**RESOLUTION OF THE
STATE OF MISSOURI**

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

STATE OF MISSOURI
Adriane D. Crouse
Secretary of the Senate

June 7, 2018

On behalf of the Missouri State Senate and House of Representatives, 99th General Assembly, Second Regular Session, we present to you a true and correct copy of Senate Concurrent Resolution No. 40, bearing signatures of the Secretary of the Senate and the Chief Clerk of the House of Representatives.

Senate Concurrent Resolution No. 40 was third read and passed by the Senate on April 9, 2018, and third read and passed by the House on May 17, 2018.

Sincerely,

Adriane D. Crouse
Secretary of the Senate

SENATE CONCURRENT RESOLUTION No. 40**A CONCURRENT RESOLUTION**

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Whereas, Article V of the Constitution of the United States requires a Convention to be called by the Congress of the United States for the purpose of proposing an amendment to the Constitution upon application of two-thirds of the Legislatures of the several states; and

Whereas, the Legislature of the State of Missouri favors a proposal and ratification of an amendment to said Constitution, which shall set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby make an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

Be It Further Resolved that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

Be It Further Resolved that this application shall expire five (5) years after the passage of this resolution; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the Senate of the United States and to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Adriane D. Crouse, Secretary of the Senate, and D. Adam Crumbliss, Chief Clerk of the House, do hereby certify that the aforementioned is a true and correct copy of Senate Concurrent Resolution No. 40, adopted by the Senate on April 9, 2018, and concurred in by the House on May 17, 2018.

ADRIANE D. CROUSE
Secretary of the Senate

DANIEL ADAM CRUMBLISS
Chief Clerk of the House

The PRESIDENT. This communication will be filed in the Library.

BILL SIGNED

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

HB 564.

LEGISLATIVE LEAVES

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

Senator GORDNER. Mr. President, I request legislative leaves for Senator Langerholc, Senator Reschenthaler, and Senator Tomlinson.

The PRESIDENT. Senator Gordner requests legislative leaves for Senator Langerholc, Senator Reschenthaler, and Senator Tomlinson. Without objection, the leaves will be granted.

SENATE CONCURRENT RESOLUTION

WEEKLY RECESS

Senator GORDNER offered the following resolution, which was read as follows:

In the Senate, June 11, 2018

RESOLVED, (the House of Representatives concurring), Pursuant to Article II, Section 14 of the Pennsylvania Constitution, that when the Senate recesses this week, it reconvene on Monday, June 18, 2018, unless sooner recalled by the President Pro Tempore; and be it further

RESOLVED, Pursuant to Article II, Section 14, of the Pennsylvania Constitution, that when the House of Representatives recesses this week, it reconvene on Monday, June 18, 2018, unless sooner recalled by the Speaker of the House of Representatives.

On the question,
Will the Senate adopt the resolution?

The yeas and nays were required by Senator GORDNER 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	Reschenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
Costa	Langerholc	Schwank	
Dinniman	Laughlin	Stefano	

NAY-0

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

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

GUESTS 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, Chief Jack Mentzer, former police chief of the Elizabethtown Borough Police Department. He retired from the Elizabethtown Police Department in Lancaster County this past December after 36 years of police service to the Elizabethtown community, 12 of which he spent as chief of police. Chief Mentzer has been awarded 28 official department awards during his career, including 1 Medal of Valor, 1 Life Saving Commendation, 3 Commendations of Merit, 10 Distinguished Unit Citations, and many more. Some highlights of Chief Mentzer's career include: In November of 1985, Chief Mentzer was on the scene during the Black Horse Hotel fire, where he entered and re-entered the burning building to rescue occupants. In 1989, Mentzer was one of the municipal police officers who responded to the Camp Hill Prison riots when prisoners took over a portion of that prison. In 2009, he worked with the Elizabethtown School District to implement the Alert Lockdown Inform Counter Evacuate, or A.L.I.C.E. program, which trains both faculty and students how to respond to certain critical incidents. Not only did Chief Mentzer serve his community as a police officer, but he also served in and retired from the Pennsylvania Air National Guard as a Senior Master Sergeant in 2006 with over 20 years of service.

I am honored to welcome Chief Mentzer to the Senate today to honor him for his long career of service to the Commonwealth and to congratulate him on his recent retirement. Please join me in welcoming Chief Jack Mentzer and his wife, Jen, to the Pennsylvania Senate.

The PRESIDENT. Would the guests of Senator Aument, Chief Jack Mentzer and his lovely wife, please rise so that we may welcome and thank you for all your service to our State and keeping us safe. God bless you.

(Applause.)

GUESTS OF SENATOR ROBERT B. MENSCH PRESENTED TO THE SENATE

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

Senator MENSCH. Mr. President, today it is my pleasure to introduce the guest Chaplain of the Senate, Pastor Dave Kratz. Pastor Kratz is married to his wife, Karen, and they have three wonderful children. They both have lived their entire lives in eastern Pennsylvania. Karen works as an aide in the Quakertown School District, where all their children attend school. Pastor Kratz has served as pastor at East Swamp Church in Quakertown for over 15 years. He serves as pastor of team leadership and outreach, where he leads a team-based multi-staff church and also partners with local leaders to better the community. One such community initiative is the Quakertown Main Street Skate Park Transformation Project. This is a 10-year, \$1 million initiative to "Expand Our Park - Inspire Our Next Generation." The vision is to transform the local skate park into a state-of-the-art action sports, recreation, and training facility that acts as a hub for additional membership and development for area youth.

Completion of this project will provide an amazing place for skaters, bikers, and youth of all ages to come together and progress in their sport in a safe, positive, and community-friendly environment, while also addressing the local heroin epidemic and inspiring young people to go after their dreams.

Pastor Kratz is joined today by students from Quakertown's middle and high schools, who are also part of the Free Fall Action Sports Team. They are in the gallery and they are: Logan Brezner, a junior; Mark Krenzel, a junior; Braxton Johnson, a sophomore; and Connor Matusek, who is in eighth grade. This team has taken ownership of the park and successfully worked to transform the atmosphere, adding value to their community. They represent why this project is important. We are very proud to have these young men here today so we can thank them for their efforts. Over the last year and a half, this team has raised over \$1 million through State grants and through fundraising efforts with local families. Quakertown expects to break ground on this new project in the spring of 2019.

Please join me in welcoming Pastor Dave Kratz, Logan Brezner, Mark Krenzel, Braxton Johnson, and Connor Matusek to the Pennsylvania Senate.

The PRESIDENT. Would the guests of Senator Mensch, Pastor Dave Kratz and the young guys who were just introduced, please rise so that we may welcome you all to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR MICHELE BROOKS PRESENTED TO THE SENATE

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

Senator BROOKS. Mr. President, I am very happy to be joined today by a terrific 14-year-old young man from the 50th Senatorial District who is serving as a guest Page. His parents and siblings are joining us as well. Isaac Kolachek lives in Titusville and is a student at Maplewood Junior High School. He will be starting ninth grade when he returns to school in August. Isaac is joined by his mom, Allison; father, Ryan; sister, Gabby; and brother, Maxwell.

Isaac's dad, Ryan, recently had a long-overdue celebration as an Eagle Scout, 18 years after earning that mark of distinction. Ryan had been in a serious car accident in 2000 and never received the Court of Honor he had earned. He finally celebrated his Eagle Scout award this past year. Isaac is following in his father's distinguished scouting footsteps. He is also a basketball player, a volleyball player, and a member of the Order of DeMolay, Oil City Chapter.

It is wonderful to have this impressive young man here at the Capitol, along with his family, as Isaac learns more about State government and sees the Scouts' "Be Prepared" motto in action. Please join me in giving Isaac and his family a very warm Senate welcome as they enjoy the Capitol today.

Thank you, Mr. President.

The PRESIDENT. Would the guests of Senator Brooks, Isaac and family, please rise so that we may welcome you to the Pennsylvania Senate.

(Applause.)

GUESTS OF SENATOR JOHN R. GORDNER PRESENTED TO THE SENATE

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

Senator GORDNER. Mr. President, it is my privilege to have Payden Montana here this afternoon. Payden is a three-time State Champion in track and field. She was in your office earlier; thank you for that ability. This spring she finished first in shot put and discus at the State Track and Field State Championship, including setting the State record in shot put. She also was the 2017 State Champion in the shot put. This year, she went to the Penn Relays, which you are familiar with, and she was the 2018 champion in the shot put at the Penn Relays, and last year she placed seventh nationally in the event at the 2017 New Balance Outdoor Nationals. This weekend, she will be attending that event and she is currently seeded number one in the nation in the shot put for this national event. She will be attending Penn State University to participate in their track and field winter program as well as spring program this year.

She is from Berwick, and just graduated on Friday. She is joined by her mom and dad, Beth and Gray Montana. She is also joined by Coach Calarco, and several members of the track and field team. The team had a very successful season finishing, I believe, with their first District Championship for their boys' track team, as well as an excellent season for their girls' team as well. So, I am very proud to introduce Payden Montana, a three-time State champion, and again, someone who this weekend is going to a national event where she is seeded number one, and we certainly wish her all the best at that event.

The PRESIDENT. Would the guest of Senator Gordner, Payden Montana, the champion discus thrower and shot putter, please rise along with your support, your family and your coaches. Great to have you, and we know you are going to win.

(Applause.)

The PRESIDENT. Payden Montana sounds like a great winning name, too.

GUESTS OF SENATOR ANTHONY H. WILLIAMS PRESENTED TO THE SENATE

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

Senator WILLIAMS. Mr. President, many of us have interns who will work in our office this summer, and for many of them it is their first time they interact with those of us who are elected as well as government. Frequently, they are more impressed with us than we take the time to address them. The two young people I introduce today I am beyond impressed with and, frankly, represent the best of all of Pennsylvania, let alone Philadelphia and Delaware Counties. I am honored here today to welcome summer college interns Christopher Lowery and Imani Johnson-Riddick.

Christopher Lowery attends Lincoln University to study criminal justice. Before college, he attended Boys' Latin of Philadelphia High School in west Philadelphia. He was an honor roll student. He had a previous internship with the Philadelphia District Attorney's Office and has served at his church as a junior usher and volunteers feeding meals to the homeless. Imani John-

son-Riddick attends Penn State Brandywine and studies communications and public relations. Before college, she graduated from Preparatory Charter School in south Philadelphia. She was an honor roll student as well, interned at the Criminal Justice Center, and has volunteered at City Hall and Pennsylvania Hospital in the women's imagery department.

Please give them a warm greeting on behalf of the Senate today, Mr. President.

The PRESIDENT. Would the guests of Senator Williams, Chris and Imani, please rise so that we may welcome you to the Pennsylvania Senate. Great to have you.

(Applause.)

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, I am not sure that my guests have been able to remain here, but we had as our guests today, both Representative Lewis and I--and sometimes going from the House to the Senate, back and forth is not easy--the Bishop Shanahan High School Track and Field Team, who recently won the PIAA Championship. So I ask that if they are here that we give them a warm welcome, and even if they did not get here from the House, we still give a welcome to recognize their achievement in field and track.

Thank you, Mr. President.

The PRESIDENT. Let us give a hand of applause, whether they are here or not, to the Bishop Shanahan High School Boys' Track and Field Team and wish them luck in all of their endeavors. It looks like they are in the House, Senator.

(Applause.)

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 a Senate Republican caucus to be held immediately in the Majority Caucus Room.

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

Senator WILLIAMS. Mr. President, I request Democrats report to our caucus room for a Democratic caucus.

The PRESIDENT. For purposes of Republican and Democratic caucuses to be held in their respective caucus rooms, without objection, the Senate stands in recess.

AFTER RECESS

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

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 meeting of the Committee on Appropriations to be held in the Rules room in the rear of the Chamber immediately.

The PRESIDENT. For the purpose of a meeting of the Committee on Appropriations, 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 CANCELLED

The PRESIDENT. Senator Reschenthaler, Senator Langerholc, and Senator Tomlinson have returned, and their legislative leaves are cancelled.

CALENDAR

THIRD CONSIDERATION CALENDAR

BILLS OVER IN ORDER

SB 22, HB 99, HB 126, HB 149, HB 236, HB 280 and HB 285 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL AMENDED

SB 299 (Pr. No. 1636) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, in nomination of candidates, further providing for number of signers required for nomination petitions of candidates at primaries.

On the question,

Will the Senate agree to the bill on third consideration?

Senator TARTAGLIONE offered the following amendment No. A7503:

Amend Bill, page 2, line 11, by inserting after "office." If a sitting magisterial district judge files a certificate of nomination for reelection, the sitting magisterial district judge may not challenge the nominating petition of another candidate for magisterial district judge.

On the question,

Will the Senate agree to the amendment?

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

YEA-46

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

NAY-3

Eichelberger Reschenthaler Yudichak

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 GORDNER.

BILLS OVER IN ORDER

SB 357 and **SB 521** -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS AMENDED

SB 655 (Pr. No. 993) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further providing for definitions, providing for Pennsylvania Safe Effective Opioid Prescribing Advisory Council and further providing for promulgation of regulations.

On the question,
Will the Senate agree to the bill on third consideration?

YAW AMENDMENT A7504

Senator YAW offered the following amendment No. A7504:

Amend Bill, page 5, by inserting between lines 7 and 8:

(k) The advisory council shall be an agency for purposes of 65 Pa.C.S. Ch. 7 (relating to open meetings) and a Commonwealth agency for purposes of the act of February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

Amend Bill, page 5, line 8, by striking out "(K)" and inserting:

(l)

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 third consideration, as amended?

KILLION AMENDMENT A7454

Senator KILLION offered the following amendment No. A7454:

Amend Bill, page 3, by inserting between lines 24 and 25:

(xvi) One representative of a Statewide organization representing primarily community pharmacists.

(xvii) One representative of a Statewide organization representing primarily health system-based pharmacists.

(xviii) One representative of a Statewide organization representing emergency physicians.

(xix) One representative of a Statewide organization representing obstetricians and gynecologists.

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

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

Senator KILLION. Mr. President, very briefly, I worked with Senator Yaw on Senate Bill No. 655. It is simple, straightforward, and adds four individuals to membership of the Pennsylvania Safe Effective Opioid Prescribing Advisory Council within the Department of Health. These four individuals are community pharmacists, health system-based pharmacists, emergency physicians, and OB-GYNs.

Thank you, Mr. President.

And the question recurring,
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 GORDNER.

HB 824 (Pr. No. 902) -- The Senate proceeded to consideration of the bill, entitled:

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

On the question,
Will the Senate agree to the bill on third consideration?

Senator VULAKOVICH offered the following amendment No. A3770:

Amend Bill, page 2, lines 11 through 15, by striking out "Any institution of higher" in line 11 and all of lines 12 through 15 and inserting:

Any of the following:

(1) A community college operating under Article XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(2) A university within the State System of Higher Education under Article XX-A of the Public School Code of 1949.

(3) A State-related institution as defined in section 1502-A of the Public School Code of 1949.

(4) Thaddeus Stevens College of Technology.

(5) Any accredited private or independent college or university.

Amend Bill, page 2, line 28, by inserting before "Consistent":

(a) General rule--The department shall develop program guidelines in consultation with the Department of Education.

Amend Bill, page 3, line 7, by inserting after "hygiene":

The department shall post the program guidelines on the home page of the department's publicly accessible Internet website and shall provide the guidelines to the Department of Education.

(b) Duties of Department of Education.--The Department of Education shall post the program guidelines on the home page of the publicly accessible Internet website of the Department of Education and shall annually distribute the guidelines and relevant program information to all school entities.

Amend Bill, page 6, lines 28 through 30; page 7, lines 1 through 6; by striking out all of said lines on said pages and inserting:

The department shall undergo an annual audit of the program. The audit shall be conducted by a qualified independent certified public accountant under generally accepted audit standards of the Governmental Accounting Standards Board. The audit shall be submitted to the following:

(1) The chairperson and minority chairperson of the Education Committee of the Senate.

(2) The chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the Senate.

(3) The chairperson and minority chairperson of the Education Committee of the House of Representatives.

(4) The chairperson and minority chairperson of the Veterans Affairs and Emergency Preparedness Committee of the House of Representatives.

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

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

Senator VULAKOVICH. Mr. President, this amendment amends House Bill No. 824, sponsored by Representative Saylor, and it is the same amendment we did that was inserted into Senate Bill No. 52, Senator Greenleaf's bill. It changes the definition of institution of higher education to mirror a definition in the School Code to clarify that. It requires the Department of Military and Veterans Affairs to come up with program guidelines, post them on their Web site, pair with the Department of Education, which also posts it on their Web site, and disseminates this information to all school entities. It requires an annual audit to be provided to the Senate and House Committees on Education and also to the House and Senate Committees on Military and Veterans Affairs. I ask for unanimous approval for this amendment.

And the question recurring,
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 GORDNER.

BILLS OVER IN ORDER

SB 859, SB 860, SB 884, HB 983, HB 1034, SB 1047 and SB 1063 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON THIRD CONSIDERATION
AND FINAL PASSAGE

SB 1129 (Pr. No. 1822) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for definitions, for hearing, for alternative procedure for relinquishment, for grounds for involuntary termination and for petition for involuntary termination, providing for notice if identity or whereabouts of birth parent or putative father unknown, further providing for consents necessary to adoption and repealing provisions relating to consents not naming adopting parents.

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	Schwan	
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

SB 1132 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL AMENDED

SB 1156 (Pr. No. 1793) -- The Senate proceeded to consideration of the bill, entitled:

An Act designating a bridge on that portion of Pennsylvania Route 100 over the Schuylkill River in Pottstown Borough, Montgomery County, as the Newstell Marable, Sr., Memorial Bridge; designating the bridge on Stoughstown Road over Interstate 81 in Cumberland County (bridge number 21-3007-0020-0865) as the Private Raymond Lafayette Naugle Memorial Bridge; designating the bridge on Maple Avenue over the Yellow Breeches Creek in Walnut Bottom Township, Cumberland County (bridge number 21-3009-0012-0000), as the Sergeant Kenneth Lee "Buck" Devor Memorial Bridge; designating a bridge on that portion of U.S. Route 219 South, over U.S. Route 22, also known as the Admiral Peary Highway, in Cambria Township, Cambria County, as the PFC Nick Kozorosky Memorial Bridge; designating a portion of Pennsylvania Route 54 in West Mahanoy Township, Schuylkill County, as the Francis V. "Angie" McAndrew Memorial Highway; and designating a portion of State Route 2026, in Upper Moreland Township, Montgomery County, as the Corporal Michael Dennis Cooke Memorial Highway.

On the question,
Will the Senate agree to the bill on third consideration?
Senator RAFFERTY offered the following amendment No. A7369:

Amend Bill, page 4, line 21, by striking out "IN BOTH DIRECTIONS"

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

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

Senator RAFFERTY. Mr. President, this is a technical amendment which I believe is agreed to. I urge its adoption.

Thank you, Mr. President.

And the question recurring,
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 GORDNER.

BILLS OVER IN ORDER

HB 1644, HB 1917, HB 1918 and HB 2067 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

SECOND CONSIDERATION CALENDAR

BILL OVER IN ORDER

SB 2 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL LAID ON THE TABLE

HB 17 (Pr. No. 2003) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of April 14, 1972 (P.L.221, No.63), known as the Pennsylvania Drug and Alcohol Abuse Control Act, further providing for confidentiality of records and for consent of minor.

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

HB 17 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 17, Printer's No. 2003, 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.

BILL LAID ON THE TABLE

HB 26 (Pr. No. 2010) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in registration of vehicles, further providing for special registration plates.

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

HB 26 TAKEN FROM THE TABLE

Senator GORDNER. Mr. President, I move that House Bill No. 26, Printer's No. 2010, 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.

BILL ON SECOND CONSIDERATION

HB 61 (Pr. No. 56) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, in adoption, further providing for report of intention to adopt, for consents necessary to adoption and for notice of hearing.

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

BILL OVER IN ORDER

HB 83 -- Without objection, the bill was passed over in its order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION

HB 159 (Pr. No. 3607) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in juvenile matters, further providing for definitions, for summary offenses and for adjudication.

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

BILLS OVER IN ORDER

SB 249, HB 479, HB 480, HB 481, HB 544, SB 576 and SB 668 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL ON SECOND CONSIDERATION,
AMENDED AND REREFERRED

SB 780 (Pr. No. 1709) -- The Senate proceeded to consideration of the bill, entitled:

An Act relating to telemedicine; authorizing the regulation of telemedicine by health care providers; and providing for insurance coverage of telemedicine.

On the question,
Will the Senate agree to the bill on second consideration?
Senator VOGEL offered the following amendment No. A7424:

Amend Bill, page 1, lines 1 through 4, by striking out all of said lines and inserting:
Relating to telemedicine; authorizing the regulation of telemedicine by professional licensing boards; and providing for insurance coverage of telemedicine.

Amend Bill, pages 8 through 15, lines 1 through 30; page 16, lines 1 through 28; by striking out all of said lines on said pages and inserting:

Section 1. Short title.
This act shall be known and may be cited as the Telemedicine Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Audio-only medium." A prerecorded audio presentation or recording.

"Emergency medical condition." A medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in placing the health of the individual in serious jeopardy, serious impairment to bodily functions or serious dysfunction of a bodily organ or part.

"Health care provider" or "provider." Any of the following:

(1) A health care practitioner as defined in section 103 of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(2) A federally qualified health center as defined in section 1861(aa)(4) of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395x(aa)(4)).

(3) A rural health clinic as defined in section 1861(aa)(2) of the Social Security Act (42 U.S.C. § 1395x(aa)(2)).

(4) A pharmacist who holds a valid license under the act of September 27, 1961 (P.L.1700, No.699), known as the Pharmacy Act.

(5) An occupational therapist who holds a valid license under the act of June 15, 1982 (P.L.502, No.140), known as the Occupational Therapy Practice Act.

(6) A speech-language pathologist who holds a valid license under the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language Pathologists and Audiologists Licensure Act.

(7) An audiologist who holds a valid license under the Speech-Language Pathologists and Audiologists Licensure Act.

(8) A dental hygienist who holds a valid license under the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law.

(9) A social worker, clinical social worker, marriage and family therapist or professional counselor who holds a valid license under the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act.

(10) A registered nurse who holds a valid license under the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law.

(11) An out-of-State health care provider.

"Health care services." Services for the diagnosis, prevention, treatment, cure or relief of a health condition, injury, disease or illness.

"Health Information Technology for Economic and Clinical Health Act." The Health Information Technology for Economic and Clinical Health Act (Public Law 111-5, 123 Stat. 226-279 and 467-496).

"Health insurance policy." As follows:

(1) An individual or group health insurance policy, contract or plan that provides coverage for services provided by a health care facility or health care provider that is offered by a health insurer.

(2) The term includes an individual or group health insurance policy, contract or plan that provides dental or vision coverage through a provider network.

(3) Except as provided under paragraph (2), the term does not include accident only, fixed indemnity, limited benefit, credit, dental, vision, specified disease, Medicare supplement, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement, long-term care or disability income, workers' compensation or automobile medical payment insurance.

"Health Insurance Portability and Accountability Act of 1996." The Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191, 110 Stat. 1936).

"Health insurer." An entity that holds a valid license by the Insurance Department with accident and health authority to issue a health insurance policy and governed under any of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, including section 630 and Article XXIV.

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations).

(4) 40 Pa.C.S. Ch. 63 (relating to professional health services plan corporations).

"Interactive audio and video." Real-time two-way or multiple-way

communication between a health care provider and a patient.

"Licensure board." Each licensing board within the Bureau of Professional and Occupational Affairs of the Department of State with jurisdiction over a professional licensee identified as a health care provider under this act.

"On-call or cross-coverage services." The provision of telemedicine by a health care provider designated by another provider with a provider-patient relationship to deliver services on a temporary basis so long as the designated provider is in the same group or health system, has access to the patient's prior medical records, holds a valid license in this Commonwealth and is in a position to coordinate care.

"Out-of-State health care provider." A health care provider providing a telemedicine service that holds a valid license, certificate or registration in another jurisdiction and is:

(1) discharging official duties in the armed forces of the United States, the United States Public Health Services or the United States Department of Veterans Affairs;

(2) providing telemedicine services to a patient through a federally operated facility;

(3) providing telemedicine services in response to an emergency medical condition, if the care for the patient is referred to an appropriate health care provider in this Commonwealth as promptly as possible under the circumstances;

(4) providing provider-to-provider consultation services; or

(5) providing services which would otherwise be exempt from the requirement of licensure, certification or registration in this Commonwealth under the respective licensure act.

"Participating network provider." Any of the following providers who are under contract with a health insurer:

(1) A physician who holds a valid license under the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985, or the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act.

(2) A clinical nurse specialist or certified registered nurse practitioner who holds a valid license under the act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law.

(3) A physician assistant who holds a valid license under the Medical Practice Act of 1985.

(4) A dentist who holds a valid license under the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law.

(5) An optometrist who holds a valid license under the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act.

(6) A psychologist who holds a valid license under the act of March 23, 1972 (P.L.136, No.52), known as the Professional Psychologists Practice Act.

(7) A social worker, clinical social worker or professional counselor who holds a valid license under the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers, Marriage and Family Therapists and Professional Counselors Act.

(8) An occupational therapist who holds a valid license under the act of June 15, 1982 (P.L.502, No.140), known as the Occupational Therapy Practice Act.

(9) A physical therapist who holds a valid license under the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act.

"Provider-to-provider consultation." The informal act of seeking advice and recommendations from another health care provider for diagnostic studies, therapeutic interventions or other services that may benefit the patient of the initiating health care provider.

"Store-and-forward." Technology that stores and transmits or grants access to a patient's clinical information for review by a health care provider who is at a different location.

"Telemedicine." The delivery of health care services provided through telemedicine technologies to a patient by a health care provider who is at a different location. The term does not include a provider-to-provider consultation.

"Telemedicine technologies." As follows:

(1) Electronic information and telecommunications technology, including, but not limited to, interactive audio and video, remote patient monitoring or store-and-forward, that meets the requirements of the Health Insurance Portability and Accountability Act of 1996, the Health Information Technology for Economic and Clinical Health Act or other applicable Federal or State law.

(2) The term does not include the use of:

(i) Audio-only medium, voicemail, facsimile, e-mail, instant messaging, text messaging or online questionnaire, or any combination thereof.

(ii) A telephone call, except as provided under section 5(a)(3).

Section 3. Regulation of telemedicine by professional licensure boards.

(a) Requirements.--

(1) A health care provider that holds a valid license, certificate or registration from a Commonwealth professional licensure board shall be authorized to practice telemedicine in accordance with this act and the corresponding licensure board regulations.

(2) A health care provider who engages in telemedicine in a manner that does not comply with the standards of care or rules of practice shall be subject to discipline by the appropriate licensure board, as provided by law.

(b) Regulations.--Each licensure board shall within 24 months of the effective date of this section promulgate regulations that are consistent with this act to provide for and regulate telemedicine within the scope of practice and standard of care regulated by the board. The regulations shall:

(1) Consider model policies for the appropriate use of telemedicine technologies.

(2) Include patient privacy and data security standards that are in compliance with the Health Insurance Portability and Accountability Act of 1996 and the Health Information Technology for Economic and Clinical Health Act.

(c) Temporary regulations.--In order to facilitate the prompt implementation of this act, the licensure boards shall publish temporary regulations regarding implementation of this act in the Pennsylvania Bulletin within 120 days of the effective date of this section. Temporary regulations are not subject to:

(1) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(2) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(3) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(4) Section 612 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(d) Expiration.--Temporary regulations shall expire no later than 24 months following publication of temporary regulations. Regulations adopted after this period shall be promulgated as provided by law.

(e) Construction.--The provisions of this act shall be in full force and effect even if the licensure boards have not yet published temporary regulations or implemented the regulations required under this section.

Section 4. Compliance.
A health care provider providing telemedicine services to an individual located within this Commonwealth shall comply with all applicable Federal and State laws and regulations, and shall hold a valid license, certificate or registration by an appropriate Commonwealth licensure board. Failure to hold a valid license, certificate or registration shall subject the health care provider to discipline by the respective licensure board for unlicensed practice.

Section 5. Evaluation and treatment.

(a) Requirements.--Except as provided under subsection (c), a health care provider who provides telemedicine to an individual located in this Commonwealth shall comply with the following:

(1) For a telemedicine encounter in which the provider does not have an established provider-patient relationship, the provider shall:

(i) verify the location and identity of the individual receiving care; and

(ii) disclose the health care provider's identity, geographic location and medical specialty or applicable credentials.

(2) Obtain informed consent regarding the use of telemedicine technologies from the individual or other person acting in a health care decision-making capacity for the individual. The individual or other person acting in a health care decision-making capacity, including the parent or legal guardian of a child in accordance with the act of February 13, 1970 (P.L.19, No.10), entitled "An act enabling certain minors to consent to medical, dental and health services, declaring consent unnecessary under certain circumstances," has the right to choose the form of service delivery, which includes the right to refuse telemedicine services without jeopardizing the individual's access to other available

services.

(3) Provide an appropriate examination or assessment using telemedicine technologies. The health care provider may utilize interactive audio without the requirement of interactive video if it is used in conjunction with store-and-forward technology and, after access and review of the patient's medical records, the provider determines that the provider is able to meet the same standards of care as if the health care services were provided in person. The provider shall inform the patient that the patient has the option to request interactive audio and video.

(4) Establish a diagnosis and treatment plan or execute a treatment plan.

(5) Create and maintain an electronic medical record or update an existing electronic medical record for the patient within 24 hours. An electronic medical record shall be maintained in accordance with electronic medical records privacy rules under the Health Insurance Portability and Accountability Act of 1996.

(6) Provide a visit summary to the individual if requested.

(7) Have an emergency action plan in place for medical and behavioral health emergencies and referrals.

(b) Disclosures.--Providers offering online refractive services shall inform patients that the service is not an ocular health exam. This subsection shall not be construed to prohibit online refractive services if the information notice is clearly and conspicuously communicated to the patient prior to the online refractive service.

(c) Applicability.--

(1) Subsection (a)(1) shall not apply to on-call or cross-coverage services.

(2) Subsection (a)(1) and (2) shall not apply to an emergency medical condition.

Section 6. Insurance coverage of telemedicine.

(a) Insurance coverage and reimbursement.--

(1) A health insurance policy issued, delivered, executed or renewed in this Commonwealth after the effective date of this section shall provide coverage for telemedicine delivered by a participating network provider who provides a covered service via telemedicine consistent with the insurer's medical policies. A health insurance policy may not exclude a health care service for coverage solely because the service is provided through telemedicine.

(2) A health insurer shall reimburse a health care provider that is a participating network provider for telemedicine if the health insurer reimburses the same participating provider for the same service through an in-person encounter. The standard of care and rules of practice applicable to an in-person encounter shall apply to a telemedicine encounter.

(3) Payment for a covered service provided via telemedicine by any network provider shall be established between the health care provider and health insurer.

(b) Applicability.--This section shall apply as follows:

(1) Subsection (a)(1) and (2) shall not apply if the telemedicine service is facilitated via a medical device or other technology that provides clinical data or information, excluding existing information in an electronic medical records system, other than that independently provided through interactive audio or video or written input from the patient.

(2) For a health insurance policy for which either rates or forms are required to be filed with the Federal Government or the Insurance Department, this section shall apply to a policy for which a form or rate is first filed on or after the effective date of this section.

(3) For a health insurance policy for which neither rates nor forms are required to be filed with the Federal Government or the Insurance Department, this section shall apply to a policy issued or renewed on or after 180 days after the effective date of this section.

(c) Construction.--Nothing under this section shall be construed to:

(1) Prohibit a health insurer from reimbursing other providers for covered services provided via telemedicine.

(2) Require a health insurer to reimburse an out-of-network provider for telemedicine.

Section 7. Medicaid program reimbursement.

(a) Medical assistance payment.--Medical assistance payments shall be made on behalf of eligible individuals for telemedicine, consistent with Federal law, as specified under this act if the service would be covered through an in-person encounter.

(b) Applicability.--Subsection (a) does not apply if:

(1) the telemedicine-enabling device, technology or service fails to comply with applicable law and regulatory guidance regarding

the secure transmission and maintenance of patient information; or
(2) the provision of the service using telemedicine would be inconsistent with the standard of care.

Section 8. Effective date.

This act shall take effect as follows:

- (1) The following provisions shall take effect in 90 days:
 - (i) Section 6.
 - (ii) Section 7.
- (2) The remainder of this act shall take effect immediately.

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

LEGISLATIVE LEAVE

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

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

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

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

The yeas and nays were required by Senator VOGEL 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	Reschenthaler	Williams
Brooks	Hughes	Sabatina	Yaw
Browne	Hutchinson	Scarnati	Yudichak
Corman	Killion	Scavello	
Costa	Langerholc	Schwank	
Dinniman	Laughlin	Stefano	

NAY-0

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.

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

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 816 (Pr. No. 1456) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, in dangerous dogs, further providing for court proceedings, certificate of registration and disposition; and providing for muzzled dogs.

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

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

BILL ON SECOND CONSIDERATION AND REREFERRED

SB 819 (Pr. No. 1778) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for definitions and for purchase of agricultural conservation easements.

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.

BILLS OVER IN ORDER

SB 835, HB 864, SB 930 and SB 931 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILL OVER IN ORDER AND LAID ON THE TABLE

SB 962 (Pr. No. 1351) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in neighborhood blight reclamation and revitalization, further providing for failure to comply with a code requirement.

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

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

BILLS OVER IN ORDER

SB 963, SB 1021, SB 1032, SB 1036, SB 1043, SB 1080, SB 1134 and HB 1216 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

BILLS ON SECOND CONSIDERATION AND REREFERRED

HB 1343 (Pr. No. 1662) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending the act of July 2, 1993 (P.L.345, No.48), entitled "An act empowering the General Counsel or his designee to issue subpoenas for certain licensing board activities; providing for hearing examiners in the Bureau of Professional and Occupational Affairs; provid-

ing additional powers to the Commissioner of Professional and Occupational Affairs; and further providing for civil penalties and license suspension," further providing for civil penalties.

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.

HB 1346 (Pr. No. 2167) -- The Senate proceeded to consideration of the bill, entitled:

An Act amending Titles 18 (Crimes and Offenses) and 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in burglary and other criminal intrusion, defining the offense of unlawful use of unmanned aircraft; and, in preemptions, prohibiting local regulation of unmanned aircraft.

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.

BILLS OVER IN ORDER

HB 1460, HB 1646, HB 1782 and HB 1964 -- Without objection, the bills were passed over in their order at the request of Senator GORDNER.

UNFINISHED BUSINESS

BILLS REPORTED FROM COMMITTEE

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

SB 735 (Pr. No. 898) (Rereported)

An Act amending the act of July 7, 1947 (P.L.1368, No.542), entitled "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except counties of the first and second class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," further providing for the title of the act; and, in sale of property, providing for optional county demolition and rehabilitation fund.

SB 891 (Pr. No. 1203) (Rereported)

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 income verification.

SB 1087 (Pr. No. 1544) (Rereported)

An Act establishing a joint legislative, executive and judicial commission on the child-welfare system.

SB 1098 (Pr. No. 1623) (Rereported)

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in enforcement, providing for automated enforcement of failure to stop for school bus with flashing red lights and establishing the School Bus Safety Grant Program Fund.

SB 1126 (Pr. No. 1638) (Rereported)

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in selection and retention of judicial officers, further providing for continuing education requirement.

SB 1171 (Pr. No. 1779) (Rereported)

Amending Titles 3 (Agriculture) and 27 (Environmental Resources) of the Pennsylvania Consolidated Statutes, in nutrient management and odor management, further providing for declaration of legislative purpose, for definitions and for powers and duties of commission and repealing provisions relating to Nutrient Management Advisory Board; and establishing the Farm Animal Advisory Board.

HB 152 (Pr. No. 3556) (Rereported)

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, in life insurance, further providing for surplus or safety fund and providing for contact information and for life policy locator service; and, in suitability of annuity transactions, further providing for definitions, for applicability and scope of article and for duties of insurers and insurance producers, providing for insurance producer training, further providing for mitigation of responsibility and for record keeping and providing for regulations.

HB 1641 (Pr. No. 2734) (Rereported)

An Act providing for competitive integrated employment in State and county agencies and any entity providing publicly funded education, training, employment and related services and long-term services and supports for working-age Pennsylvanians with a disability; establishing Employment First, the Governor's Cabinet for People with Disabilities and the Employment First Oversight Commission and providing for their powers and duties; and conferring powers and imposing duties on the Governor and the Office of the Governor.

SENATE RESOLUTIONS ADOPTED

Senators VULAKOVICH, COSTA, AUMENT, BAKER, BLAKE, BREWSTER, BROOKS, BROWNE, DINNIMAN, FARNESE, FOLMER, FONTANA, GREENLEAF, HUGHES, HUTCHINSON, KILLION, LANGERHOLC, MARTIN, MENSCH, RAFFERTY, RESCHENTHALER, SABATINA, SCHWANK, TARTAGLIONE, VOGEL, WHITE and YUDICHAK, by unanimous consent, offered **Senate Resolution No. 385**, entitled:

A Resolution celebrating the 70th anniversary of the Pennsylvania Wing of the Civil Air Patrol and designating June 12, 2018, as "Pennsylvania Wing Day" 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, I rise today to offer this resolution marking the 70th anniversary of the Civil Air Patrol and designating tomorrow, June 12, as "Pennsylvania Wing Day." The Civil Air Patrol was originally conceived in the late 1930s by aviation advocate Gill Robb Wilson, who foresaw general aviation's potential to supplement America's military operations. With the help of the director of the Office of Civilian Defense, the Civil Air Patrol was created with Administration Order 9 in 1941. During World War II, the Civil Air Patrol assumed many missions, including anti-submarine patrol and warfare, border patrols, and courier services. The Civil Air Patrol's coastal patrol flew 24 million miles, found 173 enemy U-boats, attacked 57, hit 10, and sank 2, dropping a total of 83 bombs and depth charges throughout the conflict. By the end of the war, 64 Civil Air Patrol members had lost their lives in the line of duty.

On May 26, 1948, the United States Congress passed Public Law 557, permanently establishing the Civil Air Patrol as the auxiliary of the new U.S. Air Force. The Civil Air Patrol has three congressionally chartered missions, and they are aerospace education, cadet programs, and emergency services, which consists of search and rescue, disaster relief, drug interdiction, and homeland security, missions at the request of Federal, State, and local agencies. Pennsylvania's Wing is an original member of the Civil Air Patrol and today it consists of more than 1,800 volunteers in 45 squadrons. The PA Wing provides assistance to law enforcement agencies, for example, counterdrug missions, assisting the Pennsylvania State Police, county drug task forces, and the Pennsylvania National Guard.

Tomorrow, members of the Civil Air Patrol will be visiting the State Capitol. Members are welcomed to a briefing by the Pennsylvania Wing Commander Colonel Gary Fleming. Mr. President, I ask for an affirmative vote on the resolution, and I want to say a lot of thanks to the Civil Air Patrol for everything they do. I think there are a lot of people in the State of Pennsylvania who have no idea the value that they give to the citizens of this Commonwealth.

Thank you, Mr. President.

The PRESIDENT. The Chair agrees with the Senator. The Civil Air Patrol does wonderful things and should be recognized for such.

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

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

Senators STREET, DINNIMAN, FONTANA, VOGEL, BROWNE, SCHWANK, HUGHES, COSTA, BREWSTER and MENSCH, by unanimous consent, offered **Senate Resolution No. 386**, entitled:

A Resolution observing June 15, 2018, as "Eid al-Fitr Day" in Pennsylvania.

On the question,
Will the Senate adopt the resolution?

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

Senator STREET. Mr. President, I rise to offer this resolution recognizing June 15, 2018, as "Eid al-Fitr Day" in Pennsylvania. The Commonwealth of Pennsylvania is the birthplace of America and, indeed, the birthplace of religious tolerance in the world. We have hundreds of thousands of Pennsylvanians currently observing the fast of Ramadan and at the conclusion of this will join literally billions of people across the world in recognizing the Eid holiday. This is a festive time where people celebrate all of the blessings that God has given us and enjoy festive activities with family and friends, including lots of eating.

So, Mr. President, I thank my colleagues for their support of this important resolution and welcome and greet all of the Pennsylvanians who are observing Ramadan and wish them a happy Eid.

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

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

ANNOUNCEMENTS BY THE SECRETARY

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

SENATE OF PENNSYLVANIA

COMMITTEE MEETINGS

TUESDAY, JUNE 12, 2018

9:00 A.M.	LOCAL GOVERNMENT (to consider Senate Bills No. 1099, 1168 and 1176)	Room 461 Main Capitol
9:30 A.M.	ENVIRONMENTAL RESOURCES AND ENERGY (to consider Senate Bills No. 917, 1027 and 1189; Senate Resolutions No. 326, 373 and 375; and House Bills No. 927 and 2154)	Room 8E-B East Wing
10:00 A.M.	CONSUMER PROTECTION AND PROFESSIONAL LICENSURE (to consider Senate Bills No. 689, 832, 1074 and 1169; and House Bills No. 74 and 1898)	Room 461 Main Capitol
10:30 A.M.	EDUCATION (to consider Senate Bills No. 1181 and 1198; and House Bill No. 2124)	Room 8E-A East Wing
Off the Floor	HEALTH AND HUMAN SERVICES (to consider House Bills No. 1659, 1677 and 2138)	Rules Cmte. Conf. Rm.
Off the Floor	JUDICIARY (to consider Senate Bill No. 820; and House Bills No. 44, 128, 594, 1539, 1885 and 1886)	Rules Cmte. Conf. Rm.

Off the Floor	RULES AND EXECUTIVE NOMINATIONS (to consider Senate Bills No. 667 and 851; and certain Executive Nominations)	Rules Cmte. Conf. Rm.
<u>WEDNESDAY, JUNE 13, 2018</u>		
9:30 A.M.	BANKING AND INSURANCE (to consider Senate Bills No. 190 and 1205; and House Bill No. 1800)	Room 461 Main Capitol
10:00 A.M.	AGRICULTURE AND RURAL AFFAIRS (public hearing on PA Milk Marketing Board nominees: Robert Barley (Millersville) and Carol A. Hardbarger (Newport))	Senate Maj. Caucus Rm.
10:00 A.M.	VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS (to consider Senate Bill No. 1019; and House Bill No. 247)	Room 8E-B East Wing
10:30 A.M.	URBAN AFFAIRS AND HOUSING (to consider House Bills No. 1499 and 2049)	Room 461 Main Capitol
Off the Floor	AGRICULTURE AND RURAL AFFAIRS (to consider Senate Resolutions No. 382 and 384)	Rules Cmte. Conf. Rm.

BILL SIGNED

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

HB 352.

RECESS

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

Senator GORDNER. Mr. President, I move that the Senate do now recess until Tuesday, June 12, 2018, at 11 a.m., Eastern Daylight Saving Time, unless sooner recalled by the President pro tempore.

The motion was agreed to by voice vote.

The Senate recessed at 4:37 p.m., Eastern Daylight Saving Time.